

PLANNING DEVELOPMENT CONTROL (VIEWING) SUB-COMMITTEE

10 January 2006

Attendance:

Councillors:

Busher (Chairman) (P)

Baxter (P)

Davies (P)

Saunders (P)

Sutton (P)

Officers in attendance:

Ms L Hutchings, Principal Planning Officer
Mr N Culhane, Council's Highways Engineer
Mr P Aust, Drainage Engineer

1. **DEMOLITION OF EXISTING DWELLING AND GARAGE AND ERECTION OF 2 NO. FOUR BED, 3 NO. TWO BED AND 1 NO. FIVE BED DWELLINGS WITH ASSOCIATED GARAGES, PARKING AND ACCESS AT CHILLANDHAM CROSS, CHILLANDHAM LANE, MARTYR WORTHY, WINCHESTER SO21 1AS (05/01930/FUL W02224/08)**

The Sub-Committee had been established by the 20 December 2005 meeting of the Planning Development Control Committee at which Members had requested the site visit to consider the relationship between the proposed and existing buildings, the topography of the area, drainage and highways issues and the sustainability of the site.

The Sub-Committee met at the application site where the Chairman welcomed to the meeting approximately 20 members of the public along with Mr Lowes, Mr Hicks and Mr Gibson (on behalf of the applicant) and Mrs Matthews (Itchen Valley Parish Council). Whilst on site, the Sub-Committee noted the likely effect of the application on the junction of the B3047 and Chillandham Lane, from the access to the site from Chillandham Lane, from the rear garden of Laurel House (a neighbouring property to the north of the site), from the conservation area to the south and from various locations within the site.

Following the site visit, the Sub-Committee reconvened at the Guildhall, Winchester at 11am for the formal debate, as the Sub-Committee had been granted delegated authority to decide the application.

Ms Hutchings explained that the application sought permission for the demolition of the existing vacant dwelling on the site, which was a two storey red brick building with clay roof tiles and white painted windows. In its place and within the garden of the property, the applicant proposed the erection of 2 four bed, 3 two bed and 1 five bed dwellings with associated garages, parking and access. The erection of 1 four bed and 2 two bed dwellings, carport and alterations to existing access had already been granted outline planning permission in September 2004 (W02224/06 refers), Members noted that the application under consideration differed from that granted outline permission principally because of 3 additional dwellings (1 two bed, 1 four bed and a 5 bed dwelling) and improved access. These additional dwellings set out in the

current application were to the east of the permitted dwellings and were on the site of the existing dwelling and its garage which were now proposed to be demolished.

The site was 0.295ha and within the development frontage of Itchen Abbas, opposite Chillandham conservation area and in the proposed South Downs National Park. The site was separated from the B3047 to the south by a grass bank and hedgerow and its boundary between The Rectory and Laurel House to north was defined by a 2.5m high beech hedge.

Ms Hutchings reported on the consultations that had been received in relation to the application. It was noted that the Arboricultural Officer, Environmental Agency, Southern Water, Highways Officers and Architects' Panel had not raised any significant objections to the scheme.

At the conclusion of her presentation, Ms Hutchings stated that the principle of the development was acceptable as the application site was within a H.2 area of land that permitted development.

Concerns were raised regarding the proposed drainage for the site. In reply, Mr Aust stated that the foul drainage arrangements were compliant with the standards set by both the Environment Agency and the Building Regulations. Storm water would seep into on-site soak-aways and it was proposed that cut-off drains would prevent storm water flooding areas to the south.

The additional properties necessitated an improved access from Chillandham Lane onto the site. This would allow service vehicles to turn into the site without blocking Chillandham Lane and would also improve sightlines onto the Lane. Members noted that the sightlines would need to be kept clear and that this was normally the duty of the management company. Although concerns were raised by Members of the public regarding the highways aspects of the application, Mr Culhane stated that because the proposed additional properties added so little additional traffic movements to the Lane, it was not possible to sustain a traffic reason for refusal.

During discussion, concerns were raised that the proposed development was out of character with the surrounding area and was contrary to the Village Design Statement. It was suggested that the development was part of an unwelcome suburbanisation of Itchen Abbas which had an inadequate infrastructure (particularly with regard to the available number of school places) to accommodate additional new development.

In response, Mr Hearn stated that at 20-21 dwellings per hectare, the density of the development was lower than that recommended by Government in Planning Policy Guidance Note 3 (30-50 dwellings per hectare). He added that the lower density proposed by the applicant was justified, as it allowed the retention of several trees on site and minimised the development's impact on the surrounding area.

With regard to the comments about the sustainability of the site, Mr Hearn explained that the site fell within the settlement and that the adequate provision of school places was the responsibility of the County Council.

The Sub-Committee noted that two of the proposed dwellings were affordable homes and Ms Hutchings stated that the details of these would be the subject of a legal agreement which had yet to be finalised.

During its discussion on the likely impact of the application on Laurel House (which was located on the northern boundary of the site) the owner of Laurel House raised

concerns regarding potential overlooking of her property from the rear dormer window of the proposed five bed dwelling. In response, Ms Hutchings stated that the proposed dwelling would neither overlook nor be detrimental to the amenities of Laurel House because of the high hedge between the properties (that was in the ownership of Laurel House) and that the ground rose towards Laurel House.

Ms Hutchings explained that the proposed five bed dwelling would be partially cut into this area of rising ground so as to reduce its impact on neighbouring properties. She added that in designing the scheme, the applicant had agreed that the ridge height of the new buildings would be no higher than that of the existing property and that this would be checked by the Council during construction.

Whilst discussing overlooking, Mr Hearn clarified that the main aspects of all the proposed new dwellings within the site faced north-south which prevented overlooking between these proposed properties. At the invitation of the Chairman, the owner of Chillandham Corner spoke of her concerns that the proposed properties would overlook her garden.

In response to a Member's concerns, Mr Hearn confirmed that the submission of a satisfactory and detailed landscape plan would be required as a condition, if permission was granted. Members noted a number of small trees would be removed along the northern boundary, as they would dominate the rear gardens of the proposed new dwellings, but that two larger birch trees at either end of this boundary would be retained. The Arboricultural Officer had recommended that these two trees be protected during the construction period.

Mr Hearn also clarified that the proposed separate garage building to the five bed dwelling would require a separate planning permission should any future owner wish to convert the building to a separate dwelling. The Committee also noted that a Condition required the garage and parking area to be used for car-parking only.

At the invitation of the Chairman, Mrs Matthews (Itchen Valley Parish Council) spoke against the application. In summary, she stated that the postal address of the property was Martyr Worthy and that its location was unsustainable. She also stated that the proposed wider access to the site was out of character for the area and that the rear gardens would be small and, with the retained trees and hedgerows, dark. She highlighted that the rear garden of the middle terraced dwelling had no rear access.

In response, Mr Hearn explained that it was possible to redesign the layout of the rear gardens to allow rear access to the middle terraced dwelling. He also confirmed that although the postal address may be in Martyr Worthy, the site was within the development frontage policy area.

At the invitation of the Chairman, the Sub-Committee heard a number of other local residents speak against the application. During this, additional concerns were raised regarding the application's impact on the Chillandham Conservation Area opposite and the poor pedestrian access to the site. Concerns were also raised with regard to on-site floodlighting and it was noted that this could be prevented by an additional condition.

At the conclusion of the debate, the majority of Members agreed that the application should be refused for the reasons set out below.

RESOLVED:

That authority be granted to the Director of Development in consultation with the Chairman, to refuse planning permission based on the Sub-Committee's concerns as summarised below:

- i) it was out of character with the area (in that the proposed dwellings were not of the same scale as the surrounding properties);
- ii) that it was an over development of the site and introduced an amount of hard surfacing that was alien to the area;
- iii) that it was detrimental to the views from the conservation area opposite;
- iv) that there remained concerns about overlooking;
- v) and that the five bed dwelling and garage was too large.

The meeting commenced at 9.30am and concluded at 12.20pm.

Chairman