

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 8 March 2006

Item No: 04
Address: Westfield, Beggars Drove, Sutton Scotney, Winchester, Hampshire, SO21 3LL

Parish/Ward Wonston

Proposal Description: Erection of 3 no. detached dwellings with detached double garages; landscaping and new access on land to the rear of Westfield and Highfield (THIS APPLICATION MAY AFFECT THE SETTING OF A PUBLIC RIGHT OF WAY) (details in compliance with Outline Planning Permission W00179/09) (RESUBMISSION)

Applicants Name Oakside Construction Ltd

Case No: 05/02517/REM

W No: W00179/11

Case Officer: Mr Robert Ainslie

Date Valid: 18 October 2005

Delegated or Committee: Committee Decision

Reason for Committee: 4 or more representations contrary to the Officer's recommendations have been received
The application has been submitted by a former Officer of the Council.

Site Factors: Public Right of Way

Site Description

- The application site was formerly part of the long rear gardens of Westfield and Highfield, two semi-detached properties to the south of the site at the southern end of Beggars Drove an unmade road serving a number of predominantly detached properties on the western side of the road.
- Two bungalows with high pitched roofs and rooms in the roof are located to the north of the site with limited screening along the boundary with the application site. Open fields lie to the east of the site towards Wonston. A number of mature trees and vegetation are located along this eastern boundary.
- A mature hedgerow exists along the boundary with Beggars Drove together with a mature ash in the south west corner of the site.
- The site has recently been cleared of previous vegetation and trees in the centre of the site. There are therefore currently very little by way of boundaries with the properties to the south.

Relevant Planning History

- **W00179/09** (AMENDED DESCRIPTION) 3 No dwellings, garages and new vehicular access OUTLINE - Application Permitted - 31/10/2002
- **W00179/10** Erection of 3 No three bedroom detached dwellings with detached double garages, associated landscaping and new access (Approval of Reserved Matters) (Details in compliance with Outline Planning Permission W00179/09) - Application Refused - 13/09/2005

Proposal

- As per Proposal Description
- This application follows an outline approval which was granted in October 2002. This application relates to the Reserved Matters highlighted in the approval.
- A recent application for approval of the Reserved Matters was refused primarily in relation to lack of information insofar as the supporting details had not demonstrated that the siting and design would not have an adverse impact on the character of the surrounding locality, the landscape and the existing trees within the site, nor have an impact on the amenity of neighbouring properties. In addition, it had not been demonstrated that suitable foul water drainage could be accommodated on the site on the basis of the submitted information.
- This application seeks to provide the relevant information for the reserved matters to be approved.
- The proposed materials for the buildings are Rudgewick Light Red Multi bricks, with Eternit Acme Dark Brindle Plain Tiles.

Consultations

Engineers:Drainage:

- The applicant has submitted results of porosity tests which show that the ground is extremely absorbent. I do not agree with the calculations as the applicant has assumed 20 persons will occupy the dwellings whereas my reckoning using the British Water code of practice is that nearer 30 persons should be used as the basis for sizing the plant and an area of 10 square metres should be available to dispose of the final effluent. The 3m dia ring has a floor area of 7 square metres which is less than will be required but if a trench is considered as an alternative it need only be 11m long and 900mm wide to comply and would surely be far cheaper than the proposed ring.
- However, these details will be finalised when the applicant applies for Building Regs approval and as I have no doubt there is sufficient land available for the plant and a facility to return the effluent to the ground then compliance with the drainage conditions has been met.

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Engineers:Highways:

- The site already has the benefit of outline planning consent for this development and this application seeks approval of reserved matters.
- From a highway point of view the access and parking is acceptable and so no highway objections.

Environment Agency:

- No objection in principle

Environmental Health:

- Comments awaited (in relation to sewage treatment plant)

Landscape:

- The scheme is now acceptable (Drawing DE 1/02) subject to confirmation that the planting by the access beneath ash tree shown as 'Native Planting' are taken from species listed in the new hedgerow schedule.
- Recommend approval and subject to 5 years maintenance.

Trees.

- The planting all seems quite appropriate.
- No objections to the commencement of the scheme.

Southern Water:

- No adverse comments

Representations:

Wonston Parish Council

- Application differs from the original in August, in that it excludes the new access to Highfield & Westfield, which may be submitted at a later date, "if necessary". Do we take it that the previous proposed second access point to Highfield /Westfield through the existing hedge alongside the drove, may now be abandoned?
- Current application seems to be mainly targeting a response on the Sewage Treatment System, which is of concern to the residents as they are convinced that foul odours from it would pervade the vicinity. There is also a comment referring to a non-existent drain or ditch that was referred to in the previous plan and the PC's response. Now transpires that percolation tests were carried out in December 2001 and it appears that field drains may not be necessary. Environment Agency issued consent to discharge dated 18th October 2002, presumably following the percolation tests. In item 12 of the support statement it says the field drains will be added if sub surface irrigation is required. How and when will we know whether or not they are going to be required, and where will the field drain run to? Or are they saying we can have one if we insist?
- Apart from that, it appears that the sewage treatment system is a modern and efficient means of treatment with the liquids outlet ending up in a soakaway. We do not consider that this system would lead to foul odours, unless something went wrong. If an integral pump is fitted, an alarms system is offered and indeed recommended in the event of pump failure. Is such a pump to be fitted?
- Note that the owner of Westfield has accepted responsibility for maintenance of the drainage system, and a legal agreement is to be drawn up between the owners of the five properties over running costs.
- As far as the overall plot is now concerned, we are now happy with the plans from Gardenia landscape and design, as the Ash Tree appears to be in the Westfield/Highfield Garden, which is now subject to a separate application. The large Yew and Ash within the application are to be preserved as per original submission.
- If clarification on the new access to Highfield/Westfield, the field drain, the sewage system pump and the alarm can be obtained, the Parish Council can support this resubmission.

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Letters of representations have been received from 6 Neighbours

- Do not see any changes with this revised planning application of any substance which change objection. Effort has been made to address environmental damage that will inevitably take place, but this has not been enough. Yet to see how planning authority will enforce the regulations to minimise the impact on the local environment.
- Please ensure detailed landscape plans are obtained to ensure current hedgerow and trees are preserved.
- Existing landscape plans are sketchy.
- Can find no reference as to how future maintenance of landscaped/other areas will be carried out.
- Concern about loss of mature hedgerow bordering Beggars Drove, which is a public footpath. Approval of a second access road to one garage should be given further consideration as this will cause destruction to hedgerow and require felling of a mature ash.
- Would like clarification that the applicant has agreed to comply with regulations in response from Environment Agency.
- Object to use of tarmac. Bonded gravel or Brick setts would be more appropriate.
- No information on maintenance or legal responsibility and ecological impact of failure of sewage treatment plant. Outside of proposed development.
- Confirmation needed that required safeguards have been taken prior to allowing permission for its use.
- Insufficient information on surface water drains on plans. Concern about risk presented by having a soakaway so close to neighbouring property on such a steep incline. Assurances needed to ensure minimal risk. Large areas of concrete and other materials which will be used are likely to divert surface and storm water to neighbouring property.
- Clarification needed as to what a "field drain" is.
- Concern at limited access for construction vehicles and plant and potential damage to protected trees and hedgerow.
- Plans show 1.8m brick wall. Object to building so close to boundary whilst this boundary comprises immature firs.
- Insufficient detail in relation to electricity substations, gas governors, telecommunication cabinets.
- Strongly object to any proposal for street lighting which would significantly change character of area and result in light pollution.
- Cannot tell from plans if condition concerning height of dwelling on plot 1 has been met.
- Concerned that developer has bulldozed through hedgerow to gain access and has felled a mature ash tree on the proposed development site.
- Agree with comments of Landscape Team (16/8/5) with reference to mature yew adjacent to proposed entrance to site.
- Agree with landscape team comments regarding previous application in relation to protection of hedgerows.
- Need further details concerning measures to be taken to prevent mud from vehicles leaving the site during construction works.
- Space allocated for parking and turning on site of operative and construction vehicles is insufficient.
- Why is it proposed to have a communal sewage treatment system? A greater distance than 25m from dwelling should be incorporated. These requirements not met by the design in the plan.
- Concern that materials have already been burnt on site in contravention of Condition 18 of outline approval.
- Need for dwellings to be made as accessible as possible, to take into account the needs of disabled people.
- Even more of the existing hedgerow is proposed to be removed.
- No plans have been submitted concerning the added irrigation feature (Field Drains/Sub-Surface Irrigation Area).

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- Manufacturer of Biodigester states that a noise level of 43dBA is to be expected from the associated linear diaphragm air pump. This would be approx 18-20dBA above background levels and would be noticed in adjacent properties.
- Experience shows there will always be a degree of odour from this kind of installation. The proposed is to be sited adjacent to the public footpath and in close proximity to four existing properties.
- Risk of flooding.
- Soakaways adjacent to the Yew may cause further damage to the root system.
- Assurance needed that access to rear of Highfield/Westfield will be specifically excluded from consideration under this application.
- Access would be better along the line of young firs backing onto Ash Tree Cottage and On Shore, causing least damage to the Drove.
- Will replanted hedge be of same maturity and stature as the existing?
- How can M Taylor be responsible for sewage plant when he does not live in Westfield?
- Dwelling at Plot considerably higher than neighbouring house. Will be in complete shadow for most of the day. Enjoyment of property greatly affected.
- Existing Southern Water Facility serving Moorcroft Close should be used.
- Capacity of land between properties for drainage is limited.
- Position of Mains water supply pipes in Beggars Drove has not been given on plans. Likely to be close to where the treatment facility is draining.
- Siting of all planned buildings has not been specified.
- No details given for height of garage on Plot 1.
- Reports on Environment Agency Website show that domestic wastewater treatment systems are a significant source of pollution.
- Percolation test results are inadequate. No details of professional competence of person conducting the test. No details of weather condition when the tests were carried out.
- Has the ground been tested for adequate drainage in all weather conditions, especially after heavy rain?

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB3

Winchester District Local Plan

- EN5, EN7, EN14, H1, RT3, H7

Winchester District Local Plan Review Deposit and Revised Deposit:

- DP3, DP5, DP13, H2, H7

Supplementary Planning Guidance:

- Achieving a Better Mix in New Housing Developments
- Technical Paper: Open Space Provision and Funding
- Guide to the Open Space Funding System
- 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 23 Planning and Pollution Control
- PPG 24 Planning and Noise
- PPG25 Development and Flood Risk

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 proposal is for approval of Reserved Matters, with all matters to be considered. The original outline approval, whilst requiring by condition, that the area for the dwellings should not exceed the position of footprint of those shown on the original plans, also requested that siting and design of the dwellings should be dealt with as reserved matters. This was despite the application plans providing some details on the siting of the dwellings and even the height of the dwellings. Conditions 4, 5 and 12 make particular reference to height, location and nature of the dwellings.
- Applications for residential development of two or more dwellings need to accord with Policy H7 of the Adopted Local Plan which states that at least 50% of the dwellings should be 1-2 bedroomed properties. The outline approval clearly showed footprints of dwellings which would have exceeded this requirement, and was clearly the case, insofar as the conditions attached to the approval were concerned. Based on the outline approval it is not considered that the requirements of Policy H7 can be requested.
- In other respects, the site falls within the settlement of Sutton Scotney where residential development is considered acceptable in principle subject to other material considerations. In addition the principle of residential development on the site was accepted by grant of outline approval.

Impact on character of area

- The Drove is characterised by predominantly detached properties, although mainly in close proximity to each other. Two chalet bungalows are located to the immediate north. The siting and design of the buildings differs very little from the information submitted with the previous application. The plans clearly show the height of the dwelling at Plot 1 according with the requirements of the conditions on the previous application.
- It is considered that the proposed dwellings would not appear out of keeping in this location and would retain and provide landscaping to ensure the drove retains its semi-rural character.
- It is therefore considered that the proposals would not have an adverse impact on the character of the area.

Detailed Design.

- It is considered that there is sufficient variety within the existing streetscene that the proposed dwellings would not appear out of keeping.
- Whilst the proposals include two detached garages to the front of the dwellings, it is considered that this would not impact greatly on the street scene, given the mature hedgerow that is to be retained along the street frontage, together with the retention of the ash at the south west corner of the site.
- The boundary treatment is acceptable and would not appear out of keeping.

Highways

- No objection has been received from highways and a refusal on this ground could not therefore be sustained.

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Public Open Space Provision

- The matter of public open space provision was dealt with by way of a Section 106 Agreement as part of the outline approval. This requires that a contribution be paid before development commences. This payment has not been made as of yet.

Drainage

- The Drainage engineer is confident that there is the capability within the site for the drainage condition to be met and a refusal on this ground cannot therefore be sustained.

Comments on representations

- Mention is made of the access from Beggars Drove to Highfield and Westfield. The applicant states that this does not form part of the application, although it is still shown on the plans. The provision of a new access to these properties would not actually require planning permission as Beggars Drove is not a classified road.
- The other matters raised by neighbours have been dealt with elsewhere within the report.

Recommendation

APPROVE – subject to the following condition(s):

Conditions/Reasons

00 APPROVE THE MATTERS RESERVED BY THE FOLLOWING CONDITIONS

3 i) an accurate plan showing the position, type and spread of all 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 hardsurfaces and the finished levels in relation to existing 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, plants and tanks**, including the colour and texture of external materials to be used together with samples of all external facing and roofing materials.

the **details of materials** to be used for **hardstanding**.

the **layout of foul sewers** and surface water drains.

the manner and treatment of any existing **water courses and ditches**.

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

the alignment, height and materials of all **walls, fences and other means of enclosure**.

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.

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**.

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the provision to be made for **street lighting**.

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

7) details and samples of the **materials to be used** in the construction of the **external surfaces** of the dwellings and garages

8c) erection of fencing for the **protection of any retained tree**

14) details of provisions to be made for the **parking and turning on site of operative and construction vehicles** during the period of development.

17) details of the position and type of **septic tank or cesspit** including surround ground levels.

And subject to the following additional conditions:-

01 No development shall take place until a schedule of landscape maintenance for a minimum period of 5 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.

01 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

The following conditions **HAVE NOT BEEN APPROVED** and still require further details in order to be discharged.

3iii) arrangements to be made for the **future maintenance of landscaped and open areas**

13) details of **measures** to be taken **to prevent mud from vehicles leaving the site** during construction works being deposited on the public highway.

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.

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: EN5, EN7, EN14, H1, RT3, H7,
Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP3, DP5, DP13,
H2, H7