

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 13 March 2008

*Winchester City
Council*
Planning Department
Development Control

Committee Decision

TEAM MANAGER
SIGN OFF SHEET

Case No:	08/00047/FUL	Valid Date	9 January 2008
W No:	02143/08	Recommendation Date	19 February 2008
Case Officer:	Mrs Julie Pinnock	8 Week Date	5 March 2008
		Committee date	13 March 2008
Recommendation:	Application Refused	Decision:	Committee Decision

Proposal:	1 no. detached five bedroom dwelling with detached double garage and 1 no. detached six bedroom dwelling with double garage
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Site:	Land Adjacent To Milnthorpe Sleepers Hill Winchester Hampshire
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Open Space Y/N	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
YES REASON FOR REFUSAL	NO	NO	YES	NO	NO	NO

DELEGATED ITEM SIGN OFF		
	REFUSE for the reason(s) listed	
	Signature	Date
CASE OFFICER		
TEAM MANAGER		

AMENDED PLANS DATE:-

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Item No: 1
Case No: 08/00047/FUL / W02143/08
Proposal Description: 1 no. detached five bedroom dwelling with detached double garage and 1 no. detached six bedroom dwelling with double garage
Address: Land adjacent to Milnthorpe, Sleepers Hill, Winchester, Hampshire
Parish/Ward: Winchester Town
Applicants Name: Mr And Mrs Dudgeon
Case Officer: Mrs Julie Pinnock
Date Valid: 9 January 2008
Recommendation: Application Refused

General Comments

This application is reported to Committee at the request of Councillor Tait, whose request is appended in full to this report.

Site Description

The site is on the northern side of Sleepers Hill. It comprises a 0.27 hectare site forming part of the garden of Milnthorpe to the south-east of, and at a lower ground level than, that dwelling. Milnthorpe and Milnthorpe Corner are semi-detached Victorian two and a half storey dwellings accessed via a shared private drive off Sleepers Hill. There is a large parking area to the front of both these dwellings. Milnthorpe also has a detached single garage directly accessed off the access drive within the application site. Sleepers Hill is a privately owned, narrow road which rises from east to west.

Proposal

House A is a detached five bedroom dwelling with ground, first and second floor accommodation, along with a detached double garage.

House B is a detached six bedroom dwelling with lower ground, ground, first and second floor accommodation, with an attached double garage. A new single vehicular access is proposed to serve both dwellings.

The proposal for 2 dwellings on the application site equates to a gross density of 7.4 dwellings per hectare.

To the north of the site is Milnthorpe and Milnthorpe Corner. The rear elevations of these dwellings are 30m from the north west (side) boundary of the application site.

To the east is Pentargon. The rear elevation of this dwelling is 13m from the eastern (side) boundary of the site.

To the north east of the site the rear boundary borders the garden of No. 2 Sleepers Delle Gardens.

Face bricks and timber boarding are proposed to the external elevations, and slate and lead is proposed to the roof.

Relevant Planning History

W02143/06 — Erection of 1 no. detached four bedroom dwelling and detached two bay covered carport with 1 no. one bedroom studio above - Refused - 04/11/03 - (Appeal Withdrawn)

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W02143/07 – Erection of 1 no. detached four bedroom dwelling and detached two bay covered carport with 1 no. one bedroom studio above – Permitted – 29/09/04

Consultations

Engineers: Drainage:

No objection subject to Building Regulations approval being granted.

Engineers: Highways:

No objection subject to recommended conditions.

Strategic Planning – Policy:

Comments that application does not meet housing mix/density requirements and that officer will need to consider whether the constraints of the site and the wider area (as set out in the Local Area Design Statement) justify the design approach that has been followed.

Landscape:

Landscape Architect - No objection subject to recommended conditions.

Arboricultural Officer – Verbal comment – no objection subject to recommended conditions

Environment Agency:

Low environmental risk – due to workload prioritisations are unable to make a full response.

Southern Water:

Comments that there is no public foul sewer in the immediate vicinity of the site, but Southern Water can provide foul sewage disposal to service the proposed development. Also comments that a water supply can be provided to the site.

Representations:

City of Winchester Trust: Objects

“In April 2004, the Trust commented that much of Sleepers Hill has lost much of its tree-cover as seen from St Catherine’s Hill, and therefore welcomed the care that had been taken to retain the trees on the site. It also expressed the opinion that the proposal made sympathetic use of an awkwardly-shaped area in a way that a scheme of higher density would be unable to do. Tree cover on Sleepers Hill has not improved since 2004 and it is therefore very regrettable that a scheme for two large houses, which apparently requires the felling of mature trees, should now be proposed for a restricted site such as this. It is felt that perhaps two semi-detached dwellings might be less damaging to the local environment, but the Trust would very much prefer to see the existing permitted development here, because it would be both more innovative and more sympathetic to local conditions due to the retention of existing trees on the site.”

3 letters received objecting to the application for the following reasons:

- Potential overlooking to occupiers of ‘Carmel’, Sparkford Road
- Concerned about overlooking and loss of privacy to occupiers of ‘Pentargon’
- Concerns due to loss of light and trees on the edge of the garden and potential for overlooking to occupiers of No. 2 Sleepers Delle Gardens
- Lack of family sized houses
- Policy to provide small houses artificially reduces the supply of large houses and drives up prices.

9 letters of support received.

- Good and appropriate plan
- Correct density for this area where traffic is a major problem
- Design and scale of the building sizes are consistent with the character of the area
- Development of a large and small house (as required by policy) would be out of character and wasteful of a lovely piece of land
- Well designed houses to be built to a high standard
- Maintain tree cover which is distinctive characteristic of area
- Maintain diversity of housing stock
- Recognises the highway constraints and should not lead to inappropriate increase of

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traffic

Relevant Planning Policy

Hampshire County Structure Plan Review:

H1, H2, T5.

Winchester District Local Plan Review

DP.1, DP.3, DP.4, DP.5, DP.6, H.3, H.7, RT.4, T.1, T.2, T.3, T.4, and W.1.

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPG 3 Housing

PPG 13 Transport

PPG 17 Planning for Open Space, Sport and Recreation

Supplementary Planning Guidance

Achieving a Better Mix in New Housing Developments – August 2002

Sleepers Hill Local Area Design Statement : July 2007

Other Planning Guidance

Guide to the Open Space Funding System

Housing Monitoring Report

Movement, Access, Streets and Spaces

Parking Standards 2002

Technical Paper: Open Space Provision and Funding

The Future of Winchester Study

Winchester District Urban Capacity Study

Winchester Housing Needs Survey

Planning Considerations

Principle of development

Planning permission (W02143/07) was granted on 29th September 2004 for 2 dwellings at the site, which comprised a detached four bedroom dwelling, with a detached double carport with a one bedroom studio over. This permission does not expire until 29th September 2009 and could be implemented.

Previously, an identical scheme (W02143/06) was refused on 4th November 2003. However, due to a decision on another site in Sleepers Hill, a fresh application was submitted.

Officers recommended refusal of the second proposal (W02143/07) to the Planning Development Control Committee on 26th June 2004. However, the Committee approved the application, and the minutes explain that the reason for overturning the officers recommendation was “...based on the variety of housing designs within Sleepers Hill, so that the modern design would not be out of keeping; that there was inconsistency on traffic advice within Sleepers Hill and that the issues regarding density of development were marginal.”

This application seeks to alter that permission and provide two large detached dwellings.

The proposal does not accord with the policies of the Local Plan, specifically DP.3, which requires development to make efficient and effective use of land or buildings. The gross density of 8 dwellings per hectare is well below the recommended range of 30-50 dwellings per hectare recommended in Policy H.7 (iii) of the Local Plan. The supporting statement suggests the density of the net developable area (of 0.11 hectares) is 18 dwellings per hectare. There is no information submitted in support of the application to explain which parts of the site are considered developable, although the Council would not dispute that the site has some constraints which would make it difficult to develop the whole site.

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In addition, the application does not accord with Policy H.7 of the Local Plan, which requires all development to provide a range of dwelling sizes, with at least 50% smaller 1 or 2 bedroom units with a gross floor area of no more than 75 sq.m. The supporting statement seeks to justify this by suggesting that creating 2 larger dwellings makes more efficient and effective use of land than the approved scheme (of 1 large and 1 small dwelling), and that this form of development is more appropriate given the highway constraints of the junctions at Romsey Road and Airlie Road.

Officers have always maintained that the site could be developed to a higher density. In the approved scheme in 2004, the application identified the net developable area of the land by including only the areas outside the tree protection zone of the trees at the site, which are protected by a Tree Preservation Order. The new proposal does not follow this, and proposes the loss of some trees to facilitate the proposal.

The principle of 2 large buildings at this site of a size, style and design reflective of the character of the area is acceptable. However, it is possible to increase densities by the sub-division of such buildings to provide apartments or semi-detached dwellings.

Sleepers Hill Local Area Design Statement (LADS) was prepared following detailed community involvement. It has been adopted as supplementary guidance and provides a structured framework for development within the wider Sleepers Hill area.

The LADS establishes character areas. Milnthorpe and Milnthorpe Corner fall within character Area F, which is classified as 'backland areas' of detached houses in well-tree'd grounds including discrete cul-de-sac developments; and that the area is not visible from Sleepers Hill Road. The development site falls within character Area A which is classified as large detached houses in spacious grounds surrounded and screened by mature trees, and with entrances mostly discrete.

The LADS also refers to Sleepers Hill Road itself, explaining that it is a privately maintained road with public highway rights. It has no lighting, and is believed to be sub-standard in a number of ways including width, base construction, footways and drainage.

The LADS has a chapter on transport planning, particularly with respect to the access to Sleepers Hill, both at the top via Romsey Road and the bottom via Sparkford Road/Airlie Road. It summarises that these accesses are sub-standard, and it is therefore necessary to limit further development to prevent a material impact on the road and junctions, unless acceptable improvements could be achieved to both junctions and the width and pedestrian provision dealt with.

The LADS recognises that, to protect the semi-rural character of the area, features of the road that contribute to this should be protected. It comments on the incremental traffic impacts that could arise over time by several smaller applications being permitted and advises that, if such creeping effects are to be resisted, then there must be a line drawn under additional permissions.

There are a series of guidelines contained in the LADS, relating to Development Guidelines, Landscape Guidelines and Transport Guidelines.

It is considered that the proposal does not accord with guideline D1 of the LADS, which explains that regard should be given to achieving a density of 30-50 per hectare, where there is an appropriate balance between increasing density and respecting the area's character.

Transport Guideline T1 relates to the traffic assessment, and advises that the scale and effects of traffic impacts need to be considered and, due to the inadequacy of the two junctions, no further development which would result in a material increase in transport impact will be permitted. The supporting text explains that a 'material' increase relates to a traffic increase of 5% or more.

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This proposal does not result in a net increase in vehicular traffic from the two dwellings approved. However, in requiring a higher density development, the Council have had regard to guideline T1 of the LADS.

The Highway Engineer has calculated that 5% equates to an increase in 10 dwellings in the Sleepers Hill LADS area. Since the publication of the LADS, there have been no approvals for new dwellings, although officers are currently dealing with applications and enquiries, and 9 of the 10 dwellings are accounted-for. Therefore this proposal could be increased by 1 unit, perhaps by the sub-division of one of the dwellings to provide 2 smaller dwellings (of no more than 75 sq.m.) each to meet the aims of Policy H.7 and to increase site densities.

Policy RT.4 of the Local Plan seeks to provide and improve public recreation space within the district. All new residential developments are required to provide sufficient space and facilities to meet the needs of residents. The applicant has made the appropriate off-site financial contribution, however, a reason for refusal on this matter is recommended in the event of an appeal, as the applicant could seek a refund on the contribution paid before an appeal was heard. Without the reason for refusal, the Council would not be able to obtain an open space payment at appeal.

The principle of development is therefore not acceptable, and there is an issue that an undesirable precedent would be set if this development was allowed.

Design/layout

The design is for two large detached dwellings, which take advantage of the difference in levels within the site, and proposes ground and below-ground floor levels. The dwellings will appear as two storeys when viewed from Sleepers Hill Road, although House A does propose a flat roof dormer to the front elevation. Both dwellings propose accommodation in the roof space by the provision of flat roof dormers situated quite discreetly within a slate covered roof. The brickwork proposes facing bricks with timber boarding, although if the principle of development is acceptable, then officers would recommend a quality stock brick and natural slate, to respect the important character of the area.

The dwellings are of a traditional design which accords with the characteristics of the area, and it is considered that the proposal accords with development guidelines D2 (scale of new development), D3 (residential character), D4 (building lines), D6 (architectural treatment), and D7 (highway design sensitivity) of the LADS.

Impact on character of area and neighbouring property

The proposal will have some impact on the character of the area, as the dwellings will be visible from Sleepers Hill Road, although they will be viewed from a single vehicular access and set behind a mature row of trees, to be reinforced by additional boundary planting. However, as stated above, the dwellings, whilst large, are of traditional design, and do not impact on the character of the area.

House B is close to the eastern boundary, with limited space for reinforcement planting along the boundary. At its closest, the rear corner of the dwelling is within 2m of this boundary, which creates something of a pinch point. There are small windows proposed on this elevation, all of which are proposed to be obscure glass. Whilst the proximity to the side boundary is close, it does not impact on the amenity of the occupiers of the dwelling to the north east, 'Pentargon', in terms of overlooking, being overbearing, or loss of light.

House A is close to the north west boundary. At its closest to the rear corner of the dwelling it is within 1.5m of the boundary with Milnthorpe. There are small windows proposed on this side elevation, all of which are proposed to be obscure glass. Whilst space along the side is limited, there is scope within the grounds of Milnthorpe for ample boundary planting. There would be no

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adverse impact on the amenities of the occupiers of Milnthorpe or Milnthorpe Corner as a result of the proposed dwelling.

To the rear of the site along the north east corner, the site borders the rear and side boundary of No. 2 Sleepers Delle Gardens. House B at its closest is 45m from the rear elevation of this property. Within the site there are a number of mature trees which are to be retained. The boundary planting is to be reinforced. There would be no adverse impact on the amenities of the occupiers of No. 2 Sleepers Delle Gardens as a result of the development.

Landscape/Trees

The Arboricultural Officer has advised verbally that he is satisfied with the Arboricultural Impact Appraisal and Method Statement submitted in support of the application.

He advised that, of the four category A trees to be lost, one has a separate consent for removal, and, whilst the loss of the three to the rear of the site is regretted, it will facilitate the development and will not have a detrimental affect on the character of the area. The loss of the other trees is acceptable. He recommends that replacements be incorporated into any landscape scheme if the scheme is to be approved.

In support of this, the Landscape Architect recommends the submission of a detailed tree and shrub planting scheme to improve the site boundaries and the relationship to neighbouring properties, and ensure the continuity of the tree cover on the site.

Highways/Parking

The proposal provides a single access from Sleepers Hill, and each dwelling has a double garage providing two car parking spaces with two spaces forward of each garage.

Therefore, each dwelling has a total of 4 car parking spaces, considered ample for this sustainable location.

The Highway Engineer has not raised an objection to the proposal on the basis that there is an extant planning permission, and that the proposal does not result in an increase in the number of dwellings

Recommendation

Application Refused for the following reasons:

1. The development as proposed would not accord with Policies DP.3 and H.7 of the Winchester District Local Plan Review or Development Guideline D1 of the Sleepers Hill Local Area Design Statement in that the proposal at a density of 8 dwellings per hectare is below the minimum guideline of 30 dwellings per hectare and therefore the proposal fails to make the most efficient and effective use of land.
2. The proposal is contrary to Policy H.7 of the Winchester District Local Plan Review and supplementary planning guidance Achieving a Better Mix in new Housing Developments in that it fails to provide 50% mix of smaller 1 or 2 bedroom dwellings with a floor area of no more than 75 sq.m. within the district.
3. The proposal would create an undesirable precedent which would make it difficult to refuse further similar applications.
4. The proposal is contrary to Policy RT.4 of the Winchester District Local Plan Review in that it fails to make adequate provision for public recreational open space to the required standard, and would therefore be detrimental to the amenities of the area and would not provide a satisfactory level of amenity for the occupiers of the units.

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Informatives:

The Local Planning Authority has taken account of the following Development Plan policies and proposals:-

Hampshire County Structure Plan Review: H1, H2, T5;

Winchester District Local Plan Review 2006: DP.1, DP.3, DP.4, DP.5, DP.6, H.3, H.7, RT.4, T.1, T.2, T.3, T.4, and W.1.

Achieving a Better Mix in New Housing Developments - August 2002

Sleepers Hill Local Area Design Statement - July 2007