

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 9 March 2005

Item No: 07
Address: Land Between Post Office And 2 Dever Close Micheldever
Hampshire

Parish/Ward Micheldever

Proposal Description: Erection of 1 no. two bedroom and 1 no. three bedroom dwelling with
integral car port and new access

Applicants Name Southgate Properties

Case No: 04/03060/FUL

W No: W01728/08

Case Officer: Mrs Mary Goodwin

Date Valid: 19 November 2004

Delegated or Committee: Committee Decision

Reason for Committee: At the request of a Councillor

Site Factors: Micheldever Conservation Area

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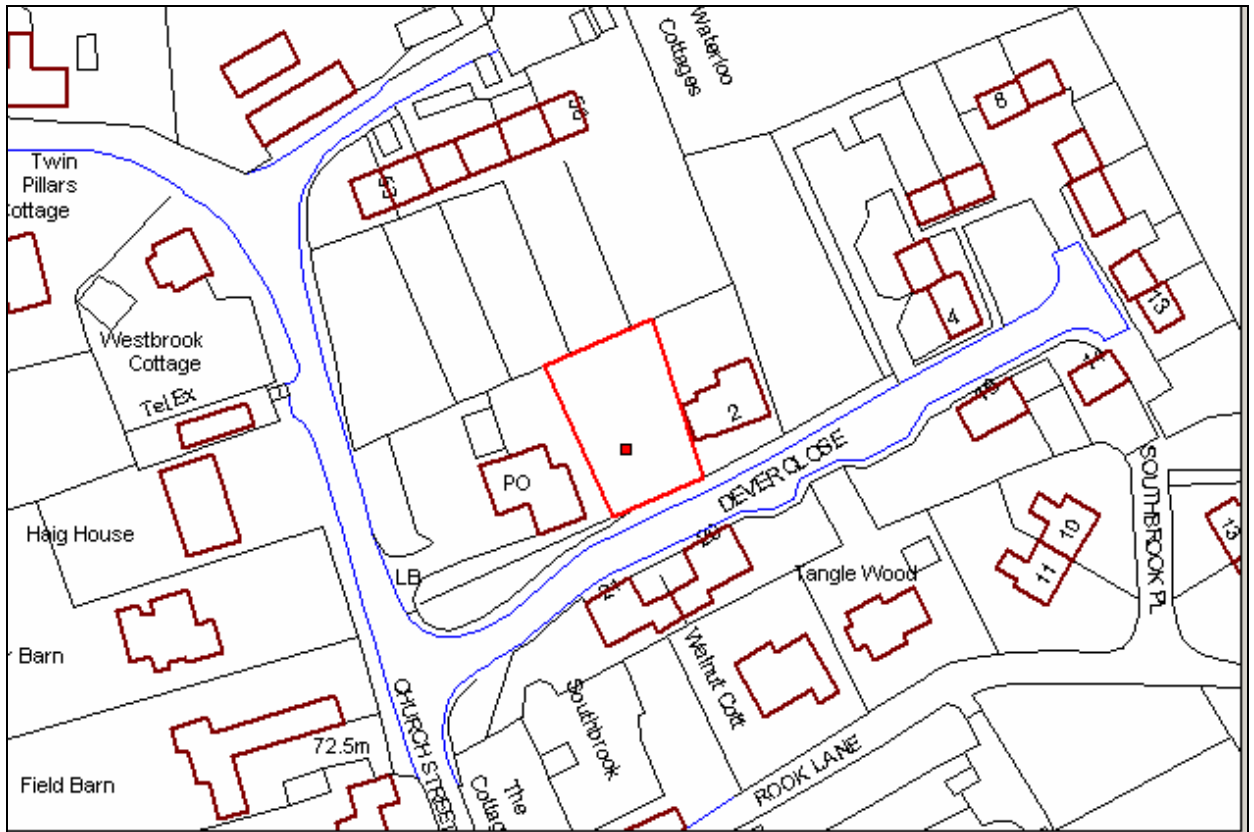
SITE LOCATION PLAN

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Site Description

- Existing rear garden serving the Post Office and attached house, at Dever Close.
- The garden is enclosed by Leylandii trees and hedging and close boarded fencing and lies at a level above that of the road and adjoining gardens to the north and west.
- The site lies within the conservation area.
- A terrace of grade II listed cottages lies to the north of the site and their rear gardens abut the site.

Relevant Planning History

- Historic consents for extensions to the existing post office and detached garages.
- W01728/07 - Erection of 2 no. semi-detached three bedroom dwellings with integral garages and new vehicle access. Refused 24.09.2004

Proposal

- As per Proposal Description
- The development comprises a pair of semi-detached houses, one with integral carport served by paired drives off Dever Close.
- The houses have traditional elevations, with pitched gabled roofs, dormer windows, open porches and chimneys, constructed with red/orange brickwork, timber boarding, oak framed car port and plain clay tiles to the roof.
- The existing Leylandii hedges to the side and rear, and several existing trees, including the beech on the Dever Close frontage, are to be retained and new hedge and tree planting is proposed to the boundaries.
- The buildings are to be set in from the boundaries by approximately 1.5m to the west, 2.5m to the east and 14.2m to the rear.
- The front elevation is in line with the dwelling at 2 Dever Close to the east, and is set back from the road by 6.1m.

Consultations

Archaeology: comment

- The development of this site may have archaeological implications.
- The site is close to a medieval C13th manor house, close to the church and later C16th building
- Several medieval pits have been found close by.
- In accordance with policy, a watching brief is required and a reason for refusal is required if the application is to be refused.

Conservation: no objection

- The applicant seems to have taken account and mitigated my concerns with regard to the previous application.
- This application is now in accord with PPG15, HG6 and HG7 and can be approved subject to conditions regarding fenestration and materials.

Engineers:Drainage:

- There is no main foul sewer in Micheldever and each dwelling will have to provide its own method for the disposal of foul water.
- The EA must be consulted and once a suitable method for foul water disposal has been agreed there will be no objection subject to building regulations approval.

Engineers:Highways: comment

- No objection, provided the car port dimensions are increased to comply with minimum dimensions required by HCC standards (6.0m x 3.0m)

Environment Agency: holding objection to original plans

- There is insufficient information regarding the drainage arrangements for the site.
- There is potential for unacceptable pollution.

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- There is no available mains foul sewer in the vicinity and the applicant must demonstrate a proposed mains connection or re-assess foul drainage options.
- EA consent is required for any discharge of sewerage into controlled waters or ground waters.
- A revised drainage proposal has been submitted to the EA and WCC showing a small domestic treatment plant with reed filter beds. The EA have been consulted and their comments will be reported to planning committee.

Landscape: no objection

- This proposal is compatible with local character and sensitive to the site constraints, including existing trees and hedgerow worthy of retention.
- Providing there are no issues regarding changes of level close to boundaries or vegetation to be retained, the scheme is acceptable, subject to a landscape condition for a hard and soft landscape scheme to be implemented with 5 year retention.

Southern Water: – comment

- There are no public sewers in Micheldever.
- The existing sewerage system is operated by WCC and their permission would be needed connect to this.
- A water supply can be provided.

Representations:

Micheldever Parish Council

- No comments

Letters of representations have been received from 3 Neighbours

- Out of character with buildings in conservation area and proposed development has an 'estate' appearance.
- Contrary to H2 development frontage boundary in Village Design Statement and adopted local plan and this should not be ignored.
- Traffic danger resulting from increased traffic onto bendy road and poor junctions, particularly during school times, when parking is a problem.
- PPG3 should not apply; not a brownfield site, and the Conservation Area should be protected.
- Overlooking and loss of privacy and peace to residents of Waterloo Cottages to rear.
- Lack of planting to the rear boundary.
- Local sewage pumping station is already at full capacity.
- Neighbour at post office believes the site encroaches onto adjoining land by 0.6m.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

UB3, H7, T2, T4, T6, R2, E16, E17, E19

Winchester District Local Plan

- HG1, HG2, HG3, HG6, HG7, HG8, HG11, EN5, C1, C2, H1, H7, RT3, T8, T9, T11

Winchester District Local Plan Review Deposit and Revised Deposit:

- DP1, DP3, DP5, HE1, HE2, HE4, HE5, HE6, HE8, H2, H7, RT3, T1, T3, T4, C6

Supplementary Planning Guidance:

- Hampshire County Structure Plan (Revision): Implementing Policy H4
- Achieving a Better Mix in New Housing Developments
- Micheldever Village Design Statement
- Winchester District Landscape Character Assessment
- Winchester District Landscape Assessment
- Technical Paper: Open Space Provision and Funding
- Guide to the Open Space Funding System
- Movement, Access, Streets and Spaces
- Parking Standards 2002

National Planning Policy Guidance/Statements:

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- PPG 1 General Policy and Principles
- PPG 3 Housing
- PPG 7 The Countryside – Environmental Quality and Economic and Social Development
- PPG 13 Transport
- PPG 15 Planning and the Historic Environment

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
- Residential amenities
- Drainage/flooding

Principle of development

- The site lies within the housing settlement boundary for Micheldever as delineated within the emerging Winchester District Local Plan Review (Deposit and Revised Deposit).
- The site is within the countryside under the adopted plan, which had a more restricted development frontage for Micheldever than the settlement boundary in the emerging plan.
- There were no objections raised to the revision of the settlement boundary for Micheldever during the public consultations associated with the local plan review, and for this reason, the H2 settlement boundary in the deposit review plan has been fully adopted by WCC.
- For development control purposes, the emerging policy H2 is adopted and carries more weight than the old frontage policy in the 1998 local plan, and as shown in Micheldever VDS.

Impact on character of area

- The proposed houses are modest in scale and height, and utilise traditional window designs, roof forms, materials and other features, such as eaves, chimneys and porches.
- The spatial qualities, massing, scale and layout of the proposed development is sympathetic to the existing street scene in Dever Close and will not be harmful to views within the conservation area.

Residential amenities

- The proposed houses are in line with the adjacent development to the east.
- There is a distance of approximately 14.5m between the rear elevations of the proposed houses and the northern or rear boundary, and the cottages at Waterloo Gardens lie 47m to the north.
- Overlooking to the cottages to the north is not considered to be materially harmful to amenity at this long distance and there is intervening planting and proposed additional planting to screen views between the properties.
- The house attached to the post office lies approximately 4.5 to 5m to the west of the proposed new houses, and is at a lower level.
- The post office lies forward (south) of the front elevation of the new houses. There is a single storey side extension to the east of the post office, and the first floor accommodation lies approximately 7m from proposed house 1.
- There is only one window in the side elevation of house 1, serving a first floor bathroom, and this will be obscure glazed to minimise any opportunities for overlooking to the west.
- It is considered that the proposed siting allows sufficient space between the residential accommodation at the post office and house 1 to ensure that the amenities of both properties are protected.

Drainage/flooding

- The original proposal provided insufficient information regarding foul drainage and suggested only that connection would be made to mains foul water drainage.

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- Alternative drainage proposals have been submitted showing a sewage treatment works and this detail has been forwarded to the EA for comment.
- The EA will confirm whether the amended drainage details are satisfactory. Provided the EA holding objection is withdrawn, then officers would have no objection on drainage/flooding grounds

Recommendation

PROVISO: subject to the holding objection raised by the Environment Agency being withdrawn and a satisfactory foul drainage solution being reach between the LPA, EA and applicant, then:

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

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

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, other than those expressly authorised by this permission shall, at any time, be constructed at first floor level or above, in the side or rear elevation(s) of houses hereby permitted, without the prior written approval of the Local Planning Authority.

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

04 A detailed scheme for landscaping, tree and/or shrub planting 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. 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.

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

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05 The existing trees shown as being retained on the approved plan shall not be lopped, topped, felled or uprooted without the prior written approval of the Local Planning Authority. These trees shall be protected during building operations by the erection of fencing at least 5 metres from the tree trunks in accordance with BS 5837.

05 Reason: To retain and protect the trees which form an important part of the amenity of the area.

06 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.

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

07 No development or site preparation prior to operations which has any effect on disturbing or altering the level of composition of the land, shall take place within the site until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation to be submitted by the applicant and approved in writing by the Local Planning Authority.

07 Reason: To ensure that the archaeological interest of the site is properly safeguarded and recorded.

08 Detailed proposals for the disposal of foul and surface water the development is first occupied shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved details shall be fully implemented before the development is first occupied.

09 The parking areas including the car port, shall be provided in accordance with the approved plans before the dwelling is first occupied and thereafter permanently retained and used only for the purpose of accommodating private motor vehicles or other storage purposes incidental to the use of the dwelling house as a residence.

09 Reason: To ensure the permanent availability of parking for the property.

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 38(6) of the Planning and Compulsory Purchase Act 2004, 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, H7, T2, T4, T6, R2, E16, E17, E19

Winchester District Local Plan Proposals: HG1, HG2, HG3, HG6, HG7, HG8, HG11, EN5, C1, C2, H1, H7, RT3, T8, T9, T11

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP1, DP3, DP5, HE1, HE2, HE4, HE5, HE6, HE8, H2, H7, RT3, T1, T3, T4, C6

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03. Under the Terms of the Water Resources Act 1991, written approval of the Environment Agency is required for any discharge of sewage or trade effluent into controlled waters, and may be required for any discharge of sewage or trade effluent from building or fixed plant into or onto the ground or into waters which are not controlled waters. Such approval may be withheld. (controlled waters include rivers, streams, underground waters, reservoirs, estuaries and coastal waters. The applicant is advised to contact the Hampshire Area Office Water Quality Consenting Team Environment Agency, Colvedene Court, Wessex Way, Colden Common, Hampshire, SO21 1WP, to discuss the matter further.

04. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hours Monday to Friday and 0800 and 1300 hours Saturday and at no time on Sunday 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