

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Item No:	06
Address:	Longways Spring Lane Colden Common Winchester Hampshire SO21 1SD
Parish/Ward	Colden Common
Proposal Description:	Demolish existing bungalow and erect 1 no. four bedroom detached house; 1 no. block of 3 no. terraced dwellings comprising 2 no. two bedroom and 1 no. three bedroom houses; 4 no. garages; 1 no. car port; associated car parking, bike and bin stores; service layby and access
Applicants Name	Rivendale Homes
Case No:	04/03190/FUL
W No:	W09027/05
Case Officer:	Abby Fettes
Date Valid:	7 December 2004
Delegated or Committee:	Delegated Decision
Reason for Committee:	Parish Council submitted representations contrary to officer recommendation
Reason for Committee:	4 or more representations contrary to the Officer's recommendations have been received

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SITE LOCATION PLAN

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Site Description

- The application site occupies a corner plot, fronting and accessed from Spring Lane, but relating to Main Road in terms of boundary treatment and low spacious position the existing dwelling occupies within the site.
- The existing dwelling on the site is a detached single storey dwelling with a detached single garage.
- The main boundary treatment is hedging, with panelled fencing internal to the site.
- The land drops from Main Road gradually into the site, therefore the existing dwelling sits at a lower level
- The thick hedging along Main Road and Spring Lane provides a large private amenity area for the existing dwelling.

Relevant Planning History

- W09027 Single storey front extension Permitted 25.02.86
- W09027/01 extension Permitted 02.07.87
- W09027/02 single storey front extension and pitched roof Permitted 23.06.88
- W09027/03 replacement of existing dwelling with 3 no. three bedroom and 2 no. two bedroom terraced dwellings with associated parking Refused 09.10.03
- W09027/04

Proposal

- The proposal is for a detached four bedroom dwelling and a terrace of three dwellings, 1 no. three bed and 2 no. two bed properties all with 2 parking spaces, bin stores and cycle storage

Consultations

Engineers/Highways:

- Objects to the application, pedestrian access to Main Road will encourage stopping of cars to detriment of highway safety

County Highways:

- The provision of an acceptable traffic signal controlled junction as proposed in W18848/01 is compromised by the service lay by proposed under this application and visa versa. WCC will need to make a decision on which of the applications in their current form they wish to approve. It may be difficult to defend a reason for refusal on either of these sites when considered individually. However when considered together the schemes are incompatible.

Landscape:

- There are two trees on the boundary with Vernham Ash that may be affected by the development but they are young and not considered significant in terms of amenity value.
Raise no objection

Southern Water:

- No public surface water sewers in the vicinity. No surface water should be discharged to the foul sewers as this could cause flooding further downstream.
- A water supply can be provided to the development as and when required

Representations:

Colden Common Parish Council

- concerns regarding over development of a very restricted site
- concern over proximity of service lay by to junction with Main Road
- the lay by could be affected by other proposals that may incorporate controlled traffic signals

Letters of representations have been received from four Neighbours

- concern about traffic accessing Spring Lane and highway safety

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- potential overlooking of bungalow to rear
- limited car parking and turning space available to manoeuvre on site
- service lay by is too close to Main Road
- the density of the proposed development is too high
- increase in noise for surrounding properties
- possible removal of trees

Winchester Group for Disabled People

- request that proposed flats be made as accessible as possible for wheelchair users

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB1, UB3, T6, H1, H2, H7, R2

Winchester District Local Plan

- H1, H7, EN5, EN13, T9, RT3

Winchester District Local Plan Review Deposit and Revised Deposit:

- H1, H2, H7, DP1, DP3, DP10, DP11, RT3, T2, T4

Supplementary Planning Guidance:

- Hampshire County Structure Plan (Revision): Implementing Policy H4
- Achieving a Better Mix in New Housing Developments
- Guide to the Open Space Funding System
- Parking Standards 2002

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG 3 Housing

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area/spatial characteristics/street scene
- Detailed design
- Residential amenities
- Highways
- Public open space provision
- Comments on representations

Principle of development

- The principle of residential development on this site is acceptable under the criteria set out in the policies listed above as it is within the settlement boundary
- The proposal accords with the supplementary planning guidance set out in “Achieving a Better Mix in Housing” as 50% of the dwellings are 2 bedroom
- The site accords with the guidance on densities set out in PPG3 and the proposal will result in a density of 45 dwellings per hectare

Impact on character of area

- The development will be close to the site boundaries on Main Road and Spring Lane, the current bungalow is set well away from these boundaries
- Since the earlier refusal, the corner building has been pulled away slightly from Spring Lane and Main Road and now has dual aspect and addresses both roads although it is set back behind the hedgerow
- The density of the site works out at 45 dwellings per hectare, the surrounding area is approximately 10 dwellings per hectare

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Detailed design

- The proposed design is an improvement on the previous scheme which was not reflective of the local area
- The new scheme addresses both roads that bound the site and has simplified the detailing of the dwellings
- The scheme consists of a detached four bed dwelling with attached garage in the southern corner of the site which is dual aspect facing both Main Road and Spring Lane, and a terrace of three dwellings, one no. 3 bed and two no. 2 bed properties that front Main Road
- They are to be constructed in traditional materials, brick and clay tile
- Each property has a small private garden space
- All the properties have two parking spaces, at least one of which is covered, and there are also allocated bins and bike spaces for each dwelling
- There is pedestrian access from the dwellings on to Main Road to encourage residents to walk to local facilities
- There is close board fencing along the north west boundary and additional planting will be implemented to prevent overlooking from the terrace towards 2 Spring Lane

Residential amenities

- There is a principal window on the south east elevation of 2 Spring Lane
- The view towards this will be obscured by the fencing and planting and will also be obscured by the car port and garage

Highways

- The proposed lay by for service vehicles will have to be secured through a section 278 agreement with HCC
- HCC have said that when this scheme is considered with the scheme at Francis Yard on the other side of Main Road (which includes traffic signal controlled junction) the two are incompatible. This is because the lay by being proposed would compromise the layout of the signalled junction
- However, it would be difficult to refuse this scheme when considered individually
- The question of the lay by is the only contentious issue in planning terms, and there is no objection from WCC Highways Engineer if the lay by is provided. As County have stated it would be difficult to refuse the scheme when considered on its own, with or without the lay by
- Given that a lay by is proposed as requested by WCC engineers and consideration of the highways issues falls to be considered by WCC under the agency agreement, there are no sustainable highway objections to this proposal

Public Open Space

- The public open space payment has been made

Comments on representations

- The parking being provided is to County standards and is therefore considered acceptable
- The traffic onto Spring Lane has not been of concern to the engineers
- The lay by is acceptable in highway terms
- It is considered that the overlooking of 2 Spring Lane will be mitigated by planting and the roof of the proposed garage
- The density is higher than that of the surrounding area, but it is in accordance with PPG3 and your officers consider that the scheme will be in character with the area

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Planning Obligations/Agreements

In seeking the planning obligation(s) and/or financial contributions for Open Space and Highway Improvements, the Local Planning Authority has had regard to the tests laid down in Circular 1/97 which requires the obligations to be necessary; relevant to planning; directly related to the proposed development; fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.

Recommendation

APPROVE (provided the applicant is prepared to make the appropriate provision for public open space through the open space funding system) – subject to the following condition(s):

APPROVE – subject to a Section 106/Section 278 Agreement for:

1. A financial contribution towards highway improvements

(Note: If the Legal Agreement is not completed within 6 months then the application may be refused without further reference to Committee)

Conditions/Reasons

01 The development hereby permitted shall be begun before the expiration of five 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.

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 dwellings 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 The garage hereby permitted shall only be used for the purpose of accommodating private motor vehicles or other ancillary domestic storage purposes, and shall not, at any time, be used for living accommodation, business, commercial or industrial purposes.

03 Reason: In the interests of the amenities of the locality.

04 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 development permitted by Classes A, B, C, D and E of Parts 1 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

04 Reason: To protect the amenities of the locality and to maintain a good quality environment.

04. A detailed scheme for hard and soft 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.

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05. 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.

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

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 54A of the Town and Country Planning Act 1990 (as amended), 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, T4, T5, R2

Winchester District Local Plan Proposals: EN5, T9, H2, RT3

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP3, T2, H2, RT3,

03. All works including demolition and construction should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300hrs Saturday and at no time on Sunday and Bank Holidays. Where allegations of such noise are substantiated by the Health and Housing Service, a Notice limiting the hours of operation under the Control of Pollution Act 1974 may be served.

06. No materials shall be burnt on site. Where the Health and Housing Service substantiate allegations of statutory nuisance, an Abatement Notice may be served under the Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through burning of materials is a direct offence under the Clean Air Act 1993.