

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 8 November 2004

Item No: 04
Address: Orchard Lodge Hoe Road Bishops Waltham Southampton Hampshire SO32 1DU

Parish/Ward Bishops Waltham

Proposal Description: Demolition of 2 no. existing dwellings, erection of 13 no. dwellings comprising of 1 no. four bedroom link detached dwelling, 1 no. four bedroom detached dwelling, 4 no. three bedroom terraced dwellings, 1 no. two bedroom link detached dwelling, 1 no. two bedroom flat, 3 no. two bedroom terraced dwellings, 1 no. one bedroom dwelling and 1 no. one bedroom flat with associated garages, parking and alterations to existing access, on the land of Orchard Lodge and Cricklewood

Applicants Name Mapledean Developments Ltd

Case No: 04/02233/FUL

W No: W19181

Case Officer: Mr George Allpress

Date Valid: 27 August 2004

Delegated or Committee: Committee Decision

Reason for Committee: The application is for a major development
Reason for Committee: 4 or more representations contrary to the Officer's recommendations have been received

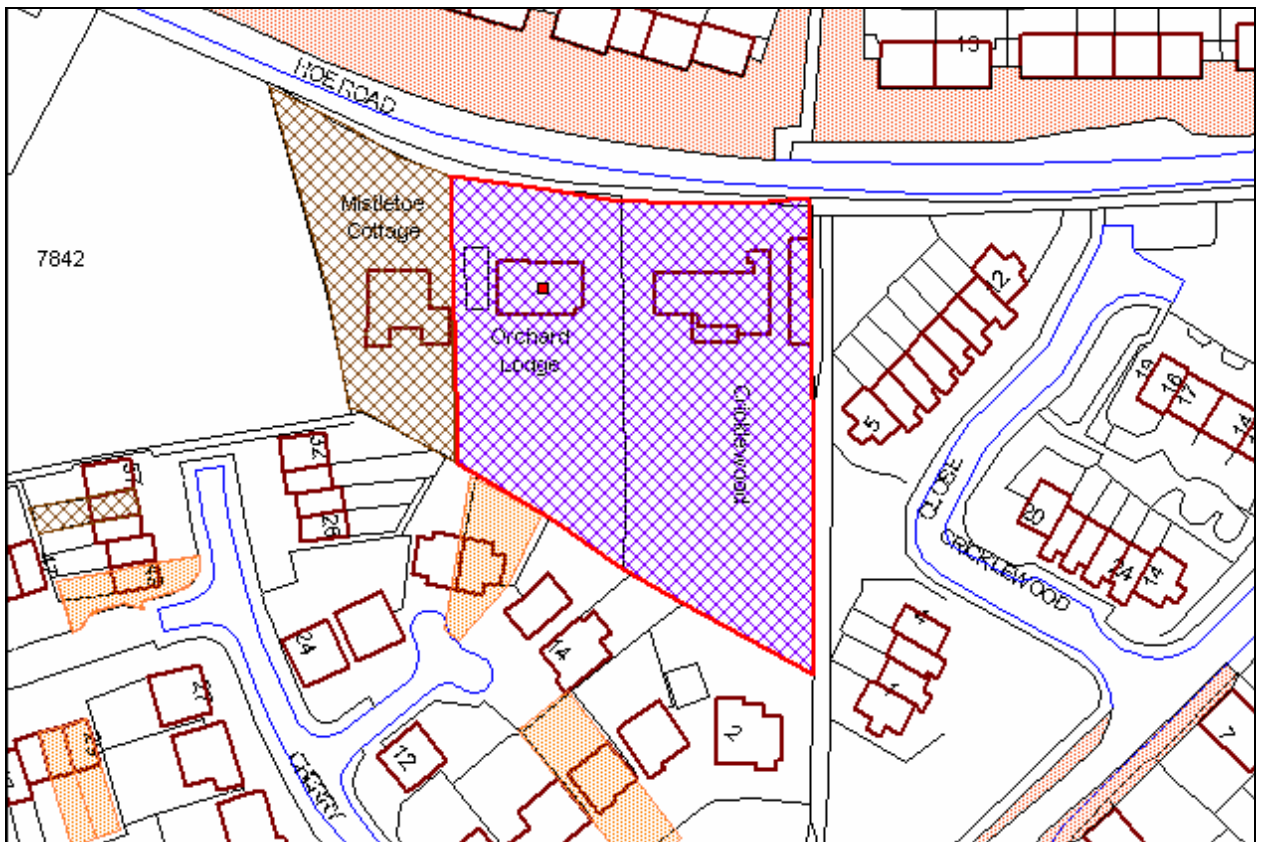
Site Factors: None

SITE LOCATION PLAN

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Site Description

- The site comprises the houses and gardens of two properties called Orchard Lodge and Cricklewood.
- The site is situated on the south side of Hoe Road approximately 160 metres east of Free Street and within the settlement boundary.
- The site area is 0.35 hectares, trapezoidal in shape with a road frontage of 60 metres. A public footpath runs to the east of the site.
- The land level falls slightly from Hoe Road to the south.
- The site is within the settlement boundary and surrounded by residential development of local authority housing to the north (Pine Road), Cricklewood Close and Cherry Gardens to the east and Mistletoe Cottage a detached dwelling on the west.
- The surrounding architecture is mixed though predominantly contemporary residential development, the more recent being of a higher density.

Relevant Planning History

- No relevant planning history

Proposal

- The application proposes 13 new dwellings, comprising 2 one bedroom units, 5 two bedroom units, 4 three bedroom units and 2 four bedroom units at a density of 37 units per hectare.
- There are 2 flats, 7 terraced dwellings, and 2 linked detached dwellings, 1 semi-detached and 1 detached.
- The dwellings are two storey with some having rooms in their roofs.
- Vehicular access will be provided to 12 units via a re-design of the access that currently serves Orchard Lodge, the access road will continue to serve the rear of the site concluding in a turning area.
- Parking will be provided for 24 cars and cycle parking spaces at the rate of 2 per dwelling.
- The design creates a new street frontage to Hoe Road.

Consultations

Engineers: Drainage:

- Foul water drainage for this proposed development will go to the main sewers in Hoe Road or Cricklewood Close and a letter from Southern Water confirms that these sewers have capacity to accept the flow.
- The applicants propose to use soakaways which are encourage under recent EA guidelines, however, the developer has used their own soakaway test and an independent company ought to be brought in to take a further test, subject to this being satisfactory no objection.
- Therefore no objection, subject to an independent company proving that soakaways are an appropriate means of disposal of storm water in this location and Building Regs. being granted.

Engineers: Highways:

- No highway objections in principle subject to the plan being amended to include the provision of a physical barrier to discourage on street parking on Hoe Road immediately in front of the development.
- This plan has been appropriately amended.
- Hampshire County Council may require a financial contribution towards improving access by sustainable transport methods.
- HCC have been notified, at the time of writing no response has been received.

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Landscape:

- Raise no objection. There are no major arboricultural problems associated with this application. However, the applicant needs to submit a method statement relating to tree protection.

Representations:

Bishops Waltham Parish Council

- Comments only –
- Should permission be granted the Parish would request:
- A preservation order on the hedgerow.
- Existing drainage problems in the surrounding area are investigated to secure that they are not exacerbated by the development.
- Development Control is consulted on the acceptability of the density.
- Landscaping is in place.
- An environmental investigation is required to establish the existence of wildlife habitats.

- Bishop's Waltham Society
- Acknowledges the site is surrounded by smaller more moderate dwellings, however, Cricklewood is a substantial and attractive Edwardian house having a lot in common with others along this road. Could it be retained.
- Bishop's Waltham cannot continue to absorb new sustainable development as it has poor infrastructure and facilities.

Letters of representations have been received from 24 neighbours comprising 18 letters of objection and 6 letters of support.

- Grounds of objection:
- Proposed dwellings are too close to existing dwellings in Cherry Gardens.
- Some are 3 storey with windows directly overlooking properties.
- Out of character and in conflict with EN5.
- Proximity and loss of privacy.
- Threat to wildlife.
- Density too great that will overstretch and burden infrastructure and public facilities.
- Additional traffic and highway safety implications.
- Difference in land levels and consequential impact to no.2 Cherry Gardens.
- Increase in noise levels.
- Increased traffic and a reduction in security.
- Mix of trees and hedges forming a boundary which future owners may remove.
- Further development may exacerbate the severe drainage issues that have occurred within Cherry Gardens over the last few years.

- Comments in Support:
- Good use of land.
- Helps keep open spaces and lanes free of housing.
- Developer has a good record of developments in the area.
- Good mix of housing: 1 & 2 bedroom houses for first time buyers are much needed in the area.
- Design will fit in with the area.
- Will improve Hoe Road frontage.

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Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB1, UB3, T4, T5, H1, H7, R2, E8 and E16.

Winchester District Local Plan

- EN.5, EN.6, EN.7, EN.8, EN.9, H.7, RT.3, T.5 and T9.

Winchester District Local Plan Review Deposit and Revised Deposit:

- DP.1, DP3, DP.5, H.2, H.7, RT.3, T.2, and T.4.

Supplementary Planning Guidance:

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

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG 3 Housing
- PPG 13 Transport

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area/spatial characteristics/street scene
- Detailed design
- Residential amenities
- Highways
- Public open space provision
- Comments on representations
- Drainage/flooding

Principle Of Development

- The site is located within the built settlement of Bishop's Waltham where the redevelopment of previously developed land for housing is accepted, subject to the development proposal satisfying design criteria, and there being no adverse impact to neighbour amenity.
- Local Plan policy aims to achieve development at a density of 30-50 dwellings per hectare and to ensure a mix of 50% one and two bedroom dwellings is provided for.
- The proposal of 13 residential units on this site which has an area of 0.36 hectares equals a density of 37 dwellings per hectare.
- The proposed mix is 54% of one and two bedroom dwellings.
- Compliance with plan policy would therefore be achieved by this development.
- The site is under 400 metres from the town centre, close to facilities and therefore in a sustainable location.

Impact On Character Of Area

- The development retains trees and hedgerows to protect neighbour amenity and has been designed to ensure against direct overlooking.
- The design creates a new street frontage and achieves a good quality layout that respects the character and appearance of the area.

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Design Detail

- The scale and massing of the new buildings achieves a good transition between the two storey dwellings to the south and the single storey bungalows opposite.
- The houses that would have roof level accommodation have been designed with a street frontage of two storey dwellings and or inward looking dormer windows.
- The design is visually compatible with recent residential development.

Residential Amenity

- Elevations and internal accommodation has been deigned to minimise overlooking.
- The garden length, building envelope and height of proposed to existing is of a position, scale and mass that ensures against an overbearing impact or material loss of light.

Highways

- The proposal complies with the requirements of the Highway Authority.
- The balance of parking provision is considered acceptable for this location at, 1 space per one bedroom dwelling and 2 space for the remainder.

Public Open Space

- The application would be subject to the appropriate provision should permission be granted.

Drainage/Flooding

- Drainage is an issue which is normally addressed by Building Regulations.
- However, given the drainage Engineers comments a condition requiring an independent report is considered appropriate.

Comments on Representations

- Bishop's Waltham falls within the settlement boundary in both the WDLP and WDLPR, where the principle of development is acceptable.
- The explanatory text to the relevant District Plan proposals explains that locations such as the application site are capable of accommodating residential development without harming the character of these areas.
- The development at a density of 37 dwellings per hectare is considered to achieve this and to be within density range which is aimed for.
- The dwellings have been designed to minimise overlooking and to avoid creating an overbearing impact.
- Where there are rear windows that face habitable rooms of existing dwellings there is a separation of 24.0 metres.
- The views are oblique and therefore obstructed where the separation is less.
- The remainder of the points raised by the objectors have been addressed in the body of this report.

Planning Obligations/Agreements

In seeking the planning obligation(s) and financial contributions the Local Planning Authority has had regard to the tests laid down in Circular 1/97 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):

APPROVE – subject to a Section 106

- 1. A financial contribution of £20,888 towards the provision of public open space through the open space funding system.**
- 2. A financial contribution towards off site highway works if required by HCC.**

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

Conditions/Reasons

01 The development hereby permitted shall be begun before the expiration of five 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.

02 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 of Parts 1 Class A, B, C and E of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

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

03 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 south, east and west other than those expressly authorised by this permission shall, at any time, be constructed in the windows elevation(s) of the dwellings plot numbers 3, 4, 5, 6, 7,8, 9 and 10 hereby permitted.

03 Reason: To protect the amenity and privacy of the adjoining residential properties.

04 The first floor window(s) in the east elevation of house number plot 9 as shown on drawing no. 100 Rev.C. hereby permitted shall be glazed in obscure glass and thereafter retained.

04 Reason: To protect the amenity and privacy of the adjoining residential properties.

05 Before the development hereby approved is first brought into use, a turning space shall be provided within the site to enable vehicles using the site to enter and leave in a forward gear. The turning space shall be retained and kept available for such purposes at all times.

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06 The garage and parking spaces hereby approved shall not be used for any other purpose than the parking of cars.

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06 Reason: To ensure the provision and retention of the garage and parking spaces the interests of local amenity and highway safety.

07 The roads and footways shall be laid out and made up in accordance with the specification, programme and details to be approved by the Local Planning Authority. No dwelling erected on the land shall be occupied until there is a direct connection from it completed to the approved specification [less the final carriageway and footway surfacing] to an existing highway.

07 Reason: To ensure that the roads and footways are constructed to a satisfactory standard.

08 No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the dwellings and garages 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.

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

09 In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars, and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building(s) for its permitted use.

a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

b) If any tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.

c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with details to be submitted and approved in writing by the Local Planning Authority before any equipment, machinery, or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

09 Reason: To ensure the protection of trees which are to be retained.

10 No development shall take place on site until a method statement relating to tree protection has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include details regarding site supervision indicated on the attached plans relating to the removal of the existing driveway adjacent to the retained Beech Tree.

10 Reason: To ensure the protection of trees which are to be retained.

11 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:

11 Reason: To improve the appearance of the site in the interests of visual amenity.

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12 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.

12 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.

13 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, specifically the woodland area to the front of the site, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the details hereby approved.

13 Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal, public, nature conservation and historic significance.

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 54A of the Town and Country Planning Act 1990 (as amended), 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 - UB1, UB3, T4, T5, H1, H7, R2, E8 and E16.

Winchester District Local Plan Proposals - EN.5, EN.6, EN.7, EN.8, EN.9, H.7, RT.3, T.5 and T9.

Emerging Development Plan - WDLP Review Deposit and Revised Deposit: DP.1, DP3, DP.5, H.2, H.7, RT.3, T.2, and T.4.