

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 2 February 2006

*Winchester City
Council*
Planning Department
Development Control

Committee Decision

**TEAM MANAGER
SIGN OFF SHEET**

Case No:	05/02666/FUL	Valid Date	8 November 2005
W No:	04087/06	Recommendation Date	18 January 2006
Case Officer:	Mrs Julie Pinnock	8 Week Date	3 January 2006
		Committee date	2 February 2006
Recommendation:	Application Permitted	Decision:	Committee Decision

Proposal:	Erection of 1 no. two-bedroom and 1 no. three-bedroom (with integral garage) semi-detached dwellings; new access into Beverley Gardens on land to the rear of Laurel Cottage (RESUBMISSION)
------------------	---

Site:	Laurel Cottage Chapel Road Swanmore Southampton Hampshire
--------------	---

Open Space Y/N	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
YES	NO	NO	YES	NO		

APPROVED TO GO TO COMMITTEE
TEAM MANAGER
Signed & Date

AMENDED PLANS DATE:-

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 2 February 2006

Item No:	09
Address:	Laurel Cottage Chapel Road Swanmore Southampton Hampshire SO32 2QA
Parish/Ward	Swanmore
Proposal Description:	Erection of 1 no. two-bedroom and 1 no. three-bedroom (with integral garage) semi-detached dwellings; new access into Beverley Gardens on land to the rear of Laurel Cottage (RESUBMISSION)
Applicants Name	K And K Property Services
Case No:	05/02666/FUL
W No:	W04087/06
Case Officer:	Mrs Julie Pinnock
Date Valid:	8 November 2005
Delegated or Committee:	Committee 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

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 2 February 2006

Site Description

- Site comprises rear garden of Laurel Cottage, Chapel Road
- The land is in separate ownership to Laurel Cottage, with access proposed from Beverley Gardens
- Beverley Gardens is accessed to the west of Chapel Road via Spring Lane
- Beverley Gardens serves 13 units of accommodation
- The site has a raised ground level from the parking and manoeuvring area which services 7, 8, and 9 Beverley Gardens, with a dwarf retaining wall

Relevant Planning History

- **W04087** - Erection of extension to provide shop with bedroom over - Laurel Cottage Chapel Road Swanmore Southampton Hampshire SO32 2QA - Application Refused - 13/09/1978
- **W04087/01** - Erection of two storey extension to provide study with bedroom over - Laurel Cottage Chapel Road Swanmore Southampton Hampshire SO32 2QA - Application Permitted - 19/12/1978
- **W04087/02** - Use of premises as playgroup - Laurel Cottage Chapel Road Swanmore Southampton Hampshire SO32 2QA - Application Permitted - 23/02/1979
- **W04087/03** - Erection of first floor rear extension - Laurel Cottage Chapel Road Swanmore Southampton Hampshire SO32 2QA - Application Permitted - 11/08/1981
- **W04087/04** - Two storey side extension - Laurel Cottage Chapel Road Swanmore Southampton Hampshire SO32 2QA - Application Refused - 25/02/2003
- **W04087/05** - Erection of 1 no. four bedroom detached dwelling with integral double garage to the rear of Laurel Cottage - Laurel Cottage, Chapel Road, Swanmore, Southampton – Refused 04/04/2006

Proposal

- As per Proposal Description

Consultations

Engineers: Highways:

- No highway objection

Environmental Health:

- No adverse comment to make

Arboricultural Officer:

- Satisfied with the Arboricultural Impact Appraisal and Method Statement prepared by CBA Trees Ltd.

Representations:

Swanmore Parish Council

- Object – proposed entrance for additional highway vehicles would be totally unsuitable
- Letters of representations have been received from 5 Neighbours – all object on following grounds:-
- Beverley Garden is a private road concerned that narrow drive will not be able to service two additional properties and associated visitors
 - Services for the estate have problems coping with the usage by the occupiers and would not wish for another two properties to be connected to an already overloaded system
 - Access should be via Chapel Road
 - Dwellings are too big for the plot and will not blend in with other buildings around them
 - Loss of privacy, overlooking and loss of sunshine to rear garden of Ekowe which fronts

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 2 February 2006

Chapel Road

- Increased traffic and noise caused by vehicles using the proposed garage and driveway affect the enjoyment of garden
- Impact to large Oak tree by excavation which will damage roots and growth of tree
- Contractors vehicles and associated deliveries will affect existing residents

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB3, T2, T4, T5, T6, H5, H7, R2

Winchester District Local Plan

- EN.5, EN.9, H.1, H.7, T.9, T.12, RT.3

Winchester District Local Plan Review Deposit and Revised Deposit:

- DP.1, DP.3, H.1, H.2, H.7, T.2, T.4, RT.3

Supplementary Planning Guidance:

- Achieving a Better Mix in New Housing Developments
- Swanmore Village Design Statement
- Technical Paper: Open Space Provision and Funding
- Guide to the Open Space Funding System
- Parking Standards 2002

National Planning Policy Guidance/Statements:

- PPS 1 Delivering Sustainable Development
- PPG 3 Housing

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Residential amenities
- Highways
- Public open space provision
- Comments on representations

Principle of development

- The site is situated within the policy boundary of Swanmore where the principle of residential development is acceptable
- The proposal equates to 51 dwellings per hectare, which accords with government guidance
- The application site is the western half of the rear garden of Laurel Cottage, a detached dwelling which fronts Chapel Road
- There are a number of dwellings which front Chapel Road with long rear gardens, these include the site to the south, which is the rear garden of 'Beverley', and to the north, the rear gardens of 'Ekowe', 'Rosedean', 'New House', 'Coronel' and 'Lavender Cottage'.
- The application is for a pair of semi-detached dwellings, which provides a 2 bedroom dwelling and a 3 bedroom dwelling with an attached single garage
- 3 car parking spaces are proposed which equates to 1.5 spaces per unit
- The application is a re-submission following the refusal of 1 large 4 bedroom detached dwelling at the site, the application was refused as the proposal did not make efficient use of land, and was of a design, scale and mass that was considered out of character with existing dwellings in Beverley Gardens and Chapel Road
- The revised proposal is of a design characteristic of the area, and accords with national and local plan policy

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 2 February 2006

Residential amenities

- The proposed siting of the pair of semi-detached dwellings is at the bottom of the long rear garden of Laurel Cottage, although its main access is proposed through Beverley Garden, and via a private drive which appears to serve no.s 6, 7, 8, 9 and 10.
- At the end of the private drive there is a slight difference in levels, with the land rising slightly to the application site
- The proposed dwellings will front Beverley Gardens to the west
- To the north and south are the bottom of long gardens of dwellings which front Chapel Road, there is one first floor window to the north elevation which serves a bathroom
- The occupiers of Ekowe the dwelling to the north which fronts Chapel Road have objected on the basis that the proposed dwelling will result in loss of privacy, overlooking, and loss of light, the proposed site does side onto the long rear garden of this dwelling, however the proposal will not result in material loss of privacy.
- The distance from the proposed rear elevation to the existing elevation of Ekowe is 30m, and screened by a detached garage in the garden of Ekowe. It is considered that the proposed dwellings would not result in an overbearing form of development and would not cause an unreasonable loss of light to the neighbouring property

Highways

- The highway engineer has raised no objection to the proposal advising that it is unlikely that the proposal will cause sufficient demonstrable harm to users of the adjoining highway
- He does recommend that 2 car parking spaces are provided per dwelling, 3 car parking spaces are to be formally provided, and there is sufficient on site space to accommodate visitor vehicles

Public open space provision

- The applicant has made a financial contribution towards public open space in the sum of £3,048.00 on 14th February 2006.

Comment on representations

- The objections from the Parish Council and local residents relates to four main areas, the first is concern over the access and traffic movement, the second is that the proposal is overdevelopment of the plot, the third is the affect to the amenities of neighbours which has been dealt with above, and the fourth is the potential impact to a mature Oak tree
- The concerns regarding access and traffic, however the highway engineer cannot substantiate a highway reason for refusal. Residents are also concerned about construction traffic, and whilst Officers recognise that this can be disruptive, this is not in itself a material planning reason for refusal. A condition is recommended to require details of parking for construction workers prior to the commencement of development
- The second concern relates to overdevelopment of the plot. The proposal is at the higher end of recommended densities of PPG3 at 51 dwellings per hectare; however it is considered that the site is capable of accommodating 2 smaller dwellings without giving rise to an unduly cramped or an incongruous form of development. The original refusal was for 1 larger dwelling which resulted in a density of 25 dwellings per hectare, which did not meet the recommended guidelines in PPG3
- The affect to neighbours residential amenity has been dealt with above
- The fourth concern is regarding the impact to a mature Oak tree which is within the rear garden of Ekowe, which fronts Chapel Road, but overhangs the application site
- The agent has submitted an Arboricultural Method Statement and Tree Protection Plan which has been assessed by the Arboricultural Officer, who is satisfied that the proposed works can be undertaken without harm to the Oak tree

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 2 February 2006

Planning Obligations/Agreements

In seeking the planning obligation(s) and/or financial contributions for £3,048.00, the Local Planning Authority has had regard to the tests laid down in Circular 05/2005 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):

Conditions/Reasons

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 development 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 Protective fencing in accordance with the Arboricultural Impact Appraisal and Method Statement reference CBA/BJH/6119 written by CBA Trees and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundworks commencing on the site and during building operations.

Note:

The Arboricultural Officer shall be informed once the fencing has been installed so that it can be inspected and deemed appropriate and in accordance with Method Statement CBA/BJH/6119. Contact Kevin Cloud on 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. Contact Kevin Cloud on 01962 848317.

03 Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

04 No arboricultural works shall be carried out to trees other than those specified and in accordance with Method Statement CBA/BJH/6119. There shall be no deviation from the works prescribed or methods agreed in accordance with the Method Statement CVA/BJH6119 unless otherwise agreed in writing by the local planning authority.

04 Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 2 February 2006

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 dwellings are 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 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 or E of Parts Part 1 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

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

07 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 of Parts Part 2 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

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

08 The parking area including the garage shall be provided in accordance with the approved plans before the dwellings are first occupied and thereafter permanently retained and used only for the purpose of accommodating private motor vehicles or other storage purposes incidental to the use of the dwelling house as a residence.

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

09 Details of provisions to be made for the parking and turning on site of operative and construction vehicles during the period of development 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.

09 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, T4, T5, T6, H5, H7, R2
Winchester District Local Plan Proposals: EN.5, EN.9, H.1, H.7, T.9, T.12, RT.3
Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP.1, DP.3, H.1, H.2, H.7, T.2, T.4, RT.3

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 2 February 2006

03. All works including demolition and construction should only be carried out between the hours of 0800 and 1800hrs Monday to Friday and 0800 and 1300hrs Saturday and at no time on Sunday or Bank Holidays. Where allegations of noise from such works 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.

04. No materials should 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.