

PLANNING DEVELOPMENT CONTROL (VIEWING) SUB-COMMITTEE

9 November 2012

Attendance:

Councillors:

Jeffs (Chairman) (P)

E Berry (P)

Clear

Evans (P)

Johnston (P)

Gottlieb

Izard (P)

McLean (P)

Pearce

Read

Ruffell (P)

Scott (P)

Officers in attendance:

Mrs Walters – Principal Planning Officer

Mrs J Pinnock – Development Management Manager

Mrs T Wilson – Principal Legal Officer

Mr N Culhane – Highway Development Control Engineer

Ms Parvin – Conservation Officer

1. **TWO BEDROOM DETACHED DWELLING – 3 STATION ROAD, WEST MEON – SDNP/12/00006/FUL**
(Report PDC947 refers)

At its meeting held on 18 October 2012, the Planning Development Control Committee agreed that the above application be referred to the Sub-Committee, as Members wanted to visit the site to assess the size of the proposed building's footprint in relation to its plot, its overall height, its impact on listed buildings within the surrounding Conservation Area and highway safety matters.

Therefore, immediately prior to the public meeting, the Sub-Committee visited the site where the applicant had pegged out the footprint of the proposed building and had erected a pole to provide an indication of the ridge height. The Sub-Committee also assessed the proposed building's likely effect from Station Road, outside Barrack Field, and from the garden of Garden Cottage. The site visit was attended by all the Members present at the subsequent public meeting which determined the application.

At the subsequent meeting, Mrs Walters re-familiarised Members with the proposal and a previous, refused, application. She also highlighted the additional informative from the Update Sheet considered at the 18 October 2012 meeting, which advised the applicant that the proposed temporary

opening to the wall (to enable construction) required listed building consent. Once the construction had been completed, the temporary opening would be closed and the wall re-instated to provide pedestrian access only.

Mrs Walters also recommended that two further informatives be added to the permission which restricted on-site burning and construction hours. These were agreed by the Sub-Committee and the detailed wording was delegated to the Head of Planning Management.

At the meeting held on 18 October 2012, the Committee received public participation from Ms Proudlock, who spoke against the application, and Mr Donohue (applicant's agent), who spoke in support. In accordance with the Council's procedures, public participation was not repeated at this meeting.

During questions, the Sub-Committee noted that the application proposed to cut into the slight slope across the site, by approximately 50cm. Members noted that the height of the proposed building was controlled by Condition 10.

Members highlighted the concerns raised by members of the public regarding parking. In response, Mr Culhane explained that the applicant intended to allocate two parking spaces to the property in front of one of the garages court facing Station Road, adjacent to the northern boundary of the site. He understood that whilst these spaces were currently used by local people, the landowner (the applicant) could withdraw this discretion at any time, and therefore the loss of these spaces could not be considered as part of this application. In response to further questions, he explained that, although there had been a number of cars parked in the area during the site visit, in officers' previous visits to the site, these spaces appeared to be infrequently used and he did not consider that parking was an issue for the area. Mr Culhane added that whilst the proposed parking met current standards, the garages behind did not. Whilst the garage to be used by the new property would provide a useful storage and potential cycle store for the new dwelling, the existing garages were too small to store the average car.

The Sub-Committee also noted Condition 2, which required details of the materials to be used. During discussion, Members expressed a clear preference for the use of brick, to enable the building to sit comfortably within its setting. In relation to Condition 8, the Sub-Committee expressed its desire to retain as much as the beech hedging as reasonably possible.

Members also discussed the effect on the garden of Garden Cottage and agreed that the first floor rear (west) dormer window should be obscure glazed.

During discussion, Members referred to a submission from an objector, which raised concerns regarding the location of the proposed foul and surface water treatment within the site. In response, Mrs Walters explained that this issue had been adequately covered by Condition 11, which required details to be submitted and approved by the Planning Authority before the commencement of works. She added that the Council's Building Control officers had advised that the treatment proposed by the applicant meant that discharge from the

tank was cleaner than other systems and, as a result, Building Regulations enabled such systems to be located nearer to buildings and boundaries.

At the conclusion of debate, the Sub-Committee resolved to grant planning permission, for the reasons set out in the Report and the conditions set out below. The Sub-Committee also delegated authority to the Head of Planning Management to set the detailed wording of additional informatives regarding construction hours, restricting on-site burning and the need to seek listed building consent for the listed wall, (set out below). The Sub-Committee also agreed an amendment to Condition that the dormer window to the rear elevation be finished in obscure glass, with detailed wording delegated to the Head of Planning Management (note: as set out below, Condition 14 refers) .

RESOLVED:

That the application be permitted for the reasons set out in the Report and subject to the following conditions and informatives:

- The payment of a financial sum of £1846 towards off-site open space (£923 play, £923 sport);
- The payment of a financial sum of £3745 towards off-site Highway Contribution.

(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)./ To comply with Section 51 of the Planning and Compulsory Purchase Act 2004

2 No development shall commence until details, and samples where appropriate, of the following materials to be used in the development have been submitted to and agreed in writing by the Local Planning Authority Bricks, flint & any other wall facing materials; Brick bonds; Mortar mix and finish; Rain water goods (including their relationship with eaves and verges); tiles & any other roof coverings, including rooflights; windows and doors. Thereafter the development shall be undertaken in full accordance with that agreement unless otherwise agreed in writing by the Local Planning Authority.

Reason: To accord with policy DP.3 and for the avoidance of doubt and in the absence of these important details from the application.

3 The development hereby permitted shall be carried out in accordance with the plans listed below:

WIN/898/1/ID/001
WIN/898/1/ID/002A
WIN/898/1/ID/003A
WIN/898/1/ID/004A
WIN/898/1/ID/006

Reason: For the avoidance of doubt and in the interests of proper planning.

4 Ecology - Protection of Breeding Birds

No removal of trees or hedgerows shall take place between 1st March and 31 July (August) inclusive in any year unless otherwise approved in writing by the Local Planning Authority.

Reason: to ensure breeding birds are not disturbed by removal of habitat

Note: this condition can be modified to protect wintering, roosting, feeding etc where appropriate dates can be specified.

5 Works shall be carried out in accordance with the measures set out within section 4 of the Extended Phase 1 Habitat Survey (Enims, March 2012).

Reason: In order to secure ecological mitigation and enhancements

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking and re-enacting that Order with or without modification) no development permitted by Classes A, B, C, D and E of Part 1, or Class A of Part 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.

7 No development, or site preparation prior to development which has any effect on disturbing or altering the level or composition of the land, shall take place within the site until the applicant (or their agents or successors in title) has secured and implemented a programme of archaeological work in accordance with a written scheme of investigation to be submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: To prevent damage to any archaeology on site.

8 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.

9 Protective measures including fencing and ground protection, in accordance with the Arboricultural Impact Appraisal and method statement reference WIN/898/ID written by Ian Donohue and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on site.

The Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with WIN/898/ID. Telephone 01962 848403.

The Arboricultural Officer shall be informed prior to the commencement of special surfacing under the tree canopies so that a precommencement site visit can be carried out. Telephone 01962 848403.

Reason: To protect trees of special landscape and visual amenity importance on site.

10 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.

11 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 dwelling is occupied.

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

12 No works shall start on site until details of the proposed widening of

the existing pedestrian access and the reinstatement of the wall has been agreed in writing with the Local Planning Authority. Prior to the occupation of the dwelling the wall shall be reinstated as agreed and shall be retained.

Reason: To ensure the wall is rebuilt to match existing to protect the appearance of the conservation area.

13 No windows, dormers or rooflights other than those expressly authorised by this permission shall, at any time, be constructed in the west and north elevations of the dwelling hereby permitted.

Reason: To protect the amenities of the locality and to maintain a good quality environment.

14 The first floor dormer window in the west elevation of the dwelling hereby permitted shall be glazed with obscure glass which achieves an obscuration level at least equivalent to Pilkington Obscure Glass Privacy Level 4, unless otherwise agreed in writing by the local planning authority, and the glazing shall thereafter be retained in this condition at all times.

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

Informatives

01. All works, including demolition and construction, should only be carried out between the hours of 0800 and 1800 hours Monday to Friday and 0800 and 1300 hours Saturday and at no time on Sunday or Bank Holidays. Where allegations of noise from such works are substantiated by the Health and Housing Service, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

02. No materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Health and Housing Department, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.

03. The applicant is advised that Listed Building consent will be required for the proposed temporary opening in the wall, along with a strategy for its reinstatement.

The meeting commenced at 11.00am and concluded at 11.30am

Chairman