

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA 29 March 2007

Winchester City  
Council  
Planning Department  
Development Control

TEAM MANAGER  
SIGN OFF SHEET

## Committee Decision

<b>Case No:</b>	07/00226/FUL	<b>Valid Date</b>	30 January 2007
<b>W No:</b>	15642/09	<b>Recommendation Date</b>	13 March 2007
<b>Case Officer:</b>	Mr Robert Ainslie	<b>8 Week Date</b>	<b>27 March 2007</b>
		<b>Committee date</b>	<b>29 March 2007</b>
<b>Recommendation:</b>	<b>Application Permitted</b>	<b>Decision:</b>	<b>Committee Decision</b>

<b>Proposal:</b>	Erection of five dwellings comprising; 2 no four bedroom and 3 no two bedroom dwellings with garaging and parking and associated landscaping and work to existing trees (RESUBMISSION)
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<b>Site:</b>	St Eloi South Drive Littleton Winchester Hampshire
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Open Space Y/N	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
Y	Y	N	Y	N	N	Y

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

**AMENDED PLANS DATE:-**

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<b>Item No:</b>	Item 14
<b>Case No:</b>	07/00226/FUL / W15642/09
<b>Proposal Description:</b>	Erection of five dwellings comprising; 2 no four bedroom and 3 no two bedroom dwellings with garaging and parking and associated landscaping and work to existing trees (RESUBMISSION)
<b>Address:</b>	St Eloi South Drive Littleton Winchester Hampshire
<b>Parish/Ward:</b>	Littleton And Harestock
<b>Applicants Name:</b>	Urbanscape Developments Ltd
<b>Case Officer:</b>	Mr Robert Ainslie
<b>Date Valid:</b>	30 January 2007
<b>Site Factors:</b>	Tree Preservation Order
<b>Recommendation:</b>	Application Permitted

### General Comments

This application is reported to Committee because of the number of objections received and at the request of Littleton Parish Council, whose request is appended in full to this report

This application follows a similar scheme which was withdrawn in 2006 because of concerns about inadequate visibility splays and the absence of an ecological report. The current scheme includes a revised access together with an ecological report.

An application for an alternative scheme for three detached dwellings (W15642/10) has been submitted and is being considered separately at this committee.

### Site Description

The application site is 0.2ha in size. This area excludes the land under the band of trees along the western boundary of the site and the land to the south of the site which is to be retained as a meadow.

The application site forms part of the residential curtilage of a former property on the site known as St Eloi. The land rises slowly at first to the south but then climbs steadily towards the southern boundary and beyond to the meadow area. A group of protected trees lie along the western boundary and provide a strong visual screen from views to the west. A number of predominantly smaller trees and vegetation lie to the east of the site, and offer sporadic screening from properties along this boundary.

South Drive is characterised by predominantly 2 storey dwellings in spacious plots with spaces between dwellings. Notable exceptions to this are the two properties to the immediate east of the site. A number of detached properties are located to the east of the application site. Woodmancote is located particularly close to the boundary and is partially orientated towards the rear of the application site. This neighbouring property has first floor windows facing across towards the rear of the application site.

South Lodge lies to the immediate west of the application site. Whilst there are views towards this direction they are limited, given the group of trees along the boundary.

### Proposal

The proposals include a group of 3no two bedroom terraced properties at the northern end of the site by South Drive, with 2no 4 bed detached properties at higher level towards the southern end of the site. A vehicular access is proposed along the eastern boundary of the site. The properties are approximately 10-15m away from properties to the east. The terraced properties are about

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10m from the western boundary and 16m away from South Lodge. The density of the development is 25dph.

The proposals include parking spaces for some properties and garaging for others. The access to the development is from South Drive.

The materials for the scheme have not been confirmed yet and will be secured by Condition 02

### Relevant Planning History

- W15642** One detached four bedroom dwelling with integral double garage - Application Refused - 14/09/1998
- W15642/01** Two detached four bedroom houses, storage building and four bay garage/carport - Application Refused - 05/03/1999
- W15642/02** Demolition of existing dwelling and erection of 3 no four bedroom dwellings with associated garages and new access - Application Refused - 22/06/1999
- W15642/03** Detached four bedroom dwelling with integral double garage - Application Refused - 01/07/1999
- W15642/04** Two detached four bedroom houses, storage building and two bay garage/carport - Application Refused - 06/07/1999
- W15642/05** Demolish existing dwelling, construct 2 no. three bedroom semi-detached, 1 no. double carport, 3 no. two bedroom terraced and 1 no. block consisting 2 no. three bedroom and 2 no. two bedroom dwellings, associated car parking, access road and alteration to access. - Application Refused - 03/09/2003
- W15642/06** Construction of 3 No. detached four bedroom dwellings - Application Refused - 08/06/2005
- W15642/07** Residential redevelopment comprising; 2 no. four bedroom detached and 3 no. two bedroom terraced dwellings with associated parking and landscaping - Application Withdrawn - 04/01/2007
- W15642/08** Residential redevelopment comprising; 1 no. three bedroom, 1 no. four bedroom and 1 no. five bedroom detached dwellings with associated parking and landscaping - Application Withdrawn - 04/01/2007
- W15642/10** Erection of 3 no detached dwellings comprising 1 no three, 1 no four and 1 no five bedroom dwellings with garaging and associated landscaping and work to existing trees – Currently under consideration.

### Consultations

#### Engineers: Drainage:

Applicant proposes to use treatment works for the dwellings with a drainage field within the curtilage of each. This is acceptable provided that compliance with building regulation is ensured and that the Environment Agency issue the necessary consents.

If approval is granted, a condition should be included that no dwelling be commenced until a drainage strategy for each dwelling be submitted to and approved by the LPA showing each dwelling can be drained in compliance with building regulations. (Condition 18)

#### Engineers: Highways:

Proposal is acceptable in highway terms subject to conditions. Given history of the adjacent development, the access arrangements are acceptable.

#### Landscape:

No objections, if tree cover is retained undamaged and maintained. Some problems with planting plan but could be resolved by suitable condition. (Condition 14)

#### Trees

Concerns appear to have been taken into account. Slight concern about rear gardens of first three units as they will be dark and have pines over towering them, however satisfied that these important trees can be adequately protected as demonstrated within the report.

#### Strategic Housing

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Supportive of the scheme as long as applicant is willing to provide affordable housing as agreed.

Environment Agency:

No objection subject to condition to secure provision of a surface water regulation system (Condition 10)

Natural England

Comments awaited

Southern Water:

Environment Agency should be consulted regarding the use of a private wastewater treatment works or septic tank drainage which disposes of effluent to sub-soil irrigation. Owner of premises will need to empty and maintain works or septic tank to ensure its long term effectiveness  
Council's technical staff should be asked to comment on adequacy of soakaways to dispose of surface water from proposed development. Southern Water can provide a water supply to site

**Representations:**

Littleton & Harestock Parish Council

Object to application: Introduction of a terrace does not in any way respond to the character of the area. There is a very limited bus service with no service at all on Sundays (does not maximise access to public transport – Policy DP3 v). 5 buildings on a limited site would have an adverse impact on properties adjacent to site. Loss of important public views and skyline features

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

- Significant effect on drainage of area. Potential flooding. Insufficient area for dispersal of foul water
- Increase in traffic flow along narrow road. Danger to children who live along the drive.
- Concern about wildlife and slow worms in particular.
- Concern about impact on trees within site.
- Plot 5 would have impact on enjoyment of adjoining properties. Overlooking to adjoining properties.
- Concern that meadow would become part of residential curtilage.
- Terraced dwellings completely out of character. Overpowering, overdominant. At odds with village design statement. Lack of amenity space for properties. Out of keeping with rural character. Plot 5 would over dominate. At odds with previous refusals for "backland development". Cramped development. Roofline of plots 4 & 5 would be excessively dominant.
- Proposals over and above requirements in PPG3. Housing mix inappropriate and out of character.
- Lack of public transport in Littleton.
- No infrastructure in Littleton to support proposal.
- Inadequate visibility exiting site. Lack of parking.
- Noise impact of gravel drive.
- Concern about imposition of affordable housing in this location. Poor transport links.

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

- Concerns about accuracy of boundary detail along eastern boundary and ownership of land.

**Relevant Planning Policy:**

Hampshire County Structure Plan Review:

UB3, T6, H5, H7, R2, E6, E8

Winchester District Local Plan Review

DP1, DP3, DP4, DP5, CE10, H3, H5, H7, RT4, T2, T4

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPS 3 Housing

PPS 9 Biodiversity and Geological Conservation

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PPG 13 Transport  
PPG 17 Planning for Open Space, Sport and Recreation  
PPG 25 Development and flood risk

Supplementary Planning Guidance

Littleton Village Design Statement  
Achieving a Better Mix in Housing

Other Planning guidance

Movement, Access, Streets and Spaces  
Parking Standards 2002  
Technical Paper: Open Space Provision and Funding  
Winchester Housing Needs Survey

**Planning Considerations**

Principle of development

The application site falls mainly within the built up settlement of Littleton. Littleton is designated as a defined settlement where the principle of residential development is broadly acceptable subject to particular site constraints. The designation of this settlement was considered as part of the Local Plan process, where the inspector concluded that the settlement was appropriate and sustainable as a location for residential development (Para 6.10.3). The southern part of the site (as outlined in red on the location plan) falls in countryside outside the built up settlement. However the submitted documentation indicates that this land will be retained as a meadow. A Condition is imposed to ensure retention as such. (Condition 17)

The proposals result in a density of 25dph. This would be below the guidelines set out in Policy DP3, H7 and also PPS3. However, it is considered that, given the nature of the site, an additional dwelling would have an adverse impact on the character of the surrounding area. The density is considered to be acceptable, and is considered in more detail below.

The proposal provides 3no two bedroomed properties in accordance with Policy H7 and is considered acceptable in terms of housing mix.

The applicant has expressed a willingness to meet the requirements of Policy H5 in relation to provision of an element of affordable housing. This would be secured by way of a legal agreement.

Design/layout

The proposal includes two large detached properties to the rear of the site with a terrace of three properties to the north by South Drive. The terrace has been designed to appear as a single property on the approach along South Drive. From directly in front of the property the terrace would appear as one property. Even from views to the east approaching the site, the entrances to the other properties would be partially obscured by the proposed attached garage. Whilst a bin/cycle storage would be located to the front of the property this would read as an ancillary outbuilding.

The two dwellings to the rear, set one behind the other, are in character with the layout of properties to the immediate east or elsewhere within Littleton.

Impact on character of area and neighbouring properties

It is considered that the careful design of the group of dwellings at the front of the site would not detract from the character which currently exists within South Drive. The building would read as a single dwelling with space to either side. It is considered that the dwellings would not appear out of place and would meet the required housing mix whilst not compromising the character of the area.

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In particular, the proposal is considered to accord with the Village Design Statement in that it would not dominate the skyline or significantly change the character of the village. In addition, the proposals provide an interesting mix of housing as recommended in Para 5.13 and 5.17 of the Village Design Statement.

The two dwellings to the rear would appear somewhat prominent given the rise in levels, However this would not be so apparent given the proposed built form to the front of the site. The impact would not be significantly greater than the existing built form to the east of the site.

Whilst the amenity space to each of Plots 1-3 is smaller than surrounding properties it is adequate given the size of the properties. Whilst the trees provide effective screening this would not prevent filtered light reaching these properties.

The design of Plot 5 has involved careful consideration in relation to the positioning of windows at first floor level to prevent overlooking to the property to the east, which is set at a lower level. Any windows which face towards this property are secondary or high level and are conditioned to be obscurely glazed. (Condition 12)

Windows within Plot 4 face towards the side of the property to the east. It is considered that, given the distance between the properties (12m) and the existing boundary treatment, a refusal on this ground could not be sustained.

Whilst windows face towards South Lodge to the east, it is considered that, given the siting of the dwellings set back from the boundary, together with the effective screening which currently exists, the proposals would not result in unacceptable overlooking.

Two small first floor windows within the terraced dwellings would face towards the neighbouring property to the east. Given the distance and orientation between the proposed windows (20m), it is considered that a refusal on this ground could not be sustained. The window serving Plot 3 would face towards the rear garden of the neighbouring property and would be set back by approximately 14m and, together with the proposed landscaping along this boundary, it is not considered that a refusal on this ground could be justified.

#### Landscape/Trees

The trees along the western boundary are proposed to be protected during building works (Condition 16). The Tree officer has raised no objection and is happy with the Method Statement submitted in support of the application.

Whilst there are a number of small concerns in relation to the proposed species to be used in the landscaping proposals, this can be adequately controlled by condition and it is considered, that the proposals are acceptable. (Condition 14)

#### Highways/Parking

The parking is being provided to adopted standards and no objection has been raised by the highways engineer.

The visibility splays are considered to be acceptable and meet the same standards as those on the neighbouring development to the east.

#### Other Matters

An ecological study has been submitted as part of this application in relation to wildlife within the site and is currently being considered by Natural England. Members will be updated on the response from Natural England at Committee.

The issue of drainage and potential flooding has been considered by both the Environment Agency and the Drainage Engineer. The development is considered to be acceptable in this

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respect subject to conditions (conditions 8, 10 and 18).

The applicant has expressed a willingness to meet the requirements insofar as Public Open Space provision is concerned. This would be secured as part of the Section 106 Legal Agreement.

The issue of potential noise by virtue of the gravel access could be considered in more detail as part of the submission of details in compliance with the landscaping conditions (condition 14).

Planning Obligations/Agreements

In seeking the planning obligation(s) and/or financial contributions for affordable housing and public open space provision, 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 securing a legal agreement to secure the following:-

- One no. two bedroom house to be provided on site as affordable housing, the tenure being shared ownership requiring the initial sale of equity being limited to 50%
- Provision of a commuted sum of £27,939 equivalent to 0.5 units for the off site provision of affordable housing.
- Payment of a contribution of £10,197 towards provision of public open space.

and subject to following condition(s):

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

**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 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.

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

3 Before development takes place fully annotated 1:50 scale drawings of all plans (including roof plans), elevations, sections; and 1:20 scale drawings of typical detail for door, windows, porticos, chimneys, eaves, rainwater gear, garden gates, garage doors, ramps, street lighting, boundary walls, and other external furniture, shall be submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved details before the development is occupied unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity.

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4 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.

Reason: In the interests of highway safety.

5 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.

Reason: In the interests of highway safety.

6 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 4.5 metres from the highway boundary.

Reason: In the interests of highway safety.

7 Nothing over 600mm in height above the level of the carriageway shall be erected or permitted to remain on the land hatched pink on the approved plans.

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

9 The garages and 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 spaces in the interests of local amenity and highway safety.

10 No development shall be commenced until a scheme has been submitted to, and approved in writing by the Local Planning Authority in respect of the following details:

The provision of a surface water regulation system is designed and implemented to the satisfaction of the planning authority and supported by detailed calculations. The runoff generated by the 1% probability storm must not exceed the runoff from the undeveloped site. The scheme shall include a maintenance programmed and establish ownership of the drainage system.

Reason: To prevent flooding and ensure future maintenance.

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 windows other than those expressly authorised by this permission shall, at any time, be constructed in the elevation(s) of the dwellings hereby permitted.

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



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12 The first floor window(s) in the elevations facing east and north of Plot 5 hereby permitted shall be glazed in obscure glass and thereafter retained.

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

13 No development shall take place until details of the finished floor levels of the new buildings hereby permitted in relation to the existing floor levels of the site 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.

14 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:
- proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, including lines, manholes, supports etc.):

Soft landscape details shall include the following as relevant:

- planting plans:
- written specifications (including cultivation and other operations associated with plant and grass establishment:
- schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate:
- retained areas of grassland cover, scrub, hedgerow, trees and woodland;
- manner and treatment of watercourses, ditches and banks:

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

15 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.

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16 The retained trees shall be protected during construction in accordance with the proposed tree protection details and fencing on submitted drawing number D9811 15 Rev A dated 29.01.2007 and in accordance with the Tree Method Statement prepared by Bill Kowalczyk dated 29.01.2007. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To ensure the protection of trees which are to be retained.

17 The land to the south of Plot 5 shall be not form part of the residential curtilage of Plot 5 and shall be retained as a meadow.

Reason: The land falls within land designated as countryside within the Adopted Local Plan and should not form part of the development site as it would be considered contrary to the Policies set out in the Local Plan.

18 Detailed drainage proposals for the disposal of foul and surface water 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 dwellings are occupied.

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

**Informatives:**

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, E8  
Winchester District Local Plan Review 2006: DP1, DP3, DP4, DP5, CE10, H3, H5, H7, RT4, T2, T4,

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.

Should any dewatering be required then under the terms of the Water Resources Act 1991 the prior written agreement is required for discharging dewatering water from any excavation or development to any controlled waters. The applicant is advised to contact the Hants and IOW office (Environment Management Team) to discuss this matter further. Controlled waters include rivers, streams, underground waters, reservoirs, estuaries and coastal waters.

Any system relying on a discharge to controlled waters including soakaways will require the consent of the Environment Agency under the terms of the Water Resources Act 1991. You should contact the Environment Agency for details of how to make an application for consent to discharge. Determination of an application may take up to 4 months and consent may be withheld. Therefore, you are strongly advised to make the necessary application well in advance of any construction work.