

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL DELEGATED OFFICER REPORT
DATE OF RECOMMENDATION 14 December 2007

*Winchester City
Council*
Planning Department
Development Control

Committee Decision

**TEAM MANAGER
SIGN OFF SHEET**

Case No:	07/02793/FUL	Valid Date	7 November 2007
W No:	03995/02	Recommendation Date	14 December 2007
Case Officer:	James Jenkison	8 Week Date	2 January 2008
		Committee date	
Recommendation:	Application Permitted	Decision:	Committee Decision

Proposal:	Erection of 2 no. two bedroom detached houses and 1 no. four bedroom detached house with detached garage
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Site:	Smithy Cottage Bull Lane Waltham Chase Southampton Hampshire
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Open Space Y/N	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N

DELEGATED ITEM SIGN OFF		
APPROVE Subject to the condition(s) listed	REFUSE for the reason(s) listed	
	Signature	Date
CASE OFFICER		
TEAM MANAGER		

AMENDED PLANS DATE:-

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Item No: 6
Case No: 07/02793/FUL / W03995/02
Proposal Description: Erection of 2 no. two bedroom detached houses and 1 no. four bedroom detached house with detached garage
Address: Smithy Cottage Bull Lane Waltham Chase Southampton Hampshire
Parish/Ward: Shedfield
Applicants Name: Southcott Homes Ltd
Case Officer: Mr James Jenkison
Date Valid: 7 November 2007
Site Factors: None Identified
Recommendation: Application Permitted

General Comments

This application is reported to Committee because of the number of objections received and at the request of Shedfield Parish Council, whose request is appended in full to this report.

The application is a resubmission of planning application 07/00759/OUT, for the demolition of Smithy Cottage and the erection of 2no. two bedroom semi-detached dwellings and 1no. four bedroom detached dwelling with garage and a new access, which was granted planning permission on 21 June 2007. This scheme differs only in that the two semi-detached houses have now been separated by a narrow gap to create two detached houses.

Site Description

Smithy Cottage is located in the centre of a wide triangular shaped plot along Bull Lane, Waltham Chase.

The existing dwelling is a three bedroomed 2 storey house with attached garages to the front aspect of the property.

There are low hedgerows along the front boundary and an approximately 2m high hedgerow to the rear boundary.

The site is mostly laid to lawn with trees to the eastern corner of the site.

Proposal

The application is for the demolition of Smithy Cottage and replacement with 2no. detached two bedroom dwellings and 1no. four bedroom detached dwelling with detached garage.

The application is for full planning permission and is effectively an amended scheme to that allowed under outline permission W03995/01 in August 2007.

The site has recently been sold to Southcott Homes Ltd, who have requested the amended scheme showing 2no. two bedroom detached dwellings, instead of 2no. two bedroom semi-detached dwellings. There are also some minor alterations to the fenestration and the size of the detached garage to plot 3, which is proposed to be increased in size. Smithy Cottage has already been demolished.

Relevant Planning History

07/00759/OUT - (AMENDED DESCRIPTION) Demolition of cottage and redevelopment by the erection of 2no. two bedroom semi-detached dwellings and 1no. four bedroom detached dwelling with garage; new access (OUTLINE - considering siting and layout) - Permitted by Committee 21 June 2007.

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Consultations

Engineers: Drainage:

A public foul sewer is laid in Bull Lane onto which the development could connect, but the problem lies with the disposal of storm water. This area is on heavy clay and soakaways are not particularly efficient, however the use of a prefabricated cellular soakaway system with overflow into watercourse may overcome the problem. Hard landscaping should be minimised and the use of water butts promoted in the interest of water conservation.

A ditch runs down the frontage of Bull Lane and this must be maintained, the new access point may be culverted with minimum 300mm diameter pipes, but the remainder must be restored to efficient working order on completion of the development.

Provided that the applicant can demonstrate to the Local Planning Authority that the site can be adequately drained of surface water and that the roadside ditch is to be retained then there is no objection on drainage grounds. (Condition 8).

Engineers: Highways:

No objection. Apply conditions if planning permission granted. (Conditions 3 to 7).

Environment Agency:

Application assessed as having a low environmental risk.

Southern Water:

No adverse comments

Representations:

Shedfield Parish Council:

- Bull Lane being overdeveloped and there are drainage problems.
- Traffic congestion and lack of parking on Bull Lane.
- Design of properties is not in keeping with area.
- No spaces left at the local school.

9 letters received objecting to the application for the following reasons:

- The application, along with other applications, will increase dwellings in Bull Lane by 100% by building an additional 22 dwellings.
- Poor infrastructure/lack of services (i.e. no pavements, narrow lane, poor sewerage system, no school places, etc).
- Developments will add to the problems, particularly poor drainage in the locality.
- Proposal will increase traffic along a narrow rural lane, also associated noise and pollution.
- Highway safety – close to junction with Clubhouse Lane/additional access/insufficient space to manoeuvre/accidents into ditches occur.
- More traffic will be unsafe for pedestrians/cyclists/no pavements.
- Existing parking problems along Bull Lane and site has insufficient parking proposed.
- Roads and verges being damaged.
- There are other areas in village identified in the Local Plan for future development – by allowing this development will adversely affect this well thought of local plan.
- Overdevelopment.
- Not in keeping with the area.
- Parking spaces adjacent to boundary will impact on privacy and cause car fumes and noise.
- Loss of privacy to Summerfield and Arran House and Wychwood from 1st floor windows.
- Proposed dwelling on plot 3 has an overbearing and unneighbourly impact on Summerfield and is also set at a higher level.
- Location of Summerfield not correctly drawn on plans.
- Dwellings on plots 1 & 2 should be shifted closer to Bull Lane.

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- Hedging should be retained.
- Tree removal will result in overlooking of Summerfield from further afield.
- Proposed houses are too high and do not reflect the chalet bungalow and low pitch houses of the neighbourhood.

Reasons aside not material to planning and therefore not addressed in this report

- Applicants should not be allowed to put forward similar applications for at least a year.
- Lots of applications in Bull Lane – feel developers are trying to wear down local objectors.

Relevant Planning Policy:

Hampshire County Structure Plan Review:
T5

Winchester District Local Plan Review:
DP1, DP3, H3, H7, RT4, T2

National Planning Policy Guidance/Statements:
PPS 1 Delivering Sustainable Development
PPS 3 Housing
PPG 13 Transport

Other Planning Guidance
Guide to the Open Space Funding System
Housing Monitoring Report
Movement, Access, Streets and Spaces
Parking Standards 2002
Technical Paper: Open Space Provision and Funding

Planning Considerations

Principle of development

Smithy Cottage lies within the defined settlement boundary of Waltham Chase, where the principle of new dwellings on existing residential plots is acceptable in accordance with Policy H3 of the Adopted Local Plan. The principle of building 3 units at the site has already been established by the grant of outline permission 07/00759/OUT.

PPS3 and WDLPR Policy DP3 require new development to make efficient and effective use of land in terms of design, scale and layout and to respond positively to the character, appearance and variety of the local environment as well as keeping parking provision to a minimum and ensuring no unacceptable adverse impact on adjoining land and property. Development should also include sufficient amenity and recreational space, appropriate to its size, design and function.

The proposal is to demolish the existing dwelling and replace it with 1no. four bedroom detached and 2no. two bedroom detached dwellings. The development therefore complies with Policy H7 by ensuring more than 50% of dwellings are small 1 or 2 bedroom dwellings of less than 75m² floor area (plots 1 & 2).

It is considered that the proposal is acceptable in principle and is in accord with other local plan policies and government guidance.

Design/layout

The layout of the scheme proposes 2no. two bedroom detached dwellings with 2 parking spaces each and a shared new access and a four bedroom detached dwelling with detached single garage and a further 2 parking spaces and turning area in front.

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The layout makes efficient use of the site, whilst retaining space about the buildings, and boundaries. The site area is 0.09ha which means that the proposed development equates to 33 dwellings per hectare, which is at the lower end of the minimum of density requirements referred to in PPS3.

The orientation of the two-bedroom detached dwellings follows the slightly staggered building line of the dwellings to the west and the detached dwelling is orientated along the line of the road frontage. The locality mainly consists of detached post-war dwellings of a varied nature, and these take the form of bungalows and 2-storey houses. The conventional 2-storey design of the proposed dwellings is therefore considered to be consistent with the general character of the locality and the dwellings are considered to be in keeping with the mixed form of development of the immediate area and are not considered to detract from the street scene.

Impact on neighbouring properties

A landing window is proposed to the west side elevation of plot 1 and a condition (Condition 14) has been imposed to ensure that this remains obscure glazed, as it is considered that it would otherwise look directly into the rear garden area of Wychwood.

The layout of the detached dwelling on plot 3 is further east than the original dwelling on the site, but it is considered that there is a sufficient gap (approx. 6m to nearest corner of single storey element) between the plot and Summerfield to the rear. The single storey element to the rear of the proposed dwelling on plot 3 will not be seen by Summerfield, due to the boundary hedge screening. Additionally, the dwelling on plot 3 is not set perpendicular to Summerfield, ensuring that views from the proposed dwelling there will be directed over the rear section of the back garden rather than the immediate outdoor living area and also ensuring that there will be no oblique views between the windows of this dwelling and Summerfield.

Summerfield, to the rear, has a permitted extension (ref: 07/00218/FUL), which has no windows at first floor level. It is not considered that the proposed detached dwelling (plot 3) will have a detrimental impact on the amenities of the neighbouring property in terms of overlooking (there are only three bathroom windows on the rear elevation) or being overbearing. It is considered that plot 3 will have less impact on Summerfield than the original dwelling on the site (Smithy Cottage) due to there being a much lower level of oblique views between 1st floor windows of these dwellings.

There is a gap of 3.6m between Wychwood and plot 1 and there is currently a post and wire fence and some hedgerow planting along the boundary. Wychwood has two small secondary windows to its side elevation. As the proposed dwelling to plot 1 is located to the east of Wychwood it may cause a small loss of morning sunlight, but this is not considered to be materially harmful and is not a basis for refusal.

The site is relatively level, however a condition (Condition 9) has been recommended to provide detailed plans to show levels of the finished development and its relationship with surrounding dwellings. If the floor level of the proposed dwellings is set within 100mm of ground level, it is not anticipated that the heights of the dwellings will be significantly in excess of the roof heights of the surrounding development.

Condition 10 has been imposed to ensure that boundary treatment and fencing is put in place prior to the dwellings being occupied.

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Landscape/Trees

The situation has not materially altered since the assessment of the previously approved outline planning permission (W03995/01) and the same conditions have been applied (Conditions 11,12 &13).

Highways/Parking

The situation is effectively the same in this regard to the assessment of the previous outline permission (W03995/01) and the same conditions have been applied (Conditions 3,4,5,6 & 7).

Drainage

Southern Water had no adverse comment to make on the application. However, the Council's drainage engineer raised concerns relating to the disposal of storm water, noting that the use of a prefabricated cellular soakaway system with overflow into watercourse may overcome the problem. The drainage engineer noted that hard landscaping should be minimised, that water butts should be promoted and that the ditch along the frontage of Bull Lane must be maintained, requiring the new access point to be culverted with minimum 300mm diameter pipes, and the remainder restored to efficient working order on completion of the development. Condition 8 has been recommended to ensure an adequate drainage situation is achieved and, if necessary, Condition 11 can require the use of permeable pavements. Condition 3 addresses the construction of the access.

Open Space Planning Contribution

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.

Policy RT4 sets out the requirement for the provision of financial contributions for Public Open Space where none is provided on the site. In this instance a financial contribution of £4,338.00 towards the provision of open space is required and has been paid by the applicant.

Recommendation

Application Permitted subject to the following conditions:

Conditions

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

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

2. No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

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3. Before any unit is first brought into use the proposed access and driveway, including provision for the culverting of the ditch, 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 Hampshire Highways Winchester, Central Depot, Bar End Road, Winchester, SO23 9NP prior to the commencement of access works.

Reason: To ensure satisfactory means of access.

4. Before the development hereby approved is first brought into use, the access shall be constructed with a non-migratory surfacing material for a minimum distance of 5 metres from the highway boundary.

Reason: In the interests of highway safety.

5. Before the development hereby approved is first brought into use, visibility splays of 2.0 metres by 43 metres shall be provided at the junction of the access and public highway. The splays shall be kept free of obstacles at all times.

Reason: In the interests of highway safety.

6. Before the development hereby approved is first brought into use, a turning space shall be provided within the site to enable vehicles using the site to enter and leave in a forward gear. The turning space shall be retained and kept available for such purposes at all times.

Reason: In the interests of highway safety.

7. Before the development hereby approved is first brought into use plots 1 & 2 shall be permanently allocated 2 carparking spaces each and plot 3 shall be permanently allocated three carparking spaces. All carparking spaces shall be kept available for the plots to which they are allocated.

Reason: To ensure adequate car parking provision within the site in accordance with the standards of the Local Planning Authority.

8. Details of the methods for the disposal and management of surface and storm water for the three dwellings and the culverting and future maintenance of the drainage ditch along the frontage of Bull Lane, shall be submitted to and approved in writing by the Local Planning Authority before development commences. The agreed details shall be fully implemented before the occupation of the first dwelling.

Reason: In the interests of highway safety.

9. No development, or works of site preparation or clearance, shall take place until details of 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 have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory relationship between the new development and adjacent buildings.

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10. 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 first occupied. Development shall be carried out in accordance with the approved details.

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

11. 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:

- hard surfacing materials:
- planting plans:
- schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate:
- proposed and existing functional services above and below ground (eg. drainage, power, communications cables, pipelines etc, including lines, manholes, supports etc.):
- retained areas of grassland cover, scrub, hedgerow, trees and woodland;
- written specifications (including cultivation and other operations associated with plant and grass establishment:

Soft landscape details shall include the following as relevant:

- means of enclosure, including any retaining structures.

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

12. 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.

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

13. The hedgerows identified on drawing number 1389-01 rev. A along the north-east, western and southern boundaries shall be retained and maintained at a minimum height of 1metre along the north-east boundary and 2 metres along the western and southern boundaries 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.

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

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14. The dwellings on plots 1 and 2 shall remain as separate dwellings at all times.

Reason: To comply with Policy H7 of the Winchester District Local Plan and to ensure that a range of dwelling sizes are provided.

15. The first floor window(s) in the western elevation of the dwelling on plot 1 and the south-west elevation of plot 3 hereby permitted shall be glazed in obscure glass and thereafter retained.

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

16. 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 first floor windows other than those expressly authorised by this permission shall, at any time, be constructed in the western elevation elevation(s) of dwelling on plot 1 or the south-west elevation of plot 3 hereby permitted.

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

17. The first floor window(s) in the west side elevation of the dwelling on plot 1 hereby permitted shall be glazed in obscure glass and thereafter retained.

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

Informatives

1. 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.

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

Hampshire County Structure Plan Review: T5

Winchester District Local Plan Review Policies: DP1, DP3, H3, H7, RT4, T2