

PLANNING DEVELOPMENT CONTROL (VIEWING) SUB-COMMITTEE

21 January 2004

Attendance:

Councillors:

Busher (Chairman) (P)

Baxter (P)
dePeyer (P)

Mitchell (P)
Sutton (P)

Others in attendance:

Councillors Cook and Steel

Officers in attendance:

Mr D Dimon (Principal Planning Officer)
Mr N Culhane (Engineer)
Mr M Edwards (Arboriculturist)
Mrs S Proudlock (Planning Team Manager)
Mrs A Wilkinson (Planning Officer)

1. **ERECTION OF A THREE BEDROOM DWELLING WITH A DETACHED SINGLE GARAGE – 2 HAIG ROAD, ALRESFORD, HAMPSHIRE (CASE NO. 03/02519/FUL)**

The Chairman welcomed to the meeting a Ward Member, Councillor Cook, together with representatives of New Alresford Parish Council, The Alresford Society, Mr C Butt, the applicant, and approximately 15 local residents.

Haig Road was a cul-de-sac of mixed housing within the Alresford conservation area. It ran westwards from Sun Lane just north of the railway line. The application site was the western half of a pair of Victorian semi-detached houses that had long gardens that adjoined the back gardens of Edward Terrace, a terrace of 15 Victorian cottages fronting Sun Lane. The curtilage of the application property also included most of the rear garden of No. 1 Haig Road, and extended to the top of the railway cutting on the southern side, where there was a footpath that ran from Sun Lane through to the churchyard, and then on to West Street. A narrow footpath also ran between the rear boundary of Edward Terrace and the application site.

There was a wide side garden to the western side of 2 Haig Road that presently contained a single timber garage linked to the house and other outbuildings extending into the long rear garden, which faced southwards towards the adjacent railway line. A large Tulip tree was an important feature of the large rear garden.

To the western side of the application site was a detached bungalow, 'Marletts'.

Mr Dimon explained that the present proposal was for a four bed detached house of traditional red brick elevations and a plain clay tiled roof on the rear garden, with

access from Haig Road alongside number 2 and adjacent to the boundary with the adjoining bungalow "Martletts". The proposal included the provision of a single detached garage and garden store to serve the new property and provision for vehicular parking to serve the existing dwelling, 2 Haig Road, which would be retained at the front of that property.

The dwelling was designed to have the first floor provided largely within the roofspace and lit by dormer windows so as to keep the eaves line and overall height low. It had also been sited carefully in regard to the large Tulip tree within the garden, which was of local amenity value and a feature that it was important to retain. Some pruning works would be necessary to the tree, but the details of this and the protective fencing to safeguard the tree during construction works had been agreed by the Arboricultural Officer.

Mr Dimon continued that the property had a lower projected wing to the front with a side facing dormer window to a box room over, but this window was in excess of 30 metres from the rear windows of properties in Edward Terrace and was not considered to constitute an overlooking problem. Furthermore, the Tulip tree would largely interrupt visibility between the window and Edward Terrace properties. There were no other first floor windows on the side facing Edward Terrace and ground floor windows would not pose any loss of privacy due to boundary screening. On the east side, there was only a small bathroom window in the side elevation at first floor level, which could be required by condition to be glazed with obscure glazing.

Mr Dimon added that there had been a number of representations regarding the application. Alresford Town Council had commented that the application in part relieved the undesirable features of a previous application, but problems of overlooking neighbours' land remained. An application for a semi bungalow would be more acceptable. Any permission should contain conditions relating to the protection of the Tulip tree on the plot.

In addition, there had been 21 other individual letters of representation. These had raised concerns that the proposed dwelling was too large for the situation and would amount to over-development; that it would be out of keeping with the locality and detrimental to the character of the conservation area. The bulk of the dwelling would be visually intrusive and detrimental to amenity and would overlook and erode the privacy of adjoining properties. In addition, the dwelling would have an overbearing impact on the adjoining bungalow "Martletts" reducing sunlight to the garden and its access would pass the entire length of the bungalow at very close proximity. The development would increase traffic and add to existing congestion and dangers in the area, especially at the Haig Road/Sun Lane junction, and would add to existing parking problems in the area, especially during the construction period. The proposal would also be detrimental to the retention of the existing Tulip tree, which was an important amenity feature of the area. There would be adverse impact on the properties in Edward Terrace cutting out light and intruding on their outlook. There would also be increased noise not only during the construction period. The proposal would create an undesirable precedent for similar backland development of the long gardens to houses on the south side of Haig Road.

In summary, Mr Dimon concluded that the site was large enough to satisfactorily accommodate the proposed dwelling without causing any demonstrable harm to the amenities of the locality or the character of the conservation area. The access and parking arrangements were acceptable to the Engineer and the Arboricultural Officer had no objections subject to protective fencing around the Tulip tree during the

construction period. Therefore, the Officer's recommendation was to grant permission.

In response to Members' questions, facing elevations were shown to the Sub-Committee and it was explained that the height of the highest ridge point of the development would be 8 metres, and that the footprint was 119m². The density of development represented 12.5 dwellings per hectare. Mr Dimon also clarified for Members the relative heights of the proposals compared with the properties in Edward Terrace and the adjoining bungalow, Martletts. In addition, the opportunities for overlooking from the east and west elevations were explained, together with the function of the various rooms within the new property in relation to their orientation.

The applicant, Mr C Butt, stated that negotiations had been taking place with the Planning Department for approximately 12 months, and issues of overlooking and other comments had been addressed in consultation with the Planning Department to achieve the scheme before the Sub-Committee today.

At the request of the applicant, the Sub-Committee and Parish Representatives only viewed the application site. Mr Dimon indicated to the Sub-Committee the approximate position of the proposed dwelling which had been pegged out on site, and the applicant demonstrated the height to the eaves by means of a pole cut to 3.65 metres in height. The position of the Tulip tree was observed, and the position of the entrance from Haig Road was also indicated. The Sub-Committee noted that the proposed dwelling would be in an "L" shape to avoid the Tulip tree. The relationship of the proposed dwelling with Edward Terrace and the neighbouring bungalow was also observed. The Sub-Committee also visited the rear garden of the neighbouring bungalow, Martletts, and also viewed the site from the side passage that accessed the rear of Edward Terrace.

In reply to questions raised, Mr Dimon clarified that accommodation at first floor level in the proposed dwelling would be within the roofspace which would result in a lowered eaves line.

At the invitation of the Chairman, Councillor Cook, a Ward Member stated that there were concerns from neighbours as to overlooking and the extra traffic generation and pressure on parking in Haig Road. There was also concern that the Tulip tree should be protected.

In reply, Mr Edwards, the Council's Arboricultural Officer, stated that a condition was included so that the tree would be protected to British Standards. A protective hoarding would be placed around the tree during the construction period so that it came to no harm and it would be regularly checked during the period of construction. However, there would be some crown lifting to the tree but this would not threaten its long-term existence.

Mr Culhane, the Council's Traffic Engineer, stated that the car parking provided was within County standards and would not add to car parking problems on Haig Road that already existed. Under Planning Policy Guidance Note 3 (PPG3), it was possible to construct 4 units on the application site. However, this would have generated a highway objection as the resultant additional traffic was not ideal in a suburban road. There was also concerns at the junction to Sun Lane and, although a highway contribution for improvements to this junction could have been included, Hampshire County Council had decided that these works could not be warranted for one extra unit. The proposals would generate 6 to 8 traffic movements per day, and all cars could be parked off Haig Road.

For Alresford Parish Council a representative commented that the site had been visited by the Parish Council and it had the view that, under PPG3, smaller units would be of benefit to the local community, but this had proved not to be possible due to the highways objection. The present application could be looked at as being over-development in that it was too big for the site and the height and bulk of the roof were substantial and intrusive. There was also concern at the precedent that could be caused and pressure to develop other rear gardens within the local area.

Mr Dimon responded that precedent was only relevant if there were identical circumstances to those relating to the application site. Other properties might be developed but each application would need to be judged on its own merits.

Mr Knowles, a neighbour, commented that objections were raised to the application on the basis of a reduction in the enjoyment of amenities to neighbours due to the very large nature of the proposed property, which would dominate its plot to the detriment of the neighbours in Edward Terrace. The design was too high and the footprint too large. There was also concern at the access and the dangers that parked cars would cause and questions over manoeuvring of vehicles in and out of the site. There was additional concern at the close proximity to the adjacent plots, but also to the railway at the rear. The proposals would impact on the conservation area, especially if other rear garden areas were developed. There was also concern at the impact on the Tulip tree.

Mr P Walterworth from 12 Edward Terrace spoke of the visual impact of the blank facing wall, which would be constructed opposite Edward Terrace, and the possibility for overlooking from first floor windows of the new property.

Another neighbour spoke of the possibility for subsidence caused by the Tulip tree and during the construction period, but it was established that this was unlikely, as the development would be on chalk.

In assessing the application, although certain Members had reservations in terms of the size of the proposed dwelling and the impact on traffic on Haig Road, it was agreed on balance that there was a mixture of development within the local area and that the recommendation of the Officers for the granting of planning permission should be supported.

RECOMMENDED:

That provided the applicant is prepared to make appropriate provision for public open space through the open space funding system then planning permission be GRANTED subject to the following conditions:

1. 1FUL
1FULR
2. M010 development
M010R
4. Before the development hereby permitted is commenced details of the areas to be used for the storage of construction materials, plant and equipment, contractors huts and vehicles, spoil storage and any other temporary use or works and the arrangements and timing for reinstatement

of such areas shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is undertaken in a satisfactory manner and that such provision is sited so as to avoid any harm to retained trees and to minimise visual harm on the character of the area.

5. H020
H020R
6. H170
H170R
7. The existing Tulip tree shown as being retained on the plan hereby approved (drawing No HR2/001LS received 15 Jan 2004) shall not be lopped, topped, felled or uprooted without the prior written approval of the Local Planning Authority. The tree shall be protected during building operations by the erection of a 2 metre high hoarding at least 7 metres from the trunk as shown on the drawing and this shall be retained in good condition until such time as all building works are complete and all machinery equipment and materials are removed from the site. Suitable measures to avoid compaction in the adjacent working area shall also be employed before building work commences and be retained during the construction period.
L130R
8. No development shall take place until full 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 proposed finished levels, boundary treatment, hard surfacing materials, a specification of tree and shrub planting, including species, density, planting size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the buildings 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 originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives written consent to any variation.
Reason To ensure the development contributes to maintaining the character of the area and In the interests of improving the visual amenity of the locality.
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 modification) no development permitted by Classes A, B, C, D, E 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.
10. 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 or dormer

windows; other than those expressly authorised by this permission shall, at any time, be constructed in any elevation of buildings hereby permitted.

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

11. B070 first, west
B070R

INFORMATIVES

1. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Hampshire County Structure Plan Review	UB3, E16, T2, T4, R2
Winchester District Local Plan Proposals:	H.1, EN.5, HG.7, T.9, RT.3,
Emerging Development Plan:-	
WDLP Review Deposit and Revised Deposit:	DP.1, DP3, H.2, HE.4, HE.5, HE.6, T.4, RT.3

2. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or Bank Holidays. Where allegations of noise from such works are substantiated by the Environmental Health and Housing Department, a notice limiting the hours of operation under the Control of Pollution Act 1974 may be served.

3. 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.

4. Any proposed soakaway must be so placed as to have no deleterious effect on neighbouring properties.

2. **DEMOLITION OF EXISTING INDUSTRIAL BUILDING AND REPLACEMENT WITH 1 NO. DETACHED TWO BEDROOM DWELLING WITH ALTERATIONS TO EXISTING ACCESS – INDUSTRIAL BUILDINGS, LAMBOURNE CLOSE, SPARSHOLT (CASE NO. 03/02453/FUL)**

The Sub-Committee met at the application site. The Chairman welcomed to the meeting Councillor Steel as Ward Member, the applicant, Mr Conroy, and his associate, together with representatives of Sparsholt Parish Council and a neighbour from The Bungalow, Lambourne Close.

The application site was located within a residential area. To the west was a 1930s bungalow and a two storey dwelling to the east. On the opposite side of the Close there was a row of semi-detached dwellings set back from the road with fairly deep front gardens.

Mrs Wilkinson explained that the area of the application site was 0.02 hectares, which was currently occupied by a defunct single storey building which it was clarified had

previously been used for storage purposes only. The building was constructed from corrugated metal with a brick base, with a metal and asbestos roof. To the maximum height of the highest ridge was 3.35 metres. The site was bordered by a 1.65 metre high breeze-block wall on the northern and western boundary, and along the eastern boundary was a 2 metre high hedge. The front boundary was open with a hardstanding to the front of the building.

The site was last used in a storage use. Under the employment policies the loss of such a use would normally not be permitted unless the retention of the use would cause overriding environmental or highway objection. Given the site's location within a residential area and down a narrow unadopted cul-de-sac it is considered that there may, in this particular case, be an overriding environmental and highway reasons to considering an alternative use.

In the first instance however an alternative more appropriate employment use should be considered rather than a residential use, which should only be considered if there was no suitable alternative employment use. The proposal as submitted was therefore contrary to the employment policies of the Local Plan.

Mrs Wilkinson continued that the proposal was for a part single storey and part two storey, two bedroom dwelling following the removal of the existing storage building. The site was square in shape and it was proposed to erect an L-shaped building set into the site against the rear boundary, with a pathway around the building. A parking/hardstanding area and garden was proposed to the front.

The proposed dwelling would have a floor area of 140m² and a maximum height of 7.3 metres to the highest ridge of the two storey element and 5.9 metres to the ridge of the single storey element. The accommodation would comprise of a kitchen and breakfast room, dining room and lounge on the ground floor and two bedrooms and a bathroom on the first floor.

After taking into consideration guidance in Planning Policy Guidance Note 3 (PPG3) due to the general low density of development in the area and the small plot, the view had been taken that a single dwelling was appropriate if planning permission was granted.

Mrs Wilkinson stated that it was the Officer's assessment that the dwelling was considered to be overly large for the very small plot and the proposal would result in over-development of the site with a lack of private amenity space around the property. In addition, as a result of the very small size of the plot, the development would appear out of keeping with the character and low densities of the surrounding area.

With regard to the impact on the adjoining dwellings, the site will be well screened from the dwelling to the east, Burntwood, which was set further back. The proposed dwelling would not have any first floor windows in the north elevation. The only windows proposed in the east elevation would serve the first floor bathroom and the stairwell and could be conditioned to glaze with obscure glass. In addition, the boundary adjacent to the east elevation was very well screened with evergreen trees.

To the west of the site was situated The Bungalow, whose garden and garage wrapped around the rear of the application site. The proposed dwelling would have first floor bedroom windows facing onto the front garden and western side of The Bungalow, which had a sun lounge/conservatory on its front elevation. The proposal would, therefore, result in additional overlooking of this adjoining property.

In terms of consultations, there was no objection to the demolition of the building in conservation terms. In fact, the demolition of the single storey storage building had been approved by Committee at its meeting on 8 January 2004. Highways had no objection to the proposal.

Mr Conroy, the applicant, stated that the storage units were not wanted any more. The previous use had been for the storage of drums of chemicals for use in the provision of safety playground surfacing but this use had ceased some time ago. The site had limited commercial use and had previously suffered from lorries accessing the site having to reverse to the site to gain access, due to the limited area for turning within the site, and on Lambourne Close. There was also no provision of electricity within the storage units and generators had to be used for lighting. The noise of both these activities, that is lorries reversing, and the generator, caused noise disturbance to neighbours. He added that he had consulted widely with the local community and there was significant local support for the proposal. He also made reference to Church Cottage, which was only a small site, and the fact that The Bungalow, adjacent to the application site, was also overlooked from his own property, Mount View, which was also located at the junction between Church Lane and Lambourne Close. The boundary treatment adjoining The Bungalow, would be to the specification of the owner of The Bungalow, and a landscape condition was included to ensure the visual enhancement of the site.

At the invitation of the Chairman, the Ward Member, Councillor Steel, clarified that the site had previously been used for storage and was not industrial. He asked the Sub-Committee to consider who would use the site for employment or a retail use, due to its location and limited size, together with the compromised access. There were 60 to 70 letters of support from the neighbourhood for the proposals, and there were other examples of small dwellings within the village.

For Sparsholt Parish Council, their representative stated that the provision of a small house would be welcomed rather than the usual demand for large houses within the village.

Mrs Adams, the neighbour from The Bungalow, stated that she had no objection to the application as the removal of the storage sheds would be an enhancement and the provision of a small house would be satisfactory.

In assessing the application, although a number of Members expressed reservations that the proposal was too large for a small site and represented over-development, and one Member was still concerned about the loss of an employment site and the impact on the adjoining bungalow, on balance it was agreed that the provision of a two bedroom dwelling was appropriate to the site and, therefore, the recommendation should be for the granting of planning permission.

RECOMMENDED:

That provided the applicant is prepared to make appropriate provision for public open space through the open space funding system then planning permission be GRANTED subject to the following conditions:

1. 1FUL
1FULR
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

development hereby permitted, including colour of mortar and window materials, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

M010R

3. H020
H020R

4. The parking area shall be provided in accordance with the approved plans before the dwelling is first occupied and thereafter permanently retained and used only for the purpose of accommodating private motor vehicles incidental to the use of the dwelling house as a residence.

H170R

5. No development shall take place until full 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 proposed finished levels, boundary treatment, hard surfacing materials, a specification of tree and shrub planting, including species, density, planting size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the buildings 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 originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives written consent to any variation.

Reason To ensure the development contributes to maintaining the character of the area and in the interests of improving the visual amenity of the locality.

6. 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, B, C, D, E 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.

7. 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 or dormer windows; other than those expressly authorised by this permission shall, at any time, be constructed in any elevation of buildings hereby permitted.

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

8. All windows in the east elevation of the proposed dwelling hereby permitted shall be glazed in obscure glass and thereafter be retained.

B070R

9. E080
E080R
10. B540 (0800hrs), (1800hrs), (0800hrs) , (1300hrs)
B540R
11. No development shall take place until the existing structure shown to be demolished on the approved plan have been demolished and all resultant materials permanently removed from the site.
Reason: To safeguard the amenity of the locality

INFORMATIVES

1. The development is not in accordance with the employment policies and proposals of the development plan set out below but there are other material consideration (overriding environmental and highway reasons) which indicate that the determination should be made other than in accordance with the employment policies of the development Plan as set out in Section 54A of the Town and Country Planning Act 1990 (as amended):

Hampshire County Structure Plan Review	EC1, UB3, H3, H7, E7
Winchester District Local Plan Proposals:	H.1, EN1, EN.5, E2, EN.9, HG.6, HG.7, HG.9, T.9, R.T3
Emerging Development Plan:-	
WDLP Review Deposit and Revised Deposit:	E.2, H.1, H.2, DP.1, DP.3, DP.6, H.2, HE.4, HE.5, HE.6, HE7, T.4, RT.3
2. The applicant is advised that there may be asbestos within the fabric of the building. The removal of such material may be subject to Licensing Regulations and Codes of Practice. For further information contact the health and Safety Executive, Priestly House, Priestley Road, Basingstoke, Hampshire RG24 9NW. Tel: (01256) 404000.
3. This decision notice should be read in conjunction with a Planning Obligation completed under the terms of Section 106 of the Town and Country Planning Act 1990 (as amended). You are advised to satisfy yourself that you have all the relevant documentation.

The meeting commenced at 9.30am and concluded at 11.45am.

Chairman