

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 16 November 2006

Winchester City
Council
Planning Department
Development Control

TEAM MANAGER
SIGN OFF SHEET

Committee Decision

Case No:	06/02731/OUT	Valid Date	29 August 2006
W No:	15017/09	Recommendation Date	24 October 2006
Case Officer:	Mr Robert Ainslie	8 Week Date	24 October 2006
		Committee date	16 November 2006
Recommendation:	Application Permitted	Decision:	Committee Decision

Proposal:	Erection of 2 no semi-detached bungalows (RE-SUBMISSION) (OUTLINE- considering access, layout and scale)
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Site:	Land To The Rear Of 50 - 52 Wavell Way Winchester Hampshire
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Open Space Y/N	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
Y	N	N	Y	N	N	Y

DELEGATED ITEM SIGN OFF		
APPROVE Subject to the condition(s) listed	REFUSE for the reason(s) listed	
	Signature	Date
CASE OFFICER		
TEAM MANAGER		

AMENDED PLANS DATE:-

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Item No: 08
Case No: 06/02731/OUT / W15017/09
Proposal Description: Erection of 2 no semi-detached bungalows (RE-SUBMISSION)
(OUTLINE- considering access, layout and scale)
Address: Land to the rear of 50 - 52 Wavell Way, Winchester, Hampshire
Parish/Ward: Winchester Town
Applicants Name: Mr And Mrs A Tibbits
Case Officer: Mr Robert Ainslie
Date Valid: 29 August 2006
Site Factors:
Recommendation: Application Permitted

General Comments

This application is reported to Committee because of the number of objections received

This outline application follows a number of applications on the same site over the last two years as can be seen from the planning history below. The most relevant application considered before Committee on 5th October 2005, and was for two bungalows which faced towards the rear gardens of 50-52 Wavell Way. This application was recommended for approval but Committee refused the application, as they considered it was a cramped form of development not satisfactorily relating to or aligning with the public realm of Montgomery Close, the development therefore being out of character and detrimental to the street scene. In addition it was considered that the proposal represented a form of development likely to have a detrimental impact on the amenity of existing residents in neighbouring properties. The application was also refused on the lack of a financial contribution having been made towards provision of public open space. The application is currently at appeal and will be heard by way of an informal hearing.

A further application for full permission was refused earlier this year. Whilst this application faced towards Montgomery Close, it was considered that the 2 storey design to the house was both out of character with the existing dwellings in Montgomery Close, and failed to provide a mix of smaller dwellings. This application is also currently at appeal and will be linked in and heard with the informal hearing mentioned above.

The current application differs in that whilst still being for outline approval it shows the layout of two proposed bungalows facing Montgomery Close with a small parking area to the front of the properties.

Site Description

The application site is 0.04ha in size and currently forms part of the back gardens of 50-52 Wavell Way. The site contains a variety of small trees and vegetation, predominantly to the rear eastern part of the gardens, where the land gently rises away from Wavell Way. A small detached garage currently exists within the site on the boundary with Montgomery Close

Wavell Way is characterised by predominantly two storey dwellings with a very strong uniformity and rhythm in the streetscene. Montgomery Close to the north is markedly different, being accessed by a narrow road between 40 and 50 Wavell Way, leading to a small group of very low-key bungalows in a small close. On the approach into Montgomery Close Nos 6 and 7 Montgomery Close are most prominent, with the road then turning to the north and then east where the remaining 5 properties are located.

A significant amount of vegetation and trees are located to the rear of the site to the east with the

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land sloping more steeply upwards away from the application site.

To the south/south west of the application site lies the rear garden of 54 Wavell Way.

Proposal

The proposal is for two semi-detached bungalows facing towards, but set back by 10 metres from Montgomery Close. The dwellings would be at least 11 metres from 50-52, Wavell Way and over 10 metres from 7, Montgomery Close. The rear gardens of the proposed properties would be approximately 8 metres in length. The application is for outline approval and details of materials have therefore not been considered at this stage.

The proposals include provision for three car parking spaces to the front of the property with access out onto Montgomery Close.

The density of the development would be approximately 50 dwellings per hectare.

Relevant Planning History

- **W15017** Detached bungalow (OUTLINE) - 50 Wavell Way - Application Permitted - 04/12/1997
- **W15017/01** Two storey side extension and conservatory - 50 Wavell Way - Application Refused - 28/10/2002
- **W15017/02** Two storey side and rear extension, conservatory to rear - 50 Wavell Way - Application Refused - 13/01/2003
- **W15017/03** Two storey side and rear extension, conservatory to rear - 50 Wavell Way - Application Refused - 13/01/2003
- **W15017/04** Renewal of Outline Planning Permission by variation of condition 1 of W15017 for a detached bungalow - 50 Wavell Way - Application Permitted - 31/03/2003
- **W15017/05** Two storey side and single storey rear extension - 50 Wavell Way - Application Refused - 08/03/2004
- **W15017/06** 2 No: dwelling (OUTLINE) - Land To The Rear Of 50 - 52 Wavell Way - Application Refused - 24/12/2004
- **W15017/07** 2 no: dwellings (OUTLINE) - Land To The Rear Of 50 - 52 Wavell Way - Application Refused - 10/10/2005
- **W15017/08** Erection of 2 no. two bedroom semi-detached dwellings - Land To The Rear Of 50 - 52 Wavell Way - Application Refused - 25/07/2006

Consultations

Engineers: Drainage:

No objection subject to granting of Building Regulations Approval. A public foul sewer is available in Montgomery Close with storm water going to soakaway.

Engineers: Highways:

Montgomery Close has not been included within red or blue outlines of the application and as this road does not form part of the public highway, need to ensure that applicant does have right of access over land for the proposed development.

Landscape:

Recommend approval subject to landscape scheme. South east boundary backs onto rising ground of existing trees and shrub understorey, which appears to be mainly regenerative growth, providing an effective landscape buffer and backdrop. The aspect of the proposed development relates well to the other existing dwellings in Montgomery Close which have been improved further by replacing two storey dwellings with bungalows. No objections, as proposals are not detrimental to landscape character or visual impact.

Environment Agency:

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No objection

Southern Water:

No adverse comment

Representations:

City of Winchester Trust:

No comment

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

- Previous application for two single storey dwellings was refused by committee because it would be out of character and detrimental to street scene....represents a form a development likely to have a detrimental effect on amenities of existing residents in neighbouring properties. Committee also expressed concern that permission for single storey dwellings could develop into 2 storey dwellings.
- Director of Development Services refused a previous application with concern for safety of residents in Montgomery Close, undesirable precedent in terms of density and to detriment of residents of existing dwellings.
- Latest proposal fails to address any of these objections.
- Extra traffic generated by development would pose danger to residents walking to and from homes. Garage entrance to side of 50 Wavell Way was not intended to provide vehicular access for two dwellings.
- Would impact on peace, tranquillity, safety and privacy currently enjoyed by residents of Montgomery Close.
- Applicants refer to a 4.5m wide drive whereas a 15 metre stretch to reach this area is actually 3.4m wide.
- Applicants refer to a mature tree being preserved however there are several mature established trees in these gardens.
- Increased pressure for parking in surrounding area
- Would damage unspoiled environment and set a precedent for other residents of Wavell Way.

Reasons not material to planning and therefore not addressed in this report

- More student property in this area is not good for area.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

UB3, T6, H5, H7, R2, E6

Winchester District Local Plan

DP1, DP3, DP4, DP5, H3, H7, T2, T4, RT4

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPG 3 Housing

PPG 13 Transport

PPG 17 Planning for Open Space, Sport and Recreation

Other Planning guidance

Guide to the Open Space Funding System

Movement, Access, Streets and Spaces

Parking Standards 2002

Technical Paper: Open Space Provision and Funding

Planning Considerations

Principle of development

The application site falls within the settlement boundary of Winchester where residential development is considered to be broadly acceptable in principle subject to material planning considerations.

The proposals would equate to a density of 50 dwellings per hectare, which would be in accord with Policy H7 and also in line with advice set out in PPG3. The issue of the proposal being at the upper end of density levels set out in the policy is considered in more detail in relation to the impact on the character of the area, elsewhere in this report.

The proposal would result in two small dwellings with floor space not exceeding 75 square metres and is therefore considered to be in accord with Policy H7 relating to housing mix.

Design/layout

The proposed bungalows would read as part of Montgomery Close, where there are 7 small bungalows in a fairly compact close. The orientation of the properties was considered to be an issue on the previous application reported to Committee. It is considered that the current proposal addresses the previous concerns in this respect as the proposed bungalows face Montgomery Close.

Impact on character of area and neighbouring property

The proposal would result in two small semi-detached bungalows which would relate well and be in context with the compact character of Montgomery Close and the dwellings would be comparable in terms of plot size and design with those of the neighbouring properties. Whilst the density of the proposed development is at the upper levels of that indicated acceptable within the Policy, it is considered that the development would not appear cramped or out of keeping with the prevailing character in the Close.

It is considered that the issues raised by the Committee on the previous application have been addressed in this submission. The proposal now addresses Montgomery Close, is clearly single storey and would not have an impact on the amenities currently enjoyed by neighbouring properties.

It is considered that the proposals would not result in unacceptable loss of privacy to the neighbouring properties. The dwellings would be single storey which together with appropriate boundary treatment would result in few views into neighbouring properties. A condition is recommended to ensure that the dwellings are retained as single storey.

Landscape/Trees

Whilst it is acknowledged that there is some greenery within the site which will be lost to facilitate development, it is considered that there are no trees which are worthy of retention as stated by the Tree Officer on the recently refused application. In addition the land to the rear still provides a green backdrop to the side retaining the character of the area.

Highways/Parking

The Highway Officer has not raised a concern in relation to additional use of the highway or there being a danger to road users or pedestrians and a refusal on this ground could not be sustained.

Whilst the comments of the Highway Officer are noted in relation to the right of access along Montgomery Close, this is matter for the applicant to address, and would not be a valid reason to refuse the application.

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Other Matters

A financial contribution has been received towards provision of open public space and this is considered to accord with Policy RT4 of the Local Plan.

Planning Obligations/Agreements

In seeking the financial contributions for public open space, 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

Application Permitted, subject to the following condition(s) and payment of a financial contribution of £2644 towards Public Open Space provision.

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

Conditions

1 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall begin before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the provision of Section 92(2) of the Town and Country Planning Act 1990 (as amended).

2 Plans and particulars showing the detailed proposals for all the following aspects of the development (hereinafter called "the reserved and other matters") shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced. The approved details shall be carried out as approved and fully implemented before the building(s) is/are occupied.

Reserved and other Matters:

2 Landscape considerations including:

- (i) an accurate plan showing the position, type and spread of all the trees on the site and a schedule detailing the size and physical condition of each tree and, where appropriate, the steps to be taken to bring each tree to a satisfactory condition; and also details of any proposals for the felling, pruning, trimming or uprooting of any trees;
- (ii) a landscape scheme showing the planting proposed to be undertaken, the means of forming enclosures, the materials to be used for paved and hard surfaces and the finished levels in relation to existing levels;
- (iii) the arrangements to be made for the future maintenance of landscaped and other open areas.

2 The design of all buildings, plant and tanks, including the colour and texture of external materials to be used together with samples of all external facing and roofing materials.

2 The details of materials/treatment to be used for hard surfacing.

2 The layout of foul sewers and surface water drains.

2 The provision to be made for the parking, turning, loading and unloading of vehicles.

2 The alignment, height and materials of all walls and fences and other means of enclosure.

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2 The provision to be made for the storage and disposal of refuse.

2 The finished levels, above ordnance datum, of the ground floor of the proposed building(s), and their relationship to the levels of any existing adjoining buildings.

2 The provision to be made for contractors vehicles parking and plant, storage of building materials and any excavated materials, huts and all working areas.

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).

3 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before the use hereby permitted is commenced and prior to the completion of the development or in accordance with the programme agreed with the Local Planning Authority. If within a period of five years after planting any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

4 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 and E of Part One of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

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

5 The dwellings hereby approved shall be single storey and the ridge height above finished floor level shall not exceed 5.5m

Reason: To ensure that the development is in character with the properties in Montgomery Close.

Informatives:

1. 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.
2. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Hampshire County Structure Plan Review: UB3, T6, H5, H7, R2, E6

Winchester District Local Plan Review 2006: DP1, DP3, DP4, DP5, H3, H7, T2, T4, RT4