

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 6 July 2006

Winchester City
Council
Planning Department
Development Control

TEAM MANAGER
SIGN OFF SHEET

Committee Decision

Case No:	06/01306/FUL	Valid Date	28 March 2006
W No:	07652/07	Recommendation Date	19 June 2006
Case Officer:	Mrs Jill Lee	8 Week Date	23 May 2006
		Committee date	6 July 2006
Recommendation:	Application Permitted	Decision:	Committee Decision

Proposal:	2 no. two bedroom semi detached dwellings, 2 no. three bedroom detached dwellings and associated landscaping, parking and access
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Site:	37 Spring Lane Colden Common Winchester Hampshire SO21 1SB
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Open Space Y/N	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
YES	Y	N	Y	N	N	Y

APPROVED TO GO TO COMMITTEE
TEAM MANAGER
Signed & Date

AMENDED PLANS DATE:- not applicable.

WINCHESTER CITY COUNCIL
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Item No: ITEM 07
Case No: 06/01306/FUL / W07652/07
Proposal Description: 2 no. two bedroom semi detached dwellings, 2 no. three bedroom detached dwellings and associated landscaping, parking and access
Address: 37 Spring Lane Colden Common Winchester Hampshire SO21 1SB
Parish/Ward: Colden Common
Applicants Name: Abbeywell Homes Ltd
Case Officer: Mrs Jill Lee
Date Valid: 28 March 2006
Site Factors:

Recommendation: Tree Preservation Order
Application Permitted

General Comments

This application is reported to Committee because of the number of objections received. Previous schemes on the site for 5 dwellings have been refused and the current scheme for four has been negotiated to try to overcome the previous reasons for refusal. The site has now been cleared of the original bungalow and substantial outbuildings. The impact of the dwellings to the rear on existing dwellings is of particular importance and the current proposal has been designed to ensure overlooking has been minimised. The appearance within the street scene is also now considered to be acceptable.

Site Description

The site has an area of 0.11 hectare. To the south of the site are playing fields, to the west is a bungalow in a large plot, to the east is a pair of semi – detached two storey dwellings and to the rear of them is a new development with a chalet style bungalow backing onto the application site. The existing access to the site is to be utilised. The only vegetation of significance is some hedgerow planting to the boundaries and this is to be retained and strengthened where necessary. There is a new development to the east of the site with a chalet style bungalow backing onto the rear of this application site.

Proposal

It is proposed to construct a pair of 2 bedroom semi – detached dwellings to the front of the site. These have had permission in the past. The access road is to run to the side of these properties and provide access to two three bedroom detached properties to the rear of the site. The pair of semi – detached dwellings to the front of the site are two storey and of traditional design and will be constructed in brick with tiled roof. The three bedroom dwellings to the rear of the site have had to be designed to minimize overlooking and impact on the neighbours and have restricted accommodation at first floor level and roof lights rather than windows and obscure glazed windows to bathrooms close to the boundary. Utilising the rear of the site as well as the permission for the pair of semis to the front has achieved a density of 35DPH which is in line with development plan policies and PPG3.

Relevant Planning History

W07652/05 – 5 dwellings, withdrawn December 2005.

W07652/06 – 5 dwellings, refused February 2006 under delegated powers.

Consultations

Engineers: Drainage: no objection subject to building regulations approval.

Engineers: Highways: no highways objection subject to conditions and provided the applicant enters into a legal agreement with the city council to cover the provision of a financial contribution of £3500 towards the cost of the pedestrian footway. The agreement will also need to include a land dedication clause to cover the dedication of the land.

Landscape: comment on limited garden areas. Need a full landscaping scheme. Planting to boundaries is important.

Environment Agency: no objections.

Southern Water: no objections.

Representations:

Colden Common Parish Council – no letter received.

16 letters received objecting to the application for the following reasons:

- Out of keeping.
- Two dwellings should be maximum.
- Dangerous access.
- Clash with church, nursery and other users.
- Drainage problems will be made worse.
- Noise and disturbance from cars.
- Overdevelopment.
- Change character of street.
- Loss of privacy.
- Density too high.

Relevant Planning Policy:

Hampshire County Structure Plan Review: - UB3, T2, T4, T12, H2, H7, H11, R2, E6

Winchester District Local Plan - EN5, EN8, EN9, H1, RT3, T8, T9, T11

Winchester District Local Plan Review Deposit and Revised Deposit: - DP3, DP6, H2, H7, RT3, T1, T2, T3, T4, T5

National Planning Policy Guidance/Statements:

PPG 3 Housing

Planning Considerations

Principle of development

The application site is located within the settlement boundary of Colden Common where the principle of residential development is acceptable subject to normal development control criteria. The site already has planning permission for a pair of semi – detached houses to the front of the site but the current scheme proposes using the rear of the site for two three bedroom houses. This would result in a development density of 35dph which is in line with the requirements of the development plan and PPG3. The site has no overriding constraints that would justify allowing a less dense form of development.

The application has a mix of 50% small units in line with the requirements of the development plan and has parking provision of two spaces per three bedroom house and 1.5 spaces per two bedroom house.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 6 July 2006

Design/layout

Because the site is constrained by surrounding development the houses have been designed to create private amenity space and avoid overlooking to neighbouring properties. The two properties to the front are less constrained and so are designed in a traditional way with two storeys and constructed of brick and tiled roof.

The properties to the rear have been designed in such a way that there are no habitable room windows at first floor level close to the boundary or overlooking the neighbours' amenity area. This has been achieved through the use of rooflights and ensuring that any windows close to the boundary are to non habitable rooms such as bathrooms and are obscure glazed and conditioned to be maintained as such.

Impact on character of area and neighbouring property

The pair of semi – detached dwellings will impact in the street scene to the greatest degree. They are traditional in design and have gaps of 3m and 5.5m to the side boundaries so will fit in to the street scene in a satisfactory manner. The significant gap to the boundaries will allow for some substantial planting.

The two properties to the rear of the site will not have an impact in the street scene as they will be screened by the existing properties to the frontage.

Landscape/Trees

The site contains no vegetation of note and has been cleared of the original bungalow and outbuildings. There are hedges to most of the boundaries but where necessary new hedging will be provided. A detailed landscaping scheme is required prior to development commencing on site.

Highways/Parking

The access and parking arrangements are acceptable but the applicant is required to make payment towards highways improvements which in this case is the provision of a footpath as there isn't one on the northern side of Spring Lane. The applicant has also agreed to dedicate land to the front of the site in order that the construction of the footpath can be achieved. It is likely that all subsequent developments on this side of the road will have to make similar arrangements with the aim of providing a footpath along the entirety of this side of the road.

Planning Obligations/Agreements

In seeking the planning obligation(s) and/or financial contributions for public open space and highway improvements the Local Planning Authority has had regard to the tests laid down in Circular 05/2005 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

That provided the applicant enters into legal agreements to make provision for the following;

- i) Payment of £3,346 towards the provision of public open space through the open space funding system,**
- ii) the payment of £3500 for offsite highways improvements and the dedication of land for the provision of a footway**

then the application be permitted subject to the following conditions.

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

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 6 July 2006

Conditions

01 The development hereby permitted shall be begun before the expiration of three 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 (as amended).

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 dwellings 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 Details of the materials to be used for the hard surfaced areas within the site shall be submitted to and approved in writing by the local planning authority prior to work commencing on site. The development shall be undertaken in accordance with the approved details.

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

04 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.

04 Reason: In the interests of highway safety.

05 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.

05 Reason: In the interests of highway safety.

06 Before the development hereby approved is first brought into use, the access shall be constructed with a non-migratory surfacing material for a minimum distance of 10 metres from the highway boundary.

06 Reason: In the interests of highway safety.

07 Prior to the completion of development a cut off drain shall be provided to prevent the egress of surface water onto the public highway.

07 Reason: In the interests of highway safety.

08 The car park shall be constructed, surfaced and marked out in accordance with the approved plan before the development hereby permitted is brought into operation. That area shall not thereafter be used for any purpose other than the parking, loading, unloading and turning of vehicles.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 6 July 2006

08 Reason: To ensure that adequate on-site parking and turning facilities are made available.

09 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.

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

10 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.

10 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.

11 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 Part 1 of Schedule 2 of the order, shall be carried out without the prior written consent of the local planning authority.

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

12 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 in the elevations of the dwellings hereby permitted.

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

13 The first floor window(s) in the west elevation of the dwelling on plot 3 hereby permitted shall be glazed in obscure glass and thereafter retained.

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

Informatives:

The Local Planning Authority has taken account of the following development plan policies and proposals:-

Hampshire County Structure Plan Review: UB3 , T2, T4, T5, T12, H2, H7, H11, R2, E6

Winchester District Local Plan Proposals: H1, EN5, RT3, T9, EN8, EN9, T8, T11

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: H2, DP3, RT3, T4, T5, DP6, H7, T1, T2, T3.