

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA

**Item No:** 11  
**Address:** Land Adjacent To23 Old Kennels Lane Olivers Battery Hampshire

**Parish/Ward** Olivers Battery

**Proposal Description:** (AMENDED PLANS) Detached three bedroom dwelling with integral single garage (details in compliance with outline planning permission W18613)

**Applicants Name** Mr And Mrs Matthews

**Case No:** 04/02556/REM

**W No:** W18613/02

**Case Officer:** Lisa Booth

**Date Valid:** 30 September 2004

**Delegated or Committee:**

**Reason for Committee:** Parish Council submitted representations contrary to officer recommendation

**Reason for Committee:** The Officers consider the application to be controversial or potentially controversial

**Site Factors:**

Civil Aviation

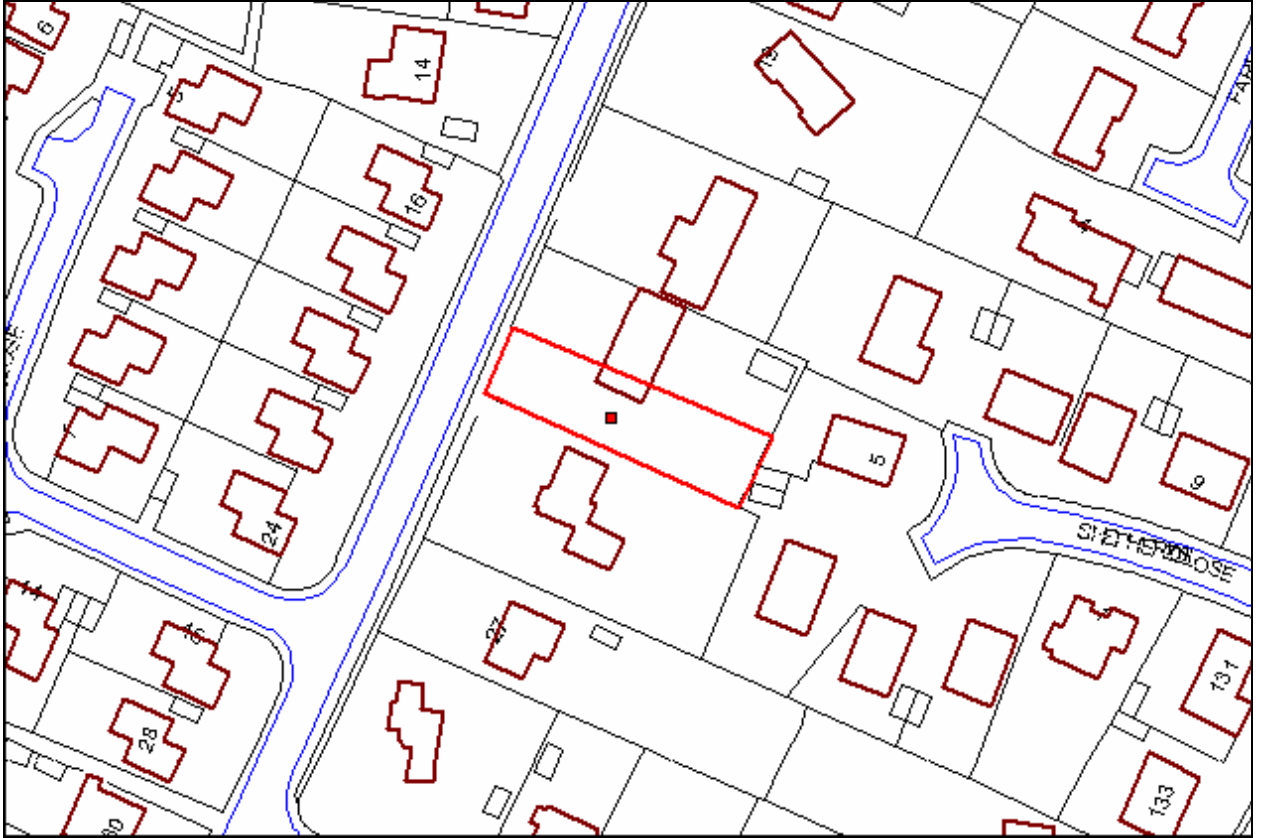
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**SITE LOCATION PLAN**

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**Site Description**

- The site is situated in a road predominantly of single storey bungalows.
- There is currently one bungalow on the site located towards the northern boundary within the plot, which has a single storey side extension on the southern elevation.
- There is a vehicular access in the centre of the plot at the front with parking and turning and a garden area to the rear and side.

**Relevant Planning History**

- W18613 – (AMENDED DESCRIPTION & PLANS) New Dwelling (OUTLINE) – Permitted 27/10/04

**Proposal**

- Details in compliance with outline planning permission W18613.
- This application is a detailed application for 1 no: three bedroom dwelling.
- The application went before the Planning Committee in April 2004 and subsequently went to a Viewing-Sub Committee. The Sub-Committee asked that the detailed application be brought to the Planning Committee to be decided.

**Consultations**

Engineers:Highways:

- No highway objections
- *On amended plans*
- All conditions on outline permission have been complied with except condition 09. The cut-off drain should be at the pavement end of the drive, as water will flow down the slope.

Landscape:

- Narrow plot with sloping ground levels and existing ornamental shrubbery along frontage, which is of no visual significance in terms of local character.
- There is a tree of some amenity value overhanging the southern boundary to the rear, which needs to be shown on the plan.
- Additional information required to clarify treatment of levels as some excavation may be needed to accommodate building footprint within sloping ground, which may impact on boundaries
- Need the above information to fully assess.

*On amended plans*

- Plans acceptable, subject to conditions to retain and reinforce soft landscaping to frontage and tree protection.

**Representations:**

Olivers Battery Parish Council

- Object
- Proposed building too large for the plot.
- It would also set an inappropriate precedent for filling in other similar sites in the area, which would adversely affect the character of the area.

Letters of representations have been received from 2 Neighbours

- Object (No. 25) – some of concerns on outline not been addressed, namely;
- Would like to ensure ground floor level relative to ours takes account of the 1 in 17 gradient of Old Kennels Lane.
- Contains no drawings showing levels as per outline permission.
- Ground floor plan and site layout plan show contradictory distances between the boundaries.
- *On amended plans*

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- Two concerns of previous letter have been addressed.
- Concern retaining wall will damage tree roots along the boundary.
- Please ensure that the advice from the Council's Arboricultural Officer is given adequate weight in the decision process.
- Object (5 Shepherds Close – 2 letters)
- Spoils the appearance, natural environment and layout from the golf course
- Effect of neighbours property by closeness, noise of up to 6 people, transport and would add to the use of the highway.
- Would spoil the pleasure, peace and charm of Olivers Battery
- Front door not on front – effects enjoyment of neighbours property
- Why are we overdeveloping and taking away the peace and space currently enjoyed

**Relevant Planning Policy:**

Hampshire County Structure Plan Review:

- UB3

Winchester District Local Plan

- EN5, H1

Winchester District Local Plan Review Deposit and Revised Deposit:

- DP3, H2

Supplementary Planning Guidance:

- None

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG 3 Housing

**Planning Considerations**

The main considerations in respect of this application are:

Principle of development

- The proposal lies within the settlement boundary of Olivers Battery and the principle of further residential development is acceptable in accordance with development plan policies and Government Policy Guidance.

Impact on the character of the area/spatial characteristics/street scene

- The area is predominantly single storey bungalows with varying plot widths, one side being wider plot widths with the opposite side of the road being of higher density with reduced spacing.
- The proposal is felt to retain sufficient gaps between neighbouring properties, thus making efficient use of the site.
- The height, design and size of the dwelling is in keeping with surrounding properties.
- The proposal is to be 'dug-in' slightly and will have a lower ridgeline than no. 23, but slightly higher than no. 25, creating a stepped affect, which uses the levels well. This is considered to be acceptable in the street scene.

Detailed design

- The design of the proposal is a simple design, typical of the bungalows within the vicinity.
- There is a small dormer window to the front elevation, which is in keeping with the area and a larger dormer to the rear.

Residential amenities

- The proposal is positioned 6m from the neighbouring property, which has only secondary windows to this elevation. It is felt that due to the level differences and the positioning of the proposed dwelling along the same building line, it will not have an overbearing impact on the amenities of the neighbouring property.
- There are 2 no. roof lights on the side elevation facing no.25 which serve an en-suite and the

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stairwell, and a 1 no. roof light on the side facing no.23, which serves a bathroom. These are considered acceptable in these rooms and are conditioned to be obscure glass.

Highways

- No highways objections

Public open space provision

- A section 106 Agreement was entered into under Outline planning permission W18613.
- The applicant is required to pay £1966 towards Public Open Space, which has not been paid to date.

Comments on representations

- Amended plans have been received, which show levels of the site and was amended to correctly show the contradicting distances between the boundaries. It is considered that these plans now address the neighbours comments and concerns at no.25.
- Comments were made about the front door not being on the front of the property. It is in fact shown on the front of the property on the submitted drawings. There is an additional door to the utility room on the side, which may have caused confusion.
- The other points of concern are addressed in the report above.

**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):**

**Conditions/Reasons**

01 That with respect to outline planning permission reference W18613 the following reserved matters and details in compliance BE APPROVED:-

Condition 3:-

Brick - Nutcombe Multi-stock - Tile - Plain tile colour 03

Conditions 5, 8, 11, 12, 13

The following condition has NOT been approved:-

Condition 9

- Details of cut off drain;

Condition 7

- Non-migratory surface to access applies to both plots.

PLUS

All other conditions on Outline Planning Permission W18613 dated 27 October 2004 remain to be satisfied as specified.

02 A detailed scheme for landscaping, tree and/or shrub planting, including heights/details of retaining walls, to the frontage shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner.

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If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

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

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 windows or dormer windows other than those expressly authorised by this permission shall, at any time, be constructed in the north-east and south-west elevation(s) of dwelling hereby permitted.

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

04 The first floor window(s) in the north-east and south-west elevation of dwelling hereby permitted shall be glazed in obscure glass and thereafter retained.

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

**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: UB3

Winchester District Local Plan Proposals: EN5, H1

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP3, H2