

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 27 April 2005

Item No: 04
Address: Land At Meadowland Kings Worthy Hampshire

Parish/Ward New Alresford

Proposal Description: Erection of 6 no. dwellings; comprising of 2 no. one bedroom, 1 no. two bedroom, 2 no. three bedroom and 1 no. four bedroom dwellings; associated garages/carports, landscaping and new access

Applicants Name Winterslow Developments Limited

Case No: 05/00522/FUL

W No: W19360/01

Case Officer: Mr Dave Dimon

Date Valid: 24 February 2005

Delegated or Committee: Committee Decision

Reason for Committee: 4 or more representations contrary to the Officer's recommendations have been received

Site Factors:

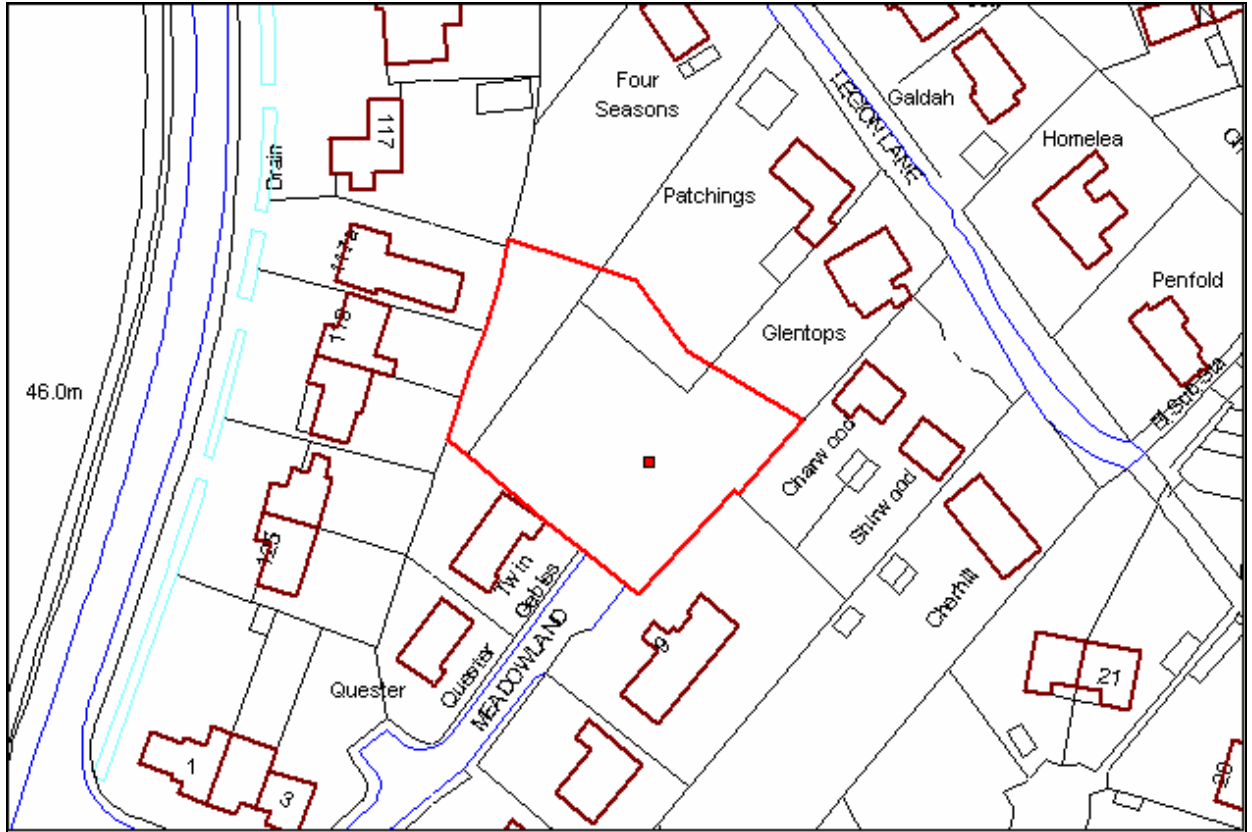
WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL DELEGATED OFFICER REPORT
DATE OF RECOMMENDATION 12 April 2005

SITE LOCATION PLAN

Case No: 05/00522/FUL **W No:** W19360/01

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WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL DELEGATED OFFICER REPORT
DATE OF RECOMMENDATION 12 April 2005

Site Factors: None identified

Site Description

- The site is made up of parts of 3 gardens of properties on Legion Lane. The access is from Meadowland which is a cul-de-sac off of Springvale Road. The site slopes from north to south and from east to west. It is bounded on all sides by residential development.

Relevant Planning History

- Two dwellings were refused on this site in 1972 with access from Legion Lane
- A similar application but for 7 dwellings was refused in February 2005

Proposal

- As per Proposal Description

Consultations

Engineers:Drainage:

- No objection subject to Building Regs approval of drainage layout. A foul sewer crosses the site but appears to be outside of a 3m easement. Storm water will go to soakaways but to reduce the concentration in these areas permeable surfacing should be used wherever possible. There have been instances of flooding in Springvale but this is higher ground and unaware of any problems with this site.

Engineers:Highways:

- The proposed layout does not now include turning provision for a service vehicle but there is an existing turning head in Meadowland which can be utilised and a bin collection point has been provided at the entrance. This is acceptable from a highway point of view. The parking provision for 12 spaces in the form of garages, car ports and open spaces is also acceptable. No objection subject to conditions H010, H020, H190.

Environment Agency:

- No objection

Landscape: Revised proposal more acceptable but the following concerns remain

- Plot 1 still too close to adjoining property and boundary fence.
- Car port to plot 3 too close to boundary.
- Width of area left for planting adjacent retaining wall to SE boundary inadequate for effective screening.
- The building up of levels in front of plot 4 appears to create an unsatisfactory change of level and awkward space between road edge and site boundary and is not shown on section DD.
- Proposal could provide an opportunity for footpath to Legion Lane which may also help to resolve boundary problem re levels and provide safer route to school.

Southern Water:

- No development shall take place within 3 metres of the sewer. Connection to the sewer will require formal approval. There are no surface water sewers in the vicinity.

Representations:

Kings Worthy Parish Council

- Object - There appears to be no significant change from the previous application so our original objection stands.
- the development is an inappropriate location for this development which is out of character with its surrounding; the density and lack of parking will cause problems; lack of detail regarding the access and pedestrian facilities; there is considerable concern locally; and the area is one that floods with the run-off into Springvale Road.

Twenty letters of representation have been received from residents of neighbouring properties

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL DELEGATED OFFICER REPORT
DATE OF RECOMMENDATION 12 April 2005

- Two letters support the application on the basis that the proposal has been amended to address previous concerns, the density is now 30 dph, the lowest of PPG3 density range. The proposals have evolved over 9 months of negotiation and have been changed to address the objections raised. The criticisms in the landscape comments did not form part of the previous reasons for refusal. The provision of a footpath through the site is not acceptable and the requisite land does not form part of the application site.
- The remaining 17 letters object to the proposal for the following reasons:
- The amended proposal for 6 dwellings is still overdevelopment and does not overcome previous concerns.
- The removal of the turning head will increase the dangers and disturbance to residents in Meadowlands due to lorries having to turn at the existing hammerhead and reverse to the site with the added noises of vehicle reversing alarms.
- The turning head in Meadowland is likely to be used for parking adding to the traffic hazards especially for children and the elderly.
- The possible 12 extra cars plus visitors to the proposed 6 dwellings will mean a large increase in kerbside parking in an already narrow road.
- The objection to overlooking has not been addressed by the revised plan.
- So many houses in such a limited area is out of character and will increase the density so that they are very close together - a 43% increase on the existing development at Meadowland on a site only 25% as big.
- Plot 6 is now a three bed house so will overlook the garden, patio, dining room and bedroom of Charwood Legion Lane more than in the previous plan. Proposal still does not include bungalows to reflect existing character of area. Plot 6 should be a bungalow and be set lower and include boundary screening.
- The area is currently very quiet the proposal will shatter the peace.
- Garage in western corner of site will jeopardize the well-being of two poplar trees.
- The privacy and quiet of our garden (121 Springvale Rd) will be hindered by vehicle movements in close proximity and new homeowners able to 'look down' at our property.
- The increase in traffic using the junction with Springvale Road will be virtually the same as before and increase the danger of accidents on this fast stretch of road.
- The section of Meadowland that adjoins the site is unadopted and its upkeep the responsibility of residents. If this proposal is permitted it should be adopted.
- There will be significant disturbance during construction with parking for construction workers and the number of heavy vehicles delivering to the site. In addition reversing vehicles will cause a major hazard to existing residents and possible damage to pavements walls hedges..
- Still no provision for a footpath between Meadowland and Legion Lane.
- Application out of keeping with existing plot sizes and bungalow character. I am even more concerned than for the previous proposal due to access parking, lack of on site turning, and the subsequent congestion and problems this will cause.
- Proposed bin store will detract from amenities due to smell.
- Not enough parking on the site so visitors would park in Meadowlands which would also block access for emergency vehicles.
- Increase in water run-off downhill will add to likelihood of flooding to properties in Springvale Road.
- Drains and sewers not clarified but could adversely impact on adjoining properties at the lower level.
- Position of 4 bed house on plot 4 not acceptable as too close to bedroom (117A Springvale Road) and the swing in the angle appears to move the bulk of the property closer to my boundary. The house is uphill and will allow clear line of sight into our lounge any development must include suitable boundary treatment to preserve an acceptable level of privacy.
- Density too high, out of keeping with the surrounding area. The design is not in character with its surrounding.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL DELEGATED OFFICER REPORT
DATE OF RECOMMENDATION 12 April 2005

- Concern that the access is not adequate for the 50% increase in traffic and will be a danger to road users and particularly residents and children; it is not wide enough for the existing residents use. Speeds will be fast in the development and there will be no control over this. Walls associated with the access road have already been damaged at least twice in three years.
- Residents of Meadowland bought into a quiet cul-de-sac, this will be destroyed.
- The boundary between the development and 117A , 119 and 121 Springvale Road is not enhanced and will result in a loss of privacy due to overlooking windows and increased noise from vehicles.
- The plans are not accurate and the houses will be built much higher than shown.
- Local services are already overburdened and incremental high density development is making it worse.
- This does nothing for the quality of life of existing residents.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB3, T5, T6, H5, H7, H8 and R2

Winchester District Local Plan

- EN.5, EN.7, H.5, FS.3, T.9, T.12 and RT.3

Winchester District Local Plan Review Deposit and Revised Deposit:

- DP.1, DP.3, DP.5, DP.6, H.5, H.7, T.2 and RT.3

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
- Movement, Access, Streets and Spaces
- 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

Principle of development

- The site is within the settlement policy boundary and therefore the principle of development for housing is accepted.
- The proposed density is 30 dwellings per hectare which is within the governments guidelines set out in PPG3.
- The mix of dwellings satisfies the Council's policy on small dwellings.

An application for 7 dwellings was refused at committee on 9 February (report PDC510 item 12) for reasons of overdevelopment and overlooking.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL DELEGATED OFFICER REPORT
DATE OF RECOMMENDATION 12 April 2005

Impact on character of area

- The area is a relatively low density housing area on the edge of the settlement comprising of mainly bungalow type development. This proposal now better reflects the character of the area providing larger plots for the detached dwellings and more space between buildings but the small dwellings remain quite urban in their form.
- This application has created a more spacious layout by reducing the number of dwellings to 6, resiting the three detached houses and omitting the turning space. The dwelling on plot 4 has also been angled to reduce overlooking but plots 1-3 are otherwise the same.

Detailed design

- The design of the dwellings is satisfactory and the scheme is now considered acceptable. Individually the design of the properties minimises heights and make good use of spaces within roof slopes.
- The more spacious plot sizes now give a less urban form to the stepping of houses across the site to address the change in levels but the need to access all areas by vehicles means that there remains considerable hard surfacing, although this is relieved by the use of different surfacing materials.
- It has been suggested that this development creates an opportunity to provide a footpath between Meadowland and Legion Lane but the application site does not include land necessary to facilitate this and the applicant has indicated that such a provision is contractually not possible.

Residential amenities

- Considerable concern has been expressed about the removal of the turning head which will necessitate refuse vehicles turning in Meadowland and reversing to the bin collection point at the site entrance. This is however considered acceptable in highways terms.
- Objection has also been raised to the bin enclosure in terms of smell. The use of the bin enclosure will however only be for collection not for the permanent storage of bins.
- Previous concerns regarding the overlooking of properties in Springvale Road have been addressed by the angling of dwelling 4 away from the boundary and boundary planting will be reinforced.
- Overlooking between the proposed dwellings and the properties in Legion Lane will occur but again boundary planting can be required by condition which will mitigate this and since the properties affected are all contributors to the application site they acknowledge that development will impact on their amenities. There is in any case a distance of 30+ metres between the main parts of the existing dwellings and those proposed.

Highways

- Although a major concern of the objectors is in regard to the highways implications of the proposal the engineer is satisfied that the proposal will meet the relevant highway requirements, in terms of the adequacy of the existing Meadowland junction with Springvale Road, access to the site in the form of a private drive and parking within the site. There is therefore no objection on highways grounds.

Public open space provision

- On site public open space would not normally be required for a development of this size and a financial contribution would therefore be required before permission could be granted.

Planning Obligations/Agreements

In seeking the planning obligation(s) and/or financial contributions for..., 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.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL DELEGATED OFFICER REPORT
DATE OF RECOMMENDATION 12 April 2005

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/Section 278 Agreement for:

- 1. A financial contribution of £10,146. towards the provision of public open space through the open space funding system**

(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 No development shall take place until detailed proposals for all the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be carried out as approved and fully implemented before the buildings are occupied.

- a. Layout of foul sewers and surface water drains.
- b. The alignment, height and materials of all walls, including retaining walls, fences and other means of enclosure.
- e. Access facilities for the disabled.

02 Reason: To comply with the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order).

03 Before the development hereby approved is commenced a schedule providing details of the type, colour, texture and finish of all facing and roofing materials shall be submitted and sample panels of all external finishes shall be provided on site and agreed in writing by the Local Planning Authority. The development hereby approved shall be carried out in accordance with the approved details.

03 Reason: In the interest of visual amenity.

04 No development shall take place until full 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 proposed finished levels, boundary treatment, hard surfacing materials, a specification of tree and shrub planting, including species, density, planting size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the buildings 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 originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives written consent to any variation.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL DELEGATED OFFICER REPORT
DATE OF RECOMMENDATION 12 April 2005

04 Reason To ensure the development contributes to maintaining the character of the area and In the interests of improving the visual amenity of the locality.

05 The landscaping details to be submitted shall include planting to provide or reinforce as necessary screening to the north-east and north-west boundaries with properties in Legion Lane and Springvale Road respectively.

05 Reason In the interests of the amenities and privacy of adjoining residents.

06 Details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the duration of the construction period. No lorry shall leave the site unless its wheels have been cleaned sufficiently to prevent mud being carried onto the highway.

06 Reason: In the interests of highway safety.

07 Details of provisions to be made for the parking and turning on site of operative and construction vehicles during the period of development shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the construction period.

07 Reason: In the interests of highway safety.

08 The garages carports and parking spaces hereby approved shall not be used for any other purpose than the parking of cars.

08 Reason: To ensure the provision and retention of the garages carports and parking spaces in the interests of local amenity and highway safety.

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

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

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, T5, T6, H5, H7, H8, R2,

Winchester District Local Plan Proposals: EN.5, EN.7, H.5, FS.3, T.9, T.12, RT.3.

Emerging Development Plan:-

WDLP Review Deposit and Revised Deposit: DP.1, DP.3, DP.5, DP.8, H.5, H.7, T.2, RT.3.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL DELEGATED OFFICER REPORT
DATE OF RECOMMENDATION 12 April 2005

03. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800hrs 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.