

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA
28 June 2004

WINCHESTER CITY COUNCIL

PDC 429

**PLANNING DEVELOPMENT CONTROL
COMMITTEE**

Development Control Applications

28.06.2004

THE AVAILABILITY OF BACKGROUND PAPERS

In deciding what recommendation to make on each of the following applications, the Director of Development Services has had regard to all documents contained in the application file. The following list specifies the categories of documents which may be found on such a file although in any particular case there may be no documents in that category.

1. Application form, required certificates, plans and drawings.
2. Correspondence between the Planning Department and the Applicant or the Applicant's agents.
3. Correspondence, including correspondence between the Planning Department and other Departments of the Council or other Authorities.
4. Notes of site visits, meetings and discussions.
5. Representations received from any party.
6. Amended plans and drawings.

Background papers may be inspected prior to the meeting to which this report is made and for 4 years thereafter beginning with the date of the meeting.

THE STATUS OF OFFICER RECOMMENDATIONS

Members of the public are reminded that, as will all reports submitted to Councillors for decision:

- The recommendations contained in a report are those made by the officers at the time the report was prepared. Circumstances may cause a different recommendation to be made at the meeting.
- The officers' recommendations may not be accepted by the Committee.
- A final decision is only made once Councillors have formally considered and determined each application.

THE REASONS FOR COMMITTEE CONSIDERATION

Applications are referred to Committee for any of the following reasons.

- At the request of a councillor
- Parish Council submitted representations contrary to officer recommendation
- The Officers consider the application to be controversial or potentially controversial
- The application is for a major development
- 4 or more representations contrary to the Officer's recommendations have been received
- The application has been submitted by/or on behalf of a Member/Officer of the Council which they have notified to the Director of Development Services

THE CONDITIONS ATTACHED TO RECOMMENDATIONS

Many of these conditions are shown in code, This saves on costs. Details of the conditions are circulated to all Parish Councils and are held in the Planning Department

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Item No: 01	Location: Case No: Ref No:	The Coach House Christchurch Road Winchester Hampshire SO23 9QY 04/01194/FUL W02453/07	Recommendation Application Permitted
Item No: 02	Location: Case No: Ref No:	Knowle Village Knowle Avenue Knowle Fareham Hampshire 04/00468/REM W14097/35	Recommendation Application Permitted
Item No: 03	Location: Case No: Ref No:	Rose Cottage Turkey Island Shedfield Southampton Hampshire SO32 2JE 04/00968/FUL W16110/02	Recommendation Application Permitted
Item No: 04	Location: Case No: Ref No:	Peach Cottage Durley Street Durley Southampton Hampshire SO32 2AA 04/01047/FUL W15515/02	Recommendation Application Permitted
Item No: 05	Location: Case No: Ref No:	Pierscroft Mayhill Lane Swanmore Southampton Hampshire SO32 2QW 04/01034/FUL W08531/03	Recommendation Application Permitted
Item No: 06	Location: Case No: Ref No:	Townsend Northend Lane Droxford Southampton Hampshire SO32 3QN 04/00263/OUT W18753	Recommendation Application Permitted
Item No: 07	Location: Case No: Ref No:	FarthingsChapel Lane Curdridge Southampton Hampshire SO32 2BB 04/00350/REM W01664/09	Recommendation Application Permitted
Item No: 08	Location: Case No: Ref No:	Land Opposite Lodge Hill Nursery Hundred Acres Road Wickham Hampshire 04/00866/FUL W03046/04	Recommendation Application Permitted
Item No: 09	Location: Case No: Ref No:	Rozel Forge Stapleford Lane Durley Hampshire SO32 2BU 04/00231/FUL W04105/05	Recommendation Application Permitted
Item No: 10	Location: Case No: Ref No:	Pondside Upham Street Upham Southampton Hampshire SO32 1JD 04/00189/FUL W09323/02	Recommendation Application Permitted
Item No: 11	Location: Case No: Ref No:	Kingfisher Nurseries Selworth Lane Soberton Southampton Hampshire SO32 3PX 04/00580/FUL W03815/12	Recommendation Application Refused

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Item No: 12	Location: Case No: Ref No:	The Hurdles Brockbridge Droxford Southampton Hampshire SO32 3QT 04/00865/AVC W03914/19A	Recommendation Application Permitted
Item No: 13	Location: Case No: Ref No:	The Restaurant On The Square The Square Bishops Waltham Southampton Hampshire SO32 1AR 04/00964/FUL W12119/05	Recommendation Application Permitted
Item No: 14	Location: Case No: Ref No:	Land Between5 - 7 Buddens Road Meon Park Wickham Hampshire 04/00773/FUL W18219/01	Recommendation Application Permitted
Item No: 15	Location: Case No: Ref No:	Osborne School Andover Road Winchester Hampshire SO23 7BU 04/00847/FUL W01525/11	Recommendation Application Permitted
Item No: 16	Location: Case No: Ref No:	163 Olivers Battery Road South Olivers Battery Winchester Hampshire SO22 4LF 04/01087/FUL W03510/06	Recommendation Application Permitted

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Item No: 01
Address: The Coach House Christchurch Road Winchester Hampshire SO23 9QY

Parish/Ward Winchester Town

Proposal Description: First floor side extension

Applicant Mr And Mrs Swain

Case No: 04/01194/FUL

W No: W02453/07

Case Officer: Mr Andrew Amery

Date Valid: 6 May 2004

Delegated or Committee: Committee Decision

Reason for Committee: The application has been submitted by an Officer of the Council which they have notified to the Director of Development Services

Site Factors: Winchester Conservation Area

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Site Description

- Detached two storey dwelling to rear of 120 Christchurch Road
- Shared driveway with 122 Christchurch Road but has separate curtilage and parking area.
- Railway line adjoins western boundary

Relevant Planning History

- A single storey side extension was constructed in 2002

Proposal

- First floor side extension immediately above ground floor extension to provide additional bedroom.
- Windows to front and side elevations.
- Inward opening 'french' windows to side elevation.

Consultations

Conservation:

- No objections

Representations:

City of Winchester Trust:

- This is a poor application. However because of its schedule position, it would seem that the proposed extension is unlikely to be detrimental to the neighbourhood.

No letters of representations have been received from neighbours

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB3, E16

Winchester District Local Plan

- EN5, HG5, HG7

Winchester District Local Plan Review Deposit and Revised Deposit:

- DP3, HE5

Supplementary Planning Guidance:

- Winchester City and its Setting

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG 15 Planning and the Historic Environment

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Detailed design
- Impact on character of Conservation Area

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Principle of development

The development plan policies allow for extensions to existing dwellings in the built up area where they satisfy criteria of design, scale, massing and amenity etc._

Detailed design

The design of the extension is considered to be in character with and sympathetic to the scale and massing of the existing building.

Impact on character of Conservation Area

The building is discretely located and is not visible from public views in the Conservation Area.

Recommendation

APPROVE– subject to the following condition(s):

Conditions/Reasons

01 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

01 Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990.

02 The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

02 Reason: To ensure a satisfactory visual relationship between the new development and the existing.

Informatives

01. 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 54A of the Town and Country Planning Act 1990 (as amended), planning permission should therefore be granted.

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

Hampshire County Structure Plan Review: UB3, E16

Winchester District Local Plan Proposals: EN5, HG5, HG7

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP3, HE5

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Item No: 02
Address: Knowle Village Knowle Avenue Knowle Fareham Hampshire
Parish/Ward Wickham
Proposal Description: Phase 5, erection of 33 dwellings in three 2/3 storey blocks comprising of 3 no. four bedroom, 15 no. three bedroom and 15 no. two bedroom dwellings, associated roads, parking areas and landscaping (Details in compliance with Outline Planning Permission W14097/33)
Applicant Berkeley Homes Hampshire Ltd
Case No: 04/00468/REM
W No: W14097/35
Case Officer: Mr Andrew Amery
Date Valid: 20 February 2004
Reason for Committee: Parish Council submitted representations contrary to officer recommendation
Reason for Committee: The application is for a major development

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Site Description

- The site is 0.58 hectares
- Located within Knowle Village settlement boundary
- Has the benefit of outline planning consent
- The site is adjacent to listed buildings to the east and southern boundary
- Slight difference in levels with the site sloping down to the western boundary
- Mature tree cover to the western part of the site

Relevant Planning History

- Outline planning consent for the village was granted in August 1997
- The consent was renewed most recently on 21 October 2003 (W14097/33)

Proposal

- The proposal represents Phase 5 of the overall village development
- It is a 'reserved matters' application pursuant to the outline consent identified above.
- It comprises 33 dwellings and associated roads, parking and landscaping
- The proposal includes an area of open space with a local area of play
- A pedestrian route is available through the site which is within an area to be transferred to the on-site Management Company
- The scheme has been amended since it's original submission
- It includes amendments to the roof design to provide full hips and revised dormer window details to provide flat roofs rather than gables and the removal of velux windows to the rear elevation of plots 2 – 6
- Additional elevations have been provided which demonstrate the relationship of the listed building (Block A)
- In addition the boundary treatment to plots 11 – 18 has been amended to provide additional planting and enhance the vista between the new buildings to the listed building (Block A)
- The landscaping scheme has been worked up following advice from the landscape officers

Consultations

Conservation:

- No objection – commented on the initial application, which resulted in some of the amendments listed above

Engineers:Highways:

- Comments that HCC have agreed to the principle of the overall layout and the proposed layout appears to amend the previously approved master plan – therefore recommends that HCC Highways be consulted.
- However, no objection in principle to layout and comments as follows:-
- Visibility splays of 33m (20mph) are required to be offered for adoption and must be physically delineated on site and coloured on the Approved Section 38 Layout Plan

Landscape:

- The landscape details are acceptable in principle, however the applicant is continuing to work closely with the landscape architect to achieve a good quality final scheme

Hampshire County Council: Engineers

- The road master plan did not propose an access as shown in this application, however notwithstanding this has no objection to the access as proposed providing the junction of the access road and the main loop road provide visibility splays of 2.4m by 33m

Architects Panel

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- Overall design is satisfactory and needs to be followed up with the use of good quality materials.

Representations:

Wickham Parish Council - Object

- No further phases of development should be approved until the community facilities are completed (chapel and store).
- No provision of affordable housing within this phase; request some included
- Insufficient parking for such an isolated development

Letters of representations have been received from 1 local resident.

- Concerned about the pumping station and whether the plant will have sufficient capacity - which was considered under phase 9

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB3, T2, H1, H2, H5, H7, H8, R2, E16

Winchester District Local Plan

- NC22, H5, H7, EN5, EN8, EN9, RT3, T9

Winchester District Local Plan Review Deposit and Revised Deposit:

- NC1, H5, H7, DP3, DP6, DP7, DP12, RT3, RT9, T2, T3, T4

Supplementary Planning Guidance:

- Hampshire County Structure Plan (Revision): Implementing Policy H4
- Achieving a Better Mix in New Housing Developments
- Knowle Village Development Brief
- Knowle Village: A Master Plan for Development
- Knowle Village: An Urban Design Framework
- Guide to the Open Space Funding System
- Assessment of Playing Field Provision in the Winchester Built-Up Area
- Movement, Access, Streets and Spaces
- Parking Standards 2002

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG 3 Housing
- PPG 13 Transport
- PPG 15 Planning and the Historic Environment
- PPG 17 Sport and Recreation

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area
- Detailed design
- Highways
- Comments on representations

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Principle of development

- The site is part of the Knowle village and has the benefit of outline planning consent.

Impact on Character of the area

- Phase 5 is situated to the north west part of the site adjacent to retained listed buildings
- The site comprises 3 blocks of development which relate and are seen against the back drop of the retained listed buildings
- To the northern part of the site the development fronts the main road leading through Knowle, and within the site forms a courtyard
- Phase 5 is well contained within the Knowle development, with the form and height of buildings compatible with earlier phases of development.
- It is considered that the amended proposal complements the character of the area

Detailed design

- The detailed design is considered to be appropriate for and in keeping with the village and relates well to retained listed buildings

Highways

- Whilst the road layout differs from the overall layout approved in the master plan the highway engineer has no objection to the layout
- Officers initially raised concerns regarding the parking provision within the site and parking allocation for earlier phases of development
- An additional plan has been received clarifying the parking provision within phase 5 and earlier phases to demonstrate that there has been no double counting of spaces

Comments on Representations

1. The comments raised by the Parish Council with regard to the provision of community facilities is a separate matter and can not be used to hold up a decision on this application
2. There is no provision for affordable housing within this site.
3. Officers share concerns over the provision of affordable housing throughout the site, and have raised this with Berkley Homes.
4. The provision of affordable housing is a requirement of the master plan and the proportion will be calculated to ensure adequate provision is provided across the site.
5. Affordable Housing will be addressed through the next phases of development at Knowle.
6. The Parish Council also raise concerns over the number of parking spaces, however the parking provision meets the standard of 1.5 spaces per unit

Recommendation

APPROVE the matters reserved by Condition 05 (part)

Conditions/Reasons

- 1 Approve the matters reserved by Condition 05 (part) namely:
 - (i) Existing tree survey and schedule of works.
 - (ii) Proposed hard and soft landscaping scheme and finished levels.
 - the siting of all buildings and the means of access thereto from an existing or proposed highway, including the layout, construction and sightlines.
 - the design of all buildings
 - the provision to be made for the parking, turning, loading and unloading of vehicles
 - the alignment, height of all walls and fences and other means of enclosure
 - the provision to be made for the storage and disposal of refuse

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Informatives

01. 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 54A of the Town and Country Planning Act 1990 (as amended), planning permission should therefore be granted.

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

Hampshire County Structure Plan Review: UB3, T2, H1, H2, H5, H7, H8, R2, E16
Winchester District Local Plan Proposals: NC22, H5, H7, EN5, EN8, EN9, RT3, T9,
Emerging Development Plan- WDLP Review Deposit and Revised Deposit: NC1, H5, H7,
DP3, DP6, DP7, DP12, RT3, RT9, T2, T3, T4

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Item No: 03
Address: Rose Cottage Turkey Island Shedfield Southampton Hampshire SO32 2JE

Parish/Ward Shedfield

Proposal Description: First floor extension with dormer window to front

Applicant Mr M Baldacchino

Case No: 04/00968/FUL

W No: W16110/02

Case Officer: Mr Simon Avery

Date Valid: 16 April 2004

Delegated or Committee: Committee Decision

Reason for Committee: Parish Council submitted representations contrary to officer recommendation

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Site Description

- This property is situated within Shedfield Common.
- It is accessed via a track which runs off Pricketts Hill to the east.
- It is in a cluster of six dwellings.
- There are three detached dwellings to the south and two semi-detached properties, Hillcrest and Hill View, in close proximity to the east.
- The land slopes down steadily from east to west.
- The site is well screened by planting on its western and northern boundaries.
- The cottage sits along the eastern edge of the site enclosing the adjoining curtilages of Hillcrest and Hill View.
- There is a mature tree immediately to the south of the cottage which screens this elevation from the garden of the detached property to the south.
- The cottage is a cream rendered bungalow which has had rooms added in the roof with dormer windows facing west.
- It has a single storey element on the southern elevation.

Relevant Planning History

- W16610: Replacement dwelling (Outline) – Permitted 28/09/1999
- W16610/01: Two storey and single storey side extensions – Permitted 09/10/2001

Proposal

- First floor extension with dormer window to front

Consultations

- None

Representations:

Shedfield Parish Council

- Object: refer to conditions imposed on W16110 regarding size of floor area and parking spaces

Letters of representations have been received from one Neighbour

- There will be a massing of built form near the boundary, where the neighbours property is only single storey.
- There will be a loss of light
- There will be a loss of outlook

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- C1, C2

Winchester District Local Plan

- C1, C2, C19, EN5

Winchester District Local Plan Review Deposit and Revised Deposit:

- DP3, C1, C22

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Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Residential amenities
- Comments on representations

Principle of development

- This extension will raise the level of the single storey section on the southern end to match the height of the main roof.
- The single storey section is 4.5 metres long and the ridge will be raised by 1.8 metres.
- A dormer window will be added on the new roof, facing west.
- This will allow increased room-space in the roof.
- This is a minor addition to the property and is acceptable in terms of scale and design.
- It will have no impact on public views
- Therefore the only issue to be considered is the impact of the development on the adjoining properties.

Residential amenities

- The proposal will have little impact on the detached property to the south (Vine Cottage) as the southern elevation is screened by a tree.
- Rose Cottage encloses the gardens of Hillcrest and Hill View to the east.
- These 3 buildings are grouped closely together with little amenity space between them.
- This means that the side wall and slate roof of Rose Cottage dominate the outlook from the gardens of Hillcrest and Hill View.
- Having looked from the neighbours garden, it is considered that the proposal will have little impact on the existing outlook as only a small additional section of tiled roof will be seen.
- This increase in height will not be sufficient to cause significant loss of light.
- Therefore it is not possible to substantiate a reason for refusal on grounds of residential amenity

Comments on representations

- The outline application for this property had a condition restricting the floor area of the replacement dwelling, but this property has already been extended so the condition no longer applies.
- The proposal has no impact on the provision of car parking spaces.
- The extension is relatively small and will not cause a significant loss of light, loss of outlook or increase in massing on the boundary.

Recommendation

APPROVE - subject to the following conditions:

Conditions/Reasons

01 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

01 Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990.

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02 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

02 Reason: To ensure a satisfactory visual relationship between the new development and the existing.

03 The first floor window in the southern elevation of the extension hereby permitted shall be glazed in obscure glass and thereafter retained in this condition.

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

04 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/dormer windows shall, at any time, be constructed in the eastern elevation of the development hereby permitted.

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

Informatives

01. 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 54A of the Town and Country Planning Act 1990 (as amended), planning permission should therefore be granted.

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

Hampshire County Structure Plan Review: C1, C2

Winchester District Local Plan Proposals: C1, C2, C19, EN5

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP3, C1, C22

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Item No: 04
Address: Peach Cottage Durley Street Durley Southampton Hampshire SO32
2AA

Parish/Ward Durley

Proposal Description: (AMENDED DESCRIPTION) Two storey rear extension and
conservatory to rear

Applicant Mr And Mrs K A Kurn

Case No: 04/01047/FUL

W No: W15515/02

Case Officer: Lisa Booth

Date Valid: 21 April 2004

Delegated or Committee: Committee Decision

Reason for Committee: Parish Council submitted representations contrary to officer
recommendation

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Site Description

- Detached house built of red brick and red tiles.
- Orientated side-on to the road.
- Parking to front and garden to rear.
- Horse paddock to south-east and pub and car park to north-east of site.
- 2.5m + hedge along boundary with road and neighbouring property to the south-west (Rosedene)

Relevant Planning History

- W15515 - Two storey side extension, extension to rear of garage, enlargement of front porch – Permitted 01/07/98
- W15515/01 - First floor side extension and two storey front extension – Refused 26/07/00

Proposal

- (AMENDED DESCRIPTION) Two storey rear extension and conservatory to rear

Consultations

- None

Representations:

Durley Parish Council

- Object
- Over-development
- Overwhelm character and proportions of existing property, which has already been extended
- Out of character with homes in immediate area
- Over dominant in the street scene

No letters of representations have been received from neighbours

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB3

Winchester District Local Plan

- EN5

Winchester District Local Plan Review Deposit and Revised Deposit:

- DP3

Supplementary Planning Guidance:

- None

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles

Planning Considerations

The main considerations in respect of this application are:

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Principle of development

- The principle of extending existing properties in development frontages is in accordance with local plan policies.

Impact on the character of the area/spatial characteristics/street scene

- The proposed extension is to be located towards the south-eastern elevation, furthest away from Durley Street.
- It is considered that a minimal portion of the extension will be visible from the public realm and will not have a detrimental impact on the character of the area or the street scene itself.
- The conservatory will not be visible from the street, due to the high hedge along the road frontage.
- Views from the paddock towards the site will include the first floor element of the two storey extension. It is considered that this will not have a detrimental impact on the visual amenities from views further afield.

Detailed design

- The design of the proposed extension is to provide a gabled element, which projects 2.8m from the existing dwelling.
- The two storey extension is in keeping with the character of the existing dwelling.
- The conservatory is of acceptable design and in keeping with the character of the existing dwelling and area.

Residential amenities

- The proposal does not impact on any residential amenities due to the distances from surrounding properties.

Comments on representations

- This application seeks to reduce the overall massing of the two storey extension by half that was refused on a previous application.
- The extension is limited to just the rear of the property as opposed to the rear and side.
- This is considered to reduce the overall impact from the street scene, by keeping the length of the existing dwelling the same.
- The proposed two storey extension will be read against the existing dwelling, thus it is considered that the visual amenities from the street scene will now not be compromised.
- Properties within the vicinity of Peach Cottage are all of different characters. The proposed extension is in keeping with the character of the existing cottage and is considered acceptable.

Recommendation

APPROVE – subject to the following condition(s):

Conditions/Reasons

01 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

01 Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990.

02 The materials to be used in the construction of the external surfaces of the extension and conservatory hereby permitted shall match those used in the existing building.

02 Reason: To ensure a satisfactory visual relationship between the new development and the existing.

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Informatives

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

Hampshire County Structure Plan Review: UB3

Winchester District Local Plan Proposals: EN5

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP3

02. 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 54A of the Town and Country Planning Act 1990 (as amended), planning permission should therefore be granted.

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Item No: 05
Address: Pierscroft Mayhill Lane Swanmore Southampton Hampshire SO32
2QW

Parish/Ward Swanmore

Proposal Description: Front and side two storey extension

Applicant Mr And Mrs F Pearson

Case No: 04/01034/FUL

W No: W08531/03

Case Officer: Mr Neil Mackintosh

Date Valid: 21 April 2004

Delegated or Committee: Committee Decision

Reason for Committee: The application has been submitted on behalf of a Member of the
Council which they have notified to the Director of Development
Services

Site Factors: Countryside

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Site Description

- Forms part of a ribbon of development in an otherwise rural setting
- Many of the bungalows have been altered/extended to form first floor accommodation
- This property is red brick, under a clay tile roof, with rooms in the roof
- The next door property to the North is a largely unaltered 1930's bungalow
- The property to the South has been much altered over the years

Relevant Planning History

- W8531 – single storey rear extension and dormer window, refused 1985
- W8531/1 – two storey and single storey extensions permitted 1985
- W8531/2 – conservatory to rear, permitted 2002

Proposal

- As per Proposal Description

Consultations

Engineers:Highways:

- No objection, sufficient area exists to provide acceptable on-site parking and turning facilities.

Representations:

Swanmore Parish Council

No representations received

No letters of representation have been received from neighbours

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- C1, UB3

Winchester District Local Plan

- C1, C2, C19, EN5

Winchester District Local Plan Review Deposit and Revised Deposit:

- C1, C22, DP3

Supplementary Planning Guidance:

- Swanmore Village Design Statement
- Movement, Access, Streets and Spaces
- Parking Standards 2002

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG7 The Countryside
- PPG 13 Transport

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area/spatial characteristics/street scene
- Detailed design
- Residential amenities
- Highways

Principle

- The principle of extending dwellings in the countryside is acceptable, subject to C2, C19 and EN5 of WDLP (C22 and DP3 of WDLPR).
- This dwelling is more than 120 sq.m gross floor area and is not classed as 'affordable'
- The proposal is not considered to result in increased intrusion in the countryside

Impact on character of the area/street scene

- This ribbon of development in the countryside already has a semi-urban appearance, which has been exacerbated by the extension of properties over the years.
- The scale of the proposal will alter the street scene but this will not be significant enough to cause visual harm.
- The height of the dwelling will not be increased.

Detailed design

- The details of the design have been carefully considered and are in keeping with the area.

Residential amenities

- The amenities of adjoining dwellings have been considered, particularly with regard to overlooking and loss of light.
- Uplands is to the South and loss of light is not an issue.
- This property has been extended rearwards and the construction of a new dormer window will not result in additional overlooking.
- Whitefields is to the North and the construction of the front extension will cast additional shadow over this land.
- However, this will only fall on the garage and not affect the amenities of these neighbours.
- The proposed first floor bay window, to the front of the application property, will overlook the front gardens of properties either side, but these are not private areas and your officers do not consider this to be a problem.

Highways

- There are no highways implications, as sufficient on-site parking and turning facilities would be retained.

Recommendation

Approve – subject to the following conditions:

Conditions/Reasons

01 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

01 Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990.

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02 No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the extensions 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.

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

Informatives

01. 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 54A of the Town and Country Planning Act 1990 (as amended), planning permission should therefore be granted.

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

Hampshire County Structure Plan Review: C1, UB3

Winchester District Local Plan Proposals: C1, C2, C19, EN5

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: C1, C22, DP3

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Item No: 06
Address: TownsendNorthend Lane Droxford Southampton Hampshire SO32 3QN

Parish/Ward Droxford

Proposal Description: Residential re-development comprising demolition of existing dwelling and construction of new access (OUTLINE)

Applicant Mrs J M Nettles And Mr J Freemantle

Case No: 04/00263/OUT

W No: W18753

Case Officer: Mr Neil Mackintosh

Date Valid: 30 January 2004

Delegated or Committee: Committee Decision

Reason for Committee: Parish Council submitted representations contrary to officer recommendation

Reason for Committee: 4 or more representations contrary to the Officer's recommendations have been received

Site Factors: AONB, adjacent to Droxford Conservation Area

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Site Description

- The site is 0.33ha and adjacent to the junction of the A32 and North End Lane.
- It is at the Northern end of the village and adjacent to open countryside
- It contains a single bungalow, of no particular merit, and a number of evergreen trees, now the subject of a Tree Preservation Order.

Relevant Planning History

- None

Proposal

- Residential re-development comprising demolition of existing dwelling and construction of new access (OUTLINE)

Consultations

Conservation:

- No objection - the site is outside the Conservation Area but the access will be opposite Northend House, which is a listed building.
- If the access removes the brick wall and retains the flint I have no concerns but at present it seems to be lost
- The site seems very prominent from the North

Engineers:Highways:

- No objection – the submitted access position and design, as well as improvements to visibility at the A32/Northend Lane junction, have been the subject of pre-application negotiation.

Environment Agency:

- No objection, in principle, subject to conditions and informative

Southern Water:

- The applicant has stated that foul drainage is to be to a cesspit.
- Southern Water have sewers and a treatment works in nearby Chestnut Rise.
- It is unlikely that there would be sufficient spare capacity to serve these additional dwellings.

Landscape:

- Recommend refusal – the site is within the AONB, adjacent to the Droxford Conservation Area and the tree cover on this site contributes to the character and setting of these.
- It also contributes to local amenity and is visible from the A32 and possibly from the Wayfarers Walk.
- Tree planting not only contributes to the character but also defines the edge of the village.

AONB Panel:

- The Panel object strongly to this application.
- The site is located in a prominent position in the street scene on the edge of the village and adjacent to the Conservation Area
- The application is in outline form only and omits some important information, such as an accurate tree survey, contextual analysis of the surrounding built environment and relationship to the wider landscape setting of the AONB.
- Of particular concern is the loss of all the trees within the site, encroachment towards the hedge line at the rear, where there is a green buffer/open space, lack of levels information and impact in the street scene through the removal of the low height boundary wall in Northend Road.

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Housing Enablement:

- The housing register data shows a demand for Council/housing association provided accommodation in Droxford.
- The demand is for 1,2 and 3/4 bed houses.
- I would like to see 1x1bh, 1x2bh and 1x3/4bh provided for affordable housing

Representations:

Droxford Parish Council

- Object – The development would be intrusive at this important gateway to the village, within the AONB.
- 10 houses would be over-development of the site, bearing in mind its location and the types of properties nearby.
- Would result in a significant increase in traffic movements on Northend Lane, which is very narrow, and at its junction with the A32.
- Would involve the loss of an important historic flint wall opposite the Conservation Area
- The Parish Council objected to the inclusion of this site in the Urban Capacity Study and their views have not changed.

Letters of objection have been received from 26 neighbours:

- Contrary to Village Design Statement
- Over-development of the site
- Density out of keeping with small rural village in the AONB
- Would adversely affect the setting of the village, much of which is a Conservation Area.
- Adverse affect on neighbours amenities
- Adverse affect on wildlife
- Adverse affect on setting of nearby listed building
- Adverse affect on character of Northend Lane
- Loss of old flint wall
- Loss of trees and shrubs
- Loss of an attractive bungalow
- Would result in danger to highway users, including pedestrians, on Northend Lane and at junction with A32.
- Unsustainable location
- No mains drains/adverse affect of cesspit drainage.
- There is no requirement for social housing in Droxford

Local MP

Concerns regarding;

- Development would be out of character with Northend Lane and the approach to the village.
- There are no details of style and design.
- Highway safety concerns.
- Impact on the local sewage system.
- Impact on views of Beacon Hill and surrounding countryside from the village.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- H1, H5, H7, UB3, T5, T6, R2

Winchester District Local Plan

- H1, H5, H7, EN5, EN13, T8, T9, RT3, C7, HG6

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Winchester District Local Plan Review Deposit and Revised Deposit:

- H2, H5, H7, DP3, DP13, T2, T4, RT3, C7, HE4

Supplementary Planning Guidance:

- Achieving a Better Mix in New Housing Developments
- Winchester District Landscape Assessment
- Winchester Housing Needs Survey
- Rural Housing Information Booklet
- Winchester District Urban Capacity Study
- Housing Monitoring Report
- Guide to the Open Space Funding System
- Movement, Access, Streets and Spaces

NB. The Droxford Village Design Statement is in the course of preparation but has not been adopted by the Local Planning Authority.

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG 3 Housing
- PPG 7 The Countryside – Environmental Quality and Economic and Social Development
- PPG 13 Transport
- PPG 15 Planning and the Historic Environment

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area/spatial characteristics/street scene
- Highways
- Historic heritage/conservation area/listed building
- Drainage/flooding
- Public open space provision
- Affordable housing
- Comments on representations

Principle of development

- The site lies within the H1 Policy Boundary for Droxford
- It is identified as being suitable for 10 dwellings in the Urban Capacity Study 2001 and this has been carried forward into the recent Housing Monitoring Report.
- The erection of ten dwellings would result in a density of 30dph.
- Residential development is permissible, subject to policies of the Development Plan

Impact

- The application is in outline form and it is difficult to assess the visual impact that increased residential development would have on the street, village and AONB.
- However, your officers believe that a sensitive scheme, incorporating a mixture of dwelling types and sizes, could be designed to be in keeping with the character and appearance of the area.
- Some of the coniferous trees might be lost but the affect of this could be ameliorated by the implementation of a landscaping scheme.

Highways

- The Highway Engineer has negotiated an access point and visibility splays that are acceptable in highway safety terms.
- In addition, improvements to the A32/Northend Lane junction would be provided, as a result of this development.

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Heritage

- The existing bungalow is not considered to be worthy of retention.
- The Conservation Officer raises no objection to this outline application and would have an input into any detailed application submitted at a later stage.
- His considerations would take into account the setting of the Droxford Conservation Area and nearby listed buildings.
- He regrets the loss of the flint wall alongside Northend Lane.

Drainage

- The Environment Agency does not accept the promotion or proliferation of cesspools as a viable long-term sewerage option.
- However, they have accepted the principle of development here, subject to conditions.

Public Open Space

- The applicants are aware of the Council's POS Funding System and have indicated that a legal agreement will be entered into.

Affordable Housing

- Housing Enablement have indicated their requirements for this site and the applicants are aware of the Council's requirement to provide 30% affordable on site.

Comments on representations

- The Village Design Statement has not yet been adopted.
- A suitably designed scheme would respect the character and appearance of the area.
- It impossible to assess the affect on neighbours amenities until a detailed scheme is submitted.
- There are no known wildlife issues on the site.
- The submitted access arrangements would improve highway safety.
- This site is sustainable, relative to the facilities and services of the village.
- Other issues have been addressed earlier in the report.

Planning Obligations/Agreements

In seeking the planning obligation(s) and/or financial contributions for Public Open Space and Affordable Housing the Local Planning Authority has had regard to the tests laid down in Circular 1/97, 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

APPROVE – subject to a Section 106 Agreement for:

- 1. The provision of affordable housing**
- 2. A financial contribution towards the provision of public open space through the open space funding system**

(Note: If the Legal Agreement is not completed within 6 months then the application may be refused without further reference to Committee)

Conditions

01 The development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

01 Reason: To comply with the provision of Section 92(2) of the Town and Country Planning Act 1990.

02 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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02 Reason: To comply with the provision of Section 92(2) of the Town and Country Planning Act 1990.

03 Plans and particulars showing the detailed proposals for all the following aspects of the development (hereinafter called "the reserved and other matters") shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced. The approved details shall be carried out as approved and fully implemented before the building(s) is/are occupied.

Reserved and other Matters:

03 Landscape considerations including:

(i) an accurate plan showing the position, type and spread of all the trees on the site and a schedule detailing the size and physical condition of each tree and, where appropriate, the steps to be taken to bring each tree to a satisfactory condition; and also details of any proposals for the felling, pruning, trimming or uprooting of any trees;

(ii) a landscape scheme showing the planting proposed to be undertaken, the means of forming enclosures, the materials to be used for paved and hard surfaces and the finished levels in relation to existing levels;

(iii) the arrangements to be made for the future maintenance of landscaped and other open areas.

03 The siting of all buildings and the means of access thereto from an existing or proposed highway, including the layout, construction and sightlines.

03 The design of all buildings, plant and tanks, including the colour and texture of external materials to be used together with samples of all external facing and roofing materials.

03 The layout of foul sewers and surface water drains.

03 The provision to be made for the parking, turning, loading and unloading of vehicles.

03 The provision to be made for the storage and disposal of refuse.

03 The finished levels, above ordnance datum, of the ground floor of the proposed building(s), and their relationship to the levels of any existing adjoining buildings.

03 Details of the siting, external appearance and materials to be used for any statutory undertakers or service providers equipment such as electricity sub-stations, gas governors, telecommunication cabinets.

03 The provision to be made for street lighting.

03 The provision to be made for contractors vehicles parking and plant, storage of building materials and any excavated materials, huts and all working areas.

03 Reason: To comply with the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order).

04 The trees on the site protected by Tree Preservation Order 1841 shall not be lopped, topped, felled or uprooted without the prior written approval of the Local Planning Authority. These trees shall be protected during building operations by the erection of fencing at least 2 metres from the tree trunks in accordance with BS 5837.

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

05 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 and E of Part One of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

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

06 The existing buildings on the site shall be demolished and all resultant materials removed from the site prior to the commencement of the development.

06 Reason: To safeguard the amenity of the locality.

07 The buildings shall not be constructed until a means of vehicular access and highway improvements have been provided in accordance with the approved plans.

07 Reason: In the interests of highway safety.

08 The proposed access 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 HCC Highways, Abbey Mill, Winchester prior to commencement of access works.

08 Reason: To ensure satisfactory means of access.

09 Nothing over 0.6 metres in height above the level of the carriageway shall be erected or permitted to remain on the land hatched green on the approved plans.

09 Reason: In the interests of highway safety.

10 No development approved by this permission shall be commenced until a scheme for the provision and implementation of foul drainage works has been approved by, and implemented to the reasonable satisfaction of, the Local Planning Authority.

10 Reason: To prevent pollution of the water environment.

11 No sewage or trade effluent should be allowed to enter surface or groundwaters.

11 Reason: To prevent pollution of the water environment.

12 All surface water from roofs should be piped to an approved surface water system using sealed downpipes. Open gullies should not be used.

12 Reason: To prevent pollution of the water environment.

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13 Any facilities for the storage of fuels and chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The bund capacity shall give 110% of the total volume for single and hydraulically linked tanks. If there is multiple tankage, the bund capacity shall be 110% of the largest tank or 25% of the total capacity of all tanks, whichever is greatest. All filling points, vents, gauges and sight glasses and overflow pipes shall be located within the bund.

There shall be no outlet connecting the bund to any drain, sewer or watercourse or discharging into the ground. Associated pipework shall be located above ground where possible and protected from accidental damage.

13 Reason: To prevent pollution of the water environment.

Informatives

01. 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 54A of the Town and Country Planning Act 1990 (as amended), planning permission should therefore be granted.

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

Hampshire County Structure Plan Review: H1, H5, H7, UB3, T5, T6, R2

Winchester District Local Plan Proposals: H1, H5, H7, EN5, EN13, T8, T9, RT3, C7, HG6

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: H2, H5, H7, DP3, DP13, T2, T4, RT3, C7, HE4

03. Under the terms of the Water Resources Act 1991, written approval of the Environment Agency is required for any discharge or trade effluent into controlled waters, and may be required for any discharge of sewage or trade effluent from buildings or fixed plant into or onto the ground or into waters which are not controlled waters. Such approval may be withheld. The applicant is advised to contact the Hants and IOW Area Office to discuss this matter further.

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Item No: 07
Address: FarthingsChapel Lane Curdridge Southampton Hampshire SO32 2BB
Parish/Ward Curdridge
Proposal Description: Four bedroom single storey dwelling with rooms in roof and five rooflights to rear elevation and integral single garage (Details in compliance with W01664/08)
Applicant Global Group
Case No: 04/00350/REM
W No: W01664/09
Case Officer: Emma Norgate
Date Valid: 7 February 2004
Delegated or Committee: Committee Decision
Reason for Committee: Parish Council submitted representations contrary to officer recommendation
Reason for Committee: 4 or more representations contrary to the Officer's recommendations have been received

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Site Description

- Area laid to grass to the north of the existing chalet bungalow "Farthings".
- Site is bounded to the north-west by the B3035, Botley Road and to the north-east by Chapel Lane.

Relevant Planning History

- W1664/08 – erection of 1no. three bedroom dwelling with integral garage (outline) – grant 29/8/03

Proposal

- As per Proposal Description

Consultations

Engineers:Highways:

- No highway objections subject to conditions – further comments that following a site visit it appears that the visibility to the west is restricted by the new fence line, it would be beneficial if the fence line could be set back preferably to 3m but would accept 2.4m, as this distance would optimise the available visibility for drivers emerging at the Chapel Lane / Botley Road junction.
- Amended plans:
- New fence line is set back behind a 2.4m visibility splay which is an improvement, new planting has been shown and advise that this should be no higher than 0.6m.

Landscape:

- One tree is to be removed and that is a conifer at the entrance, do not object to its removal, the two other pines and larger conifer are to remain and therefore would advise a condition.
- This is covered by condition in the outline consent.

Representations:

Curdridge Parish Council

- Object – concern that this is different to the outline application, that the roof lights will destroy the rural nature of the village scene and will present the appearance of village frontage on the B3035, which is contrary to the WDLP.
- Concerned about the 2m high close boarded fence to be erected and new trees as this is one of the most dangerous junctions at which there has been a number of accidents, consider that this would seriously affect the sight lines.

Amended Plans

- Consider that the two storey property is overintensive use of the site which will result in a cramped appearance, 2m fence is not in keeping with the VDS, field gate to the far end of the fence has been replaced with a gate in the fence, opposed to removal of the tree, previous sightline was better than suggested than is currently available with the fence.

Letters of representations have been received from 6 Neighbours

- Object to the fence which has been erected, due to the impact on sightlines at a dangerous junction.
- Object to the building of a dwelling due to the dangerous access on to Botley Road.
- The main frontage should be to Chapel Lane.
- Fence is out of character with the surrounding area.
- Object to the removal of the tree as it will spoil the symmetry of the entrance to the two dwellings.

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Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB3

Winchester District Local Plan

- H2, EN5, T9

Winchester District Local Plan Review Deposit and Revised Deposit:

- H3, DP3

Supplementary Planning Guidance:

- Curdridge Village Design Statement

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG 3 Housing

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area
- Residential amenities
- Highways
- Comments on representations

Principle of development

- Outline consent was granted in August 2003 for a detached three bedroom dwelling, at that stage, siting and access were to be considered with all other issues reserved.
- The siting of the proposal was agreed at outline stage, but the external appearance and design were still to be considered although indicative sketch proposals were submitted with the outline application.

Impact on the character of the area

- The proposed dwelling is 5.6m in height and the supporting statement indicates that the proposal has a lower ridge line than the existing dwelling at "Farthings".
- The proposal has a fully hipped roof in order to minimise the bulk and scale of the building and the proposed materials are plain tiles with render, which would match the existing dwelling "Farthings".
- Officers consider that the design of the proposal is acceptable and complements the surrounding dwellings.
- There are no dormer windows proposed and at outline stage, permitted development rights, including the Class for alterations to the roof were removed.
- Velux windows are proposed on the side elevation facing Botley Road and given that the bottom of the window is 3.6m above ground level and that this elevation runs parallel to the road, Officers do not consider that this would result in an adverse impact on the streetscene.
- There are also no overlooking issues arising from these windows.
- Original submitted plans and the first set of amended plans originally showed a 2m close board fence running along the boundary with Botley Road, this has been erected without the benefit of planning permission.
- Officers do not consider that the fence is in character with the streetscene and therefore a second set of amended plans has been received which removes the fence, and informative is also included which identifies that the fence should be removed and that details of the means of enclosure and landscaping need to be submitted.

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Residential amenities

- There are no issues of overlooking arising from this application and Officers consider that there will be no other adverse impact on amenity.

Highways

- Parking and turning arrangements were agreed at outline stage.
- The main issue arising with the current application was with regard to the fence and the impact on sightlines at the junction of Botley Road and Chapel Lane, although the City Engineer considered that the first set of amended plans showed the fence in an acceptable position, the fence has now been removed from the application.

Comments on representations

- Concern was raised with regard to the removal of a tree on Chapel Lane, the Arboricultural Officer has been consulted and is of the opinion that the removal of the tree is acceptable, the protection of the trees is covered by condition in the outline application
- Other issues are addressed in the report.

Recommendation

APPROVE– subject to the following condition(s):

Conditions/Reasons

01 APPROVE THE "MATTERS RESERVED" BY CONDITION: -

PART

- design
- external appearance of the development;

Of outline permission W01664/08

Informatives

01. 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 54A of the Town and Country Planning Act 1990 (as amended), planning permission should therefore be granted.

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

Hampshire County Structure Plan Review: UB3

Winchester District Local Plan Proposals: H2, EN5, T9

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: H3, DP3

03. The applicant is advised that a close board or panel fence is unlikely to be acceptable as a boundary treatment to the north west boundary of the site.

04. The applicant is advised that another application for approval of details is required in respect of landscaping, details of facing and roofing materials, hard surfacing and means of enclosure.

05. The 2m close board fence which has been erected on the north-west boundary of the site does not benefit from planning permission and should be removed.

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Item No: 08
Address: Land Opposite Lodge Hill NurseryHundred Acres Road Wickham
Hampshire

Parish/Ward Soberton

Proposal Description: Erection of stables

Applicant Miss Sophie Kemm

Case No: 04/00866/FUL

W No: W03046/04

Case Officer: Emma Norgate

Date Valid: 31 March 2004

Delegated or Committee: Committee Decision

Reason for Committee: 4 or more representations contrary to the Officer's recommendations
have been received

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Site Description

- Field accessed by a gate located on Lodge Hill in Newtown.
- Site slopes down and away from the access towards a row of trees and then gently rises beyond this.
- Site is screened from the road by indigenous species hedge.

Relevant Planning History

- W03046/2 - Change of use to equestrian and siting of a storage container – refused – 25/4/03
- W03046/3 - Erection of stables – refused – 19/8/03 – appeal withdrawn – 14/4/04

Proposal

- As per Proposal Description
- Proposed stables are to be located in the south-west corner of the site in “L” shaped form.
- The proposal is 3.3m in height and has been reconfigured from the previous applications and also includes a barn which would be used for hay storage, this would prevent the need for a further building on the site.

Consultations

Engineers:Highways:

- No highway objections – highlight that the proposal uses an existing access, use should be restricted to the applicant and no commercial activity should take place on site.

Landscape:

- Field is quite enclosed and views of the site are limited, no objections providing the existing buildings are removed.
- Hedgerow along the road is in need of management to ensure its long-term screening potential, the hedge along the western boundary should also be planted with indigenous species as indicated on the submitted plans.

Representations:

Soberton Parish Council

- no comments received.

Letters of representations have been received from 7 Neighbours

- 6 letters of objection
- One of the few remaining unspoilt areas which identified as being a strategic gap and falling into a site of importance for nature conservation in the VDS.
- If permission were granted, it would open up the possibility of subsequent residential development.
- Site is currently an eyesore with associated equipment on the land, including fences.
- Vehicles parked at the entrance would be a hazard.
- Site falls within a conservation area.
- There are already a large number of stables in the area, that it is at saturation point.
- Manure is not adequately disposed of.
- Concern that the site will be operated as an equestrian centre.
- Would degrade the views of the open spaces, this would lead to further buildings which would ruin the open spaces, site has not previously had buildings located on it.
- Container on the site should be removed.
- Concern with regard to the number of horses kept on the site and inaccuracy in the application.
- Dogs on the site are disruptive.

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- Drainage should be improved on site and this could be achieved through management.
- Concern with regard to increased traffic.
- Hedge will suffer and additional planting will do little to shield the development.
- Contrary to policy in the plan and PPG7.
- Proposal would have an adverse impact on the amenity of adjoining properties.
- Contrary to the VDS in that accesses should be minimised and would conflict with a green gap.
- One letter of support indicating that horses do require stabling and that the applicant is a responsible owner.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- C1, C2, UB3

Winchester District Local Plan

- C1, C2, C24, RT8, EN5

Winchester District Local Plan Review Deposit and Revised Deposit:

- C1, C27, RT10, DP3

Supplementary Planning Guidance:

- Equestrian Development
- Soberton Village Design Statement

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG 7 The Countryside – Environmental Quality and Economic and Social Development

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area
- Residential amenities
- Highways
- Comments on representations

Principle of development

- Stables are permitted in the countryside subject to a number of criteria.
- RT8 of the WDLP states that if new buildings are to be erected that they should not harm the landscape appearance of the area.
- The Landscape Architect has been consulted and is of the opinion that views of the site are limited and that there is no objection providing the existing buildings are removed.
- The site is not located in a strategic or local gap in either the WDLP or Review.
- A condition is suggested with regard to the disposal of manure.
- The stables have been tucked into the corner of the field to ensure that it would not be intrusive, given the height of the proposal, officers do not consider that the proposal would be unduly intrusive given the reconfigured arrangement of the proposal.
- Given the siting of the proposal officers consider that the proposal is in compliance with policy.

Impact on the character of the area.

- The VDS identifies that there are panoramic views which should not be degraded by inappropriate structures, the proposal is tucked into the corner of the site and with screening to the road, Officers consider that the proposed stable will not impact on the panoramic view

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which will still be maintained across the field.

- Additional planting is suggested by way of a condition and the existing hedgerow should be reinforced with indigenous species.
- The height of the proposal is 3.3m and to ensure that the stables blend in with the surrounding environment, it is suggested that samples of the materials are submitted.
- It is also suggested that the additional structures be removed from the site within 2 months of the date of this permission.

Highways

- The proposal includes a small hardstanding area to enable the parking of 2 vehicles on site.
- The proposal utilises an existing access.
- The proposal is for the applicant's own horses and is not for commercial purposes, a condition is suggested to ensure this.
- Officers do not consider that the proposal would result in a material increase in traffic.

Comments on representations

- Kiln Copse is identified as a SINC in the VDS, however the site is located adjacent to this and the Landscape Architect considers the proposal acceptable.
- Each application is treated on its own merits and the granting of one planning application does not mean that another application on a different site would be granted.
- Parking is provided.
- The site does not fall in a Conservation Area in either the WDLP or Revised WDLP.
- The applicant has confirmed that there are 7 horses on the site, which belong to her.
- Noise disturbance is covered by separate legislation.
- Officers consider that the proposal is now located on the optimum position on the site.
- Proposal is located 1.5m from the boundary hedge, the Landscape Architect has not identified that the proposal would adversely impact on the hedge and has suggested further planting.
- Other issues are addressed in the report.

Recommendation

APPROVE – subject to the following condition(s):

Conditions/Reasons

01 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

01 Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990.

02 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 have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

03 The existing sheds and storage container shall be removed from the site within 2 months of the date of this permission.

03 Reason: In the interests of the amenity of the area.

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04 The hedgerow identified on the southern and western boundaries of the approved plan shall be retained and maintained at a minimum height of 3m metres in good condition and where necessary reinforced with appropriate species to be agreed in writing with the Local Planning Authority. The new planting shall be completed before the end of the first planting season following the completion of the development hereby permitted.

04 Reason: In the interests of the visual amenity of the area.

05 The stables hereby permitted shall only be used for the applicants own horses permanently stabled on site and shall not at any time be used for any commercial or business use.

05 Reason: In the interests of the amenity of the area.

06 Details of the facilities for the storage of horse manure and its means of disposal from the site shall be submitted to and approved in writing by the Local Planning Authority before the use of the stables is commenced. The facilities shall be provided and thereafter maintained in accordance with the approved details.

06 Reason: In the interests of the amenities of the locality.

Informatives

01. 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 54A of the Town and Country Planning Act 1990 (as amended), planning permission should therefore be granted.

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

Hampshire County Structure Plan Review: C1, C2, UB3

Winchester District Local Plan Proposals: C1, C2, C24, RT8, EN5

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: C1, C27, RT10, DP3

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Item No: 09
Address: Rozel Forge Stapleford Lane Durley Hampshire SO32 2BU

Parish/Ward Durley

Proposal Description: (AMENDED DESCRIPTION) Erection of a stable block containing 12 boxes; horse walker, mobile caravan and new access and track (RETROSPECTIVE)

Applicant Mr B Dunning

Case No: 04/00231/FUL

W No: W04105/05

Case Officer: Emma Norgate

Date Valid: 9 February 2004

Delegated or Committee: Committee Decision

Reason for Committee: Parish Council submitted representations contrary to officer recommendation

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Site Description

- Site of stables.
- Used for livery and show jumping horses.
- Various buildings on the site associated with equestrian use and dog breeding which was recently granted permission.
- Site to the west is in separate ownership and has a number of single storey buildings on the site which are used for industrial purposes.
- Open countryside to north, east and south

Relevant Planning History

- W4105 – continuation of use of building as farriers forge – grant – 20/9/78
- W4105/1 – erection of dwelling with detached garage – grant – 9/8/83
- W4105/2 – retention of existing workshop extension (B2), relocation of portacabin and provision of lean – to metal store, landscaping, parking and temporary vehicle storage area (amended description) – grant – 9/3/98
- W4105/03 – 1no. replacement dwelling, 1no. dwelling to replace mobile home and 1no. additional dwelling and detached garages (amended description) – outline – refused – 14/9/01
- W4105/04 – demolition of existing dwelling and replace with detached four bedroom dwelling – refused – 31/1/03 – allowed at appeal – 16/6/03
- W4105/06 - Change of use of 'The Forge' to use for the keeping and breeding of dogs (RETROSPECTIVE) – grant 1/6/04

Proposal

- As per Proposal Description

Consultations

Enforcement:

- concern that the new stables are contrary to policy and that there are already stables on the site, concern that there is no justification for the mobile caravan.
- Access, track and horsewalker may be acceptable.
- Would take enforcement action if the application were to be refused.

Engineers:Highways:

- no highway objections subject to conditions

Environmental Health:

- No adverse comments, recommends condition with regard to facilities for the storage and removal of manure.

Representations:

Durley Parish Council

- Object on grounds that there is no justification for more horse boxes.
- A permission would lead to intensification of the present site, intrusion of privacy and additional traffic.
- The residential use of the mobile home would be unacceptable.
- Concern that the stables will be used for dog breeding. This should be conditioned.

Letters of representations have been received from 4 Neighbours

- 3 representations have been received objecting to the application on the following grounds:
- concern that the caravan will be used as an additional residence at the property.
- Concern that this is a retrospective application and the works have already been carried out.

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- Concern about the road condition due to large horse transporters and increased traffic on a narrow lane with no lighting or pavement.
- There are already a large numbers of stables on the site.
- Impact on neighbouring properties.
- One letter confirming no objection and that the works are an improvement on what was previously there.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- C1, C2, UB3

Winchester District Local Plan

- C1, C2, RT8, EN5, T9

Winchester District Local Plan Review Deposit and Revised Deposit:

- C1, DP3, RT10, T2

Supplementary Planning Guidance:

- Equestrian Development

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG 7 The Countryside – Environmental Quality and Economic and Social Development

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area
- Highways
- Comments on representations

Principle of development

- PPG7 encourages a positive approach towards planning applications for horse based development that respects the rural environment.
- However, this is subject to a number of criteria.
- In relation to this application the main consideration is justification for the provision of new buildings rather than reusing any existing buildings on the site.
- Policies RT8 (Local Plan) and RT10 (Review Plan) require the re-use of existing buildings in association with equestrian uses where possible and, if new buildings are essential, they should not harm the landscape appearance of the area.
- The stable building replaced an old Nissen hut, which the applicant advises was very run down and had become an eyesore.
- The new building is higher than the old building but is well located in relation to the remaining buildings on the site and is seen against that backdrop and would not be harmful to the landscape appearance.
- The applicant advises that the new building is required in addition to the existing stables to accommodate additional horses as part of the growing business which covers livery and show jumping.
- The old building was not in a state that would be of any use for this or any other purpose.
- This justification is accepted given that there are no other buildings on the site that are not already in use.
- The horsewalker has a slightly temporary appearance but is still a large structure.
- It has been located relatively close to the existing facilities but stands out as being more

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incongruous than the other buildings on the site.

- However, it is recognised as being an essential facility to enable indoor exercising of the horses in inclement weather and would again, not be materially harmful to the landscape appearance.
- The mobile caravan is located adjacent to two hay storage units and provides a rest room for staff during breaks.
- It is not used for any residential purposes and officers suggest a condition to ensure that the mobile caravan can only be used for purposes ancillary to the equestrian use and not for residential purposes.

Impact on the character of the area

- As set out above, all of the structures are located close to each other and close to the existing buildings on the site.
- They do not have a significant adverse impact on the character of the surrounding area and therefore Officers consider that the proposal on balance, is acceptable, subject to further landscaping and conditions.

Highways

- A new access has been created onto Stapleford Lane, the City Engineer has been consulted and considers that in highway safety terms, it is acceptable subject to conditions.

Comments on representations

- The planning system allows for retrospective applications to be submitted and full consideration is given to these applications in terms of policy implications and assessment of impact of adjoining occupiers, they are subject to the same procedures as other applications.
- Concern has been raised with regard to impact on amenity, Officers have carefully considered this issue, but do not consider that there is sufficient justification to refuse the application on this ground.
- The issue of increased traffic has been highlighted, there are already a number of stables on the site, show jumping horses are looked after by the applicant and are not visited at the site by their owners, horses are moved off the site to go to show jumping events and therefore it is considered that this would not result in a material increase in traffic movements.
- Other issues are addressed in the report.

Recommendation

APPROVE – subject to the following condition(s):

Conditions/Reasons

01 Within three months of the date of this consent a detailed scheme for landscaping, tree and/or shrub planting to provide enhanced screening for the development and provide a more sympathetic setting for the buildings/structures shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the first planting season following approval. If within a period of five 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.

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

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02 The mobile caravan hereby permitted shall be used for purposes ancillary to the use of the site for equestrian activities and shall at no time be used for residential accommodation or in association with the adjacent dog breeding operation.

02 Reason: The site lies within designated countryside where additional residential units would not normally be permitted.

03 The stable building hereby permitted shall be used for purposes associated with the use of the site for equestrian activities and shall at no time be used in association with the adjacent dog breeding operation or for any other purpose.

03 Reason: To accord with the terms of the application and to prevent uses arising which may be over-intensive for the site and neighbouring properties.

04 Within three months of the date of this consent details of the facilities for the storage of horse manure and its means of disposal from the site shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided and thereafter maintained in accordance with the approved details.

04 Reason: In the interests of the amenities of the locality.

05 Within three months of the date of this permission, the vehicular access shall be amended to provide a non-migratory surfacing material for a minimum distance of fifteen metres from the highway boundary.

05 Reason: In the interests of highway safety.

06 Within three months of the date of this consent a cut off drain shall be provided to prevent the egress of surface water onto the public highway.

06 Reason: In the interests of highway safety.

07 Any gates provided shall be set back a minimum distance of fifteen metres from the edge of the carriageway of the adjoining highway.

07 Reason: In the interests of highway safety.

Informatives

01. 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 54A of the Town and Country Planning Act 1990 (as amended), planning permission should therefore be granted.

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

Hampshire County Structure Plan Review: C2
Winchester District Local Plan Proposals: RT8
Emerging Development Plan- WDLP Review Deposit and Revised Deposit: RT10

03. Note - The applicant is advised that the preferred method of disposal is the frequent removal of manure from the site. The burning of manure or large scale storage on the site will not be acceptable.

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Item No:
Address: Ponside Upham Street Upham Southampton Hampshire SO32 1JD
Parish/Ward Upham
Proposal Description: Demolish existing and construct 1 no. five bedroom dwelling with four dormer windows and 1 no. detached three bay garage with room above and four dormer windows
Applicant Mr And Mrs D House
Case No: 04/00189/FUL
W No: W09323/02
Case Officer: Emma Norgate
Date Valid: 21 January 2004
Delegated or Committee: Committee Decision
Reason for Committee: At the request of a councillor
Reason for Committee: Parish Council submitted representations contrary to officer recommendation
Site Factors: None

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Site Description

- 1950's dwelling set in a large site, well screened from the road.

Relevant Planning History

- DRD1671 – erection of a dwelling – grant – 5/5/55
- W09323 – two storey rear extension – 4/8/86
- W09323/1 – demolish existing dwelling and construct 1no. six bedroom dwelling with four dormer windows and 1no. rooflight in roof and 1no. three bay garage and workshop with room above with dormer windows – withdrawn – 19/9/03

Proposal

- As per Proposal Description

Consultations

Engineers:Highways:

- No highway objections – evident that sufficient area exists to provide acceptable on site parking and turning facilities, there is no new access proposed, unlikely that the proposals will cause demonstrable harm to users of the adjoining highway.

Landscape:

- A landscape scheme been submitted and the proposed layout of the landscape proposals goes some way to providing screening, there should be further trees planted along the southern boundary and some of the species proposed are currently inappropriate.
- Site lies within open countryside and as is open to views from the south, important to use species which are indigenous and appropriate to the area.
- Amended scheme will need to be submitted.

Others:

- Legal:
- Please see separate report by City Secretary and Solicitor

Representations:

Upham Parish Council

- no objections to the proposed new dwelling provided that the existing is demolished.
- Object to the garage due to size and mass and concern that it could be converted to accommodation in the future.
- Also concerned that there is an area of land which the Parish Council considers to be historically agricultural, that this is to be part of the garden and there is no reason for this.
- Permitted Development rights should be removed from the site to ensure that there is no development in the future.

Letters of representations have been received from 1 Neighbours

- no objections to the proposed dwelling and house.
- concern that there is an area of land which was previously agricultural and would be changed to the domestic curtilage of the dwelling house
- concern that implementing the landscaping scheme would result in the use of agricultural land changing to garden land, loss of such agricultural land is important in rural communities,
- creation of a precedent, reliance on conditions does not address the issue that the proposal will result in a change of use, garden of that size would be out of proportion.

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Relevant Planning Policy:

Hampshire County Structure Plan Review:

- C1, C2, UB3

Winchester District Local Plan

- C1, C2, C19, EN5, T9

Winchester District Local Plan Review Deposit and Revised Deposit:

- C1, C2, C22, DP3, T4

Supplementary Planning Guidance:

- Upham Village Design Statement
- Winchester District Landscape Character Assessment
- Winchester District Landscape Assessment
- Movement, Access, Streets and Spaces

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG 7 The Countryside – Environmental Quality and Economic and Social Development

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Detailed design
- Highways
- Comments on representations

Principle of Development

- The principle of replacing the existing dwelling is acceptable, subject to the criteria of policies C19 in the WDLP and C22 in the revised deposit.
- The proposed garage building should also be judged against the above, identified policies.
- Officers consider that the proposed replacement dwelling and garage are acceptable in terms of scale, design and siting subject to conditions.

Detailed design

- The proposed design of the dwelling is two storey with a central ridge and gables to either side.
- Proposed materials are brick with flint inserts and a tiled roof, VDS identifies that there are examples of flint buildings within the village, but most are in outbuildings.
- Height of the building has been reduced by using the gables and dormer windows.
- Officers consider that the design of the proposed replacement dwelling is attractive and acceptable in this location and that the proposal will not result in increased intrusion in the countryside.
- The proposed garage is set to the side of the dwelling and is constructed of timber boarding with a tiled roof, with accommodation above.
- Given that this is a countryside location, a condition is suggested to ensure that this remains as ancillary to the main dwelling and does not become a separate unit of accommodation.

Highways

- There is sufficient parking and turning on the site, no new access is to be provided to the site and highway engineers have no objection to the proposal.

Comments on representations

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- Concern has been raised with regard to a possible change of use of part of the site.
- Information has been provided in both representations and by the applicant and officers have consulted the Legal Department.
- The red line goes round the whole site as there are landscaping works proposed as part of the application, there is no mention of change of use so it is an application for a replacement dwelling and landscaping.
- Given this, it would be acceptable to consider these elements in the light of the development plan and other material considerations, this would not mean that there was any change of use of the land surrounding the house.
- If a material change of use took place in the future, enforcement action could still be taken and this could be pointed out using an informative.
- It would be possible for the applicant to continue using the land in the same way as the previous owner, as no material change of use will have taken place.
- If a material change of use occurs in the future, the granting of planning permission as applied for will not prevent enforcement action taking place if any necessary planning permission for such change of use is not obtained.
- Conditions can also be imposed to retain the character and appearance of the surrounding land including removal of pd rights, a restriction on storage and / or the installation of domestic equipment and a condition or s106 agreement requiring the submission and implementation of a landscape management plan.

Recommendation

APPROVE – subject to the following condition(s):

Conditions/Reasons

01 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

01 Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990.

02 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 and garage 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.

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

03 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.

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

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04 No development shall take place until a schedule of landscape maintenance for a minimum period of 3 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Landscape maintenance shall be carried out in accordance with the approved schedule.

04 Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal, public, nature conservation and historic significance.

05 The garage hereby permitted shall only be used for the purpose of accommodating private motor vehicles or other ancillary domestic storage purposes, and shall not, at any time, be used for living accommodation, business, commercial or industrial purposes.

05 Reason: In the interests of the amenities of the locality and the character of the countryside.

06 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, E of Part 1 of Schedule 2 and classes A of Part 2 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

06 Reason: To protect the amenities of the area and the character of the countryside.

Informatives

01. 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 54A of the Town and Country Planning Act 1990 (as amended), planning permission should therefore be granted.

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

Hampshire County Structure Plan Review: C1, C2, UB3
Winchester District Local Plan Proposals: C1, C2, C19, EN5, T9
Emerging Development Plan- WDLP Review Deposit and Revised Deposit: C1, C22, DP3, T4

03. The applicant is advised that the application has been treated as an application for operational development and no change of use is granted by this permission

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Item No: 11
Address: Kingfisher Nurseries Selworth Lane Soberton Southampton
Hampshire SO32 3PX

Parish/Ward Soberton

Proposal Description: Replacement detached five bedroom dwelling with associated
garaging and access

Applicant Parsons Construction Ltd

Case No: 04/00580/FUL

W No: W03815/12

Case Officer: Mrs Julie Pinnock

Date Valid: 3 March 2004

Delegated or Committee: Committee Decision

Reason for Committee: At the request of a councillor

Site Factors: Countryside

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Site Description

- Former Kingfisher Nursery which lies between Selworth Lane and a former railway embankment
- To the east of the site adjacent to Selworth Lane is a two storey detached dwelling called 'Kookaburra which is subject to an agricultural occupancy restriction by condition
- This is a modest sized detached dwelling
- The site contains a substantial number of derelict greenhouses as well as sheds, polytunnels and ancillary structures
- The site is in a derelict and unsightly condition with barbed wire fences

Relevant Planning History

- **W03815** - Erection of a horticultural dwelling - Hookers Dene Selworth Lane Soberton Southampton Hants SO32 3PX - Application Refused - 21/06/1978
- **W03815/01** - Erection of Horticultural Dwelling' - Hookers Dene Nurseries Selworth Lane Soberton - Application Refused - 07/03/1979
- **W03815/02** - Erection of horticultural dwelling (Outline) - Hookers Dene Nurseries Selworth Lane Soberton - Application Permitted - 02/11/1979
- **W03815/03** – Erection of dwelling (Details in compliance with W03815/02) - Hookers Dene Nurseries Selworth Lane Soberton - Application Permitted - 02/07/1980
- **W03815/04** - Erection of single storey side extension with balustrade; erection of porch - Hookers Dene Nurseries Selworth Lane Soberton - Application Permitted - 01/08/1985
- **W03815/05** – Dwelling (Outline) – Kingfisher Nurseries, Selworth Lane Soberton - Application Refused - 04/06/1990 – Appeal Withdrawn 03.05.1991
- **W03815/06** – Dwelling – Kingfisher Nurseries, Selworth Lane, Soberton – Application Refused - 07/06/1991 – Appeal Dismissed 25.02.1992
- **W03815/07** – Two storey side extension and conversion of 2 no: flats – Application Permitted – 02.07.1992
- **W03815/08** – First floor extension and covered terrace at rear, new porch at front and construction of pitched roof to replace flat roof at side – Application Permitted 04.12.1995
- **W03815/09** - Replace existing flat roof on garage with pitched and extension at rear to form workshop - Hookers Dene Selworth Lane Soberton Southampton Hants SO32 3PX - Application Permitted 26.06.1998
- **W03815/10** - Erection of 2 no. live/work four bedroom detached units with detached double garages, demolish existing dwelling and erect 2 no. semi-detached two bedroom dwellings, provision of 2 no. horse paddocks, refurbishment of car park - Kingfisher Nursery Selworth Lane Soberton Southampton Hants - Application Refused - 29/08/2002
- **W03815/11** - Erection of 2 no. two bedroom semi-detached dwellings and 2 no. four bedroom detached live/work dwellings with associated garages and alterations to existing access - Kingfisher Nurseries Selworth Lane Soberton Southampton Hampshire SO32 3PX - Application Refused 10.04.2003 Appeal dismissed 12/08/2003

Proposal

- As per Proposal Description
- Replacement three storey 5 bedroom dwelling with detached double garage at a subterranean level
- Removal of the agricultural occupancy condition imposed on W03815/02 in 1979 when planning permission was granted for the dwelling
- Restoration of part of the site to meadow and paddock
- Provision for a dedicated alternative right of way to the bridleway which runs along the western boundary

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Consultations

Engineers:Highways:

- Comments that site currently benefits from three vehicular access.
- The field access to the south-east corner is proposed to be closed off and abandoned and the existing access to Kookaburra is to be closed off to vehicular traffic but remain open for pedestrian access
- Vehicular access is proposed via the existing field access south of Hookers Dene.
- Raises concerns over visibility available at this junction, which is not as good as existing vehicular access to Kookaburra
- However applicant owns land either side of the proposed main access and should be able to significantly improve visibility by the removal of part of the vegetation
- In addition mindful that this access already exists and probably had a similar or greater number of traffic movements when the site was being used as a nursery.
- Therefore unable to sustain highway reason for refusal.

Forward Plans:

- Principle of replacement dwelling accords with policy subject to detailed criteria
- With regard to the removal of the agricultural tie, comments that the applicant would need to demonstrate that there is no demand for agricultural dwellings in the surrounding area as well as not being needed for the site itself
- The dwelling needs to have been marketed appropriately (e.g. farmers' press at a reasonable price) for a reasonable period of time (as least 6 months)
- In addition evidence of lack of demand for nursery or other agricultural use on the site should be sought
- The use of the nursery for paddocks does not amount to a change of use and comments that the change to a paddock may result in visual improvements to the site

Landscape:

- Concerns that the proposed dwelling does not reflect the form and character of the existing dwelling which is two storey and modest
- Proposed building is three storey and has a much larger footprint and the proposal involves a large amount of subsoil excavation, new bunding and the removal of a number of trees resulting in a more open site
- Consider the proposals are likely to have an increased visual intrusion into the landscape
- Also comments that the application lacks information – no survey drawing or information with regard to existing and proposed levels nor information with regard to trees to be retained or removed.
- In addition a tree condition survey should be submitted as the trees on this site play an important role in allowing any new development to integrate into the landscape by reducing visual impact and all good trees should be retained where possible
- Also request more information on the impact on views
- In response to these points, the agent has submitted a survey drawing
- This demonstrates that the proposals are likely to involve significant changes in levels, particular with regard to the driveway off Selworth Lane and the new gravel driveway which goes around the house
- Also has concerns over the area of raised ground to the west of the proposed house, commenting that it is not clear how far this extends and the changes of level in this area could have a detrimental impact on the hedging/trees to the north boundary

East Hampshire Area of Outstanding Natural Beauty Panel

- Panel welcomes some aspects of the proposal
- However raise concerns over the fundamental policy considerations
- Proposal must be assessed in accordance with PPG7
- No justification for the removal of the agricultural tie has been presented in the application

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- Although it is claimed that the nursery does not represent a viable business opportunity in the locality there is no evidence to justify that the dwelling is surplus to requirements as a agricultural dwelling in the area as a whole
- The panel considers that the design concept for the replacement dwelling is more akin to an Arts and Craft style Hampshire Town House and does not reflect locally distinctive design and would be out of keeping in this rural setting
- In addition raise concerns about the change to paddock in the southern corner of the site and consider that it should be turned over to meadow
- If the paddock is to be used for horses, details of any stables etc should be included now for consideration.
- In addition panel consider the use of copper beech trees and evergreen oaks inappropriate planting species within the AONB.

Hampshire County Council - Rights of Way Officer

- The route suggested within the application would require an additional dedication by HCC
- The Countryside Service budget would also have to meet the costs associated with installing a rideable ramp up the side of the embankment
- Comment that there are already two access points to the north (1.2km) and to the south (0.5km) making the kind of expenditure required difficult to justify
- The British Horse Society has worked in previous years to get a link onto the trail at this point, more specifically to the north of the site where the access onto the line is more level, so a need or desire for such a link is evident
- Recommend that proposed bridleway re-sited to a more appropriate position
- If this not possible recommend a condition requiring the dedication of a bridleway link if required by HCC

Representations:

Soberton Parish Council

- Comment that there are a number of policy issues that if the Local Planning Authority can satisfy then the Parish Council does not object to this proposal
- The restoration /new planting/access to railway line are fundamental to the proposal and should be implemented by a legal agreement prior to commencement of the construction of the new dwelling
- Consider that the location of the new dwelling should be more closely aligned with the existing dwelling
- Concerned about the size and massing of the proposed dwelling, although acknowledge the design accommodates local and VDS references
- Overriding concerns of this derelict and dangerous site are addressed in application and local neighbours are generally in favour of the proposal

Letters of representations have been received from 2 Neighbours - support

- The proposed buildings are appropriate to the size and location of the plot
- The design of the house and it's siting below the level of the current house combine to minimise the visual impact of a large house
- The house design is in keeping with the local environment and incorporates a variety of architecture features common to the area
- The garden and paddock proposed will be significantly more attractive
- The lifting of the agricultural tie would allow a financially viable development to take place on this site
- Like to see the retention of existing hedge boundary treatment

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Relevant Planning Policy:

Hampshire County Structure Plan Review:

- C1, C2, E6, E7, H10, UB3

Winchester District Local Plan

- C.1, C.2, C.7, C.17, C.19, EN.5, EN.7, T.9

Winchester District Local Plan Review Deposit and Revised Deposit:

- C.1, C.7, C.20, C.22, DP.3, DP.5, T.2, T.3, T.4

Supplementary Planning Guidance:

- Soberton Village Design Statement
- Movement, Access, Streets and Spaces
- Parking Standards 2002

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG 7 The Countryside – Environmental Quality and Economic and Social Development

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area
- Detailed design
- Residential amenities
- Highways
- Comments on representations

Principle of development

- The principle of a replacement dwelling in the countryside is acceptable
- Policy C.19 of the adopted local plan and C.22 of the emerging local plan allow for such replacement dwellings subject to detailed criteria and other policies of the local plan
- The policy has two strands, the first relates to the retention of small more affordable dwellings in the countryside
- This relates to dwellings under 120sq.m and recommends that any replacement dwelling should not result in an increased floor area of more than 25%.
- No details have been provided with regard to the existing floor area, although officers consider that the existing dwelling exceeds 120 sq.m
- The second strand of the policy requires resulting dwellings not to result in increased intrusion by virtue of size, design or siting, or have other detrimental effects on the local environment
- In addition C.22 of the emerging local plan requires that replacement dwellings do not significantly change the character of the existing dwelling.
- Policy C.17 of the adopted local plan and C.20 of the emerging local plan resist the removal of conditions restricting the occupancy of dwellings to agricultural or forestry workers unless the local planning authority is satisfied that the dwelling is no longer required for workers on the holding or in the surrounding area nor is likely to be required in the foreseeable future.
- The applicants have submitted a letter which outlines the marketing of the site, however this does not include details of the valuation or price the property was marketed at.
- A brief justification has been made for the removal of the agricultural occupancy condition in the applicants covering letter which refers to the size of the site not being large enough to support any sort of alternative agricultural enterprise and the cost of restoration of the site
- Officers recognise the need for the site to be dealt with comprehensively however insufficient justification has been made with regard to the removal of the occupancy condition

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- Last year an appeal was dismissed on the site which sought to replace the existing dwelling with four dwellings
- The Inspector commented that whilst there are a number of scattered houses in the site's vicinity the setting is overwhelmingly rural.
- Officers consider therefore that whilst the principle of a replacement dwelling is acceptable on this site, the proposal as submitted is contrary to policy and will affect the rural character of the area.

Impact on the character of the area

- The site forms part of the river valley of the Meon and levels within the site are low but rise steeply to the east to Selworth Lane
- The site lies within the Upper Meon Valley Landscape Area
- The siting for the proposed dwelling takes advantage of the contours of the site and is situated on low ground, enclosed to some extent by the bank up to Selworth Lane to the east and existing trees to the north and the disused railway embankment to the west
- The site is fairly well screened but there are views into the site from the south and the from the accesses to the site from Selworth Lane and from the public footpath along the railway line
- It is considered that the siting, scale, mass and bulk of the proposed three-storey dwelling in a prominent central position coupled with the design of the proposed dwelling would have an adverse impact on the character of the rural area.
- The amount of subsoil evacuation, new bunding and the removal of a number of trees would result in a more open site which will result in increased visual intrusion in the landscape

Detailed design

- The supporting statement describes the dwelling at a traditional Hampshire style having broad roofs with an overhanging sprocketed eaves, reminiscent of the country house style at the turn of the twentieth century
- Officers consider that the design of the proposed dwelling will result in an imposing building of a more urban character out of keeping with this rural location

Residential amenities

- No affect to the neighbouring dwelling Hookers Dean which is situated to the south of the site on the same side of Selworth Lane
- Two detached dwellings to the east of the site on the opposite side of Selworth Lane are situated on higher land, as Kookaburra is to be demolished and the replacement dwelling sited further into the plot, cut into the land, there is no impact to these dwellings.

Highways

- Highway Engineer is satisfied with the proposal and raises no highway objection

Comments on representations

- Two local residents have written to support the proposal
- The comments are detailed and support the applicants case for the removal of the agricultural occupancy condition and the erection of a large detached dwelling on the site along with the general clearance of the site to provide an attractive meadow and paddock more suited to the rural location.
- The Parish Council support the principle of a replacement dwelling and the restoration of the site, although raise similar concerns to those raised by Officers which are entailed above.

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Recommendation

REFUSE – subject to the following refusal reason(s):

Conditions/Reasons

01 The proposed development does not accord with the requirements of policies C1, C2, UB3, E6, E7 and H10 of the Hampshire County Structure Plan 1996-2011 (Review) and proposals C.1; C.2; C.7, C.19, EN.5, and EN.7 of the Winchester District Local Plan and proposals C.1, C.6, C.7, C.22, DP.1, DP.3 and DP.5 of the Winchester District Local Plan Review and Revised Deposit in that:-

a) the replacement dwelling would result in a large three storey dwelling significantly larger than the two storey dwelling it would replace

b) by virtue of siting, scale, mass and design would result in increased visual intrusion in an area of countryside designated as an Area of Outstanding Natural Beauty

c) The proposal would represent an undesirable form of development which will detract from the visual amenities of the site from public view points in an area that has been designated as countryside and an Area of Outstanding Natural Beauty.

02 The proposal is contrary to policy C17 of the Winchester District Local Plan and policy C20 of the emerging Winchester District Local Plan Review Deposit and Revised Deposit in that the Local Planning Authority is not satisfied from the information submitted, that the dwelling is no longer required for agricultural or forestry workers in the surrounding area nor likely to be required for this purpose in the foreseeable future.

Informatives

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

Hampshire County Structure Plan Review: C1, C2, E6, E7, H10, UB3

Winchester District Local Plan Proposals: C.1, C.2, C.7, C.17, C.19, EN.5, EN.7, T.9

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: C.1, C.7, C.20, C.22, DP.3, DP.5, T.2, T.3, T.4

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Item No: 12
Address: The Hurdles Brockbridge Droxford Southampton Hampshire SO32
3QT

Parish/Ward Soberton

Proposal Description: (AMENDED DESCRIPTION) 2 no. Illuminated projecting and
freestanding sign

Applicant Quindell Ltd

Case No: 04/00865/AVC

W No: W03914/19A

Case Officer: Mrs Julie Pinnock

Date Valid: 31 March 2004

Delegated or Committee: Committee Decision

Reason for Committee: The Officers consider the application to be controversial or potentially
controversial

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Site Description

- The Hurdles is a public house situated on the south side of the B2150
- The site has a dual frontage occupying a corner plot, with vehicular access from Station Road
- The site is situated in a countryside location within the East Hampshire Area of Outstanding Natural Beauty
- The site is raised from the road, with a large grass bank adjacent to the highway verge
- There is a difference in levels within the site

Relevant Planning History

- W03914 - Conversion of stables into overnight accommodation 11 rooms - Application Permitted - 17/08/1978
- W03914/01 - Installation of septic tank - Application Permitted - 18/09/1980
- W03914/02 - Conversion of cottage house and stables to single dwelling house - Application Permitted - 13/04/1981
- W03914/03 - Erection of single storey rear extension and porch - Adj The Hurdles Public House Brockbridge - Application Permitted - 15/02/1984
- W03914/04 - Conversion of stable and coach house to flat and accommodation units - Application Permitted - 04/09/1984
- W03914/05 - Use of land as site for caravan - Coach House Brockbridge - Application Permitted - 11/04/1985
- W03914/06 - Garage first floor side extension and single storey rear extension - The Coach House Brockbridge Droxford - Application Permitted - 11/04/1985
- W03914/07 - Siting of caravan for a temporary period - The Hurdles Public House Brockbridge Droxford - Application Permitted - 19/03/1986
- W03914/08 - Installation of septic tank - The Coach House Brockbridge Nr Droxford - Application Permitted - 15/08/1986
- W03914/09 - Single storey side extension - The Hurdles Brockbridge - Application Permitted - 09/03/1988
- W03914/10 Dwelling for hotel proprietor - The Hurdles Public House Brockbridge - Application Refused - 08/02/1988
- W03914/11 - Extension and conversion of car port to provide four additional rooms - The Coach House Motel Brockbridge Soberton - Application Refused - 17/08/1988
- W03914/12 - Two storey rear extension - The Coach House Motel Brockbridge Droxford - Application Refused - 04/04/1989
- W03914/13 - Erection of dwelling and garage - Coach House Motel Brockbridge - Application Permitted - 03/10/1989
- W03914/14 - Change of use from motel to 1 no. dwelling - The Hurdles Public House Brockbridge Droxford Southampton Hants SO32 3QT - Application Permitted - 04/08/1994
- W03914/15 - New fence, wall, chimney, doors and windows - The Hurdles Public House Brockbridge Droxford Southampton Hants SO32 3QT - Application Permitted - 04/10/1994
- W03914/16 - (AMENDED DESCRIPTION) Conversion and extension of public house to 4 no. three bedroom dwellings, garaging and associated parking - The Hurdles Public House Brockbridge Droxford Southampton Hants SO32 3QT - Application Refused - 27/04/2000
- W03914/17 - Conversion of existing integral double garage to conservatory/garden room - The Coach House Hambledon Road Droxford Southampton Hampshire SO32 3QT - Application Permitted - 24/01/2003
- W03914/18 - Two pergola's, garden steps, children's play equipment in rear garden, timber screen to gas tank, landscaping and alterations to car park - Committee resolved to grant planning permission on 27/05/2004.

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Proposal

- As per Proposal Description
- Two hanging signs from free standing poles
- Both illuminated with static lighting

Consultations

- None

Representations:

Soberton Parish Council

- No objection to replacement wall sign
- Consider that there should only be 1 free-standing sign

Letters of representations have been received from 2 Neighbours

- Concerned over neighbour notification
- Description incorrect originally stated 1 sign, then 2, but application for 3
- Application pre-decided
- Object to free-standing illuminated signs
- 3 signs un-necessary
- Illumination is inappropriate – rural area and Area of Outstanding Natural Beauty
- Use of illuminated signs contrary to DETR publication “Good Practice Guide to Lighting in the Countryside”.
- If permission is given should only be given for one sign

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- C1, C2, E7

Winchester District Local Plan

- C.1, C.2, C.7, EN.5, EN.7

Winchester District Local Plan Review Deposit and Revised Deposit:

- C.1, C.7, DP.3, DP.5

Supplementary Planning Guidance:

- Soberton Village Design Statement
- Winchester City Council Supplementary Planning Guidance - Design Guidance for the Control of Shopfronts and Signs

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG 7 The Countryside – Environmental Quality and Economic and Social Development
- PPG 19 Outdoor Advertisement Control

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area
- Residential amenities
- Comments on representations

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Principle of development

- The site is situated in the countryside, and has a lawful use as a public house with a single residential element at first floor.
- The City Council has adopted Supplementary Planning Guidance on the control of shop fronts and signs
- Section 11 of the guidance deals with public houses and restaurants
- It advises that signing for public houses should follow traditional approaches
- Any illumination should be by discreet external downlighting, and if pole signs are illuminated it should not be necessary for a fascia sign to be illuminated
- It also advises that repetitive signage should be avoided other than for the purposes of identifying separate frontages to more than one road
- The proposal seeks 2 no. free-standing signs, one at the entrance to the public house car park served from Station Road, and the other at the steps from the junction with Station Road and the B2150
- Officers consider that the principle of the proposal is acceptable and accords with the supplementary planning guidance
- The hanging signs would in themselves not require advertisement consent if not illuminated

Impact on the character of the area

- The site is situated on a corner plot with active frontage to the B2150 and Station Road, where existing vehicular access is provided
- Due to the raised position of the site, the pub is visible in views, and the proposed signage will be visible in views from the east along the B2150 and from the south from Station Road
- However the hanging signs are of a size and design which are not considered intrusive in the countryside location or affect the Area of Outstanding Natural Beauty and it is not considered that the illumination will have any detrimental effects

Residential amenities

- The site although in a countryside location, is situated in a small cluster of residential dwellings
- The signs are proposed within the curtilage of the public house, and it is not considered that the proposal affects the amenity of neighbouring properties.

Comments on representations

- One area of concern by local residents was the initial neighbour notification
- When the application was registered it was incorrectly registered as relating to 1 free-standing sign
- Officers amended this prior to neighbour notification and a revised site notice was sent to the applicant/agent to display
- The neighbour notification did only notify two immediate neighbours
- In order to ensure that local residents who wish to make representations on this application, a further notification was carried out
- With regard to concerns over three signs at the site, the confusion lies in that the application refers to a wall sign already erected at the public house
- The agent has advised that this wall sign does not form part of the application and is a like for like replacement of a wall sign in this location
- The two free-standing hanging signs in themselves do not require advertisement consent, although the illumination does
- It is not considered that the illumination is detrimental to the character of the area
- Officers do not consider that the proposed illumination is contrary to guidance in the DETR publication "Good Practice Guide to Lighting in the Countryside"

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Recommendation

APPROVE – subject to the following condition(s):

Conditions/Reasons

01 Any advertisements displayed and any site used for the display of advertisements shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

01 Reason: As required by the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992.

02 Any structure or hoarding erected or used principally for the purpose of display of advertisements shall be maintained in a safe condition.

02 Reason: As required by the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992.

03 Where an advertisement is required under the Town and Country Planning (Control of Advertisements) Regulations 1992 to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

03 Reason: As required by the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992.

04 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

04 Reason: As required by the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992.

05 No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air, or so otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

05 Reason: As required by the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992.

Informatives

01. 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 54A of the Town and Country Planning Act 1990 (as amended), planning permission should therefore be granted.

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

Hampshire County Structure Plan Review: C1, C.2, E7

Winchester District Local Plan Proposals: C.1, C.2, C.7, EN.5, EN.7

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: C.1, C.7, DP.3, DP.5

Winchester City Council Supplementary Planning Guidance - Design Guidance for the Control of Shopfronts and Signs

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Item No: 13
Address: The Restaurant On The Square The Square Bishops Waltham
Southampton Hampshire SO32 1AR

Parish/Ward Bishops Waltham

Proposal Description: (AMENDED DESCRIPTION) Removal of conditions no. 2 and
Variation of condition no. 4 of planning permission W12119/02

Applicant Mr Shamin Miah

Case No: 04/00964/FUL

W No: W12119/05

Case Officer: Mrs Julie Pinnock

Date Valid: 14 April 2004

Delegated or Committee: Committee Decision

Reason for Committee: Parish Council submitted representations contrary to officer
recommendation

Reason for Committee: 4 or more representations contrary to the Officer's recommendations
have been received

Site Factors: Bishops Waltham Conservation Area

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Site Description

- Three storey building on the corner of The Square and Houchin Street
- Grade II listed building with a smooth cream render finish and clay roof tiles
- Opposite The Crown Public House
- Adjacent to residential units

Relevant Planning History

- W12119LB – External and internal repairs – Application Permitted – 30.10.90
- W12119/01LB – Minor internal and external alterations – Application Permitted – 05.03.91
- W12119/02 – Change of use from office to bar and restaurant – Application Permitted 25.04.96
- W12119/03LB – Internal alterations to convert office to bar and restaurant – Application Permitted 25.04.96
- W12119/04A – 2 no externally illuminated wall signs, menu board and above door signs – Application Permitted 12.11.96

Proposal

- Condition 02 of W12119/02 restricts the use of the restaurant with the condition stating “the premises shall not at any time be used for the sale of hot food for consumption off the premises”.
- The applicant seeks the removal of this condition to enable him to use the restaurant for ancillary take-away
- Condition 04 of W12119/02 restricts the opening of the premises to 0900 to 1200 midnight Monday to Saturday and 12.00 noon to 4.00 p.m. on Sunday.
- The applicant wishes to vary this condition to enable him to open on Sunday until 10.00p.m.

Consultations

Engineers:Highways:

- No objection – the conditions relate to the general environment of the area and not highway safety
- Guidance contained in PPG6 looks to support the evening economy of town centres

Environmental Health:

- No objection to the removal of condition 02 and 04, however do have concerns about the extract ventilation system at the premises and its capability to ensure that no odour is detected outside the restaurant

Representations:

Bishops Waltham Parish Council : object

- The Parish Council see no reason why the original restrictions should be lifted as the circumstances and location have not changed from the previous application
- Condition 02 should not be removed in order to ensure that the amenities of the area are not adversely affected by the use of the premises for ‘take-away’ sale of food
- Condition 04 should not be removed in order to safeguard the amenities of occupiers of nearby properties.

Bishops Waltham Society : object

- A take-away in St George’s Square will aggravate the existing litter problem in The Square
- Will increase late evening activities to the disadvantage of those living nearby
- Will increase the number of vehicles stopping at this busy junction near to the cashpoint and at the front of The Crown

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Letters of representations have been received from 17 Neighbours including a petition containing 13 signatures all object on the following grounds

- Encourage on-street parking on double yellow lines
- Cause traffic hazard
- Inconsiderate parking practices already lead to severely restricted access by emergency vehicles to the majority of residents
- Staff park in Eastway
- Inappropriate parking in private parking areas while collecting take-away
- Increase parking, noise, litter and smell
- No where for a bin for rubbish - residents already clear up rubbish from the Chinese take-away and the Barley Corn Public House
- Already four take-away outlets
- People vacating The Crown Public House will hang around longer waiting for take-away causing potential noise disturbance to local residents
- Area is already depleted of adequate community police coverage
- Bishops Waltham is a historic village and it seems inappropriate to have another take-away
- Above the kitchen is a main living area resulting in noise particularly from extended opening hours
- Remove of condition relating to hot food would make it difficult for the planning authority to resist other restaurants offering take-away services

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB3

Winchester District Local Plan

- EN.5, HG.7, HG.20

Winchester District Local Plan Review Deposit and Revised Deposit:

- DP.3, HE.5, HE.14, SF.1, SF.2

Supplementary Planning Guidance:

- None

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG 6 Town Centres and Retail Developments
- PPG 15 Planning and the Historic Environment

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Residential amenities
- Highways
- Comments on representations

Principle of development

- The site is situated within the settlement boundary of Bishops Waltham just within the Conservation Area.
- It is situated outside the identified primary shopping area.
- The adopted local plan has no specific policies which deal with A3 uses, therefore applications must be considered on their merits
- Policy SF.1 of the emerging local plan allows for A3 uses within town and village centres.

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- The history indicates that whilst condition 02 and 04 were imposed in 1996, the applicant had no objection to these condition
- The current application must be considered on its merits
- Condition 02 seeks to restrict the use of the premises for solely seated customers, and whilst the original applicant may not have had any objection to this, officers consider that in such a sustainable location within a settlement it would be unreasonable not to allow a take-away service to operate from the premises
- Officers therefore recommend that condition 02 be removed
- Condition 04 limits the opening hours on Sunday from 12.00 noon to 4.00p.m. on Sunday
- Officers consider that it is not unreasonable for the applicant to request that he open until 10.00 p.m. on Sunday and therefore recommend that Condition 04 be varied to enable the premises to open until 10.00p.m. on Sunday.

Residential amenities

- The site is situated within a town centre where a variety of mixed uses are expected to occur
- The building is situated with a residential unit above part of the premises, and adjacent to residential units, retail and opposite a public house
- The premises has been granted an A3 use, therefore the principle cannot be question
- The main issue is whether extended opening hours on Sunday and take-away operating in association with a restaurant would be materially harmful to neighbour properties
- Officers consider that whilst a take-away activity at the premises may encourage more trade, this is not a sufficient reason to withhold removal of condition 02
- Officers consider that the increased opening hours until 10.00 p.m. on Sunday would not materially affect the amenities of neighbouring properties, given the opening hours of other premises in the locality
- The premises would close on Sunday before the public house opposite.

Highways

- The highway engineer raises no highway objection to the proposal, commenting that the original conditions were not highway related

Comment on representations

- Local residents, the Parish Council and the Bishops Waltham Society have raised objection to the proposal
- Primarily on the grounds that by increasing business activity at the premises and extending the opening hours patrons of the premises will park inappropriately at the premises which has double yellow lines or park in the surrounding neighbourhood
- Whilst officers recognise local residents fears, inappropriate parking on double yellow lines is a matter for the police/highway authority to control and whilst parking in surrounding streets is a nuisance, it is not something that can be controlled through a planning application.
- The objection relating to noise and smell have been considered by the Environmental Health Department, who whilst raise concerns regarding the extract ventilation system have not raised objection to the proposal.
- Officers suggest a condition to require further details of the existing extract ventilation system and any measures necessary to upgrade it to ensure that no odour is detected outside the restaurant.
- It is suggested that a condition requiring details of the disposal of rubbish be imposed to ensure that any rubbish produced as a result of the take-away is disposed of appropriately.

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Recommendation

APPROVE – subject to the following condition(s):

Conditions/Reasons

01 The premises shall only be open to the public between 9.00a.m. to 12.00 midnight on Mondays to Saturdays and between 12.00 noon and 10.00p.m. on Sundays.

01 Reason: To safeguard the amenities of occupiers of nearby properties.

02 Details for the facilities for the disposal of rubbish shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved details shall be fully implemented before the use hereby approved is commenced.

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

03 Details of the means of extraction of fumes from the premises shall be submitted to and approved in writing by the Local Planning Authority and shall be installed before the use hereby permitted is commenced, and thereafter maintained and operated in accordance with the approved details.

03 Reason: To protect the amenities of occupiers in adjoining properties from undue disturbance caused by cooking smells and fumes.

Informatives

01. 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 54A of the Town and Country Planning Act 1990 (as amended), planning permission should therefore be granted.

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

Hampshire County Structure Plan Review: UB3

Winchester District Local Plan Proposals: EN.5, HG.7, HG.20

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP.3, HE.5, HE.14, SF.1, SF.2

03. The applicant is advised that Environmental Health Officers have concerns over the existing extraction system at the premises, and question its capability to ensure that no odour is detected outside the restaurant. In submitting details to satisfy Condition 03 details of the existing extract ventilation system and any measures necessary to upgrade it to ensure that no odour is detected outside the restaurant.

04. The applicant is advised that the premises is a grade II listed building and any internal or external alterations to the building will require listed building consent.

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Item No: 14
Address: Land Between 5 - 7 Buddens Road Meon Park Wickham Hampshire
Parish/Ward Wickham
Proposal Description: Erection of a pair of three bedroom semi-detached dwellings with associated parking and new access
Applicant Winchester Housing Trust
Case No: 04/00773/FUL
W No: W18219/01
Case Officer: Mrs Sian Proudlock
Date Valid: 5 April 2004
Delegated or Committee: Committee Decision
Reason for Committee: Parish Council submitted representations contrary to officer recommendation
Reason for Committee: 4 or more representations contrary to the Officer's recommendations have been received

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Site Description

- This site is a grassed area between 5 and 7 Buddens Road, Wickham
- Buddens Road is characterised by semi-detached houses in sizeable plots
- The land rises westwards from Buddens Road

Relevant Planning History

- W18219: Two storey block of 4 no. one bedroom flats – Refused 15/04/2003

Proposal

- Erection of a pair of three bedroom semi-detached dwellings with associated parking and new access

Consultations

Engineers:Highways:

- Visibility to the northeast is limited to 2 metres by 33 metres
- A stopping distance of 33 metres equates to an approach speed of 20mph
- No on-site turning proposed though as Buddens Road is not classified, this cannot be insisted upon
- It will be difficult to sustain highway reasons for refusal
- Recommends conditions

Housing Enablement Officer:

- The principles of location, type and size of properties were agreed with the applicant
- The 2002 Housing Needs Survey demonstrates a significant housing need for 3 bedroom type affordable housing in the Wickham area
- Housing Enablement supports the application

Arborocultural Officer

- The young Cypress in the garden of No. 5 is very prominent though not considered worthy of a TPO as its long term life is limited
- The sycamore tree on the eastern boundary is of high amenity importance though multi-stemmed and so of little long term viability and not worthy of a TPO
- There is space at the front of the site where a couple of small new trees could be planted

Landscape Architect

- The proposed building footprint and treatment of external areas needs to be considered within the context of a site survey and constraints
- Indicative boundary treatment will be visually/physically suitable – permeable fencing proposed

Chief Estates Officer

- The site is owned by the City Council
- The site has been checked for discrepancies in dimensions
- No evidence of discrepancy in site area shown on submitted plans with City Council records

Drainage Engineers

- There is no record of any public sewer across the site

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Representations:

Wickham Parish Council objects on grounds of:

- Detrimental to the street scene, excessive bulk on a sloping site
- Vehicles unable to turn on site to allow safe exit
- Concern of impact on existing mature trees
- Existing drainage system unable to cope with further development

Letters of representations have been received from Neighbours

5 Buddens Road – 11 letters of objection on grounds of:

- Design, appearance, layout
- Health and safety
- Land is smaller than shown on the map
- Buildings on the site will be detrimental to the geology and present buildings
- Area is not consistent with family life – mainly elderly people, young families won't fit in
- Developers error on the map
- Case law

7 Buddens Road – letters of objection on grounds of:

- Design, appearance, layout
- Sewer pipes will be left exposed
- Health and safety of vehicles reversing out
- Congestion in Buddens Road
- Boundaries of No. 5 & 7 will be encroached upon
- Overlooking
- Effect on light and privacy
- Noise from communal accesses

12 Buddens Road – 1 objection on grounds of:

- Only 3 residents notified
- Overlooking
- Case law
- Previous application refused
- Possible sewer damage

16 identical letters of objection from occupiers in Elizabeth Road, Buddens Road, Roberts Close and The Circle on grounds of:

- Overlooking
- Case law
- Previous refusal
- Possible sewer damage

22 identical letters of objection from occupiers in Buddens Road, Roberts Close, Elizabeth Road, Southampton Road and The Circle on grounds of:

- Health and safety issues
- Vehicles parking on a blind bend
- Possible accidents with emergency and service vehicles

21 identical letters of objection from occupiers in Buddens Road, Roberts Close, Elizabeth Road, and The Circle on grounds of:

- Design, appearance, layout
- Exposure of the sewer pipe
- Developers may intend to increase the height of buildings
- Footings should be at least 1.5 metres deep
- Development will impinge on boundaries of adjacent properties

18 identical letters of objection from occupiers in Buddens Road, Roberts Close, Elizabeth Road, and The Circle on grounds of:

- Interference with the enjoyment of neighbouring properties
- Overlooking

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- Damage to the root system of the Oak
- 5 identical letters of objection from occupiers in Buddens Road and Roberts Close on grounds of:
- Design and layout
 - Site plan contains errors
 - Boundary curves in favour of developer
 - Ground level is at least 1 metre higher than neighbouring properties

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB3, T1, T2, T4, T5, E8, R2

Winchester District Local Plan

- EN5, EN7, H1, T9, RT3

Winchester District Local Plan Review Deposit and Revised Deposit:

- DP1, DP3, DP5, H2, RT3, T1, T2, T3, T4

National Planning Policy Guidance/Statements:

- PPG 3 Housing

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Highways
- Impact on the character of the area
- Public open space
- Comments on representations

Principle of development

- The site is within settlement of Wickham
- Residential development accords with Development Plan Policies
- The site represents a vacant plot within a residential area
- The proposal is in keeping with the semi-detached dwellings in Buddens Road
- Objections to the previous application are overcome with reduced units which are better positioned in relation to adjoining houses and have less impact on adjoining occupiers
- The site is identified in Urban capacity Study as suitable for 2 dwellings

Highways

- Previous applications proposed 4 dwellings with inadequate parking to the rear of the site
- This proposal provides off street parking to the front of the site
- Vehicles will have to reverse out onto Buddens Road but road is unclassified
- There are insufficient grounds to justify highway safety reasons for refusal

Impact on the character of the area

- The proposed dwellings are positioned between Nos. 5 and 7, minimising the impact
- A simple design is proposed with 2 parking bays per dwelling to the front
- The dwellings would not be out of keeping with the area

Public open space

- POS contributions are required to adopted standards

Comments on representations

- Large numbers of letters have been received, several from the same addresses

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- The design and appearance are not out of character with the area
- The site measurements have been checked and verified by the Chief Estates Officer
- The trees are not affected by the proposal
- Case law refers to previous decisions – the current application overcomes previous objections to the scheme
- Overlooking: there is minimal overlooking from the plot adjacent to No. 5, some overlooking from the plot adjacent to No.7
- The applicant proposes obscure glazing in the lower panes of windows in the side elevation.
- The proposal will not endanger highway safety
- The parking provision and access are considered accurate
- The design is in keeping with adjoining properties
- There is no public sewer running across the site

Recommendation

APPROVE – subject to a Section 106 Agreement for:

A financial contribution of £3932.00 towards the provision of public open space through the open space funding system

(Note: If the Legal Agreement is not completed within 6 months then the application may be refused without further reference to Committee)

Conditions/Reasons

01 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

01 Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990.

02 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 have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

03 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.

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

04 No development shall take place until details of earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the existing and proposed levels and contours, showing the relationship of proposed mounding to existing vegetation and surrounding

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landform. Earthworks shall be carried out in accordance with the approved details prior to the completion of the development.

04 Reason: In the interests of maintaining the amenity value of the area.

05 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 buildings are occupied. Development shall be carried out in accordance with the approved details.

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

06 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.

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

07 The first floor bedroom windows in the side elevation of the dwelling hereby permitted adjacent to 7 Buddens Road shall be glazed in obscure glazing on the lower panes of the window and thereafter retained.

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

08 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 to 1800 Monday to Friday and 0800 to 1300 on Saturdays and at no time on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

08 Reason: To protect the amenities of adjoining properties during the construction period.

09 Any other condition on completion of consultations.

Informatives

01. 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 54A of the Town and Country Planning Act 1990 (as amended), planning permission should therefore be granted.

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

Hampshire County Structure Plan Review: UB3, T1, T2, T4, T5, E8, R2

Winchester District Local Plan Proposals: EN5, EN7, H1, T9, RT3

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP1, DP3, DP5, H2, RT3, T1, T2, T3, T4

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Item No: 15
Address: Osborne School Andover Road Winchester Hampshire SO23 7BU
Parish/Ward Winchester Town
Proposal Description: Erection of 47 no. dwellings comprising of 2 no. four bed; 21 no. three bed; 19 no. two bed; and 5 no. one bed dwellings and flats in two and three storey blocks, including 16 units of affordable accommodation, with landscaping, highway improvements and associated parking
Applicant Laing Homes (Thames Valley)
Case No: 04/00847/FUL
W No: W01525/11
Case Officer: Mrs Sian Proudlock
Date Valid: 2 April 2004
Delegated or Committee: Committee Decision
Reason for Committee: The application is for a major development
Reason for Committee: 4 or more representations contrary to the Officer's recommendations have been received
Site Factors: None

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Site Description

- Osborne School (formerly Lankhills School) occupies a large site to the east of Andover Road, adjacent to railway
- Application site comprises 0.84 hectares of surplus school land, located to the front of the main school site

Relevant Planning History

- Previous applications relate to extension of Osborne School

Proposal

- As per Proposal Description

Consultations

Engineers:Drainage:

- No objection
- Site already has buildings on which are connected to the public foul sewer

Engineers:Highways:

- HCC comments awaited
- Oral update will be made

Environment Agency:

- No objection, subject to conditions

Landscape:

- Arboricultural Officer
- Distance between trees and the buildings is in accordance with guidance BS5837
- Need for tree protection fencing during construction
- Recommends conditions
- Landscape Architect
- No objections to proposed built form and materials as they compliment visually the strong identity created on the adjoining school site
- Concerns regarding the external spaces
- Need to accommodate reinforced boundary treatment on eastern and northern boundaries
- Hard paved areas have encroached on open space to east and north of site
- Omission of boulevard planting along the new street weakens the formal character of a new street
- Boundary and fence treatment needs to be carefully considered
- Planting needs to be reconsidered in certain areas such as around substation
- Hornbeam hedge is not practical along the southern boundary
- Proposed fastigate hornbeam hedge is not appropriate in this restricted location

Architects Panel:

- House designs employ a mix of mono and duo pitched roofs, render, boarding and brickwork
- Site is isolated
- Layout suffers from a complex and extensive network of pedestrian and vehicular circulation space at the expense of garden and amenity space
- Visually the building designs have merit
- Panel have some doubts about how the development will work and be managed

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Southern Water:

- Comments not yet received

Sites and Monuments Officer:

- Programme of archaeological excavation has been completed in advance
- No remaining archaeological constraints within application site
- Recommends condition for watching brief

Representations:

City of Winchester Trust:

- Objects
- Good to see the development was designed for the site and has a crisp, uncluttered style
- Stepped roofspace particularly successful
- Layout follows HCC's brief for the site
- Concerns about relation of Tulip tree
- Density high at 56dph, could be reduced to save Tulip tree
- Concerns about additional traffic demands on road network

Letters of representations have been received from 3 Neighbours

- Osborne School - Concerns
- Various concerns about affect on school, pupils and staff during construction period and future residents
- 2 Residents – Object
- Additional traffic and pedestrians using Hyde Close
- Increased traffic on roads generally preferable though than building on Barton Farm

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB1, UB3, H5

Winchester District Local Plan

- EN1, EN4, EN5, EN7, H1, RT2

Winchester District Local Plan Review Deposit and Revised Deposit:

- H2, H5, H7, DP3, DP5, RT2, Rt3, T3, T4

Supplementary Planning Guidance:

- Achieving a Better Mix in New Housing Developments
- Movement, Access, Streets and Spaces
- Parking Standards 2002
- Winchester City and its Setting

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG 3 Housing
- PPG 13 Transport

Planning Considerations

The main considerations in respect of this application are:

Principle of development

- Residential development is acceptable on this site in terms of development plan policies
- Site became available following HCC's review of Special Education needs
- Osborne School has been extended and upgraded and provides the only residential Moderate Learning Difficulty (MLD) School
- HCC drew up design and development brief published February 2003
- Brief defines site constraints and development requirements
- Brief advertised by HCC and exhibitions held
- Current proposed closely follows design principles outlined in the brief
- Density of 55dph reflects sustainable location of site within walking distances of city centre
- Acceptable housing mix – 50% of dwellings will be 1 and 2 bedroom

Impact on the character of the area/spatial characteristics/street scene

- Site well screened from Andover Road, set back behind tree line.
- Buildings set behind public open space
- No visual impact on surrounding area
- No impact on school buildings, site would be physically separate
- Mature trees to be retained
- Additional screen planting proposed

Detailed design

- Design follows the form of development shown in development brief
- Development 2 and 3 storeys in height predominantly
- Taller buildings at entrance gateway to form landmark elements (4 storey apartments)
- Crescent of 3 storey town houses fronting public amenity area
- Key buildings will incorporate mono or duo pitched roofs in slate, facing brick, rendered panels and horizontal board cladding
- 3 storey town houses proposed along western boundary school car park
- Integral garages to town houses will have rear access
- 2 and 2½ storey town houses proposed for northern and north eastern sections of site
- 51 parking spaces provided (1.1 spaces per dwelling)

Trees

- Majority of trees to be retained
- Tulip tree to be moved and replanted in the site

Highways

- Access from Andover Road will serve the site and Osborne School
- Parking on internal road serving school will be controlled
- Parking provision considered acceptable

Landscape

- Landscaping proposals have been submitted for consideration
- Landscape architect consider alternative planting would be preferable in parts of the site
- Suggested condition to ensure landscape management plan and revised planting

Public open space provision

- Contributions will be required to Public Open Space Fund
- Play area (LAP) to be provided within the site

Affordable housing

- A total of 16 dwellings will be provided on site
- This represents 35% provision

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Planning Obligations/Agreements

In seeking the planning obligation the Local Planning Authority has had regard to the tests laid down in Circular 1/97 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

Approve subject to S106 legal agreement in a form to be agreed with the City Secretary and Solicitor to cover:-

- **Public open space contribution;**
- **Affordable housing provision**
- **Establishment of a Management Company to manage the roads, parking areas and open space and landscape management.**

Conditions/Reasons

01 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

01 Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990.

02 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 have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

03 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:

03 - existing and proposed finished levels or contours:

03 - means of enclosure, including any retaining structures:

03 - hard surfacing materials:

03 - minor artefacts and structures (eg. street furniture, play equipment, refuse or other storage units, signs, lighting etc):

03 - proposed and existing functional services above and below ground (eg. drainage, power, communications cables, pipelines etc, including lines, manholes, supports etc.):

03 Soft landscape details shall include the following as relevant:

03 - planting plans:

03 - written specifications (including cultivation and other operations associated with plant and grass establishment:

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03 - schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate:

03 - implementation programme:

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

04 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before the use hereby permitted is commenced and prior to the completion of the development or in accordance with the programme agreed with the Local Planning Authority. If within a period of five years after planting any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

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

05 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, specifically the woodland area to the front of the site, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the details hereby approved.

05 Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal, public, nature conservation and historic significance.

06 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 dwellings are occupied. Development shall be carried out in accordance with the approved details.

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

07 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 5 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.

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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.

07 Reason: To ensure the protection of trees which are to be retained.

08 Details of the design of building foundations and the layout, with positions, dimensions and levels of service trenches, ditches, drains and other excavations on site, insofar as they affect trees and hedgerows on or adjoining the site, shall be submitted to and approved in writing by the Local Planning Authority before any works on the site are commenced.

08 Reason: To ensure the protection of trees and hedgerows to be retained and in particular to avoid unnecessary damage to their root system.

09 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 Part 1 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

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

10 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 0800-1800 Monday to Friday and 0800-1300 Saturdays and at no time on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

10 Reason: To protect the amenities of adjoining properties during the construction period.

11 No development shall take place until a scheme for limiting the transmission of noise between the units of accommodation and, any part of the building which is not exclusively used with a unit of accommodation, has been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be completed, before any unit of accommodation is occupied and shall be maintained thereafter in accordance with the approved details.

11 Reason: To protect the amenities of future occupants of the dwellings.

12 No development or site preparation prior to operations which has any effect on disturbing or altering the level of composition of the land, shall take place within the site until the applicant or their agents or successors in title has secured the implementation of 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.

12 Reason: To ensure that the archaeological interest of the site is properly safeguarded and recorded.

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13 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.

13 Reason: In the interests of highway safety.

14 The garages and parking spaces hereby approved shall not be used for any other purpose than the parking of cars.

14 Reason: To ensure the provision and retention of the n the interests of local amenity and highway safety.

15 No development shall be commenced until a scheme for provision of surface water drainage works, supported by detailed calculations, if required, has been approved by the Local Planning Authority. Such a scheme shall be implemented to the reasonable satisfaction of the Authority.

15 Reason: To prevent flooding.

16 No development shall commence until a scheme for the disposal of foul waters has been approved by and implemented to the reasonable satisfaction of the Local Planning Authority.

16 Reason: To prevent the pollution of the water environment.

17 No sewage or trade effluent except site drainage shall be discharged to any surface water drainage system.

17 Reason: To prevent pollution of the water environment.

18 All surface water from roofs should be piped to an approved surface water system using sealed down pipes. Open gullies should not be used.

18 Reason: To prevent pollution of the water environment.

19 During construction, any facilities for the storage of fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The bund capacity shall give 110% of the total volume for single and hydraulically linked tanks. If there is multiple tankage, the bund capacity shall 110% of the largest tank or 25% of the total capacity of all tanks, whichever is the greatest. All filling points, vents, gauges and sight glasses and overflow pipes shall be located within the bund to any drain, sewer or watercourse or discharging onto the ground. Associated pipework shall be located above ground where possible and protected from accidental damage.

19 Reason: To prevent pollution of the water environment.

20 Any other conditions on completion of consultations.

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Informatives

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

Hampshire County Structure Plan Review: UB1, UB3, H5

Winchester District Local Plan Proposals: EN1, EN4, EN5, EN7, H1, RT2

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: H2, H5, H7, DP3, DP5, RT2, RT3, T3, T4

02. 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 54A of the Town and Country Planning Act 1990 (as amended), planning permission should therefore be granted.

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Item No: 16
Address: 163 Olivers Battery Road South Olivers Battery Winchester
Hampshire SO22 4LF

Parish/Ward Olivers Battery

Proposal Description: First floor extension over existing garage

Applicant Mr G Kidd And Ms V Whitehead

Case No: 04/01087/FUL

W No: W03510/06

Case Officer: Andrea Swain

Date Valid: 26 April 2004

Delegated or Committee: Committee Decision

Reason for Committee: Parish Council submitted representations contrary to officer
recommendation

Site Factors: None

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Site Description

- This part of Oliver's Battery is characterised by detached properties with modest garden areas.
- Number 163 Olivers Battery Road South is set on a larger plot and is at right angles to numbers 5 and 6 Beech Close to the west.
- There is some planting along the western boundary and a 1.8 metre high close board fence.

Relevant Planning History

- **W03510** 'Erection of 2 detached dwellings and garages following demolition of existing dwelling - 13 Poultry Holdings Olivers Battery Road Olivers Battery - Application Permitted -
- **W03510/01** 'Erection of dwelling and garage following demolition of existing dwelling - 13 Poultry Holdings Olivers Battery Road Olivers Battery - Application Permitted - 10/11/1980
- **W03510/02** 'Erection of dwelling and garage details in compliance with outline permission 03510/01' - 13 Poultry Holdings Olivers Battery Road Olivers Battery - Application Refused - 29/04/1982
- **W03510/03** 'Erection dwelling and garage details in compliance with outline permission - 13 Poultry Holdings Olivers Battery Road Olivers Battery - Application Permitted - 28/07/1982
- **W03510/04** First floor extension over existing garage - 163 Olivers Battery Road South Olivers Battery Winchester Hampshire SO22 4LF - Application Refused - 07/08/2003
- **W03510/05** First floor extension over existing garage to side - 163 Olivers Battery Road South Olivers Battery Winchester Hampshire SO22 4LF - Application Refused - 22/12/2003

Proposal

- As per Proposal Description

Consultations

None required

Representations:

Olivers Battery Parish Council

- Object. The bulk of the proposed development is excessive and over development of the site. The proposed development will also be detrimental to the amenities of adjacent properties.

Letters of representations have been received from 2 Neighbours

- Overlooking;
- Overbearing impact;
- Overdevelopment;
- Impact on character of the area.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB3

Winchester District Local Plan

- EN5

Winchester District Local Plan Review Deposit and Revised Deposit:

- DP3

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National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles

Planning Considerations

The main considerations in respect of this application are:

Principle of development

- Impact on the character of the area/spatial characteristics/street scene
- Residential amenities
- Comments on representations

Principle of development

- The site is within the settlement boundary of Olivers Battery where the principle of residential development is acceptable subject to there being no impact on the character and amenities of the area, nor the amenities of adjoining occupiers.
- There have been 2 previous applications for a first floor side extension at this property which were refused because of the overbearing impact and overlooking created by the proposals.

Impact on the character of the area/spatial characteristics/street scene

- There will be views of the proposed extension from the front of 163 Olivers Battery Road South and also between 5 and 6 Beech Close to the west.
- Because of the width of the plot, the addition of the first floor over the garage is not considered to impact on the character of the street scene when viewed from Olivers Battery Road South.
- When viewed from Beech Close, the extension will be read against the existing side wall of number 163 and will not impact on the character of the street scene.

Residential amenities

- The height of the side wall from ground level to the start of the roof on previous refused application W0310/05 was 5.6 metres. The overall height to the top of the roof was 6.7 metres.
- In this application, dormer windows have been introduced on both the front and rear elevations and the height of the wall from ground level to the start of the roof has been reduced to 4.2 metres, creating an overall height of 6.1 metres.
- It is considered that the height and bulk of the side elevation has been sufficiently reduced to overcome the previous reason of refusal with regard to the overbearing impact that the extension will have on the occupants of 5 and 6 Beech Road.
- There remains concern with regard to the issue of overlooking from the rear bedroom window.
- The architect has advised that this issue can be overcome by setting the window in so that there will be a screen between the window and the adjacent property.
- No such information has been received to date. On receipt of this information, Officers will assess the impact of the revised window design and update Members verbally.

Comments on representations

- It is considered that the issue of the overbearing impact has been overcome with the reduction in height of the side wall and introduction of dormers on the front and rear elevations.
- The proposed extension is considered to have a satisfactory impact on the character and amenities of the street scene.
- Amended plans are awaited to overcome the issue of overlooking.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA
28 June 2004

Recommendation

APPROVE– subject to the receipt of amended plans which clearly demonstrate that the issue of overlooking has been overcome the application is recommended for approval subject to the following condition(s):

Conditions/Reasons

01 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

01 Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990.

02 The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

02 Reason: To ensure a satisfactory visual relationship between the new development and the existing.

03 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no additional windows shall be inserted in the west elevation of the extension without the prior approval of the Local Planning Authority.

03 Reason: To protect the amenities of adjoining occupiers.

Informatives

01. 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 54A of the Town and Country Planning Act 1990 (as amended), planning permission should therefore be granted.

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

Hampshire County Structure Plan Review: UB3
Winchester District Local Plan: EN5
Emerging development plan WDLPR DP3