

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Winchester City
Council
Planning Department
Development Control

TEAM MANAGER
SIGN OFF SHEET

Committee Decision

Case No:	08/02073/FUL	Valid Date	29 August 2008
W No:	05379/05	Recommendation Date	9 October 2008
Case Officer:	Miss Megan Birkett	8 Week Date	24 October 2008
		Committee date	23/10/08
Recommendation:	Application Permitted	Decision:	Committee Decision

Proposal:	Erection of detached four bed dwelling in existing garden of Folemoor with new access from Little Bull Lane (RESUBMISSION)
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Site:	Folemoor Little Bull Lane 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
Paid 29/07/08	N	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: 2
Case No: 08/02073/FUL / W05379/05
Proposal Description: Erection of detached four bed dwelling in existing garden of Folemoor with new access from Little Bull Lane (RESUBMISSION)
Address: Folemoor Little Bull Lane Waltham Chase Southampton Hampshire
Parish/Ward: Shedfield
Applicants Name: Mr And Mrs M J Foster
Case Officer: Miss Megan Birkett
Date Valid: 29 August 2008
Site Factors:

Recommendation: Application Permitted

General Comments

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

This application is a resubmission from the previously withdrawn application. It was withdrawn due to the lack of information regarding the trees and subsequently an amended plan has been submitted moving the position of the property slightly to the south and an Arboricultural impact assessment and method statement has been provided.

Site Description

The site is located close to the western edge of Waltham Chase and is occupied by a large detached dwelling located to the middle of the plot with a long driveway leading up to a turning circle to the front of the dwelling house. The existing dwelling is a six bedroom house with an attached integral garage to the side and single storey extension to the north west of the property. The site fronts onto Little Bull Lane to the east with a hedge running along the boundary. The property has a large front and rear garden. The back garden has trees to the rear boundary of the site backing onto a small area of open land which forms part of the countryside beyond the western boundary of the village. The surrounding dwellings are an eclectic mix of architectural styles all taking different forms and scales.

Proposal

The proposal is for a four bedroom detached dwelling to the rear of Folemoor within the development boundary of Waltham Chase. The application will be accessed from Little Bull Lane from a new shared access with the existing dwelling house. The existing driveway will be closed off and landscaped.

The proposed house is to be built using facing brick work and plain clay tiles, with timber windows and doors.

A double garage is proposed adjacent to the northern boundary of the site with parking and turning space in front.

Relevant Planning History

- **W05379/03** - Extension to roof to provide bathroom and new chimney - Folemoor Little Bull Lane Waltham Chase Hampshire SO32 2LT - Application Permitted - 08/04/2003
- **W05379/04** - Alterations of access to Folemoor and construction of new detached four bed dwelling and detached garage - Folemoor Little Bull Lane Waltham Chase Southampton Hampshire SO32 2LT - Application Withdrawn - 10/09/2008
- **W00678/05** - Detached four bedroom dwelling with detached garage to the rear of Lyons Gate

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- Lyons Gate, Little Bull Lane, Waltham Chase, Southampton, Hampshire, SO32 2LT

Consultations

Engineers: Drainage:

The new driveway needs to cross the ditch; it is proposed to use a 300mm culvert under the new drive which is acceptable in this case. The applicant must ensure that the water falling on the drive does not flow onto the public highway but it is intercepted into the ditch. Foul water is to go to the public sewer and the storm water from the dwelling is to go to a soakage system and as most of the drive is being constructed in a permeable material there should not be a problem. No objection subject to building regulations being satisfied.

Engineers: Highways:

This application proposes a new vehicle access constructed to the south of the plot and the blocking up of the existing access to Folemoor. The Highways Officer considers there to be sufficient space to provide acceptable on site parking and turning facilities on the site.

Although Little Bull Lane is a narrow rural road with no footway or street lighting and serving other residential dwellings, it is considered that the traffic volumes and speeds will be low along the Lane. In addition to this a footpath exists from the Lane into Brooklyn Close providing access to the housing estate (constructed to modern day standards) to gain access to Waltham Chase.

The proposal for one dwelling and the traffic generated from this property would be unlikely to cause demonstrable harm to warrant a highway objection.

Under the terms of the Agency Agreement, I am required to request that if permission is to be granted for this development, a financial contribution towards Hampshire County Councils Transport Contributions Policy. A total contribution of £5457 (five thousand four hundred and fifty seven pounds) is required.

Landscape:

Trees

The Arboricultural officer recommends approval of this application. An Arboricultural impact assessment was submitted as part of this application which highlights the key tree implications of the proposed development. It is concluded that there are only 5 trees to be removed and these are poor quality or low amenity trees, it is considered that the loss of these trees is insignificant to the wider landscape. The remaining trees are category B (1), these are of some Arboricultural interest, but have little importance in the wider context. A no dig driveway is proposed to be installed to reduce the risk of damage to the remaining trees, it is considered that the proposed location of the drive is acceptable. Condition has been recommended and is included in the decision (condition 11).

Landscape

The proposed new dwelling will not cause significant change to the landscape of the surrounding area and a building would be sympathetic to the context. The moving of the access will result in a safer access to Little Bull Lane, although removing some of the hedge. The proposed removal of the trees will have no adverse effect on the amenity of the surrounding area.

HCC Ecology:

Most of the trees will remain as a result of this development and these should be protected under the submitted Arboricultural plan during construction. The felling of the trees and shrubs should be carried outside of the bird breeding season, or immediately following confirmation of nesting bird absence by an ecologist. If works to the mature trees on the site occurs then a bat use assessment of the trees should be carried out by an ecologist and any measures should be put in place.

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Southern Water:

Southern Water does not wish to comment on this application.

Representations:

Shedfield Parish Council – No comment received – 07/10/08

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

- The proposed design is out of keeping with the surrounding character of the area.
- It is not within the established frontage of the surrounding area.
- The long gardens provide a sense of spaciousness; this would be destroyed if development permitted.
- The proposed garage would impact the neighbouring property 'The Retreat'
- The proposed driveway is too close to Nettledown and will be overlooked by the windows and would be detrimental to the enjoyment of the rear garden area.
- Overlooking to 'The Retreat' from windows on ground and first floor levels.
- Impact to new residents of existing dwelling, Folemoor, window is overlooking.
- The proposed dwelling is too close to the boundary of 'Nettledown' a substantial fence would need to be constructed to block views of construction.
- The removal of trees would impact neighbours and this will be increased in the winter months.
- Trees should be protected by TPO's.
- Drainage in the area is very poor and any further development would impact on this still further there has been problems in the past regarding the breaking of drains along the lane from lorries and over use of the lane.
- Increased use of the track may result in damaging the drainage and verges of the road.
- This is a single traffic road and it cannot accommodate more traffic easily.
- The extra traffic would not be safe for pedestrians.
- The Lane and the pathway through to Brooklyn Close is used by children and parents going to school and the extra traffic would be dangerous to them.
- There is no turning at the end of Little Bull Lane and this will cause more traffic problems along the road with construction worked traffic.
- Deliveries to the house will cause disruption to the lane.
- Arrangements need to be made to prevent mud from leaving the site during construction.
- Bats have been seen flying in the vicinity of Folemoor and therefore a request that a bat survey is undertaken before this application proceeds.
- Trees have been chopped down and this increases the overlooking issues.
- This application would set a dangerous precedent, although there is a house built behind Lyons Gate this forms a cluster of properties and is not that same as the proposal for Folemoor.
- The land in this area may be contaminated.
- Would prefer this development to be part of a piecemeal development.

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

- School is overloaded.
- Not enough infrastructures in place for all the new development proposed in Waltham Chase.
- Development is for financial gain.
- Recommending schemes like this one for permission is detrimental to Waltham Chase and Bull Lane in particular.

1 letters of support received.

- Lyons Gate provides evidence that it is possible to achieve good backland development in this area without significant effect on the overall amenity and landscape of the area.
- The proposed design of this property is in keeping with the character of the surrounding area.

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- Tree removal is to be kept at a minimum and therefore harm would be reduced.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

H1, T5

Winchester District Local Plan Review

DP3, DP4, DP5, H1, H3, H5, H7, T2

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPG 3 Housing

PPG 13 Transport

Other Planning guidance

Parking Standards 2002

Guide to the Open Space Funding System

Planning Considerations

Principle of development

The site lies within the policies boundary of Waltham Chase where new residential development is acceptable in principle.

The proposal is for one dwelling on the land to the rear of Folemoor, the proposed site area that is developable is 0.0706 hectares, and this equates to a density of 14dph. This density is less than the PPS3 recommendation of a minimum 30 dwellings per hectare. However in order to maintain adequate private amenity space, parking and turning for the existing and proposed dwellings and retention of trees it is considered that building at a higher density would be inappropriate and would also be detrimental to the areas character.

Design/layout

The surrounding area has a character of large dwellings set in spacious plots. Therefore the proposed design of one dwelling within this spacious rear garden is acceptable in relation to the surrounding area.

A precedent has effectively been set for the provision of 'backland' development within this area of Waltham Chase by virtue of the permission to build a four bedroom dwelling within the rear garden of Lyons Gate to the south of the site.

The proposed design of the dwelling is considered acceptable. A detached chalet style dwelling with a detached garage is similar to existing dwellings within the vicinity and it is considered that its scale, mass and design will respect the character of development in this area. The spacious character of this plot will remain as the large front garden will be retained with only one access point onto Little Bull Lane and vegetation along the front boundary.

Impact on character of area and neighbouring property

There will be distant views of the proposed dwelling from the street scene. However it is considered that it would not be intrusive or incongruous when seen from Little Bull Lane to the east. The design of the proposed dwelling is considered acceptable in relation to the character of the surrounding dwellings. The height of the proposed dwelling house is approx. 8m; although this is higher than the existing dwelling it is lower in height than the permitted dwelling at Lyons Gate.

The siting and orientation of the house ensures the maximum distance and the least impact upon the existing houses to the north east, east and the south east. The existing mature vegetation

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along the boundaries to the neighbouring properties will provide a degree of screening. The window in the northern elevation is facing onto the bottom rear garden of 'The Retreat'. It is considered that there will be no direct overlooking due to the angle of the proposed house relative to the 'The Retreat' and the distance between the two (approx. 38m). There are two windows proposed facing towards the south towards 'Nettledown' and these are obscure glazed and are conditioned to remain so; these will not result in an unacceptable loss of privacy. The windows proposed in the eastern elevation are facing the existing dwelling on the site, Folemoor. It is considered these windows will not present any overlooking issues as there is a distance of approx. 22m to the existing unit. In addition to this the window nearest Folemoor is facing directly towards the new proposed driveway to the east of the site. The proposed development will not present any overshadowing issues given the degree of separation between the proposed and existing dwellings.

Landscape/Trees

The majority of trees on this site are to be retained and protected from construction by condition. The proposal does require the removal of five trees, but these are only poor example trees and therefore this loss is considered acceptable. The proposed method statement included within this application states that precautions will be used to protect the remaining trees on the site. The proposed development will have no significant adverse impact on the contribution of the trees to the surrounding visual amenity and character of the area.

Highways/Parking

The application requires the closing up of the existing access to Folemoor and replacing it with an access to the south of the site accessing both the existing dwelling and the proposed. It is considered this is acceptable in relation to the street scene and there will be sufficient visibility splays in the new access. In terms of highway safety, it is considered the additional generation of traffic will not cause any additional demonstrable harm to the users of the Lane and the public footpath leading to Brooklyn Close.

The proposed dwelling is provided with sufficient parking and turning and there is also a double garage proposed to the north of the plot to provide additional parking. The existing property will retain adequate parking.

Other Matters

Most of the trees on the site are remaining and therefore it is considered there should be no detrimental impact upon bats.

The drainage engineer has raised no objection to the proposed dwelling but a condition has been included on the decision for the applicant to provide a cut off drain at part of the development (Condition 14).

Recommendation

Application Permitted subject to the following condition(s):

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 dwelling 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.

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

Reason: In the interests of the visual amenities of the area.

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

5 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.

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

6 The proposed access and drive shall be laid out and constructed in accordance with specifications to be first submitted to and approved in writing by the Local Planning Authority.

NOTE: A licence is required from Hampshire Highways Winchester, Central Depot, Bar End Road, Winchester, SO23 9NP prior to the commencement of access works.

Reason: To ensure satisfactory means of access.

7 The existing access to the site shall be stopped up and abandoned and the shall be reinstated in accordance with details to be submitted to and approved by the Local Planning Authority, immediately after the completion of the new access hereby approved and before the new access is first brought into use.

Reason: In the interests of highway safety and the amenities of the area.

8 No development, 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. The development shall not be completed other than in accordance with the approved details.

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

9 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

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modification), no windows other than those expressly authorised by this permission shall, at any time, be constructed in the first floor of the southern elevation(s) of dwelling hereby permitted.

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

10 The first floor window(s) in the southern elevation of dwelling hereby permitted shall be glazed in obscure glass and thereafter retained.

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

11 Protective measures, including fencing, ground protection, working procedures and special engineering solutions shall be carried out in accordance with the Arboricultural Impact Appraisal and Method Statement written by Mr Kevin Cloud and submitted to the Local Planning Authority.

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

12 The existing trees show as being retained on the approved plan shall not be lopped, topped, felled or uprooted during the course of constructing the development without prior written approval of the Local Planning Authority.

Reason: To ensure a bat use assessment of the trees is carried out by an ecologist, and any necessary resulting limitations or measures to be put in place.

13 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.

14 Prior to the completion of development a cut off drain shall be provided to prevent the egress of surface water onto the public highway the details of which shall first be submitted to and approved by the Local Planning Authority. Thereafter the approved drain shall be retained and maintained in good working order.

Reason: In the interests of highway safety.

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: H1, T5
Winchester District Local Plan Review 2006: DP3, DP4, DP5, H1, H3, H5, H7, T2