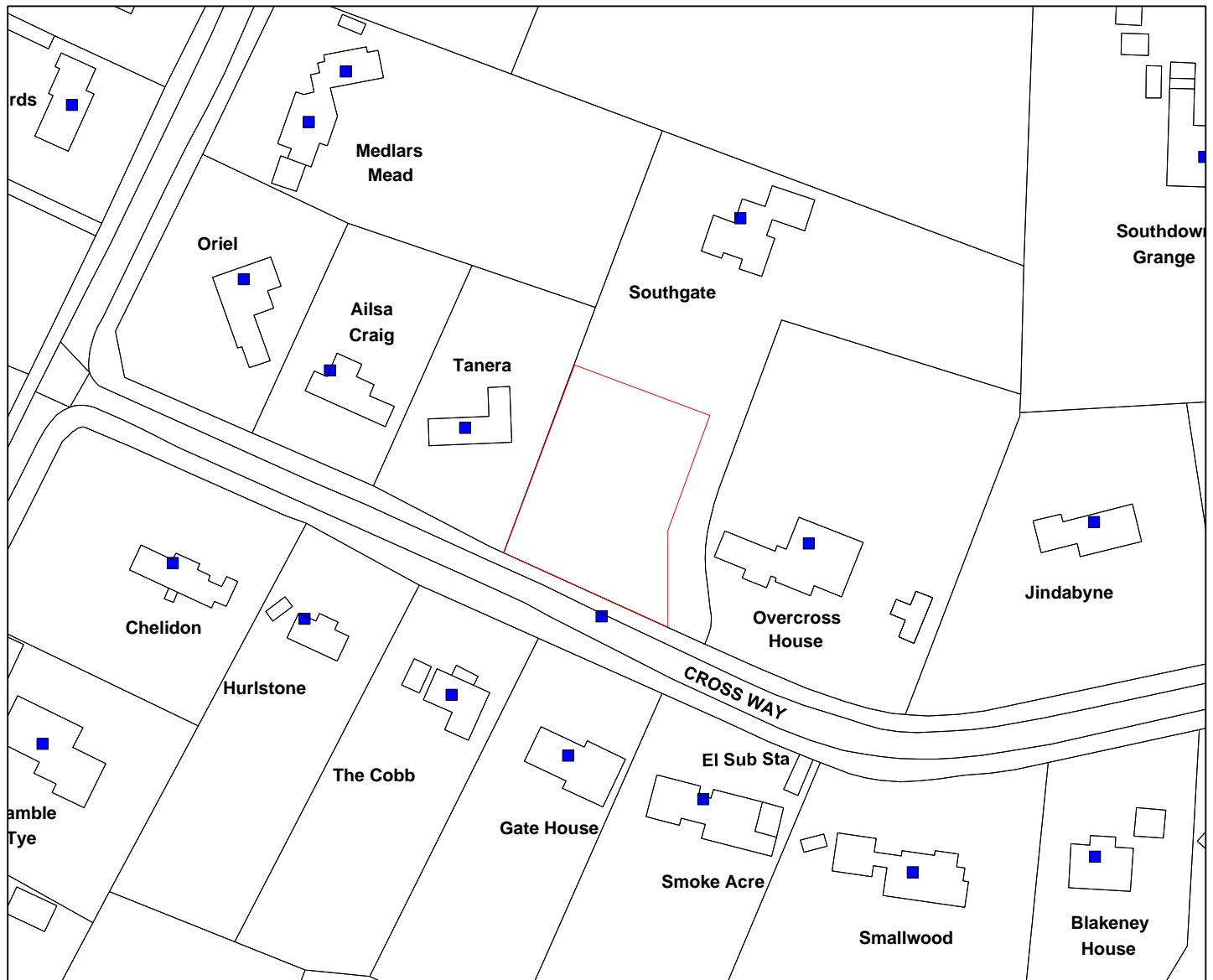


Southgate, Cross Way, Shawford

10/01507/FUL



Winchester
City Council



Legend

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Organisation	Winchester City Council
Department	Development Services
Comments	
Date	24 November 2010
SLA Number	00018301

Scale:

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Item No: 7
Case No: 10/01507/FUL / W05460/04
Proposal Description: New detached house and double garage in the garden of Southgate
Address: Southgate Cross Way Shawford Winchester Hampshire
Parish, or Ward if within Winchester City: Compton And Shawford
Applicants Name: Mr & Mrs Chris Jackson
Case Officer: Mr Simon Avery
Date Valid: 27 July 2010
Site Factors:
Recommendation: Application Permitted

General Comments

This application is reported to Committee because of the number of objections received.

Site Description

The properties in this village are nearly all detached dwellings in a mixture of styles and materials. On Cross Way in particular they are large with spacious plots. Southgate has a large 'L' shaped plot and the dwelling is set back to the rear of this, behind the line of neighbouring properties with an extensive area of front garden which includes a tennis court. The site is extremely well screened from Cross Way by a tall front hedge and mature trees around the boundaries.

Proposal

The proposal is for one detached house to be located to the front of the existing property. It will have a new separate access off Cross Way. The proposal also includes a double garage to be located slightly to the front of the new building with a studio above the garage and a utility room linked to the side.

Relevant Planning History

80/01226/OLD: Erection of extension to provide utility room - Permitted - 22/04/1980
93/00517/OLD: First floor rear extension - Permitted - 10/08/1993
98/00855/FUL: 1 No four bedroom detached house and new vehicular access - Refused - 29/06/1998
04/02211/FUL: First floor extension over existing garage to create a granny annexe with 3 no. dormer windows to front and 2 no. velux rooflights to rear - Permitted - 12/10/2004

Consultations

Highway Engineer

This proposal does not contain any significant highway issues and is unlikely to impact on highway safety. Under the terms of the Agency Agreement, a financial contribution of £5457 is required towards Hampshire County Councils Transport Contributions Policy.

Arboricultural Officer

The submitted Arboricultural Implications Assessment reflects accurately the quality and

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category of tree stock. With regard to the proposed tree retention and tree loss, there are no major issues arising from an arboricultural point of view. The protection measures specified in the report will be sufficient to reduce the affects on the retained trees to a minimum.

HCC Ecology

The proposal appears mainly to involve development on an existing tennis court, although some areas of garden will be impacted and young trees will be removed, and it appears that shrub/hedge removal will also be necessary. From the information provided the main issue is going to be nesting birds and this could be addressed by a condition.

Drainage Engineer

A public foul sewer is available to dispose of foul water, storm water is to be harvested with excess going to soakaway. Please promote the use of permeable paving wherever possible, otherwise no objection subject to the granting of Building Regs approval.

Representations:

Parish Council

The parish council is very concerned that the small plot size and modest design of the application does not match the character of the area. The area is characterised by large properties in large plots. It seems that there is potential to increase the plot size here and perhaps put forward something more in keeping with the area (and at the same time take into account the various concerns raised).

Southdowns Residents Association

- This development is too large for the size of plot.
- There is little objection to the design and size of the proposed house.
- The size of the plot is much smaller than neighbouring plots.
- The private amenity for the new house is not equivalent to neighbouring properties.
- Potential overlooking of existing house.

Neighbour Representation = 7 letters of objection.

- The proposed plot size is out of keeping with the surrounding properties.
- The proposal is contrary to the Village Design Statement.
- The current hedge between the road and the plot occupies most of the highway verge and this should cut back to ensure that it is not incorporated into private property and to resolve any issues with sightlines.
- The proposal will detract from the openness of the area.
- The proposal would set a precedent for backfill development.
- Overdevelopment and inappropriate infilling.
- Adverse impact on the existing Cross Way frontage.
- Detrimental impact on neighbouring houses due to visual appearance, lack of privacy and overlooking, extra noise and additional traffic movements.
- Concern over highway safety.
- Garden grabbing.
- The design, appearance and layout of the proposed property is out of character with those of surrounding properties, the street scene and the semi-rural character.
- The proposal is contrary to a covenant applied to all the properties allowing only one dwelling house.
- Impact on wildlife and ecology of the area.
- The proposed building and garage are in front of the building line.
- The drawings are inaccurate in that the west elevation does not show the utility room or garage.

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- Impact of garage into the root protection area of Norway Maple Crimson King.
- The Monterey Cypress needs management to curtail its height and growth and is too big and too close to proposed building.
- Preservation order should be served on trees the Willow and the Norway Maple.
- Loss of hedgerow fronting Crossway will be harmful to the character and amenities of the area.
- Problems with surface water drainage.
- The architectural composition is poor.

Relevant Planning Policy:

South East Plan 2009:

BE6, CC6

Winchester District Local Plan Review

DP3, DP4, DP5, DP9, H3, T2, T4.

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPS 3 Housing

PPS 9 Biodiversity and Geological Conservation

Other Planning guidance

Guide to the Open Space Funding System

Winchester Residential Parking Standards 2009

Planning Considerations

Principle of development

This site is within the settlement boundary of Southdowns where residential development is acceptable in principle.

Layout and Density

The dwellings surrounding this site are typically set back from the road by about 15 metres. Southgate is an exception to this as it is set back approximately 70 metres from the highway, and it also has an 'L' shaped plot with a strip of land extending to the east. This arrangement lends itself to the insertion of a dwelling to the front of the site along the building line of the neighbouring properties, as there is ample room to accommodate this and the section of the land to the east also compensates for the area of garden lost to the existing house. The existing plot is so large in fact that the area of land given over to the new dwelling is comparable to the neighbouring plots to the west, while the existing house would still remain one of the larger plots of land in this group of houses on Cross Way. It is therefore considered that the proposed layout of the plot in relation to the existing house and surrounding properties is acceptable.

The existing curtilage of Southgate is 0.48 hectares of land and the existing density is just over 2 dwellings per hectare (dph). The proposal will reduce the curtilage of Southgate to 0.35 hectares resulting in a density of 2.8 dph and the proposed dwelling will have a plot area of 0.12 hectares which gives a density of 7.8 dph. The subdivision of this plot would therefore retain the very low densities of development in this area and the new dwelling would have a comparable sized plot to those of the neighbouring properties to the west.

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Impact on character of area

The scale of the proposed dwelling is relatively modest in comparison with some of the large properties along this road. However, it is considered appropriate in relation to the size of the plot and is in keeping with the slightly smaller houses to the west. As such it is considered that the proposed dwelling would sit comfortably within this plot of land. The proposed house will be traditional in form and materials and will not appear intrusive in this context.

A separate garage with first floor accommodation will be located towards the south west corner of the plot and this includes a single storey utility room. While the garage would be sited slightly forward of the main house it is not considered that it would appear unduly intrusive or incongruous in this position as it is modest in scale and compliments to design of the main house. A number of the surrounding properties have separate outbuildings.

The very large hedge to the front of the site will be opened up and cut back with section of new hedge inserted to allow a new access point with a gate and piers. A number of surrounding properties have lower hedges with gateways and it is considered that the proposed changes to this frontage would in fact be in keeping with this character. While the reduction of the hedgerow will open up views into this site, this is consistent with the surrounding development where most of the houses are open to views from Crossway. However, there will still be a significant amount of greenery to the front corners of the site due to the trees that will be retained and this is again consistent with the character of the village.

Therefore it is considered that the proposed development will respond positively to the character, appearance and variety of the local environment.

Impact on Residential Amenity

The proposed house and garage will be located in a spacious, well vegetated plot. This means that the development will have a minimal impact on neighbouring properties.

The house will be located towards the eastern side of the plot. The boundary planting along this side is already tall and a new hedge is proposed to be planting between the house and the existing driveway along on the eastern edge of the site which will continue to serve Southgate. There will therefore be adequate planting between the new house and the neighbouring site to the east to prevent and loss of privacy or visual intrusion arising from the development.

Concern has been raised about overlooking from ground floor windows in the utility room looking north east towards the neighbouring property called Tanera, as there are some breaks in the hedge along this boundary. However, the distance from these windows to the neighbouring property is over 25 metres, and it is not considered in these circumstances that any unacceptable loss of privacy would occur. Furthermore, additional planting or fencing could be inserted on this boundary to overcome any concerns.

There are only first floor windows proposed to the front and back of the house. The front windows are too far away from houses opposite on Cross Way to result in any material loss of privacy. To the rear, the existing house would be over 40 metres from the new one, and again this would prevent any material loss of privacy. The rear windows will

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also be 11 metres from the proposed boundary between the new house and the existing one, which will be enclosed by a hedge and further screened by new tree planting in the remaining garden of Southgate. It is considered that this arrangement will prevent any unacceptable overlooking from these windows on the garden of Southgate.

The first floor window above the garage will be facing the front south east corner of the site, which is heavily planted and so will not affect the privacy of neighbouring properties either.

In summary, it is considered that the proposals will not materially affect neighbouring amenity.

Landscape/Trees

The proposal will result in minimal tree loss and an arboricultural report submitted with the application demonstrates that important mature trees within the site and around the boundaries can be retained and protected during construction.

Ecology

The proposal is acceptable in terms of its impact on ecology and wildlife habitat. Condition 9 has been added to ensure clearance of vegetation does not occur during the bird nesting season.

Highways/Parking

There are no highway objections to the scheme.

Financial Contributions

A legal agreement has been submitted to secure financial contributions of £2,796 for open space provision and £5,457 for highway improvements.

Recommendation

Application Permitted subject to:

- The completion of the legal agreement for £2,796 for open space provision and £5,457 for highway improvements;

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

- the following condition(s):

Conditions

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

1 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 and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have

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been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

3 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:

- means of enclosure including the proposed gates and piers;
- hardsurfacing materials (which should be in a permeable material where possible);

Soft landscape details shall include the following as relevant:

- planting plans;
- written specification (including cultivation and other operations associated with plant and grass establishment:
- schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate:
- implementation programme.

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

4 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before the use hereby permitted is commenced and prior to the completion of the development or in accordance with the programme agreed with the Local Planning Authority. If within a period of five years after planting any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

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

5 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. The works hereby permitted shall be carried out in accordance with the approved details.

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

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6 The proposed access and drive, shall be laid out and constructed in accordance with specifications to be first submitted to and approved in writing by the Local Planning Authority.

NOTE: A licence is required from Hampshire Highways Winchester, Central Depot, Bar End Road, Winchester, SO23 9NP prior to the commencement of access works.

6 Reason: To ensure satisfactory means of access.

7 Before the development hereby approved is first brought into use, visibility splays of 2.4 metres by 25 metres shall be provided at the junction of the access and public highway. The splays shall be kept free of obstacles at all times.

7 Reason: In the interests of highway safety.

8 Development shall not begin until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

8 Reason: To ensure satisfactory provision of foul and surface water drainage.

9 Vegetation (tree/shrub/hedgerow) clearance shall only take place between September to February (inclusive). If this is not possible then a pre-clearance check for occupied birds nests shall be undertaken. Work shall cease in any areas where occupied nests are identified and an exclusion zone of 5m shall be maintained around such nests, until such time as those nests become unoccupied of their own accord.

9 Reason: to avoid impacts to nesting birds.

10 Protective measures, including fencing and ground protection, in accordance with the Arboricultural Impact Appraisal and Method Statement reference 101 AIA J326 written by Ben Abbatt of Sapling Arboriculture Ltd and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site. The Arboricultural Officer shall be informed once these protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with 101 AIA J326. Telephone 01962 848317. The Arboricultural Officer shall also 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. No arboricultural works shall be carried out to trees other than those specified and in accordance with Method Statement 101 AIA J326 unless agreed in writing to the Local Planning Authority.

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

11 No development, or site preparation prior to operations which has any effect on compacting, disturbing or altering the levels of the site, shall take place until a person suitably qualified in arboriculture, and approved as suitable by the Local Planning Authority, has been appointed to supervise construction activity occurring on the site. The arboricultural supervisor will be responsible for the implementation of protective measures, special surfacing and all works deemed necessary by the approved arboricultural method

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statement. Where ground measures are deemed necessary to protect root protection areas, the arboricultural supervisor shall ensure that these are installed prior to any vehicle movement, earth moving or construction activity occurring on the site and that all such measures to protect trees are inspected by the Local Planning Authority Arboricultural Officer prior to commencement of development work.

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

Informatives

1. 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.

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

Winchester District Local Plan Review 2006: DP3, DP4, DP5, DP9, H3, T2, T4.

3. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or Bank Holidays. Where allegations of noise from such works are substantiated by the Environmental Health and Housing Department, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

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