

PLANNING DEVELOPMENT CONTROL (VIEWING) SUB-COMMITTEE**16 April 2007**Attendance

Councillors:

Jeffer (Chairman) (P)

Baxter (P)	Johnston (P)
Bennetts	Lipscomb (P)
Beveridge (P)	Read (P)
Busher	Ruffell (P)
de Peyer (P)	Saunders (P)
Evans	Sutton
Huxstep (P)	

Deputy Members:

Councillor Pearce (Standing Deputy for Councillor Sutton)

Others in Attendance who addressed the meeting:

Councillor Learney

Officers in attendance:

Mr R Ainsley (Senior Planner)
 Mr B Lynds (Planning Solicitor)
 Mr N Culhane (Highways Engineer)
 Mr M Edwards (Arborcultural Officer)

1. **APOLOGIES**

Apologies were received from Councillors Busher, Evans, Bennetts and Sutton.

2. **MINUTES**

In considering the Minutes of the meeting held on 19 February 2007, the Sub-Committee agreed to the following amendment on page 741 of the Council Minute Book, published 18 April 2007:

“At the conclusion of debate, ~~the majority of the Sub-Committee agreed not to grant permission for the development, against officers’ advice.~~”

RESOLVED:

That the minutes of the previous meetings held 25 January and 19 February 2007 be approved, subject to the above amendments.

3. **ST ELOI, SOUTH DRIVE, LITTLETON**
ERECTION OF FIVE DWELLINGS COMPRISING 2 NO FOUR BEDROOM AND 3
NO TWO BEDROOM DWELLINGS WITH GARAGING AND PARKING AND
ASSOCIATED LANDSCAPING AND WORK TO EXISTING TREES
(RESUBMISSION) 07/00226/FUL
(Report PDC677 refers)

The Planning Development Control Committee had considered both applications for the same site, St Eloi, at its meeting held on 29 March 2007. At this meeting, Members agreed to establish the Viewing Sub-Committee to assess the gradient and number of trees on the site, the design of the proposed terraced housing, the type of housing, drainage and the on-site parking provision.

Prior to the meeting, the Sub-Committee visited the site where the plots for both applications had been pegged out. From this, the Sub-Committee noted the land had an increasing gradient towards its southern boundary, away from the access at South Drive and beyond to a meadow field. There were a group of protected trees along the western boundary which provided a strong screen to views to the west.

The existing surrounding buildings were predominantly two storey residential dwellings in spacious plots with spaces between them, although two new properties to the immediate east of the site on the former site of Madeleine were noticeable exceptions to this.

With the permission of the owners, Members assessed the probable impact of the applications from neighbouring properties. From Woodmancote, a residential property to the immediate east of the site, Members noted its unusual position in that its rear elevation, windows and balcony were orientated towards the rear of the application site.

Also prior to the meeting, the Sub-Committee viewed the application site from the rear garden of South Lodge, which was a residential property to the immediate west of the site. In addition, Members viewed the proposed access from South Drive and noted the character of the surrounding area.

Mr Ainsley introduced the application and explained that it sought permission for the erection of five dwellings (2 four bedroom and 3 two bedroom dwellings) with associated garaging, parking and landscaping. This application differed from that set out below only in that plot nearest to South Drive contained three small terraced houses. However, these terraced houses had been orientated towards South Lodge and not South Drive so that they appeared from the road as a large single dwelling.

In recommending the application's approval to the Sub-Committee, Mr Ainsley proposed an additional condition to those set out in the Report. This related to comments received from Natural England regarding the protection of slow worms.

During the public participation part of the meeting, Mr Fairman spoke against the application. In summary, he suggested that the terraced houses were out of character with the area (as surrounding properties were detached dwellings with large amenity spaces), had insufficient parking spaces, and had windows that would overlook South Lodge. He also suggested that there was no housing need in Littleton for the smaller units the terraced housing would provide and that area was unsustainable in that it had few, if any, local facilities.

Mr Hynam spoke against the application as a representative of the owners of a neighbouring property, Woodmancote. He explained that the proposed dwelling at the rear of the site would, because of the gradient, overlook Woodmancote. He

added that Woodmancote was likely to suffer from the noise of vehicles accessing the new property. Vehicular access was proposed along the eastern boundary of the site from South Drive.

Mr Elsmore (Littleton and Harestock Parish Council) also spoke against the application. In summary, he commented on the area's semi rural nature and that the proposed densities were a significant increase on that of the surrounding area. As a consequence, it was out of character with too small an amenity space for each of the properties. He also stated that there was no demand for smaller properties in Littleton; commented on concerns regarding drainage and flooding (the area was not served a mains sewage network) and that it would set an undesirable precedent.

Councillor Learney (a Ward Member) spoke in opposition to the scheme. In summary, she underlined the public opposition to the application and the concerns regarding flooding, the noise from vehicles and the long term viability of the western boundary's tree cover.

Mr Davies (the applicant) spoke in support of the application. He advised that the scheme had come as the result of a long period of negotiation with the Council. He added that the scheme met with Policy H7 of the Local Plan in providing a good housing mix and that one of the terraced dwellings would be offered as a shared equity affordable housing unit. He also explained that overlooking had been designed out of the scheme and that the proposed landscaping condition would strengthen the natural screening between the site and existing properties.

During debate, Members noted the importance of the belt of protected trees at the western boundary of the site, which would partially screen the development from existing properties. The lower parts of many of these substantial pine trees were covered in ivy which helped thicken the screening. However, Mr Edwards explained that following the applicant's environmental impact assessment, it may be necessary to cut and kill the ivy as its presence made the trees more prone to failure through hiding any structural faults with the trees, adding weight and reducing the effectiveness of the leaves.

Mr Ainsley added that the recommended Landscaping Condition would require the replacement of any lost trees and that the screening would be strengthened by a mixture of native hedgerows. In noting that the details of this Condition were to be agreed by the Director of Development, it was suggested that an additional informative be placed to include evergreen varieties.

Members discussed the elevated and steep area of meadowland at the rear of the site which would fall within the Title of the Plot 5, at the back of the site. However, as this area had been classified within the Local Plan as an area of countryside, the meadow would be fenced off from the garden of Plot 5 in recognition of its status as an area of countryside, but that the owners would assume access and maintenance responsibility for the area. The public would not be able to access the meadow.

The Sub-Committee raised concerns regarding the effect of the proposed dwelling at the rear of the site (Plot 5) on Woodmancote. Mr Ainsley explained that the nearest part of this proposed building to Woodmancote was its garages and that the proposed property's facing first floor windows served two ensuite bathrooms and would have obscured glazing. A further proposed window had been designed at a high level also to prevent overlooking.

Members discussed the likely traffic impact of the application. Mr Culhane explained that South Drive was privately owned by the properties which fronted onto it. The road was however classified as "maintainable" by the County Council and the public

were able to exercise full highway rights for access. The County Council had been consulted on the application and responded that no improvements to the road were necessary and had raised no objection to the scheme. Mr Culhane added that a survey conducted in relation to the recent development of the neighbouring Madeleine site had concluded that the volume and speed of traffic on South Drive were both low. Traffic had been further reduced as a consequence of a new access from Littleton Lane which served the nearby nursery.

In summary, Mr Culhane advised that it was not possible to sustain an objection to the application on highways reasons as the development would generate very little additional vehicle movements over the consent previously granted (but not built) in 1999 for two units on the site.

In response to a question, Mr Culhane explained that, with 15 spaces, the on site parking provision exceeded the County Council's standards.

The Sub-Committee considered the drainage issues and Mr Ainsley confirmed that, if the application were approved, the Council's Drainage Engineer and the Environment Agency would consider these in greater detail and that this would take into account the flooding history of the area.

Responding to the comments made about the sustainability of Littleton, Mr Ainsley explained that the site fell within the settlement boundary of the area, which had been defined in the Local Plan as an area capable of sustaining new development.

In response to concerns raised regarding the demand for smaller dwellings in Littleton, Mr Ainsley explained that Policy H7 of the recently adopted Local Plan required all new developments across the District, of two units or more, to have 50% as smaller units, so long as it was not harmful to the character of the area. He added that this was also reflected in the Littleton Village Design Statement which also sought a mix of buildings from new developments.

Members noted that, in addition to the one affordable housing unit offered by the applicant, the applicant had also offered an off-site financial contribution which had been negotiated with and had been accepted by the Council's Housing Enablement Team.

In response to a Member's question, Mr Lynds advised that the Sub-Committee may be able to exercise some discretion in applying planning policies, but that this should only be based on clear, apparent, significant and compelling planning reasons which could be robustly defended at any subsequent appeal.

At the conclusion of debate, the Sub-Committee considered that the application for five dwellings contravened national planning guidance PPS3 (paragraph 16) in that it was out of context with the neighbouring properties.

Members also considered that the application was against paragraph 6.81 of the Local Plan, which underlined that the importance of character and the spaces between buildings should be reflected in new developments. They also considered the proposed terraced development at the front of the site to be cramped and an overdevelopment of that part of the site and concerns were raised that Woodmancote would be dominated by Plot 5.

The Sub-Committee therefore agreed to refuse the application and requested that the Director of Development present to the next available meeting of the Planning Development Control Committee detailed reasons for refusal for the Committee to approve to reflect those reasons for refusal agreed by the Sub-Committee.

RESOLVED:

That the application be refused and that the Director of Development present to the next available meeting of the Planning Development Control Committee detailed reasons for refusal for the Committee to approve.

4. **ST ELOI, SOUTH DRIVE, LITTLETON**
ERECTION OF THREE DWELLINGS COMPRISING 1 NO THREE BEDROOM AND 1 NO FOUR BEDROOM AND 1 NO FIVE BEDROOM DWELLINGS WITH GARAGING AND ASSOCIATED LANDSCAPING AND WORK TO EXISTING TREES 07/00299/FUL
(Report PDC677 refers)

Mr Ainsley explained that the application sought permission for the erection of three dwellings (1 three bedroom, 1 four bedroom and 1 five bedroom dwellings) with garaging and associated landscaping. These three detached dwellings had a density of 15 dwellings per hectare. One would face directly onto South Drive and two would be located at the higher level towards the southern end of the site. The proposed dwellings would be approximately 10-15 metres from existing properties to the east.

The application was identical to that submitted above for five dwellings, except that the three terraced houses at the front of the site were to be replaced with a single X bedroom dwelling. The application proposed that this dwelling, unlike the terraced housing, would have no windows facing onto South Lodge and would be orientated towards South Drive.

In concluding his presentation, Mr Ainsley recommended that the application be refused. It had not demonstrated that additional units could not be accommodated on the site or that a better mix of dwelling types could have been achieved, thus failing to address national and local housing needs, and that it had failed to make the most efficient use of the land available. The application also failed to make adequate provision for public recreational open space to the required standard.

Given the similarities between the applications, much of the debate and discussion set out above in the application for five dwellings was relevant to this application. However, in specifically drawing out the distinctions, the following comments were made.

During the public participation part of the meeting, Mr Elsmore (Littleton and Harestock Parish Council) spoke in support of the application. Although he suggested that the height of Plot 1 could be reduced by cutting into the ground, in summary, the Parish Council considered that the application did not adversely affect the quality of the environment.

Mr Davies (the applicant) spoke in support of the application. In summary, he explained the similarities between this application and that which was considered above for five dwellings and that, as with the previous application, none of the statutory consultees had raised an objection.

At the conclusion of debate, Members considered that the application for three dwellings better reflected, and would have less impact upon, the character of the surrounding area and that the removal of the terraced housing at the front made the development less congested.

The Sub-Committee therefore approved the application and requested that the Director of Development present to next available meeting of the Planning Development Control Committee detailed reasons for the grant of permission to reflect those agreed by the Sub-Committee and Conditions for the Committee to approve.

RESOLVED:

That the planning permission be granted and that the Director of Development present to the next available meeting of the Planning Development Control Committee detail Conditions for the Committee to approve.

The meeting commenced at 11.00am and concluded at 1.00pm

Chairman