

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA

*Winchester City Council*  
Planning Department  
Development Control

## Committee Decision

**TEAM MANAGER  
SIGN OFF SHEET**

<b>Case No:</b>	06/03126/FUL	<b>Valid Date</b>	12 October 2006
<b>W No:</b>	04974/06	<b>Recommendation Date</b>	5 December 2006
<b>Case Officer:</b>	Mr Simon Avery	<b>8 Week Date</b>	<b>7 December 2006</b>
		<b>Committee date</b>	<b>11 January 2006</b>
<b>Recommendation:</b>	<b>Application Permitted</b>	<b>Decision:</b>	<b>Committee Decision</b>

**Proposal:** Proposed erection of detached 2 storey dwelling, integral garage and associated parking

**Site:** Rear Of 44 Lovedon Lane Kings Worthy Hampshire

Open Space Y/N	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
<b>Y</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>

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

**AMENDED PLANS DATE:- 16 November 2006**

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**Item No:** 07  
**Case No:** 06/03126/FUL / W04974/06  
**Proposal Description:** Proposed erection of detached 2 storey dwelling, integral garage and associated parking  
**Address:** Rear of 44 Lovedon Lane, Kings Worthy, Hampshire  
**Parish/Ward:** Kings Worthy  
**Applicants Name:** Kingsbridge Property Deus Ltd  
**Case Officer:** Mr Simon Avery  
**Date Valid:** 12 October 2006  
**Site Factors:**

**Recommendation:** Application Permitted

### General Comments

This application is reported to Committee at the request of Kings Worthy Parish Council, whose request is appended in full to this report

Amended plans have been submitted which show the red line of the application site as including West Field Road. This is a private road and as the applicant will need to use this road to access the site it has to be included within the redline of the application and the appropriate notice served on those who own it. The amended plans also now include the proposed parking for the existing house.

Previous applications for one dwelling were refused or withdrawn. It was considered with these earlier schemes that the density did not meet PPG3 requirements and that the height, design and bulk of the proposed dwelling would not be in keeping with the appearance and character of the surrounding area. This scheme has sought to address these issues by providing a smaller area for development and by changing the design of the proposed house.

### Site Description

This site contains a detached two storey dwelling which fronts onto Lovedon Lane with garden to the front and rear. To the south of the site is West Field Road, a private road serving two properties to the south west. No 46 Lovedon Lane is to the south of West Field Drive and is also a two storey house set back on the same building line as No 44. To the north west is No 12 Castle Rise which is level with the rear garden of No 44. A footpath runs between No 12 and the site and the boundary of No 12 is enclosed at this point by very tall hedging (approximately 3 metres at the lowest) with trees further to the east. The land levels rise up from Lovedon Lane. To the rear of the site a section of the plot is fenced off containing sheds and hardstanding with a vehicular access onto West Field Road.

### Proposal

The proposal is for a three bedroom dwelling with an attached single garage. It is sited 8 metres from the boundary with the existing dwelling and 8.4 metres from Westfield Road. Two further parking spaces are provided in front of the garage while two parking spaces are proposed for the existing dwelling off Westfield Road. The density of the proposal is 33 dph.

### Relevant Planning History

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**W04974:** Erection of a dwelling - Refused - 11/09/1979

**W04974/01:** Erection of dwelling and construction of accesses - Refused - 18/11/1987

**W04974/02:** Single storey extension and rooms in roofspace - Permitted - 22/08/1989

**W04974/03:** Chalet bungalow, garage and access - Refused - 05/09/1989

**W04974/04:** Erection of new four bedroom dwelling with integral double garage and associated access; detached single garage for existing dwelling - Withdrawn - 01/12/2005

**W04974/05:** Detached two-storey dwelling with single integral garage (RESUBMISSION) - Refused - 30/01/2006

### **Consultations**

Engineers: Drainage:

No objection.

Engineers: Highways:

No highway objections. Objection regarding red line not shown around access road has been overcome by amended plans.

Landscape:

The existing boundary hedgerows need to be retained and reinforced. Because of this, if minded to approve the proposals, a condition is required regarding the detailing of rear boundary treatment. (See condition 03).

Landscape- arboriculture:

No objection. No conditions required.

Environment Agency:

No objection.

Southern Water:

No objection.

### **Representations:**

Kings Worthy Parish Council

Objection: The development would not be in keeping with the appearance and character of the area because of its height, design and bulk.

No other letters received objecting to the application

### **Relevant Planning Policy:**

Hampshire County Structure Plan Review:

UB3

Winchester District Local Plan Revised 2006

DP1, DP3, DP4, H3, T2, T4

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPG 3/PPS3 Housing

Supplementary Planning Guidance

Achieving a better mix in new housing development

### **Planning Considerations**

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Principle of development

This site is within the settlement boundary and therefore the principle of residential development is acceptable. A previous application (Reference W04974/05) for one dwelling was refused because it did not meet the minimum density requirements of PPG3 (and therefore the housing mix policy of the WDLPR 2006) and because it was considered that the height, design and bulk would not be in keeping with the appearance and character of the surrounding area. This application therefore needs to overcome these reasons for refusal in order to be acceptable.

Density

The site is approximately 0.3 of a hectare and the proposed density of development is 33dph. This plot is smaller than the previous application which provided 0.4 hectares and a density of 21 dph. The site has certain constraints in that it is effectively backland development with dwellings to the north and east and only limited space for parking and garden areas. PPS3 requires land to be used efficiently but with due regard to the characteristics of the area and ensuring that proposed development is well integrated with, and complements, the neighbouring buildings and the local area (Paragraphs 16 and 46). Therefore, in the light of this guidance it is considered that only one dwelling could be accommodated on this plot without detriment to the character and appearance of the area and possibly residential amenity.

Impact on character of area

There is no distinctive character to the development in this area with detached dwellings set back from the road on Lovedon Lane, semi-detached houses to the north west on Castle Rise and some cottages to the south west at the end of Westfield Road. The new dwelling will be constructed of brick and tile with a hipped roof and attached garage. As such it does not specifically relate to the form and design of other dwellings but in this context this is acceptable. As the main view of the new house will be from Westfield Road it will not have any significant impact on the character of the wider area. The proposed dwelling is lower than the one previously refused by 1.2 metres and has a less bulky roof and it is considered in this context that the new design is acceptable.

Residential amenity

There are inaccuracies between the 1:500 and the 1:200 plans. This report has been taken from the OS 1:1250 plan and the 1:200 site layout plan. The proposed dwelling will be 14 metres from the host property with a 1.8 metre high boundary fence approximately 7 metres from each dwelling. The host dwelling has a quite generous garden area to the front while the provision of amenity space for the new dwelling is adequate for a property of this size. There are no first floor windows proposed to the new dwelling on the north or east which means that neither the host dwelling or No 12 Castle Rise will be overlooked. The host dwelling has a first floor window looking towards the new dwelling from which there will be some views of the proposed garden. However, the majority of the garden is over 10 metres away while the dwelling itself is 14 metres and at these distances it would not be possible to substantiate a reason for refusal on the grounds of lack of privacy for the new dwelling. Furthermore the applicant has agreed to add planting along this boundary to provide some screening and this is controlled by condition (See condition 03). The new dwelling will be visible from No 12 Castle Rise but the tall boundary hedge at this point will significantly screen the building from views from the neighbouring house and garden. The hedge also restricts the amount of light reaching the garden of No 12 and the proposed dwelling will not materially exacerbate this situation. The new dwelling will be 17 metres from the garden of 46 Lovedon Lane to the south east and at this distance it is not considered that there will be any adverse impact upon the privacy of this neighbouring garden. To the west is an area of meadowland which is enclosed along the boundary with the site by trees and planting.

Landscape/trees

There are no significant landscape issues, conditions have been attached to ensure that the proposal is appropriately planted. (Condition 03)

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Highways

There are no highway objections.

Open space

An appropriate open space contribution of £2078 has been received.

Ownership

Amended plans have been received including Westfield Road within the red line area of the application. This is to demonstrate that the applicant can obtain access onto Lovedon Lane. According to the applicant, Westfield Road is not registered. The applicant has therefore completed a Certificate under Article 7 and advertised the application in a local paper to ensure that all reasonable steps to notify those who may have an interest in this land have been taken.

**Recommendation**

Application Permitted subject to the following condition(s):

Submission of an amended 1:500 site plan to show accurate dimensions

**Conditions**

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

2 No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the hereby permitted have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- plain clay roof tiles and bonnet hips;
- timber vertical boarded garage doors

Development shall be carried out in accordance with the approved details.

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

3 No development shall take place until 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 the following, as relevant:

- existing and proposed finished levels or contours;
- car parking layout;
- hardsurfacing materials;

Soft landscape details shall include the following as relevant:

- planting plans;
- written specification (including cultivation and other operations associated with plant and grass establishment);
- schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- implementation programme;

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

4 No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Landscape maintenance shall be carried out in accordance with the approved schedule.

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.

5 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the use hereby permitted is commenced. Development shall be carried out in accordance with the approved details.

Reason: To improve the appearance of the site in the interests of visual amenity and to protect the amenity and privacy of the adjoining residential properties.

6 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 and east elevations of dwelling hereby permitted.

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

7 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 or C of Parts 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.

8 Detailed proposals for the disposal of foul and surface water from the building 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 new dwelling hereby approved is occupied.

Reason: To ensure satisfactory provision of foul and surface water drainage.

9 The parking spaces hereby approved for the existing and additional dwelling shall not be used for any other purpose than the parking of cars.

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

**Informatives:**

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.

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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 Revised 2006: DP1, DP4, H3, T2, T4

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

No materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Health and Housing Department, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.