

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 19 April 2007

Winchester City
Council
Planning Department
Development Control

Committee Decision

TEAM MANAGER
SIGN OFF SHEET

Case No:	07/00313/FUL	Valid Date	27 February 2007
W No:	00161/08	Recommendation Date	29 March 2007
Case Officer:	Andrea Swain	8 Week Date	24 April 2007
		Committee date	19 April 2007
Recommendation:	Application Permitted	Decision:	Committee Decision

Proposal:	1 no. four bedroom and 1 no. two bedroom dwellings in the rear garden of 3 poplar cottages (RESUBMISSION)
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Site:	3 Poplar Cottages Winchester Road Waltham Chase Southampton 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		
APPROVE Subject to the condition(s) listed		
	Signature	Date
CASE OFFICER		
TEAM MANAGER		

AMENDED PLANS DATE:-

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Item No: 4
Case No: 07/00313/FUL W00161/08
Proposal Description: 1 no. four bedroom and 1 no. two bedroom dwellings in the rear garden of 3 Poplar Cottages (RESUBMISSION)
Address: 3 Poplar Cottages, Winchester Road, Waltham Chase, Southampton, Hampshire
Parish/Ward: Shedfield
Applicants Name: Steve Street
Case Officer: Andrea Swain
Date Valid: 27 February 2007
Site Factors: None
Recommendation: Application Permitted

General Comments

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

Site Description

This part of Waltham Chase is characterised by a mix of residential styles and designs. The Post Office and local general store is located immediately opposite the entrance to the site. To the east of the site is a modern housing estate, Chase Farm Close.

The site presently forms the rear garden area of No. 3 Poplar Cottages and is 0.07 hectares in area. Poplar Cottages is a terrace of 3 cottages sited at right angles to Winchester Road with a private access road to the front, leading to the site.

The site is mostly made up of hard standing and there is a large detached garage and other outbuildings including a stable with a small grassed area in front. Part of the site is presently used as parking for No.3.

To the north is a row of mature Leylandii trees along the access road and a 2 metre high close board fence on the boundary with the garden of 'Woodleigh'. To the east is a row of mature trees which provide some screening of the site and form the boundary with No. 19 Chase Farm Close.

To the south are Nos. 1, 3 and 5 Chase Farm Close. Numbers 1 and 3 are separated from the site by a 2 metre high close board fence and No. 5 is separated by a mature hedge. There is presently a wooden stable close to the south boundary to the rear of No. 5. Also on the south boundary to the north of the garden of No. 1 Chase Farm Close is a mature tree. To the west is the side elevation of No. 3 Poplar Cottages.

Proposal

The application seeks full planning permission for the erection of 1 no. four bedroom detached house and garage and 1 no. two bedroom detached house and garage, though amended plans are awaited to show the garage of plot 2 replaced with a car port. These will be available for Committee.

The houses will be white render to reflect the design of No. 3 Poplar Cottages, with clay tiled roofs. Access will be via the existing access from Winchester Road.

Plot 1 will be 11.5 metres from the boundary with 19 Chase Farm Close; plot 2 will be 10.5 metres from this boundary and 11 metres from the side elevation of 3 Poplar Cottages. The side of Plot 2 will be 4 metres from the boundary of 3 Chase Farm Close and 12 metres from the rear elevation of 3 Chase Farm Close. The side elevation of plot 1 will be 1.5 metres from the side

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elevation of 3 Chase Farm Close. The side elevation of plot 1 will be 1.5 metres from the side boundary of 'Woodleigh'.

The density of the development is 28.09 dwellings per hectare.

Relevant Planning History

W00161/03 Two semi detached dwellings - 3 Poplar Cottages Winchester Road Waltham Chase Southampton Hampshire SO32 2LW - Application Refused - 24/10/1990 Appeal dismissed.

W00161/07 1 no. three-bed detached house; 2 no. three-bed semi-detached houses - 3 Poplar Cottages Winchester Road Waltham Chase Southampton Hampshire SO32 2LW - Application Refused - 03/05/2006

Consultations

Engineers: Drainage:

Applicants drainage proposal are 'as existing' for both foul and surface water. The public foul sewer is the only acceptable method for the disposal of foul water and the applicant must liaise with Southern Water to agree a suitable connection point. The existing garden is hard landscaped over approximately half its area and, although the development will cover slightly more than that, with the use of porous paving and water butts on the garages there could be no material increase in run off. A small water course exists to the north of the site but it does not have the capacity to accept all the storm flow; it could, however, accept an overflow from any soakaway for the dwellings. An alternative for the disposal of surface water is the storm sewer in Chase Farm Close, but third party land would need to be crossed to access it. Provided that foul water goes to the public foul sewer and that the applicant takes all reasonable measures to control surface water run off (permeable paving and water butts), then there is no objection on drainage grounds subject to granting of building regulation approval, and subject to condition no. 8.

Engineers: Highways:

It is proposed to use the existing vehicular access running in front of the existing Poplar Cottages. The intention is to improve the vehicular access for the existing cottages by enabling parallel parking to occur for nos. 1 and 2 Poplar Cottages. A new shared court and turning area is to be available to both the existing and proposed properties; this will be beneficial to highway safety by reducing the risk caused by vehicles having to reverse out into Winchester Road. A planted strip of 1 metre width will also be created to allow residents of the cottages to emerge from their front doors without the need to step into the path of an approaching vehicle. The proposed car parking and on site turning facilities are considered acceptable in this instance and it is unlikely that the proposals will cause demonstrable harm to users of the adjoining highway. Conditions to ensure satisfactory on site parking and turning are recommended. A financial contribution of £4000 (£2000 per additional dwelling) is also required towards sustainable transport improvements contained in the Central Hampshire Rural Transport Strategy (charts).

Environment Agency:

This application has been assessed as having a low environmental risk.

Southern Water:

No comment.

Representations:

Shedfield Parish Council

- Overdevelopment of the site.

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- Insufficient / dangerous highway access with no visibility splay – possible traffic jam on entering with queuing on the B2177 Winchester Road.
- Insufficient parking provision with loss of 3 existing parking places.
- Not in keeping with street scene.
- Loss of amenity for properties 1 and 2.
- Could set precedent for other properties.

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

- insufficient access
- increase in traffic
- parking at the cottages reduces visibility for exiting from Chase Farm Close
- out of keeping
- disruption from building work
- overdevelopment of site
- additional refuse bins on the pavement

Relevant Planning Policy:

Hampshire County Structure Plan Review:

UB1, UB3, T2, T4, T6, R2, H7, H11, E8 and E10

Winchester District Local Plan Review

DP1, DP3, DP4, DP5, H3, H7, RT3, T2, T4, T10

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPG 3 Housing

Other Planning guidance

Guide to the Open Space Funding System

Technical Paper: Open Space Provision and Funding

Achieving a Better Mix in New Housing Developments

Planning Considerations

- Principle of development
- Design/layout
- Impact on character of area and neighbouring property
- Highways/Parking
- Public Open Space

Principle of development

Development Plan Policy and National Government Guidance seeks to promote the efficient use of land in built up areas through higher density, suitably located residential development with a high standard of design. Residential development should be easily accessible and well connected to public transport and community facilities; provide good amenity space; be well integrated with neighbouring buildings and be sympathetic to the character of the area. Car parking should be design-led, aim at reducing car dependency and not interfere with the effectiveness of the Strategic Road Network.

This application has been resubmitted following the previous refusal of 3 No. three bedroom dwellings on the site (reference W00161/07). That application was refused as it was considered to constitute an undesirable over intensive use of the site which would have an adverse effect on neighbouring properties by reason of increased overlooking and an overbearing impact. The

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application failed to provide an appropriate mix of 1 and 2 bedroom units, was out of character with the area and resulted in an unacceptable loss of amenity to the residents of Poplar Cottages by reason of increased use of the access. The previous application for 3 dwellings in the form of 1 detached house and a pair of semi-detached houses would have almost occupied the entire width of the site from north to south, with no significant gaps between or to the side boundaries..

Whilst this application is slightly below the Government target of 30 units per hectare, this is as a result of the need to reduce the impact of the residential redevelopment on the amenity of surrounding dwellings and to avoid a cramped form of development.

The ratio of the development includes a two bedroom property whilst the other is a four bedroom property. This ratio adheres to the policy H7 which states that 50% of residential developments should be 1 or 2 bedroom properties with a floor space of up to 75 square metres.

As such, the principle of the development is considered to be acceptable subject to the design, impact on the character of the area, neighbours and local highway network, and provided that the relevant payment is made towards the provision of Public Open Space and sustainable transport measures in the area.

Design/layout

The scale of the proposed development is relatively modest. The houses have been designed at two storeys to reflect the height of neighbouring properties and the proposed materials seek to complement the character of the immediate area. Design features of the proposed dwellings seek to borrow elements from the local surroundings in order for the design to respond positively to the local environment. This includes features such as the bay windows, similar to those in Poplar Cottages and the brick window sills which follow the design of the more modern houses in Chase Farm Close.

Particular attention has been given to the number and orientation of windows on the new dwellings and also the existing windows on No. 3 Poplar Cottages. The only upper floor window on the side elevation of plot 1, which looks towards the garden area of 'Woodleigh', is to the landing and it is proposed that this will be obscure glazed (see condition no. 5). There are no windows on the side elevation of plot 2 to ensure no loss of privacy to Nos. 1, 3 and 5 Chase Farm Close. Sufficient privacy distance of at least 11 metres is proposed from the rear windows of the new houses to the rear garden of No. 19 Chase Farm Close.

It is considered that the houses have been designed to reflect the character of the surrounding area and to reduce the impact on neighbouring properties and as such the proposal is considered to be acceptable.

Impact on character of area and neighbouring property

Plot 1 will be visible from Winchester Road but will be well set back and will not impact on the existing character of the street scene.

The new houses will be visible through the existing tree screen from the rear of No. 19 Chase Farm Close, however they are at least 10 metres away from the boundary. The previous application for three dwellings provided for no significant spacing between units. There would have been a continuous mass of building across the plot which would have had an unacceptable impact on the occupants of No. 19. This revised proposal is considered to overcome the previous concerns in that there is a separation between the dwellings and sufficient distance from the rear boundary of No. 19.

The previous scheme also proposed a two storey house immediately abutting the boundary of No. 3 Chase Farm Close. This would have had an unacceptable overbearing impact on the occupants of this property. The revised proposal shows plot 1 at a distance of 4 metres from the boundary with a total distance of 12 metres between the rear of No. 3 and the side of plot 2.

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Furthermore, amended plans are awaited which show the removal of the proposed garage on plot 2 and replacement with a car port to further reduce any impact on the occupants of No. 3.

The existing trees on the site, namely along the east and south boundary, are to be retained to soften the appearance of the development and provide for an element of screening.

The houses have been designed and orientated to ensure there is no materially harmful loss of privacy, nor overbearing impact on the neighbouring occupants. The new houses are considered to have an acceptable impact on the character of the area and on the existing street scene.

Highways/Parking

The Highways Officer is satisfied that the proposed car parking is in accordance with national and local policy. The parking for the existing cottages will be improved as the new development will enable the occupants to turn their cars around in a shared courtyard and exit the access in forward gear.

It is accepted that the development of two new houses will inevitably increase traffic in the area. However, it is national and local policy to increase housing density in existing settlements, especially where there is good access to local facilities and public transport. The Highways Engineer is satisfied that the small increase in traffic will not impact detrimentally on the local highway network and has requested payment of £4,000 towards sustainable transport measures in the area. This will be secured by way of a Section 106 Legal Agreement.

Public Open Space

The applicant has been advised that a payment of £4,276 will be payable towards the provision of public open space in the area. This will be secured by way of a Section 106 Legal Agreement.

Other Matters

Both the Parish Council and objectors have made reference to the fact that the development represents an over development of the site. However, the development is below the normal minimum density of 30 units per hectare advocated in Government Guidance (PPG3). Given the spacing between buildings and distance from the houses to the boundaries of the site, the development is not considered to be an over development of the site.

A planning informative has been added to ensure that any building work on the site is carried out according to restrictive hours, to ensure no loss of amenity to neighbouring properties.

A bin store has been provided on site to ensure satisfactory storage of refuse.

Conclusion

The proposal is considered to be in accordance with development plan policy, has overcome the previous reasons for refusal and is recommended for approval.

Planning Obligations/Agreements

In seeking the planning obligation(s) and/or financial contributions for public open space and sustainable transport 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

Application Permitted subject to the 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)

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Obligations need to cover:

- i) Public Open Space: £4,276
- ii) Sustainable transport measures: £4,000

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, before the development is occupied.

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

3 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 of Parts 1 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.

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 windows; other than those expressly authorised by this permission shall, at any time, be constructed in the north elevation of plot 1 or the south elevation of plot 2; hereby permitted.

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

5 The first floor window(s) in the north elevation of plot 1 hereby permitted shall be glazed in obscure glass and thereafter retained.

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

6 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.

7 Before the development hereby approved is first brought into use, a minimum of 2 car parking spaces for plot 1 and a minimum of 2 parking spaces for plot 2 shall be provided within the curtilages of plot 1 and plot 2 and thereafter maintained and kept available.

Reason: To ensure adequate car parking provision within the site in accordance with the standards of the Local Planning Authority.

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8 Detailed 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 first occupation of the dwellings hereby permitted.

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

9 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.

10 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:

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

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

11 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.

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

12 In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars, and paragraphs (a) and (b) below shall have effect until the expiration of from the date of the occupation of the building(s) for its permitted use.

a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

b) If any tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.

c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with details to be submitted and approved in writing by the Local Planning Authority before any equipment, machinery, or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. 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.

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

13 No development, or works of site preparation or clearance, shall take place until details, including plans and cross sections of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto, have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory relationship between the new development and adjacent buildings, amenity areas and trees.

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:-
Hampshire County Structure Plan Review: UB1, UB3, T2, T4, T6, R2, H7, H11, E8 and E10
Winchester District Local Plan: DP1, DP3, DP4, DP5, H3, H7, RT3, T2, T4, T10
3. The public foul sewer is the only acceptable method for the disposal of foul water. The applicant must liaise with Southern Water to agree a suitable connection point.
4. The applicant must take all reasonable measures to control surface water run off, for example: through the use of porous paving and water butts.
5. All work relating to the development hereby approved, including works of demolition or preparation prior to operations, shall only take place between the hours of 0800 and 1800 Monday to Friday and 0800 and 1300 Saturdays and at no time on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Please return this form to the Case Officer, **Andrea Swain**.

From: **Shedfield Parish**

Case No: **07/00313/FUL**

Closing Date for comments: **5 April 2007**

Location: 3 Poplar Cottages Winchester Road Waltham Chase Southampton Hampshire SO32 2LW
 Proposal: 1 no. four bedroom and 1 no. two bedroom dwellings in the rear garden of 3 poplar cottages
 (RESUBMISSION)

Comments:

Request for application to be considered by Committee:

(NB: Case Officer to forward to Head of Planning Control is this section completed)

Decision: Object

- (i) Overdevelopment of the site.
- (ii) Insufficient/dangerous highway access with no visibility splay – possible traffic jam on entering with queuing on the B2177, Winchester Road.
- (iii) Backfilling contrary to Local Plan
- (iv) Insufficient parking provision plus loss of 3 existing parking places.
- (v) Not in keeping with the street scene.
- (vi) Loss of amenity for properties 1 & 2.
- (vii) Could set precedence for other properties.

Parish Clerk for Shedfield Julia Taylor (Mrs)

Signed..........

Date.....26.../...03.../...2007....

WINCHESTER CITY COUNCIL Development Services	
29 MAR 2007	
ACTION	
PASSED TO	
FILE NO	
CLEARED FOR FILING	