

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Item No: 16
Address: Land Adjacent To2 Langton Road Bishops Waltham Hampshire

Parish/Ward Bishops Waltham

Proposal Description: Detached four bedroom dwelling with integral garage and new access (alterations to planning permission W04955/05)

Applicants Name Blackberry Homes Ltd

Case No: 05/01604/FUL

W No: W04955/06

Case Officer: Mr Jonathan Roach

Date Valid: 28 June 2005

Delegated or Committee: Committee Decision

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

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

Site Factors: Bishops Waltham Settlement Boundary

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Site Description

- The property is situated on the north west corner of Langton Road and Lower Lane (B3035), within the defined settlement boundaries of Bishop Waltham.
- The subject dwelling is a double storey red brick and tile detached dwelling with integral single garage.
- The plot of land has a total area of approximately 687m².
- Access to the site is via Lower Lane (B3035).
- The house is predominately completed with the exception of the driveway and some internal works.

Relevant Planning History

W04955/04 Detached dwelling with integral single garage (OUTLINE) – Application Withdrawn - 09/02/2004

W04955/05 Detached three bedroom dwelling with integral garage and new access - Application Permitted - 14/09/2004

Proposal

- As per Proposal Description.
- Previous planning permission granted approval for a three bedroom dwelling on 13 September 2004.
- Various internal changes were made and an additional bedroom was included. The only external change to the approved plans was an additional dormer window instead of a velux window.
- The dormer window has been constructed of obscure glass to minimise any overlooking.
- The application was initiated after complaints were received from neighbours because the development was advertised as a 4 bedroom dwelling, as opposed to a 3 bedroom dwelling.
- Access to the site is not proposed to change from the original approval.

Consultations

None.

Representations:

Bishops Waltham Parish Council

- Object because of the additional impact on the movement of traffic that will arise from an additional bedroom.
- Recommended if approved an additional Public Open Space Contribution is required.

Letters of representations have been received from 8 Neighbours.

- The letters of objection are based on the following:
 - (a) The subject dwelling was approved as affordable housing and by virtue of the additional room is unaffordable. There is a lack of affordable housing in the area;
 - (b) Degradation of the planning controls;
 - (c) Loss of privacy resulting from the dormer window; and
 - (d) Additional impact on the movement of traffic resulting from the additional bedroom.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB3

Winchester District Local Plan

- EN.5, T.9 and H.1

Winchester District Local Plan Review Deposit and Revised Deposit:

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- DP.3, T.2 and H.2
- National Planning Policy Guidance/Statements:
- PPS 1 “Delivering Sustainable Development”

Planning Considerations

The main considerations in respect of this application are:

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

Principle of development

- The land is situated within the settlement boundaries of Bishops Waltham, where there is a general presumption in favour of residential development that is compatible in design, scale, layout and density of its surroundings and contribute to the quality of the built environment.

Residential Amenities

- The additional dormer window overlooks a car park rather than a private amenity area and is setback approximately 20 m to the closest dwelling.
- The dormer window has been constructed with obscure glass to minimise any overlooking.
- Upper floor windows are evident in the immediate vicinity.

Comments on representations

- With regard to the representations the following comments are made:
 - (a) The dwelling was not approved as affordable housing;
 - (b) If the application had been applied for as constructed (ie 4 bedroom dwelling with dormer window on rear elevation) it is likely to have been approved;
 - (c) Not considered that the additional bedroom will result in demonstrable harm to users of the highway;
 - (d) The conditions of the previous approval have been satisfied and discharged by the relevant department such as Highway Engineers; and
 - (e) The proposed works could have been undertaken under permitted development rights if it had been occupied prior to the works being undertaken.

Public open space provision

- Under the previous application a Public Open Space contribution was made for a three bedroom dwelling. Because the dwelling has been constructed as a 4 bedroom dwelling, a payment is required for the difference in contribution amounts.

Impact on character of area

- There is not considered to be any demonstrable harm to adjoining properties caused by the additional bedroom and dormer window.
- The fundamental planning considerations such as vehicle access, design and siting have not been altered since the previous approval and therefore are considered to be acceptable.

Planning Obligations/Agreements

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

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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 conditions:

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. 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 3 metres from the tree trunks in accordance with BS 5837.
02. Reason: To retain and protect the trees which form an important part of the amenity of the area.
03. The garage hereby permitted shall only be used for the purpose of accommodating private motor vehicles or other ancillary domestic storage purposes, and shall not, at any time, be used for living accommodation, business, commercial or industrial purposes.
03. Reason: In the interests of the amenities of the locality.
04. 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 first floor windows other than those expressly authorised by this permission shall, at any time, be constructed in the North East elevation(s) of the dwelling hereby permitted.
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: EN.5, H.1 and T.9
Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP.3, H.2 and T.2