

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Item No: 09
Address: 8 Bercote Close, Littleton, Winchester Hampshire SO22 6PX
Parish/Ward Littleton And Harestock
Proposal Description: Demolition of existing dwelling and redevelopment comprising 1 no. four bedroom and 1 no. two bedroom dwellings
Applicants Name Mr N Briercliffe
Case No: 05/01871/FUL
W No: W19361/02
Case Officer: Lorna Hutchings
Date Valid: 2 August 2005
Delegated or Committee: Committee Decision
Reason for Committee: 4 or more representations contrary to the Officer's recommendations have been received
Site Factors:

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Site Description

- Existing residential plot with one small single storey dwelling towards the centre with garages to the western side.
- Located to the east of Main Road in Littleton and on the south side of Bercote Close towards the end of the cul-de-sac.
- Levels rise across the plot from front to rear (north to south) and in the wider area too.
- The dwellings to the north, south and east also comprise single storey dwellings with the exception of a 2 storey property to the west.
- Within the site there is no significant vegetation except a high hedge bounding the front.
- There are two large trees overhanging the southeast of the site within the neighbouring property, which have been identified as important for retention.
- A contemporary styled development has been permitted immediately north of the site fronting North Drive, but at a single storey level.

Relevant Planning History

- W19361 1 no. 4 bed and 2 no. 2 bed dwellings, refused 16.02.2005.
- W19361 Demolition of existing dwelling and redevelopment comprising 1 no. four bedroom and 1 no. two bedroom dwellings, refused 02.06.2005.

Proposal

- Demolition of existing dwelling;
- Redevelopment comprising 1 no. four bedroom and 1 no. two bedroom dwellings (single storey).

Consultations

Engineers:Drainage:

- Previously noted that: plans show that a treatment plant can be accommodated within the site although is still subject to building control regs approval.
- Building Control had received a plan in August at the start of this submission and advised that the proposal doesn't strictly follow guidance in approved Document H with respect to the position and outfall from the treatment plant. However due to site constraints the position considered would be reasonable in the circumstances and therefore acceptable under Building Regulations.

Engineers:Highways:

- No objections in principle as raised before, but concern over visibility due to the high hedges which should therefore be cut back. Conditions therefore recommended.

Environment Agency:

- No adverse comments, informatives recommended as discharge consent required.

Landscape:

- Previously commented that a 6m Tree Protection Zone required for Walnut tree and that the Yew trees to the southern boundary would also require retention and protection. Conditions recommended.
- Previously recommended refusal due to lack of information on levels and close proximity to hedges which need to be retained.

Southern Water:

- No adverse comments.

Representations:

Littleton And Harestock Parish Council

- No objection but comments – pleased to now see a bungalow; concerned with overlooking to no. 1; levels data is required; trees should be assessed regarding any excavations required; concern regarding increased traffic, restrictions on road parking required.

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Letters of representations have been received from 5 Neighbours (1 concern and 4 objections).

- Affect on trees from sewage system which need to be retained for screening, levels required, hedge to be retained, overlooking particularly in winter months, access in a dangerous position, single storey now welcomed but height of two storey out of character and dominant, plans misleading regarding appearance of existing bungalows, conflicts with Design Statement is not low density housing and is out of keeping, lack of parking, lack of drainage details.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

UB3, R2, T6, H7, H8, E6.

Winchester District Local Plan

H1, EN5, EN7, EN9, H7, RT3, T9.

Winchester District Local Plan Review Deposit and Revised Deposit:

H2, DP3, DP5, DP6, H7, T1, RT3.

Supplementary Planning Guidance:

- Achieving a Better Mix in New Housing Developments
- Littleton Village Design Statement
- Movement, Access, Streets and Spaces
- Parking Standards 2002

National Planning Policy Guidance/Statements:

- PPS 1 Community Planning.
- PPG 3 Housing
- PPG 23 Planning and Pollution Control
- Circular 03/99 Non mains drainage.

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
- Public open space provision
- Comments on representations
- Drainage/flooding

Principle of development

- The principle of development is acceptable as the site is located within the main settlement boundary of Littleton.
- The development density is below PPG3 guidelines at 24.096 d/ha however due to the tree coverage, problems with drainage (no mains to connect to) for more than 2 properties, and the existing character of the area (single storey dwellings in large plots), it is not considered that this site is one that can be developed without detriment to these issues in line with PPG3.
- The correct mix of dwellings is proposed, 1 no. 4 bed, 1 no. 2 bed.

Impact on character of area

- Both of the previous applications proposed a two storey property to the eastern side of the site, with the second application reducing its height and lowering the ground floor level. However it was considered that the scale, massing and layout of such property did not respond positively, and would not be sympathetic to the character of the local environment,

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and would be dominant, overbearing, out of keeping and harmful to the street scene and amenities of the area.

- This was because of the prominence of the corner location within the area and levels rising across the site and wider area, and that the building would have sat close to the front boundary appearing significantly higher than the development in front and to the rear, dominating the street scene.
- In addition, it was considered that this property would have had a detrimental effect on the retention and health of surrounding vegetation including hedgerows and trees, due to the significant levelling required to accommodate the dwelling across the whole site, thus exacerbating the prominence and dominant impact of the proposal.
- It is now considered that a single storey building this side of the site addresses previous refusal reasons and none of the objections now relate to its scale and size. The single storey dwelling is now effectively stepped up the site with more space to its front and rear and levels are shown on the drawings.
- The proposed two storey property to the western end of the site was not considered out of keeping in terms of its scale and will appear acceptable within the street scene as it is not located in the centre of a number of bungalows and has an existing large two storey property immediately to the west of it.
- Conditions are recommended for the protection and retention of trees and hedges and satisfactory levels information has been submitted with the application.

Design

- It is not considered that the proposed design of the dwellings will be materially harmful to the character of the area. A range of materials are apparent in the wider locality and a more contemporary designed building has been approved to the north fronting North Drive. No concerns were raised to the first scheme.
- No reason for refusal was raised previously regarding this matter.

Residential amenities

- Issues of overlooking were previously raised, with 1st floor rear windows of the western property overlooking bungalows to the rear. These have now been omitted, with only one obscure glazed window to a bathroom proposed. A condition is recommended to further control windows.
- It is considered that this proposal will not be materially harmful to the amenities of no. 1 Bercote Close opposite due to the distance of 17m in between front elevations across the main road which afford less privacy than rear elevations. In addition an amended plan has been received to try to reduce the perception of loss of amenity / privacy to turn the building slightly further west away from no. 1.
- No other detrimental impacts on neighbours are envisaged and no other reasons for refusal were previously raised.
- The relationship between the new properties in terms of privacy and amenity is acceptable. Boundary and retaining wall treatments are requested through condition.

Highways

- The proposal will not generate traffic to a level which would raise issues of highway safety and parking is adequate with two cars being able to be accommodated within each dwelling.
- It is considered that retention of the hedge to the front of the site is important in terms of amenity and there is no space on site to push the houses further to the rear to accommodate visibility splays with new hedge planting and fencing behind, without detriment to the existing trees to the rear and amenity of the area. In addition, splay requirements were not included in refusing the previous applications and therefore it is unreasonable to raise this requirement at this stage and therefore a condition regarding splays is not included. This is not considered material to highway safety in recommending approval for the application in this case, as one access is existing without splays and has been used successfully over the years and the road is a cul-de-sac with very slow traffic movements at this end.

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Drainage

- A drainage scheme has been considered and building control identify that it could be satisfactory but it will be fully assessed when the building regs application is submitted. No further reason for refusal was included in the last proposal and none is recommended with this application. Notwithstanding building regs requirements, drainage information is conditioned for submission and can be considered in light of tree protection zones.

Comments on representations

- It is considered that the objection grounds and concerns are addressed above. Importantly this application has attracted less objections than before – 10 objections were previously received to both previous applications with local Councillor and the Parish also raising concerns.
- The points raised regarding the Village Design Statement relate to sections generally regarding character, density and settlement patterns. As discussed above, the proposal is considered to respect these aspects and density is already slightly lower than that required by policy DP3.
- On balance it is considered that the proposal will be a positive contribution to the area, making more efficient use of the land whilst respecting character.

Planning Obligations/Agreements

In seeking the planning obligation(s) and/or financial contributions for Public Open Space, the Local Planning Authority has had regard to the tests laid down in Circular 05/2005 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 (provided the applicant is prepared to make the appropriate provision for public open space through the open space funding system) – subject to the following condition(s):

- 1. A financial contribution of £2,370 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 (as amended).

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.

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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 - means of enclosure, including boundary treatments and retaining structures:

03 - hard surfacing materials:

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

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 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 years 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.

c) The erection of fencing for the protection of the retained tree shall be undertaken in accordance with the approved drawing reference 1455/5 rev D, details shall be submitted to and approved in writing by the Local Planning Authority of additional Tree Protective Zones and fencing for the Yew trees along the southeastern boundary, and the Arboricultural Officer shall be contacted to check that the fencing has been erected to his satisfaction, 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.

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

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06 The hedgerow identified on the northwest, northeast and southeast shall be retained and maintained at a minimum height of 1.8m 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.

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

07 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 other than those expressly authorised by this permission shall, at any time, be constructed in the southeastern elevation(s) of 2 storey dwelling hereby permitted.

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

08 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no development permitted by Classes A,B,C,D,E of Parts 1 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

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

09 The existing building(s) on the site shall be demolished and all resultant materials removed from the site prior to the commencement of the development.

09 Reason: To safeguard the amenity of the locality.

10 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.

10 Reason: In the interests of highway safety.

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

11 Reason: To ensure the permanent availability of parking for the property.

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 38(6) of the Planning and Compulsory Purchase Act 2004, 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: UB3, R2, T6, H7, H8, E6.

Winchester District Local Plan Proposals: H1, EN5, EN7, EN9, H7, RT3, T9.

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: H2, DP3, DP5, DP6, H7, T1, RT3.

03. Under the terms of the Water Resources Act 1991 this development will need a Discharge Consent from the Environment Agency for the discharge of septic tank or sewage effluent.

04. Under the terms of the Water Resources Act 1991, the prior agreement of the Agency is required for discharging dewatering water from any excavation or development to controlled waters. The Applicant is advised to contact the Hants and IOW Area Office (Environment Management Itchen Team) to discuss which type of authorisation will be required. Controlled waters include rivers, streams, underground waters, reservoirs, estuaries and coastal waters.

05. 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.