

PLANNING DEVELOPMENT CONTROL (VIEWING) SUB-COMMITTEE

22 February 2008

Attendance:

Councillors:

Jeffs (Chairman) (P)

Baxter (P)
Beveridge
Busher (P)
Huxstep (P)
Lipscomb (P)

Johnston (P)
Pearce (P)
Ruffell (P)
Saunders (P)
Sutton (P)

Deputy Members:

Councillor Evans (Standing Deputy for Councillor Beveridge)

Officers in Attendance:

Mr S Finch (Planning Team Leader, West)
Mr H Bone (Head of Legal Services)
Mr I Elvin (Highways Engineer)
M P Aust (Drainage Engineer)

1. **CHAIRMAN'S ANNOUNCEMENT**

The Sub-Committee met at Waltham Chase Village Hall where the Chairman welcomed to the meeting approximately 140 local residents, together with representatives of the applicants.

2. **ST AUBYNS, BULL LANE, WALTHAM CHASE - CASE REFERENCE 07/02698/FUL**

(Report PDC734 refers)

At its meeting on 31 January 2008, Planning Development Control Committee had agreed to refer determination of the application to the Viewing Sub-Committee, so that Members could consider in greater detail issues relating to the layout of the site, highway and drainage issues, and the proximity of buildings to each other, including impact on existing properties.

Immediately prior to the public meeting, the Sub-Committee had visited the application site. Members viewed the proposed development from St Aubyns, Fairways and Cherry Trees. During the visit, Members expressed concern that the proposed plots of the development had not been marked out, but nevertheless, noted the proposed dwellings' probable relationship with each other, existing buildings and neighbouring properties in Bull Lane. The Sub-Committee also noted the drainage issues with regard to the slope of the land, the relationship to properties at the rear (Brooklyn Close) and the proposed access to Bull Lane.

Mr Finch introduced the application to the Sub-Committee. He explained that the application sought permission for the development of 11 new dwellings in the gardens of three existing properties on Bull Lane – St Aubyns, Fairways and Cherry Trees. The site measured 0.41 hectares and had a density of approximately 26 dwellings per hectare.

Mr Finch stated that the proposed dwellings were modern in style, but traditional in their scale, form and detailing. All but one of the dwellings were located in the rear gardens of the existing properties and all had access from a road cutting between St Aubyns and Fairways. Units 9-11 were one bedroom flats within a single two storey chalet style building located at the front of the development between St Aubyns and Samarinda, facing Bull Lane. The layout of the properties and the access road were designed to frame a protected oak tree as the centre-piece of the development.

Mr Finch advised the Sub-Committee of a number of matters that had arisen following the publication of the Report. This included the applicant's submission of a traffic survey of the area, undertaken in February 2008. Due to its late submission, this had not yet been properly assessed by officers, but in summary, the survey had concluded that there was no parking problem in Bull Lane. As such, it was not intended to refer to it in any further detail.

A further four letters of objection had also been received which had raised issues similar to those considered in the Report. However, in response to one of these letters, Mr Finch corrected a comment made by the Planning Officer presenting at the 31 January 2008 meeting, in that the eastern elevation of Samarinda contained three windows to habitable rooms. Referring to another additional correspondence, Mr Finch confirmed that the plans had not included an extension to 20 Brooklyn Close, but that this had been highlighted to Members on the site visit where they had considered the relationship between the proposed terrace of properties at the rear of the development and the existing properties of Brooklyn Close beyond.

In addition, Mr Finch also drew Members' attention to the amendments submitted by the applicant, which relocated the bin storage area to the side of St Aubyns, rather than at the street frontage. The application had also been amended to prevent direct vehicular or pedestrian access onto Bull Lane from Units 9-11, as these units would instead be accessed via the proposed road between St Aubyns and Fairways.

In recommending the application for approval, Mr Finch suggested amendments to the proposed Conditions as set out in the Report. These referred to the inclusion of an ecological survey, an addition to Condition 3 (regarding the protection of trees), and the pluralisation of the references within Conditions 9 and 11. He also suggested additional Conditions relating to the protection of the existing hedgerows and a Condition which restricted access from Units 9-11 onto Bull Lane.

During the public participation element of the meeting, the following comments were made.

Mrs Smith (a local resident) and Mrs Cowan (resident of Samarinda) spoke against the application. In summary, they drew the Sub-Committee's attention to the large number of representations received against the application and that the number of people who were attending the meeting was a reflection of the local community's opposition to the development. They also raised concerns regarding the access onto Bull Lane in the context of the Planning Inspector's Appeal at Lawsonia, an

application directly opposite St Aubyns. Concerns were also raised regarding the lack of public transport and drainage issues. In addition, Mrs Cowan commented on the proximity of Units 9-11 to her property and stated that, as a consequence of the three windows Samarinda had which faced this dwelling, the application would result in an unacceptable loss of privacy and light.

Mr Ogden spoke against the application as a representative of Shedfield Parish Council. In summary, he explained that the Parish Council was not against all new development in area, but that the proposed application was an overdevelopment of the site with poor access onto Bull Lane. He commented that the sight lines of the access were inadequate; on the lack of adequate footpaths in the area; and in relation to car parking along Bull Lane and Bull Lane's busy junction onto Winchester Road. He suggested that the application, together with other new developments in the area, would put an unacceptable pressure on this junction, which as a consequence was likely to become dangerous. Mr Ogden also raised concerns regarding flooding and presented to the Sub-Committee a report from Government on flooding matters.

Councillor Goodall spoke as a Ward Member and against the application. In summary, he echoed the comments raised by the previous speakers. He also commented that, in practical terms, the development failed to provide sufficient on-site car parking spaces (23 spaces on a development of 28 bedrooms) and that this would inevitably result in overspill car parking in Bull Lane and Ashley Gardens, which were already very busy.

Councillor Goodall also commented on the application's detrimental impact on the character of the area, that it was an over development of the site, and that it was only likely to exacerbate the current flooding problem in the area.

Mr Hopper (the applicant's agent) spoke in support of the application. In summary, he explained that the current application was the result of eight months' negotiation with officers. The density of the development was below that sought in Government guidance, PPS3, but was considered appropriate given the constraints of the site. He also commented on the chalet style of Units 9-11, which had been designed to blend into the street scene between St Aubyns and Samarinda and to appear as a single dwelling. He commented that the gap between Samarinda and these units was a distance which was replicated elsewhere along Bull Lane. He added that the three side windows of Samarinda were secondary to the main windows, to the front and rear of the property, which served the same rooms.

Mr Hopper also highlighted that both the results of their recent traffic survey and the comments of the Highways Engineer had both concluded that the application was compliant with the required highways standards.

In response to the above comments, Mr Finch explained that Planning Inspector had dismissed an appeal for 11 dwellings at Lawsonia because of design issues, although highways and drainage issues had also been considered. Members noted that at Lawsonia, officers had recommended that the access to the site would be better taken from Ashley Gardens at the side, rather than Bull Lane, and that this would also reduce parking pressure on Bull Lane.

Mr Elvin commented on the Highways Issues raised at the meeting. He explained that the proposed visibility splay of St Aubyns was acceptable and that the TRICS database suggested that the proposed development was likely to generate an estimated average of a further 78 trips per day onto Bull Lane, and that this was well within its capacity.

During the Sub-Committee's discussion on parking and traffic issues, Members noted that all the units had at least one dedicated car parking space within the site, but that there was no provision for visitor parking.

The Sub-Committee also noted that the Highways Engineers had considered that a financial contribution of £42,748 should be sought for Sustainable Transport Improvements to mitigate the highways effects of the application. However, Mr Bone explained that this was not being sought as the City Council had concerns regarding the robustness of the calculation method used by the County Council. He explained that the issue of such contributions was still being considered by officers and that progress would be reported to Members shortly.

With regard to drainage issues, Mr Aust stated that, as the site sloped away from Bull Lane, the development could not worsen any flooding of the Lane. He stated that he was unaware of any significant flooding suffered by properties beneath the proposed development in Brooklyn Close. Mr Aust also reported that Southern Water had acknowledged that there was an existing problem with obstructions in the sewers near the site and that this was on their programme for investigation and clearance works.

However, Mr Aust confirmed that there had been flooding at Red Leaves, a residential care property to the east of the site, but that this had been caused by a blocked highways drain which had since been cleared. He added that the culverts of the development should be no smaller than those already provided and the responsibility of their maintenance would rest with the owners of the site.

The Sub-Committee noted that Condition 15 required that none of the dwellings could be occupied until a system for the disposal of sewerage and surface water had been provided by the applicant and approved by the Council.

In response to the comments made by Mr Ogden, Mr Aust explained that report he had referred to had been published by Halcrow as a review of the floods in 2001 and no reference to Bull Lane was made in the report. Recommendations contained within the Government Guidance Note PPS25 had been considered by officers in recommending the application for approval.

During discussion, the Sub-Committee noted the applicant's intention to renovate St Aubyns and that these works included a rearrangement of the building's internal layout and the removal of the existing western elevation's side windows and doors facing Units 9-11.

Members were concerned by the proximity of Units 9-11 to St Aubyns (a distance of approximately 1 metre) and the gap to Samarinda of approximately 3.5-4.5 metres. Mr Finch added that the applicant had agreed that the side windows of Units 9-11 could be obscure glazed to prevent overlooking and that these units incorporated a hipped roof to accentuate the gap between it, Samarinda and St Aubyns.

In response to Members' concerns regarding the character of the development, Mr Finch explained that Waltham Chase contained a wide variety of layouts and building types. He added that public views of the development were limited, given that all but one of the plots would be screened by the existing buildings onto Bull Lane/Brooklyn Close. It was only Units 9-11 that would be visible from Bull Lane and this was a single building to provide the 3 one bedroom units as affordable housing.

In response to a question, Mr Finch explained that the applicant had intended to provide an off-site contribution to the Open Space Fund and that there would be no on-site Local Area of Play.

Members also noted the additional condition which required the applicant to submit a satisfactory ecological survey of the site and that this included considerations such as the possible relocation of an existing pond in the rear garden of Cherry Trees. In response to a Member's concerns, Mr Finch agreed to consider health and safety implications associated with the possible relocation of this pond.

During debate, Members were concerned that Units 9-11 were too close to its existing neighbours, St Aubyns and Samarinda. In addition to the adverse effects of this on the amenity of the existing properties, concerns were also raised regarding the lack of amenity space associated with Units 9-11.

Therefore the Sub-Committee agreed to not grant planning permission, and delegated authority to the Head of Planning Control to finalise detailed reasons based on Members' concerns. The Sub-Committee considered the application to be contrary to the Winchester District Local Plan Policy DP3 in that the layout of Units 9-11 (rather than any issues raised against the other proposed properties to rear) was cramped and detrimental to the character of the street scene of Bull Lane. Members concluded that Units 9-11 also had an un-neighbourly impact on St Aubyns and Samarinda. In addition, the Sub-Committee agreed that in the absence of planning obligations regarding the provision of affordable housing and open space contributions reasons for refusal relating to these matters would also be required.

RESOLVED:

That planning permission be refused and authority be delegated to the Head of Planning to finalise reasons based on the Sub-Committee's conclusion that Units 9-11 represented a cramped form of development, detrimental to the street scene, and harmful to existing residential properties and therefore contrary to Winchester District Local Plan Policy DP3, as well as reasons relating to lack of provision of affordable housing and public open space.

3. **LAWSONIA, BULL LANE, WALTHAM CHASE – CASE REFERENCE 07/02687/FUL**
(Report PDC734 refers)

At its meeting on 31 January 2008, Planning Development Control Committee had agreed to refer determination of the application to the Viewing Sub-Committee, so that Members could consider in greater detail issues relating to the layout of the site, highway and drainage issues and the proximity of buildings to each other, including impact on existing properties.

Immediately prior to the Sub-Committee meeting at Waltham Chase Village Hall, Members had visited the application site. Members noted the approximate location of the proposed dwellings (the Sub-Committee noted that this could only be approximate as the applicant had made an error in pegging out the site and Members therefore disregarded the position of the pegs), its impact on existing properties and the proposed access.

In introducing the application, Mr Finch explained that this was the third application for development of the site. The refusal of the first application had been upheld by the Planning Inspector at Appeal because of its detrimental impact on the character of the area. The second application, which had reduced densities, had also been refused and the applicant had taken this to appeal, although it had not yet been heard. Subsequent to this, the applicant had submitted a third application, which contained an additional revision to the layout and further reduced densities. It was this application that the Sub-Committee had been asked to determine.

The site was approximately 0.26 hectares located on the northern side of Bull Lane which contained a single storey bungalow, named Lawsonia. The frontage onto Bull Lane was defined by a low bank and hedgerow, which was to be retained, and the site also fronted onto Ashley Gardens to the east. To the north, the site was bounded by the rear gardens of properties in Ashley Gardens.

The application sought permission to demolish Lawsonia and erect 8 dwellings; a detached two-storey building comprising 4 one bedroom flats fronting onto Ashley Gardens (Plots 1-4); a single detached four bedroom chalet style bungalow (Plot 5); a single detached 5 bedroom house (Plot 6) and two detached five bedroom houses fronting onto Bull Lane. Access to the development was from a layby in Ashley Gardens (resulting in the loss of one parking space) and the development contained a total of 17 dedicated car parking spaces. The density of the development was 31 per hectare and Mr Finch added that that the reduced density of the latest application had positively responded to its surrounding area, with more space for landscaping.

At the conclusion of his presentation, Mr Finch recommended a further Condition be included regarding the submission of an arboricultural method statement.

During the public participation element of the meeting the following comments were made.

Mrs Smith (a local resident) spoke against the application. In summary, she stated that the local road infrastructure was unable to sustain any further development and that local roads were frequently used by cyclists and horse-riders. Any further increase in traffic pressure was likely to increase the number of accidents and worsen the problem of on-street parking. She also stated that the proposed Plots 1-4 containing 4 one bedroom units would dominate the street scene of Ashley Gardens and that this did not reflect the rural character of the area. She added that application would result in a loss of privacy to number of existing neighbouring properties on Ashley Gardens.

Mr Ogden (Shedfield Parish Council) spoke against the application. In summary, he acknowledged that the reduced densities of the latest application as an improvement, but that the application remained unacceptable because of the bulk of Plots 1-4. He also commented that the Parish Council had identified the need for affordable housing in the area and that there were other, better suited sites, which could be developed.

Councillor Goodall as a Ward Member also spoke against the application. In summary, he stated that the application remained an overdevelopment of the site and that the resultant traffic of this application and other new developments in the locality were likely to be detrimental to the area. In discussing sustainability and the need for the housing, Councillor Goodall also stated that the application was contrary to the Council's Corporate Priorities in that it would not result in a high quality environment.

Mr Carrington (the applicant's agent) spoke in support of the application. In summary, he commented on this being the third application for the site; its reduced densities; that it sought to provide eight family homes and that it had no detrimental impact on its existing neighbours.

During debate, Members considered the dimensions of Plots 1-4 and Mr Finch explained that, whilst containing four units, the building had been designed to appear at first glance as a large, single domestic dwelling of which there were many in the area.

The Sub-Committee also considered the sustainability of the development in Waltham Chase and Mr Finch explained that the recent Local Plan Review had concluded that Waltham Chase was a settlement which was better able to sustain new development than more rural locations. Therefore, in policy terms, development within the settlement was acceptable. In response to Members' concerns about the saturation of the village through the number of new developments, Mr Finch stated that each application would continue to be assessed on its own merits, having taken account of its effect on the character of the area. He added that the policy boundaries of settlements, in terms of sustainability, would be reviewed as part of the emerging Local Development Framework process.

A Member raised concerns regarding the number of windows at the northern elevation of those proposed properties which backed onto Ashley Gardens which to be obscured, so as to prevent overlooking. In response, Mr Finch explained that many of these windows were either to a bathroom or were at a high level which limited views out. However, other Members concluded that because of the gradient of the land, which increased to the north, it was more likely that the new dwellings would be overlooked by the existing properties in Ashley Gardens. However, Mr Finch advised that there was a reasonable degree of separation which was helped by the hedge on the boundary which would be retained.

The Sub-Committee considered the impact of the development on the character of the area. Mr Finch stated that Plots 1-4 were set back from the Ashley Gardens could only be glimpsed from Bull Lane. Although properties in Ashley Gardens opposite the development would be able to see the development, it was not considered that the application would appear out of character and that its large footprint mirrored to some extent some of the semi-detached properties in Ashley Gardens.

A Member also raised concerns regarding the Council's failure to collect a Sustainable Transport contribution from the application, but Members noted the reply from Mr Bone as set out above in the previous item, St Aubyns, above.

At the conclusion of debate, the Sub-Committee agreed to grant planning permission for the reasons and subject to the planning obligations and conditions (amended to include an arboricultural method statement) as set out in the Report.

RESOLVED:

That planning permission be granted for the reasons set out in the Report and subject to the following conditions:

The meeting commenced at 11.00am, adjourned between 1.20pm and 2.00pm and concluded at 2.45pm.

Chairman