

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

**Winchester City
Council**
Planning Department
Development Control

**TEAM MANAGER
SIGN OFF SHEET**

| | | | |
|------------------------|----------------|----------------------------|---------------------------|
| Case No: | 07/00259/FUL | Valid Date | 12 February 2007 |
| W No: | 10903/03 | Recommendation Date | 13 March 2007 |
| Case Officer: | Mr Nick Fisher | 8 Week Date | 9 April 2007 |
| | | Committee date | 29 March 2007 |
| Recommendation: | APPROVE | Decision: | Committee Decision |

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| Proposal: | Construction of 1 no. two bedroom bungalow, associated parking and access from Goring Field |
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| Site: | 98 Teg Down Meads Winchester Hampshire SO22 5NN |
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| Open Space Y/N | Legal Agreement | S.O.S | Objections | EIA Development | Monitoring Code | Previous Developed Land |
|----------------|-----------------|----------|------------|-----------------|-----------------|-------------------------|
| Y | N | N | Y | N | Y | Y |

| DELEGATED ITEM SIGN OFF | | |
|--|---|-------------|
| APPROVE Subject to the condition(s) listed | REFUSE for the reason(s) listed | |
| | Signature | Date |
| CASE OFFICER | | |
| TEAM MANAGER | | |

AMENDED PLANS DATE:-

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Item No: 18
Case No: 07/00259/FUL / W10903/03
Proposal Description: Construction of 1 no. two bedroom bungalow, associated parking and access from Goring Field
Address: 98 Teg Down Meads Winchester Hampshire SO22 5NN
Parish/Ward: Winchester Town
Applicants Name: Mr T Bhambra
Case Officer: Mr Nick Fisher
Date Valid: 12 February 2007
Site Factors:

Recommendation: Approve

General Comments

This application is reported to Committee because of the number of objections received. The Local Ward member also objects to the application.

This application is a resubmission after the withdrawal of planning application 06/02361/FUL for the erection of a detached three bedroom chalet bungalow with accommodation in the roof space and associated parking at the site. The application was withdrawn after the following concerns were raised :-

- 1) Prominence of the building within the street-scene due to its position in relation to the highway:
- 2) Perceived overlooking and potential intrusion / overbearing relationship likely to arise due to proposed rear dormer in relation to the garden area to the west:
- 3) Inadequate amenity space in relation to the size of proposed dwelling.

Since the withdrawal of the previous scheme (8th September 2006) discussions have taken place regarding the development of the site with the agent. After considering the comments / advice of the Council's Officers this application has been submitted.

Site Description

The site subject to this application is a rectangular piece of land. The site forms the existing rear / side garden of 98 Teg Down Meads, the garden runs in parallel to Goring Field. The frontage (i.e. the eastern boundary with Goring Field) has a length of 19.6 metres.

The site has a depth of between 17 to 21metres from the pavement to the rear boundary with 100 Teg Down Mead immediately to the west of the site. 100 Teg Down Mead is a two storey dwelling with garden to the rear.

The site is located in an elevated position in relation to Goring Field, there is a short steep embankment (approximately 1metre to 1.30 metre) the land continues to rise from east to west by a further 1m to 1.4metre. There is a noticeable fall across the land from north to south by approximately 1metre

The site consists of the lawn serving 98 Teg Down Mead, four fruit trees, a small wooden shed, and an area consisting of trees and shrubs at the northern end of the site.

98 Teg Down Mead (the property owned by the applicant) is located immediately to the south of the application site. The building is a two storey detached dwelling. No 1 Goring Field is located immediately to the north of the dwelling, and is a single storey semi detached bungalow. This

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

dwelling and the dwellings further north along Goring Field are also in an elevated, set back position in relation to the carriageway. The character of Goring Field is defined by well proportioned detached, and semi detached single storey dwellings, a minority of which have accommodation in the roof space.

Opposite the site, located on the other side of Goring Field (to the east) there is a recently constructed small single storey dwelling built in association with a two storey dwelling at 94 Teg Down Mead.

Proposal

It is proposed to erect a simply designed brick and natural slate, detached, two bedroom single storey dwelling, positioned centrally within the site. The dwelling will be served by a driveway capable of accommodating two vehicles. Due to the elevated position of the dwelling, the proposed parking is at the level of the carriageway, whilst access to the dwelling is gained by steps.

The dwelling will be served by a small side garden (approximate dimensions 4m x 11m) to the north (side) of the building and small areas of amenity space around the building. The applicant is proposing to plant an indigenous hedge upon the garden's front boundary. It is proposed that the existing 1.8mt high fence panelling is to be retained.

The proposed building is located 14m to the north (side) of 98 Teg Down Mead. No 98 will be served by a garden with approximate dimensions of 15m x 10m. No 100 Teg Down (to the west) the dwelling is located between 2m and 2.8m from the boundary with the garden serving this dwelling. The proposed bungalow is located 16.4m away from no 100 Teg Down Mead. The proposed dwelling is 5.8m from the side boundary (garage) of no 1 Goring Field to the north (side).

Relevant Planning History

W10903 - Proposed erection of single storey front extension and garage, 98 Teg Down Meads, application permitted 20/01/89.

W10903/01 – Single storey front extension and two storey / single rear extension – 98 Teg Down Meads, application permitted 05/11/99.

W10903/02. Erection of one no three bed-roomed chalet bungalow and associated parking - 98 Teg Down Meads – Application Withdrawn 12/09/06

Consultations

Engineers: Drainage: No objection.

Engineers: Highways: No objection. The Officer comments that the concerns regarding visibility that were identified during the previous planning application have been overcome. The Officer recommends that conditions are placed upon the development should consent be granted.

Landscape / Trees: The Tree Officer comments that due to the size of the site, there is little scope for additional planting. The Officer considers that the Birch and Conifer within the site are not worthy of long term protection. However there are two Birch trees within the garden to the west, that will not be directly affected by the works but it would be beneficial if these tree were protected during construction. A condition can be placed upon the development to ensure that the trees are protected (condition 12).

Southern Water: Do not wish to comment.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Building Regulations:

Building Regulations approval required.

Representations:

City of Winchester Trust: No comment

Mark Oaten MP.

Writes to reiterate the concerns in relation to the withdrawn application at the site. The Member of Parliament is concerned that the garden area serving no 98 is not large enough to accommodate a dwelling. He is also concerned that the proposed dwelling will have a detrimental impact upon the residential amenity of the occupier of the dwelling to the west, because their view from the rear windows serving their dwelling will look out upon another dwelling rather than a garden area. The Member of Parliament also considers that the development will have a “knock on-effect” upon other dwellings in Teg Down Meads.

57 letters received objecting to the application (it should be noted that 40 letters are circular letters) for the following reasons:

- The loss of land used for residential amenity.
- The site is not large enough to accommodate a dwelling.
- Impact upon the outlook from neighbouring dwellings.
- Detrimental impact upon the existing spacious character of the area.
- Detrimental impact upon the street-scene, partially due to the close proximity of the dwelling to the highway.
- Poor relationship with regard to the existing building line.
- Insufficient space for landscaping.
- The proposed building is poorly designed, and is due to the buildings orientation, layout, and proximity to boundaries the dwelling-house will provide poor living accommodation.
- Due to the ground levels the building will dominate / appear intrusive from nearby gardens, and result in overlooking.
- Lack of private amenity space for the proposed and existing dwelling (98 Teg Down Meads).
- Cramped relationship within the plot and in relation to the site's boundaries.
- Due to the site's topography the proposed ridge line serving the dwelling will be only slightly lower than the ridge height.
- Detrimental impact upon local wildlife and bio-diversity due to the loss of a garden area.
- Detrimental impact upon highway safety in relation to the junction of Goring Field and Teg Down Meads.
- The potential establishment of an unwanted precedent for further infill development.
- The proposed development is contrary to guidance specified in the St Barnabas West Neighbourhood Design Statement.
- The high density nature of the proposal is at odds with the low density nature of the surrounding area.

1 letters of support received.

- The development constitutes a low key small bungalow that will have a minimal impact upon the street-scene.
- Nearby new developments have been absorbed into the area.
- The existing fence upon the front (eastern) boundary is unattractive and the existing house and garden (no 98) fail to adequately address the corner plot. The replacement of the existing fence with a dwelling would benefit the street-scene.
- The proposed ridge of the new dwelling is lower than the ridge of nearby dwellings thus limiting the visual impact of the dwelling.
- The proposed development respects existing building lines and will relate well to the bend in the road.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

- The garden space left for the existing (no98) and proposed dwelling will be small, however the proposed development will not erode the existing spacious feel of the area.
- There is not evidence to suggest that the development will have a detrimental impact upon the nearby junction of Goring Field and Teg Down Mead.
- It is unlikely that the development of the site will have a detrimental impact upon local wildlife or bio-diversity.

Relevant Planning Policy:

Hampshire County Structure Plan Review:
UB3

Winchester District Local Plan Review,
DP3, DP4, RT4, T2, T3

National Planning Policy Guidance/Statements:
PPS 1 Delivering Sustainable Development
PPS 3 Housing

Supplementary Planning Guidance

St Barnabus West (Winchester) Neighbourhood Design Statement (Adopted February 2007).

Planning Considerations

- Principle of Development.
- Design / Layout.
- Impact upon the character of the area.
- Landscaping / amenity.
- Highway / Parking.
- Impact upon residential amenity.

Principle of development

The proposed development is considered to be acceptable. The site is located within an existing residential area, where this is a broad presumption in favour of residential development / intensification of existing brown-field sites.

The proposal has a density of approximately 33 dwellings per hectare and therefore accords with guidance in PPS3 regarding making efficient use of existing land within built up areas. The proposed development accords with both local and national planning policy

With regard to policy DP3 the development responds and reflects the character of the area, and the design, scale, layout of nearby buildings. The proposal also keeps parking provision to a minimum. The development does not prevent the development of nearby sites and is not considered to have a detrimental impact upon adjoining properties.

It is also considered that the proposal accords with draft guidance in the St Barnabus West (Winchester) Neighbourhood Design Statement. With regard to the Landscape Setting the development retains the open bank at the back of the pavement edge in common with properties along Goring Field. With regard to Biodiversity guidelines the loss of the existing back garden is unlikely to damage important wildlife or fauna. In relation to the design guidance contained within the document the proposal is considered to respond to the surrounding built environment and reflect the character of the area and nearby buildings.

It is considered that this scheme has overcome the concerns / likely reasons for refusal in relation

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

to the previous scheme at the site, the applicant has carried out the following revisions:-

- Reduced the number of rooms from three to two;
- Removed the accommodation and proposed front and rear dormer windows within the roof space and lowered the ridge by approximately 1.20m. This has been undertaken to reduce the impact of the building within the street-scene and from nearby dwellings and to ensure that the building respects the elevated position in relation to the carriageway. The removal of the proposed dormer windows has also removed the potential for perceived and actual overlooking of nearby dwellings.
- Revised the parking arrangement, and sight lines at the access are now in accordance with the Highway Officer's comments. The revised parking arrangement also reduces the amount of built form (i.e. retaining wall) at pavement level.
- Location of the proposed dwelling is more central within the plot, increasing the distance to the boundary with no1 Goring Field.
- The previously proposed element projecting towards the highway is removed, to respect the existing building line and sweep of the road.
- Included a hedgerow to form the garden's front boundary with Goring field is included, to delineate the garden from the embankment and soften the appearance of the dwelling when viewed from Goring Field.

Design/layout

It is considered that the general design and appearance of the proposed building is acceptable. The applicant is proposing a simply designed, single storey building, with a low pitched roof to ensure that the building is not prominent / dominant when viewed from nearby dwellings or within the street-scene. The use of stock brick (samples to be submitted for approval) with a natural slate roof is considered to be acceptable. A single storey bungalow (when viewed from Goring Field) was recently granted consent opposite the site. It is felt that the dwelling subject to this application relates well to the style and character of the nearby building.

The proposed layout is considered to be acceptable. In relation to the previously withdrawn scheme the applicant has chosen to site the dwelling more centrally within the plot when viewed from the carriageway, and to pull the front elevation back from the carriageway. It is the case that the proposed development respects the existing building line and sweep of the road. In addition due to the 4 metre space between the dwelling and side boundaries, the proposed building will not appear to be cramped within the plot.

The proposed layout allows for the parking of two vehicles within the site. It is considered that the proposed parking arrangement, utilising retaining walls to ensure that vehicles are parked at carriageway level, is acceptable and preferable to the parking of vehicles at an elevated position above the highway.

Impact on character of area.

The proposed development is not considered to have a significant detrimental impact upon the character of the area.

Although the site can be viewed from the junction at Teg Down Mead, the site's front boundary faces Goring Field, and it is therefore important that the development relates well to the buildings within Goring Field. The road is characterised by semi detached and detached single storey dwellings and a minority of these properties have accommodation in the roof-space. The addition of one single storey dwelling with a low roof with a similar style / character to the bungalow opposite the site is not considered to alter the existing character of the area.

The proposed low roofline and ridge height (12.65m above sea level) is subservient (i.e. lower) in relation to both 98 Teg Down Mead (13.86m) and 1 Goring Field (13.89m). It is considered that the proposed building will not appear to be excessively prominent or overbearing within the street-scene when viewed from the carriageway to the east.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Due to the location of the dwelling within the site in relation to the front boundary and side boundaries the proposed building will not appear excessively prominent within the plot.

The loss of the existing trees and vegetation within the site is not considered to have a significant detrimental impact upon the character of the area. The existing boundary fence adjacent to Goring Field is in an elevated position and is not a particularly attractive feature, or a feature that enhances the character of the area. The loss of the fence panelling will not have a detrimental impact upon the character of the area.

Landscape/Trees

The existing trees and shrubs within the site are not considered to be worthy of retention.

Highways/Parking

The Highways Officer is satisfied that the proposed development will not have a detrimental impact upon highway safety. The proposed parking arrangement is also considered to be acceptable.

Impact upon residential amenity.

The proposed dwelling is not considered to have a significant detrimental impact upon the amenity of the occupiers of nearby dwellings. The retention of the existing 1.8m high boundary fencing will prevent unacceptable levels of overlooking upon the rear garden of no 98 Teg Down Mead, the front garden of no 1 Goring Fields and no 100 Teg Down Mead.

The size of the proposed garden area serving both 98 Teg Down Mead and the new dwelling are both considered to be large enough to serve the properties.

Due to the small size of the proposed footprint, low single storey roof and topography of the site and neighbouring garden areas, it is considered that the proposed building will not be overbearing or visually intrusive from nearby properties, or cause loss of light / overshadowing.

Impact upon Wildlife and Biodiversity.

The proposed development site consists of a domestic lawn, several fruit trees and an area of trees and shrubs. It is unlikely that protected wildlife species or fauna occupy the site. It should be noted that other legislation protects endangered species should they unexpectedly be found within the site.

Planning Obligations/Agreements

In seeking a financial contributions for public open space 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 (subject to the applicant making a provision for a financial contribution towards the provision of public open space) subject to the following condition(s)

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

Conditions

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

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

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

2 No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include the following, as relevant:

- - hard surfacing materials including the materials to be used for the retaining walls.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

3 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 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.

Reason: To ensure a satisfactory visual relationship between the new development and the existing.

4 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.

Reason: In the interests of highway safety.

5 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.

Reason: In the interests of highway safety

6 The parking area hereby approved shall not be used for any other purpose than the parking of cars.

Reason: In the interests of highway safety.

7 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.

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

8 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 enclosures / boundary treatment to be erected / retained. The boundary treatment / enclosures shall be completed / erect before the dwelling is occupied. Development shall be carried out in accordance with the approved details.

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

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

9 No first floor accommodation within the roof space shall be provided.

Reason: In the interests of visual and neighbourhood amenity

10 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 dormer windows other than those expressly authorised by this permission shall, at any time, be constructed in the dwelling hereby permitted without the consent of the Local Planning Authority.

Reason: To protect the integrity of the building and amenity of near-by neighbours.

11 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, E, G of Part 1; Classes A of Part 2 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

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

12 A plan indicating the location of protective fencing to be erected during the construction period, to protect the roots and canopies of the trees within the neighbouring garden to the west, shall be submitted to and approved in writing by the Local Planning Authority, before any work on the site commences.

The protective fencing shall be erected in accordance with the approved plans, and shall remain erected during the construction process unless otherwise agreed in writing

No vehicles, temporary buildings or materials shall be stored within the fenced area.

Reason: In the interests of tree protection.

Informatives

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

Hampshire County Structure Plan Review: UB3

Winchester District Local Plan Proposals: DP3, DP4, RT4, T2, T3

2. The applicant is advised that a licence will be required to carry out highway works. Please contact: Hampshire Highways, Central Depot, Bar End Road, Winchester, SO23 9NP. (Telephone: 01962 892850).

3. All work relating to the development hereby approved, including works of demolition or preparation prior to operations, shall only take place between the hours of 08:00 to 17:30 Monday to Friday and 09:00 to 13:00; Saturdays and at no time on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

4. No materials shall at any time be burnt on site during the construction process.