

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 1 February 2007

Winchester City
Council
Planning Department
Development Control

Committee Decision

TEAM MANAGER
SIGN OFF SHEET

Case No:	06/03318/FUL	Valid Date	7 November 2006
W No:	00626/03	Recommendation Date	8 January 2007
Case Officer:	Mr Michael Wright	8 Week Date	2 January 2007
		Committee date	1 February 2007
Recommendation:	Application Permitted	Decision:	Committee Decision

Proposal:	Erection of 1 no detached two storey four bedroom dwelling and associated landscaping and works
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Site:	Red Lane House Pearson Lane Shawford Hampshire SO21 2AA
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Open Space Y/N	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
		N	Y	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: Item 11
Case No: 06/03318/FUL / W00626/03
Proposal Description: Erection of 1 no detached two storey four bedroom dwelling and associated landscaping and works
Address: Red Lane House Pearson Lane Shawford Hampshire SO21 2AA
Parish/Ward: Compton And Shawford
Applicants Name: Mrs C Cox
Case Officer: Mr Michael Wright
Date Valid: 7 November 2006
Site Factors: Tree Preservation Order

Recommendation: Application Permitted

General Comments

This application is reported to Committee because of the number of objections received and at the request of the Compton & Shawford Parish Council whose request is appended in full to this report.

Site Description

The application site is situated within the countryside off Pearson Lane within the village of Shawford, approximately 5 kms to the south of Winchester. The village lies within a designated Countryside area and the Lower Itchen Valley Landscape Character Area in terms of the Adopted Plan. The overall site comprises a two and a half storey Edwardian property with a veterinary surgery use in part of the ground floor level and residential accommodation above. A parking area for the veterinary practise is located to the north of the property with a drive providing access to Pearson Lane.

The area identified for development consists of a large private garden abutting Red Lane House and is 850 sq.m in size. The garden is set at a lower level following the contours of the surrounding area which slopes north to south. The site is well screened on all sides by mature trees and established vegetation along the boundaries. A large Beech tree in the south-west corner of the property has significant landscape value. To the east of the property lies the London-South Coast train line which runs in a cutting and is hence hidden from view. The immediate area is entirely residential and is characterised by large Edwardian detached and semi-detached private dwellings in large plots with mature vegetation. Although principally single dwellings a number have been converted to flats and residential care homes. Smaller plots are located to the south and west with a mixture of detached and semi-detached Victorian homes.

Proposal

The proposal is for the erection of 1 no detached two storey four bedroom dwelling and associated parking, landscaping and works. The existing vehicular access to Red Lane House will be utilized and parking space for three cars provided on-site. The house is situated on an intermediate level on the slope between Red Lane House to the north and St Bernard's house to the south. The relationship to the street is similar to that of St Bernard's and Sunnyside to the south although set forward of Red Lane House.

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The design of the proposal is Edwardian in style in keeping with Red Lane House. Materials are traditional red and orange brickwork including moulded string courses with roofing of plain clay tiles.

Relevant Planning History

None

Consultations

Engineers: Highways:

No objection. Vehicular access will be taken from the existing private driveway entrance to Red Lane House. Three car parking spaces, on-site turning and a cycle store have been provided and are secured by Condition 6.

Environmental Health:

No objection subject to Condition 11.

Landscape:

Concerned about the potential impact on the existing Beech tree and tree protection measures are required as detailed in Condition 10.

Southern Water:

No adverse comment on the application.

Representations:

Compton and Shawford Parish Council.

Accepts the principle of such development. Any proposal however must be in character with the existing house and no unauthorized additions permitted. (Full comments appended to this report.)

Shawford Village Residents Association.

Expressed concern and opposition to the development which is considered to be out of keeping with the original design of the area and obscure views to Red Lane House. Other issues raised include increased traffic generation, set a precedent, damage to Beech tree and restrictive covenants.

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

- Adverse impact on the character of Pearson Lane and Shawford village.
- Garden out of scale with other houses.
- Increased traffic generation.
- Construction activity generating noise and additional traffic.
- Danger to mature Beech tree.
- Set a precedent.

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

- Restrictive covenants preventing further development.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

UB1, UB3, H5, R2, E8, E16, T2, T5 and T6.

Winchester District Local Plan Review:

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DP1, DP3, DP4, DP5, H4, RT4, T1 and T4.

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPS 3 Housing

Other Planning Guidance

Winchester District Urban Capacity Study

Guide to the Open Space Funding System

Parking Standards 2002

Implementation of Infilling Policy

Planning Considerations

Principle of development

The application site falls within the village of Shawford which forms part of the countryside and where residential development is considered acceptable in policy terms subject to specific site constraints. The site is highlighted in the Winchester District Urban Capacity Study as being suitable for residential development. It also falls under policy H4 which deals with new residential development in such areas in the adopted Local Plan. All proposals for residential infill development will therefore be considered on their merits having regard to the relationship of the proposed site to the village or settlement, the impact on its character or that of its surrounding area and, in particular, to the sustainability of the village or settlement. The proposals are required to satisfy these criteria as further amplified in the 7 detailed criteria set out in the Supplementary Planning Document. The site complies with criteria 4 and 5 as it is not within a strategic or local gap and Shawford is one of the settlements listed in the Supplementary Planning Document.

It is considered that the proposal accommodates these policy requirements and is acceptable in principle, subject to the consideration of the following:

Design/layout

The development has been designed to ensure a more efficient use of land with the introduction of a single house which is in accordance with Government guidance and Local Plan policy. The site complies with Criterion 2 of the Supplementary Planning Document as it forms a limited gap between 2 established residential buildings within a continuously built-up frontage to an existing road. The resultant density is approximately 12 units per hectare which is significantly lower than the Government's minimum standard 30 units per hectare in Planning Policy Statement 3. However given the semi-rural location and the need to preserve the character and appearance of this part of Shawford, the lower density is considered acceptable.

The proposal is situated on an intermediate level on the slope between Red Lane House to the north and St Bernard's house to the south. The relationship to the street is similar to that of St Bernard's and Sunnyside to the south although set forward of Red Lane House. The design of the proposal is Edwardian in style in keeping with Red Lane House. Materials are traditional red and orange brickwork including moulded string courses with roofing of plain clay tiles which is considered appropriate to the location.

Impact on character of area and neighbouring property

The design of the proposed dwelling will not appear out of context with the character of the surrounding locality. The siting and orientation of the house, as well as the north-south slope, ensures the maximum distance and least impact between the proposal and the existing houses to either side. The existing mature vegetation on the southern boundary will ensure effective screening and it is considered that neighbouring privacy will not be unacceptably eroded.

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Landscape/Trees

The proposal has been designed to retain as much of the existing vegetation as possible, especially along the street frontage. Additional planting will reinforce the existing vegetation to provide a mature landscape setting the details of which are covered in Condition 7. The large Beech tree will be retained and tree protection measures instituted.

Highways/Parking

The site complies with criterion 3 of the Supplementary Planning Document as safe vehicular access will be taken from the existing private driveway entrance to Red Lane House. Three car parking spaces, on-site turning and a cycle store have been provided.

The site also complies with Criterion 1 as the site is well located for pedestrian and cycle use and public transport providing access to local shops, schools and services. Shawford railway station and the adjacent Bridge Hotel are located adjacent to the B3386 within easy walking distance to the south as are a small selection of specialist shops. Frequent trains provide access to Southampton, Winchester and London Waterloo. A bus service links Shawford with Winchester and Southampton. A Post Office/General Store, GP and Primary School are within walking distance of the site.

Public Open Space

The proposed provision of Public Open Space by way of contribution is considered to be in line with the Council's Open Space Strategy.

Drainage

The proposed development is considered to be acceptable in terms of the impact on the existing drainage and sewerage.

Representations

The report has sought to establish that the proposal is consistent with relevant policy. It is considered that the matters raised in objection have been dealt with adequately in the report and are not sufficiently robust to impede the granting of approval, subject to conditions. In terms of precedent it is considered that as the site lies within the village of Shawford, the principle of providing a new house is acceptable and the case must be assessed on its planning merits.

Planning Obligations/Agreements

In seeking the planning obligation(s) and/or financial contributions for £2,492, 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

APPROVE – subject to a Section 106/Unilateral undertaking for:

A financial contribution of £2,492 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)

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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. 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 Development shall not begin until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

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 1 of Parts A, B and C 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 Before the development hereby approved is first brought into use, a turning space shall be provided within the site to enable vehicles using the site to enter and leave in a forward gear. The turning space shall be retained and kept available for such purposes at all times.

Reason: In the interests of highway safety.

6 The car and cycle parking spaces hereby approved shall not be used for any other purpose than the parking of cars.

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

7 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:
- means of enclosure, including any retaining structures:
- hard surfacing materials:

Soft landscape details shall include the following as relevant:

- planting plans:

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

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

8 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.

9 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas 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.

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.

10 The existing Beech Tree shall not be lopped, topped, felled or uprooted without the prior written approval of the Local Planning Authority. This tree shall be protected during building operations by the erection of fencing at least 5.0 metres from the tree trunks in accordance with BS 5837.

Reason: To retain and protect the trees which form an important part of the amenity of the area.

11 Details of scheme for protecting the proposed dwelling from noise from the railway line shall be submitted to and approved by the Local Planning Authority in writing before the development commences. Any works which form part of the approved scheme shall be completed before any dwelling is occupied unless an alternative method is agreed in writing by the Local Planning Authority. Such noise protection measures shall thereafter be maintained and operated in accordance with the approved scheme.

Reason: To ensure that acceptable noise levels within the dwelling and the curtilage of the dwelling is not exceeded.

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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.

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

Hampshire County Structure Plan Review: UB1, UB3, H5, R2, E8, E16, T2, T5 and T6.

Winchester District Local Plan Review: DP1, DP3, DP4, DP5, H4, RT4, T1 and 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 of 1993.