

PLANNING DEVELOPMENT CONTROL COMMITTEE

28 September 2004

LONGACRE, HURDLE WAY, COMPTON DOWN

REPORT OF DIRECTOR OF DEVELOPMENT SERVICES

Contact Officer: Julie Pinnock Tel No: 01962 848567

RECENT REFERENCES:

PDC329 – Planning Development Control Committee – 24th July 2003

PDC441 – Planning Development Control Committee (Item 8) – 29th July 2003

EXECUTIVE SUMMARY:

The Planning Development Control Committee asked Officers to consult with Hampshire County Council on highway issues and prepare a detailed analysis of the recent appeal decision by the Planning Inspector on planning application reference W11420/05. This report provides an analysis of that appeal decision and an analysis of the results of the speed survey. On the basis of this analysis a revised recommendation is proposed.

RECOMMENDATIONS:

That planning permission be refused for the following reasons:-

- 1 Inadequate visibility splays are provided at the junction of Hurdle Way with Otterbourne Road and Shepherds Lane with Otterbourne Road (classified as the C230) and the increased traffic generation is likely to cause danger and inconvenience to users of the adjoining highway.
- 2 The proposal is contrary to Policy R2 of the Hampshire County Structure Plan (Review) and Policy RT3 of the Winchester District Local Plan 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. The proposal would also

be likely to prejudice Policy RT3 of the emerging Winchester District Local Plan (review), in that it would undermine this Plan's Policies for recreational open space provision within the district.

- 3 The proposed development is contrary to Policy H8 of the Hampshire County Structure Plan 1996-2011 (Review), Proposals H5 of the Winchester District Local Plan and the emerging proposal of the Winchester District Local Plan Review Deposit and Revised Deposit in that it fails to make adequate provision for affordable housing. The proposal would therefore conflict with the housing strategies of these plans.

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DETAIL:

1 Introduction

- 1.1 The Planning Development Control Committee considered an application for the replacement of the existing dwelling with 14 no. two bedroom and three bedroom flats, 1 no. two bedroom and 2 no. four bedroom dwellings with associated garages, parking and alterations to existing access at Longacre, Hurdle Way, Compton Down at its meeting on the 28th July 2004.
- 1.2 The Committee deferred the application, and asked Officers to consult with Hampshire County Council on highway issues and prepare a detailed analysis of the recent appeal decision by the Planning Inspector on planning application reference W11420/05.
- 1.3 The first part of the report reviews the Inspectors appeal decision on an identical application dismissed by the Inspector on 12th March 2004.
- 1.4 Officers have also consulted with Hampshire County Council Highways Department, and commissioned a traffic speed survey from them for Otterbourne Road on its approaches to the junctions of Hurdle Way and Shepherds Lane. The survey was undertaken using Automatic Counter and Speed Analysis machines. The survey was undertaken over a two week period.

2 History

- 2.1 In September 2003 two planning applications were submitted for the demolition of the existing dwelling and its replacement with 17 units. Planning reference W11420/04 and W11420/05 apply. The applications were considered by the Planning Development Control Committee and a Sub Committee visited the site. However the applicants appealed against non-determination, and on 24th July the Committee resolved that had an appeal for non-determination not been lodged the City Council would have refused planning permission for a number of reasons.
- 2.2 The appeal was considered by written representations and the Inspector dismissed the appeal on highway grounds. The appeal decision is attached at Appendix 1.
- 2.3 Members will note from the Council's refusal notice at Appendix 2 that 4 reasons for refusal were given. These relate to highway matters, public open space, provision of affordable housing and the principle of the proposal, scale, mass and height, footprint larger than the existing dwelling, reducing the space around the building and the scale and density of the proposal not considered sustainable.

- 2.4 A unilateral undertaking was submitted by the applicant to cover the public open space and affordable housing requirement, and it was not therefore necessary to consider these matters further through the appeal process.
- 2.5 The planning history also indicates a further two applications reference W11420/06 and W1420/07.
- 2.6 W11420/06 was for the demolition of the existing dwelling and residential development comprising: 2 no. two bedroom and 1 no. five bedroom terraced dwellings, 2 no. detached five bedroom dwellings with associated parking, detached double garages and alterations to existing access. The application was withdrawn on 02.02.2004.
- 2.7 W11420.07 was for the demolition of existing and construction of 2 no. five bedroom detached dwellings, one block consisting of 2 no. two bedroom flats and 1 no. two bedroom terrace and 1 no. five bedroom semi-detached dwellings, 2 no. double and 1 no single detached garages, associated parking, cycle sheds and alteration of existing access. Planning permission was refused on 19 April 2004 and is the subject of a separate appeal.
- 2.8 The appeal is being considered by written representations, and both parties have exchanged written statements. The Inspectors site visit has been undertaken and a decision is pending.
3. Analysis of appeal decision
- 3.1 The Inspector in his appeal decision addressed the reasons for refusal, firstly by examining the relevant planning policies. He then considered the density and sustainability of the proposal at paragraph 12 – 14 concluding that "... I see no reason to refuse planning permission for the development on account of the site's sustainability".
- 3.2 He then examined the character of the area at paragraphs 15 – 19 and accepted that the density would be higher than that prevailing in the area. He quoted from your Officers report regarding the design, and did not consider that the proposal should be refused on account of its effect on the character of the area.
- 3.3 The Inspector then turned to highway safety at paragraphs 20 – 27 and whilst it is accepted that the development would generate additional traffic, the issue was not of highway capacity, but highway safety, and particularly:
- safety for walkers and others using Hurdle Way; and;
 - safety at the junction between Hurdle Way and Otterbourne.
- 3.4 With regard to the first point, the Inspector concluded that "... I see no reason why speeds should increase or why, as at present, the pedestrians and others who use the road should not continue to safely share the highway with cars and other motorised vehicles".
- 3.5 Turning to the second point, the Inspector noted that it was common ground that visibility splays at the junction of Hurdle Way with Otterbourne Road is substandard on account of the vertical profile of Otterbourne Road, which rises over the adjoining motorway bridge. As a result he comments that visibility for cars emerging from the

junction is restricted in the southerly direction to well below 120m guideline for the “y” dimension in Places Streets and Movement for Roads subject to a 40 mph speed limit.

- 3.6 The Inspector also noted that because of the crest in the road it also restricted the forward visibility available to drivers turning into Hurdle Way from the north; and visibility of vehicles emerging from or entering Hurdle Way for drivers approaching along Otterbourne Road from the south.
- 3.7 Having regard to these factors, the Inspector concluded that: “it is my opinion that it is hazardous to the point where planning permission for development which materially increases traffic entering and leaving Hurdle Way should be refused”.
- 3.8 The appeal was therefore dismissed on highway safety grounds along as the development would materially increase traffic through the Hurdle Way/Otterbourne Road junction where visibility is significantly below the normally acceptable standards.

4. **Current application**

- 4.1 Notwithstanding the decision of the Inspector to dismiss the appeal, the applicant has re-submitted an identical application to that considered by the Inspector with the addition of a highway report prepared by DM Mason.
- 4.2 On the basis of this highway report and the Council's Highways Engineers own speed survey your Officers did recommended approval to the Planning Development Control Committee on 28th July, a copy of the Officers' report is attached at Appendix 3.
- 4.3 However at the request of Members the application was deferred and a detailed speed survey has been commissioned and undertaken by Hampshire County Council. The survey was undertaken over a two week period between 26/08/2004 and 02/09/2004. One at the last week of the school holidays and the second the first week back to school.
- 4.4 Members requested that not only the junction of Hurdle Way and Otterbourne Road junction was surveyed, but also the Shepherd Lane/Otterbourne Road junction.
- 4.5 The Highway Engineer has provided further advice on the basis of the latest speed survey. From the results obtained Central government design standards recommend that a visibility splay of 4.5m by 120m is required looking south (towards Otterbourne) at the junction of Hurdle Way with Otterbourne Road and also in both directions at the junction of Shepherds Lane with Otterbourne Road.
- 4.6 However, the maximum visibility splays obtainable at Hurdle Way/Otterbourne Road junction is 4.5m by 79.3m (at 1.05m to 0.6m) above carriageway level or 4.5m by 90m (at 1.05m to 1.05m) above carriageway level.
- 4.7 In addition the Highway Engineer has advised that the available visibility splay looking north at the Shepherd Lane/Otterbourne Road junction is restricted to 4.5m by 42m (at 1.05m to 0.6m) or 4.5m by 47m (at 1.05m to 1.05m).
- 4.8 Therefore on the basis of the speed survey and information contained in Central Government Design Standards it is evident that a shortfall of 30m exists looking

south at the Hurdle Way/Otterbourne Road junction and an even greater shortfall of 78m exists looking north from Shepherd Lane/Otterbourne Road junction.

- 4.9 The Highway Engineer has discussed the visibility splay looking south of the Shepherd Lane junction with Hampshire County Council's Highway Manager and it has been agreed that the County Council will undertake works to trim back and/or remove vegetation currently causing an obstruction to the visibility splay in this direction. This should enable the full visibility splay requirement looking south to be achievable.

- 4.10 The Highway Engineer has withdrawn his earlier comments and now recommends refusal for the application.

5. Recommendation

- 5.1 Having regard to the speed survey and advice by the Highway Engineer your officer recommend refusal of the application on highway safety grounds.

- 5.2 Officers also recommend reasons for refusal to deal with the requirement for the need to make adequate provision for public recreation open space and the need for provide affordable housing on the site. Whilst the applicants have agreed in principle to these two matters no formal undertaking has been entered into regarding these matters.

- 5.4 Officers therefore recommend that planning permission be refused for the following reasons:-

1. Inadequate visibility splays are provided at the junction of Hurdle Way with Otterbourne Road and Shepherds Lane with Otterbourne Road (classified as the C230) and the increased traffic generation is likely to cause danger and inconvenience to users of the adjoining highway.
2. The proposal is contrary to Policy R2 of the Hampshire County Structure Plan (Review) and Policy RT3 of the Winchester District Local Plan 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. The proposal would also be likely to prejudice Policy RT3 of the emerging Winchester District Local Plan (review), in that it would undermine this Plan's Policies for recreational open space provision within the district.
3. The proposed development is contrary to Policy H8 of the Hampshire County Structure Plan 1996-2011 (Review), Proposals H5 of the Winchester District Local Plan and the emerging proposal of the Winchester District Local Plan Review Deposit and Revised Deposit in that it fails to make adequate provision for affordable housing. The proposal would therefore conflict with the housing strategies of these plans.

OTHER CONSIDERATIONS:

6. CORPORATE STRATEGY (RELEVANCE TO):

- 6.1 Homes and Environment: to provide affordable homes in safe and pleasant environments for all sectors of our community,

7. RESOURCE IMPLICATIONS:

- 7.1 The cost of the speed survey undertaken by Hampshire County Council will have to be funded by the Planning Department.

BACKGROUND DOCUMENTS:

W11420/04

W11420/05

W11420/06

W11420/07

Files held in the Planning Department, Development Services.

APPENDICES:

Appendix 1 - Inspectors Appeal Decision

Appendix 2 - Decision of the Committee has the applicant not appealed against non-determination.

Appendix 3 - Officers report to the Planning Development Control Committee on 28th July 2004.