

PLANNING DEVELOPMENT CONTROL (VIEWING) SUB-COMMITTEE

25 June 2007

Attendance:

Councillors:

Jefferies (Chairman) (P)

Baxter (P)
Busher (P)
Evans (P)
Huxstep (P)
Lipscomb

Johnston (P)
Pearce
Ruffell
Saunders (P)
Sutton (P)

Deputy Members

Councillor Read (Standing Deputy for Councillor Lipscomb)

Officers in Attendance:

Ms L Hutchings (Planning Officer)
Mr I Elvin (Highways Engineer)
Mr B Lynds (Principal Legal Officer)

1. **APOLOGIES**

Apologies were received from Councillors Lipscomb, Pearce and Ruffell.

2. **LAND ADJACENT TO WEST HOUSE, SOUTH HILL, DROXFORD – CASE REFERENCE 07/00964/FUL**
(Report PDC693 refers)

The Sub-Committee met at the Village Hall, Droxford where the Chairman welcomed to the meeting four members of the public and two representatives of the applicant.

At its meeting on 14 June 2007, Planning Development Control Committee had agreed to refer determination of the application to the Viewing Sub-Committee, so that Members could consider in greater detail the relationship between the proposed dwelling, the Conservation Area, the Listed Building and the gradient of the site.

Immediately prior to the public meeting, the Sub-Committee had visited the application site. With the permission of the occupants of Aberdare, South Hill (situated to the north of the application site), Members also viewed the site from that property. Ms Hutchings had demonstrated the proposed location of the dwelling and Members noted the gradient of the site and its probable impact on West House (an adjacent Grade II listed building) and the Conservation Area, from the road at locations both north and south of the application.

Ms Hutchings introduced the application to the Sub-Committee. She explained that the site covered approximately 0.04 hectares of the former walled garden of West

House and was within the Conservation Area. To the rear of the site, two new large dwellings had recently been constructed and would share the existing access with the proposed dwelling onto South Hill (A32). At the rear boundary of the site, a number of mature trees would be retained. The ground levels increased across the site from the north to the south and up from the access drive from South Hill.

The application proposed a new two storey dwelling with three bedrooms, cycle storage and associated car parking. The building would be constructed from traditional materials to match the new houses and would have plain clay roof tiles and a conservation rooflight.

The new dwelling would be located approximately 13 metres to the north of West House and approximately 15 metres from the nearest new dwelling to the west.

The applicant proposed that the dwelling be dug into the site to a level equal with the other new dwellings. Members noted that the application site was currently raised above its normal level with the chalky spoil from the three nearby new dwellings. The rising gradient towards the rear of the site to West House would be addressed with a slope and retaining wall at the boundary.

The application was a resubmission of an earlier application which had been considered at appeal in 2006. The Planning Inspector had found that the additional unit was acceptable in principle and that the new dwelling would not harm the setting of the listed house, as it would be slightly dug into the site. In addition, West House's double garage already intruded upon and restricted vistas of the listed building. However, the appeal had been dismissed because of the application's design and materials. The Inspector had concluded that the staggered linear proportions and various roof heights presented a visually confusing and restless appearance, which was at odds with the surrounding Conservation Area. The proposed weatherboard cladding was also out of character with the area. The resubmission that the Sub-Committee considered differed from the application considered at appeal, in that it proposed a traditional design style. This featured timber framed sash windows on its principal elevation which faced Aberdare and Tudor Lodge.

In recommending the application for approval, Ms Hutchings explained that the principle of the application was acceptable, as the site lay within the settlement boundary of Droxford and had due regard to the Conservation Area and the Area of Outstanding Natural Beauty (AONB). The proposed density of the development was 25 dwellings per hectre (d.p.h.). Although this was slightly lower than the 30 d.p.h recommended in PPS3, it was considered appropriate given the site constraints of the Conservation Area, the neighbouring Listed Building and proximity to existing housing.

During the public participation element of the meeting, Mr Tilt (a resident of West House) spoke against the application. In summary, he stated that the proposed dwelling would obscure views of West House from the public realm; that it was an overdevelopment of the site; that the access onto the A32 (South Hill) was potentially dangerous; that there were issues regarding car parking and overlooking; that it would dominate the other nearby new dwellings and he commented on the height of the proposed building. He also stated that the application was detrimental to the Conservation Area and that the site should be used as an area of open space.

Dr Hibbert (Droxford Parish Council) spoke against the application. In summary, he suggested that the application would have a detrimental impact on the character of the village and the listed building, and was an overdevelopment of the Conservation

Area. He also commented on the number of vehicles that exceeded the 30mph speed limit on South Hill and the potential danger of adding vehicle movements to the access. Dr Hibbert also underlined the objection which had been received from the South Downs Joint Consultative Committee in response to a consultation on the application.

Mr Lette (applicant's agent) spoke in support of the application. In summary, he reiterated that the Planning Inspector had only dismissed the application on design details. Mr Lette added that the principal elevation of West House fronted, uninterrupted, onto South Drive and that it was not unusual for secondary elevations to be obscured from the public realm by other buildings. He also explained that the site was private and not suitable to be used as publicly available open space; however the applicant had agreed a contribution to the Open Space Fund (£1944) to be used off-site. Mr Lette also stated that the density of the development was consistent with the surrounding area.

In response to Members' questions, Ms Hutchings explained that the Urban Capacity Study had identified the site's potential for development, but that this had not been especially detailed and was not prescriptive in number with regard to the application site.

A Member had suggested that the design of the proposed dwelling's chimneys should be reconsidered, to better reflect the decorative chimneys of the surrounding historical buildings. In response, Ms Hutchings explained that the Conservation Officer had raised no objection to the application and that the proposed chimneys were in proportion with the new dwelling.

With regard to traffic issues, Mr Elvin stated that the proposed two car parking spaces were in accordance with the Highways Authority's standards and that the additional dwelling was likely to generate a further eight trips to and from the entrance each day. He added that there was sufficient turning space on site for vehicles to enter and leave in a forward gear. Visibility at the entrance to the site would be improved with landscaping and a lower wall. Members noted that the ownership and maintenance of this small area would be passed to West House.

During their discussion on the possible impact of the proposed dwelling on neighbouring properties, the Sub-Committee noted that the glazing for the first floor rear windows which faced West House would both be obscured, as they served bathrooms. The retaining boundary wall and rising gradients prevented any potential for overlooking from the rear ground floor windows towards West House.

Ms Hutchings also explained the relationship between the proposed dwelling and the existing dwellings to the north, Aberdare and Tudor Lodge. Although the proposed dwelling would be on higher ground than these properties, any overlooking would be mitigated by the distances between the properties (a minimum of 30 metres), the substantial boundary wall and vegetation.

In response to concerns, Ms Hutchings confirmed that the narrower, gabled end of the proposed dwelling would obscure views from the public realm of the southern end of the new dwelling at the rear of the site. With regard to the outlook for the occupants, Ms Hutchings stated that the proposed property was 15 metres from the existing new dwelling, and that this was accepted by the Planning Inspector. The Sub-Committee noted that the proposed dwelling would not result in a loss of light for any of the surrounding properties.

During debate, Members were concerned about the height of the proposed dwelling and how this would affect views of the listed building from the public realm. In summary, Members agreed that views of the roofs of the northern elevation of West House should be visible above the proposed dwelling. The Sub-Committee therefore agreed to strengthen Condition 6 regarding levels with reference to this dwelling. Members noted that the ridge height of the proposed building was 8.3 metres and that this would be approximately 2 metres higher than the adjacent new double garage which served West House and not less than 800mm below the parapet roof of West House. The Sub-Committee therefore requested that this condition be amended, to control the height of the proposed building in relation to the nearby existing dwelling. Approval of this detail was delegated to the Head of Planning, in consultation with the Chairman.

At the conclusion of the meeting, the Sub-Committee agreed to grant planning permission, subject to the conditions set out below and the strengthening of Condition 6 regarding height as above. In summary, Members considered that the resubmitted application had a much improved design and thus overcame the principal objection of the Planning Inspector. The other issues which had been raised as concerns (such as its effect on the Conservation Area, height, highways issues and relationship with neighbouring properties and the impact on the listed property) had been considered and approved by the Inspector.

RESOLVED:

That planning permission be granted, subject to:

Conditions

01 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

01 Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

02 No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the dwelling and store hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

02 Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

03 A detailed scheme for landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

03 Reason: To improve the appearance of the site in the interests of visual amenity.

04 Details of the design of building foundations and the layout, with positions, dimensions and levels of service trenches, ditches, drains and other excavations on site, insofar as they affect trees and hedgerows on or adjoining the site, shall be submitted to and approved in writing by the Local Planning Authority before any works on the site are commenced.

04 Reason: To ensure the protection of trees and hedgerows to be retained and in particular to avoid unnecessary damage to their root system.

05 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details.

05 Reason: In the interests of the visual amenities of the area.

06 No development, or works of site preparation or clearance, shall take place until details, including plans and cross sections of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto, have been submitted to and approved in writing by the Local Planning Authority.

06 Reason: To ensure a satisfactory relationship between the new development and adjacent buildings, amenity areas and trees.

Note: The Sub-Committee agreed to delegate to the Head of Planning (in consultation with the Chairman) authority to amend Condition 6 in light of Members' comments set out above.

07 An Arboricultural Impact Appraisal and Method Statement, in accordance with BS5837:2005 shall be submitted to and approved by the Local Planning Authority, prior to any demolition, construction or groundwork commencing on the site.

The Arboricultural Officer shall be informed as soon as the construction exclusion zone has been fenced so that it can be inspected and deemed appropriate and in accordance with the approved Method Statement. Contact 01962 848317.

The Arboricultural Officer shall be informed prior to the commencement of construction of special surfacing under tree canopies so that a pre commencement site visit can be carried out. Telephone 01962 848317.

No arboricultural works shall be carried out to trees other than those specified and in accordance with Method Statement

Any deviation from works prescribed or methods agreed in accordance with the Method Statement shall be agreed in writing to the Local Planning Authority.

07 Reason: To ensure the protection of trees which are to be retained.

08 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that order, with or without modification), no windows or other openings other than those expressly authorised by this permission shall, at any time, be constructed in the south elevation of the dwelling hereby permitted.

08 Reason: To protect the amenity and privacy of the adjoining residential properties.

09 Details of the siting and design and method of fixing of any external meter boxes/metal ducting/flues to be provided, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works. The works hereby permitted shall be carried out in accordance with the approved details.

09 Reason: To protect the character and appearance of the listed building (and Conservation Area).

10 All rainwater goods shall be of cast iron unless otherwise agreed in writing by the Local Planning Authority.

10 Reason: To protect the character and appearance of the (listed) building.

11 Full details of all new windows and doors, including large scale sections (1:20) provided through the elevations taken through the windows and doors, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work. The windows and doors shall be installed in accordance with the approved details.

11 Reason: To ensure such details are appropriate to the character of the building.

12 Details of provisions to be made for the parking and turning on site of operative and construction vehicles during the construction period shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the construction period.

12 Reason: In the interests of highway safety.

13 The parking area shall be provided in accordance with the approved plans before the dwelling is first occupied and thereafter permanently retained and used only for the purpose of accommodating private motor vehicles incidental to the use of the dwelling house as a residence.

13 Reason: To ensure the permanent availability of parking for the property.

14 Details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the duration of the construction period. No lorry shall leave the site unless its wheels have been cleaned sufficiently to prevent mud being carried onto the highway.

14 Reason: In the interests of highway safety.

Informatives

01. This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

02. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Hampshire County Structure Plan Review: UB3, T2, H1, H2, H5, H7, H8, R2, E16

Winchester District Local Plan Review: NC1, H5, H7, HE.13, HE.14, HE.16
DP3, DP6, DP7, DP12, RT3, RT9, T2, T3, T4

The meeting commenced at 11.30am and concluded at 1.05pm.

Chairman