

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

*Winchester City
Council*
Planning Department
Development Control

**TEAM MANAGER
SIGN OFF SHEET**

Case No:	07/03178/FUL	Valid Date	20 December 2007
W No:	11578/05	Recommendation Date	22 February 2008
Case Officer:	Mr Robert Ainslie	8 Week Date	14 February 2008
		Committee date	13 March 2008
Recommendation:	Application Refused	Decision:	Committee Decision

Proposal: 1 no. two bed dwelling in rear garden of existing property (RESUBMISSION)

Site: The Hollies 31 Main Road Littleton Winchester Hampshire

Open Space Y/N	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
Y	N	N	Y	N	N	Y

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:-

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Item No: 5
Case No: 07/03178/FUL / W11578/05
Proposal Description: 1 no. two bed dwelling in rear garden of existing property (RESUBMISSION)
Address: The Hollies, 31 Main Road, Littleton, Winchester, Hampshire
Parish/Ward: Littleton And Harestock
Applicants Name: Mr R Kilcommons
Case Officer: Mr Robert Ainslie
Date Valid: 20 December 2007
Site Factors:
Recommendation: Application Refused

General Comments

This application is reported to Committee because of the number of letters of support received contrary to the Officer's recommendation.

This application follows a similar application which was refused for a single dwelling in September 2007 (ref: 07/01743/FUL, W11578/04). The previous application was refused due to concerns about overdevelopment of the site by virtue of the height, mass and bulk of the dwelling within a cramped layout in a limited size plot, and inadequate amenity space. In addition, the application was refused for lack of provision for recreational open space, inadequate provision of car parking in a satisfactory manner and also inadequate provision having been made for storage of cycles, refuse, and recyclables.

This application differs from the previous application in that the ridge height has been reduced by 0.93m with the existing ground levels being reduced by up to 0.6m, the footprint has been reduced by 10 square metres to 57 square metres and the dwelling has been sited 1.1m eastwards and 0.2m southwards away from neighbouring properties, but closer to No. 31 Main Road. The plot size has been increased in length by 1.2m by reducing further the proposed garden area to No. 31 Main Road to the east. The proposal also differs in that the current scheme does not have a 2 storey gable to the front of the property as submitted on the previous scheme. The proposal has a larger private amenity area than that previously submitted, with an increase of just under 30 square metres. The proposal now includes provision for both refuse and cycle storage, and also includes provision for the parking of 2no cars.

Site Description

The application site is 0.03ha in size (excluding the access drive equating to 0.024ha).

The application site until recently formed part of the rear garden of No. 31 Main Road, a detached Victorian dwelling, which faces onto Main Road to the east. An access drive runs to the south of the property and leads to a further detached dwelling (No. 31A) to the immediate west of the application site. This neighbouring property to the west has a large detached double garage which abuts the western boundary of the application site. A tall boundary hedge runs along the southern boundary, adjacent to the access with the rear garden of No. 29 Main Road. The land drops away from north to south. A large detached property lies to the north at a slightly higher level. Hedging runs between this property and the application site, however, there are limited views through this boundary. A fence has been constructed between the application site boundary and the rear garden on No.31 Main Road. The north west corner of the site abuts the rear garden of No.33 Main Road, a bungalow with rear dormers and rooms in the roof. The application site, until recently, had a small pre-fabricated detached garage located in the south west corner of the site.

The character of the area is one of predominantly detached dwellings in spacious plots with room

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

between the properties and their boundaries.

Proposal

The proposal is for a single dwelling with rooms in the roof, accessed from the existing driveway which serves Nos. 31 and 31A Main Road. The dwelling would be located between the garden of No. 31 Main Road to the east and the detached garage of No. 31A Main Road to the west, and to the north of the driveway.

The proposal would include a private enclosed amenity area predominantly to the front and western side of the house with a narrow amenity strip to the rear of the house. In addition, parking would be provided by way of 2 spaces to the immediate east of the dwelling.

The dwelling would be constructed of facing brickwork with timber cladding to end walls and plain clay tiles to the roof.

The density of the development would equate to 33dph (41dph if the access were excluded from the calculation).

Relevant Planning History

- W11578** - Dwelling with parking, associated works and alteration to access, rear of 31 Main Road (now 31A Main Road) - Refused - 10/10/89 – Appeal Allowed - 10/10/90
- W11578/01** - Detached dwelling with double garage, rear of 31 Main Road (now 31A Main Road) - Permitted - 12/05/92
- W11578/02** - Single storey front extension, 31A Main Road - Permitted - 29/06/05
- W11578/03** - Two storey front extension, 31A Main Road - Permitted - 10/07/07
- W11578/04** - 1 no. two bed dwelling in rear garden of existing property, The Hollies, 31 Main Road - Refused - 04/09/07

Consultations

Engineers: Drainage:

Applicant proposes that the Hollies and the new dwelling share a foul water disposal facility. This is acceptable provided that an agreement to share responsibility for maintenance is entered into. Consent to discharge will need to be obtained from the Environment Agency, and Building Regs must be satisfied.

Storm water will go to a harvesting tank as well as soakaways, which is to be commended, but permeable paving should be used wherever possible, together with the use of water butts for the garden, in the interests of water conservation.

Provided that the Environment Agency issue a consent and Building Regs approval is given, there is no objection on drainage grounds.

Engineers: Highways:

Have previously considered a proposal on this site when concerns raised about parking and manoeuvrability. This application appears to have overcome concerns as adequate parking and turning area are provided. Application is acceptable from a highway point of view, subject to conditions.

Letter received from Cllr Jackson querying previous reasons for refusal on highways grounds. Response from Highways Officer is as follows:-

Advice for residential development has changed with the introduction of Manual for Streets. This document now suggests that it is not essential for turning areas on site, however in this case, if

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Car 1 drove into the site, then Car 2, which parked behind Car 1, could enter and leave in a forward gear.

If Car 1 wished to leave the site in a forward gear, Car 2 would have to reverse into the private access road to let Car 1 exit in a forward gear. This may cause some inconvenience to the occupants of the new house, but would not have any material affect on highway safety.

Environment Agency:

Assessed this application as having a low environmental risk.

Southern Water:

There are no public foul or surface water sewers in Littleton. Alternative means of disposal will be required.

The applicant is advised to consult the Environment Agency regarding the use of a private wastewater treatment works or septic tank drainage which disposes of treated effluent to sub-soil irrigation. The owner of the premises will need to empty and maintain the works or septic tank to ensure its long term effectiveness.

The Councils Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

Southern Water can provide a water supply to the site.

Representations:

Littleton & Harestock Parish Council : Objects

"Council notices that there has been some 'fine tuning' of some details to the previous application but nevertheless the main reasons for objection still remain:

Site is adjacent to the site of 29 Main Road which was refused permission by the Planning Sub-Committee for development of three properties due to overdevelopment of the site, insufficient amenity space, overbearing to neighbouring properties. Although this is only one property it is the further subdivision of the garden of 'The Hollies' and therefore the same reasons can be given for this application with the additions of not conforming to DP3(iv).

PPS3 states that 30dph should be used as an indicative minimum until local density policies are in place and does not prevent Planning Authorities from agreeing to densities below the minimum. From the comments at the sub-committee meeting that is the case in this application particularly as the density can be calculated at 42 dph.

Contrary to the Local Plan, as does not respond positively to the character, appearance and variety of the local environment. With density of 42dph, an increase of around four times of locality. Does not provide for ease of movement and local 'permeability', given narrow drive and the parking problems that will be caused. Has an unacceptable adverse impact on adjoining land, uses or property due to close proximity and overlooking to the surrounding properties. Insufficient amenity and recreational space appropriate to its size, design and function.

Contrary to Structure Plan as inappropriate in design, scale, layout and density to its surroundings and contribution to the quality of the built environment.

Contrary to Littleton Village Design Statement as follows:

The access does not comply with the ODPM document "Manual for Streets" (MfS) that states:

"An x distance of 2.4m is normally considered acceptable in most urban situations, as this represents a reasonable maximum distance between front of the car and the driver's eye"

"A minimum figure of 2m may be considered in some very lightly trafficked and slow speed situations, for example home zones, but using this value will mean vehicles will protrude slightly into the running carriageway of the major road"

"A home zone is defined as "where the emphasis is on the use of the space for purposes other

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

than movement, particularly children's play".

Main Road is not a "home zone" and, with a traffic survey indicating that 85% of vehicles travel in excess of 39mph, it cannot be described as a "low speed situation".

No visibility splays have been submitted in the application but from inspecting boundaries from the pavement we cannot see how a safe visibility splay can be provided. It must be clearly established that vehicles will be able to safely leave the site without having to project into the carriageway.

In conclusion, consider that the proposals are seriously detrimental to the amenities of adjoining properties due to their height, density, mass and location.

Would also draw attention to Planning Inspectorate Appeal Decision APP/L1765/A/04/1148462 at Briarleas, Field Way, Compton and the need to find an appropriate compromise between the requirement to maintain the existing character and the need to make the most efficient use of the land, which in this case, we feel has not been achieved."

Letter of objection received from Cllr Jackson

Appears not to adequately address the problem raised by the Highways Officer on the previous application. *"A development of this nature would require 2 off street parking spaces together with a turning area to ensure these cars could independently enter and leave the highway in a forward gear. The application drawing only provides 1 car parking space which is not acceptable from a highway point of view. If a second car was parked behind the suggested car parking space, inadequate space would be available to turn either car".* The current application has not changed this detail. A second car parked in the driveway would still prevent independent access and egress of the first car. The driveway width has not been altered sufficiently to accommodate 2 parked cars.

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

- **Policy:** Contrary to Village Design Statement in relation to density. Contrary to PPS3 Para 48 and WDLP DP3 (ii).
- **General:** Inaccuracies found in Design and Access Statement
- **Highways:** Number of vehicles serving site would create parking problems in surrounding area. Increased traffic would make difficulties entering and leaving proposed shared drive. Insufficient turning and passing spaces provided. If a third car accesses the site, will not have enough space to turn and will have to exit drive in reverse onto Main Road. Passing place is inadequate. Access to Main Road, with high banks restricting visibility in both directions, is dangerous. Plans show easement over Hollies for turning space, but easement is outside red line area. Tracking layouts are not shown on plans as specified. Red edge site does not connect to a public highway. Drive should be included in red line to confirm that applicant has ownership or control over drive. Philosophy of accepting bad practice as precedent to support continued bad practice in relation to visibility seems an unsound approach. Possible lack of access for emergency vehicles. Poor public transport. Would result in a further lack of a garage for the Hollies.
- **Impact:** High density is out of character with surrounding area and Littleton in general. Lack of amenity area and loss of amenity area to the Hollies. Location now proposed too small to sustain development, with density four times that of surrounding area. Would like to retain rural character of village. Plot is much smaller than surrounding properties and barely big enough to accommodate house. Differences from previous application are small. Footprint occupies large percentage of overall site. Need to consider proposal alongside proposals for neighbouring property. House is crammed into site resulting in loss of green space between buildings. Combined effect of approval to extend No. 31A Main Road and proposals would mean continuous mass of brick work bordering Barrington House. Change in amenity space has been exaggerated. Reference to Recreation Ground is incorrect in that it is 400m away and across a main road. Should not compensate for lack of private amenity space. Sliced off roof is ugly and contrived. Garden is as before but with green space as opposed to paved areas. Infill is too extreme for Littleton.
- **Noise/Pollution:** Noise and fume intrusion to No. 31A Main Road and The Hollies by virtue of

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

shared driveway. Noise and disturbance by cars parking closely to rear gardens.

- **Amenity:** Potential overlooking to Barrington House and No. 33 Main Road. Applicant has removed all growth from hedge with No. 33 Main Road opening up to loss of privacy. Boundary hedge is thin and straggly. Proposed garden area would be overlooked by No. 31A Main Road and also The Hollies. Will suffer restricted access to No. 31A Main Road. Loss of screening to No. 31A Main Road. Potential light pollution towards No. 33 Main Road. Additional planting would need to be on applicant's land. Insufficient space for excavated spoil to be deposited without affecting boundary hedging. Overshadowing will take place to north, being 6m in height, particularly in winter.
- **Drainage:** No indication given for drainage field. Removal of existing septic tank will damage neighbouring hedge.
- **Representations:** Concern that last minute support letters received, being 18 from 14 households. Similar number of letters sent in from Rewlands Drive, none being affected by the development.

24 Letters of support received.

- Low impact to local area. Unobtrusive, hidden from view.
- Close to local amenities
- Disappointed by restriction on lowering the roof apex, making the house less attractive.
- Has addressed the "overdevelopment of site by virtue of height, mass and bulk" given as a reason for refusal of previous application.
- In accordance with Winchester District Local Plan, Village Design Statement and meets criteria laid down by the Highways Authority.
- Need for small houses in the district and brown field sites preferable to Greenfield sites.
- Like the design. Accommodation and garden area fulfils a need in Littleton. Lack of 2 bedroom housing. Need to provide more balanced housing mix.

3 Letters received from applicant in response to letters of objection

- Response to objection from Cllr Jackson: No highway objections raised. Parking and turning arrangements enable any combination of two vehicles being able to manoeuvre so as to be able to leave in a forward gear.
- Response to Parish Council objection: Comment about fine tuning is unjustified given 15% reduction in volume/footprint and enclosed rear garden increased by 112%. House set lower in ground and ridge height reduced. Reference to Rutledge unjustified as each case should be considered on its own merits. No effect on ease of movement. Parish misunderstood densities in area. Suggestion that proximity to other properties results in adverse impact is erroneous. Inappropriate to apply Policy UB3 to minutiae of single plots. Design and Access Statement clearly sets out why proposals accord with Village Design Statement. Conclusion on effect of height, density, mass and bulk is derived from incorrect and irrelevant data. Reference to appeal decision at Compton is different to this application. Objection suffers from lack of substance and quality.
- Response to number of objections: Assertion that changes are small is untrue. Assertion that neighbourhood is characterised by plots of 0.075ha ignores latest precedents in South Drive. Amenity space is sufficient. Recreation ground is close by. Access issues have been addressed by WCC. Existing gardens are brownfield sites and building on such is encouraged. Littleton has evolved through a process of infilling. Application is screened from public view and will not impact on "rural feel". Windows will not overlook as are high level and opaque. Assertion that hedge is thin is incorrect. Lack of privacy for neighbouring properties raised, but ignores fact that currently used as a garden and never been raised before. Listing of officer's report irrelevant as issues have been addressed. Height of proposals is not 6m as stated but 5.2m. No right to a view. Enclosed private garden area has been increased. Boundary hedge is jointly owned.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

No relevant policies

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Winchester District Local Plan Review

DP1, DP3, DP4, DP5, DP6, DP8, DP10, H3, H7, RT4, T1, T2, T3, T4

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPS 3 Housing

PPG 13 Transport

PPG 17 Planning for Open Space, Sport and Recreation

PPG 24 Planning and Noise

PPG 25 Development and flood risk

Supplementary Planning Guidance

Littleton Village Design Statement

Winchester District Landscape Character Assessment

Other Planning Guidance

Guide to the Open Space Funding System

Movement, Access, Streets and Spaces

Manual for Streets

Parking Standards 2002

Technical Paper: Open Space Provision and Funding

Planning Considerations

Principle of development

The application site falls within the settlement boundary of Littleton on a brownfield site where residential development is considered broadly acceptable in principle in policy terms, subject to specific site constraints. However, there are a number of issues with regard to the specifics of the plot and other site constraints, which are considered in more detail below.

The proposals would equate to a density of 33dph which falls within the density requirements set out in Policy H7. However it must also be noted that, if the access to the front is excluded from the calculation, the density is 41dph. In any event, the nature of the plot and the size of the property are considered in more detail below. However, in terms of density, it is considered that the proposal generally accords with Policy H7.

The parking provision is considered to be acceptable and in accord with parking standards.

Design/layout

The dwelling would be single storey but with high eaves and rooms in the roof. The dwelling has cropped gables to each side with velux rooflights to the front and rear of the property.

The dwelling has an enclosed garden area, some of which is located in front of the property. In addition, there would be private amenity space to the side of the property and a narrow strip to the rear.

The parking would be provided to the eastern side of the property.

The dwelling would be constructed of facing brickwork with timber cladding to the side elevations. The roof would be constructed with plain clay tiles.

In design terms the dwelling is somewhat bland and contrived. Given the variety in architectural styles within the locality of Littleton, it is considered that the design is unacceptable.

Impact on character of area and neighbouring property

The proposed dwelling would be set in a backland plot where the principle of such development has already been accepted by virtue of No. 31A Main Road to the west. However, No. 31A is set in a much larger plot, more in keeping with the plot size of the surrounding locality. The plot size is small and therefore the mass and bulk of the proposals in relation to the plot will obviously have some impact on the neighbouring properties. Whilst it is acknowledged that the proposals have been scaled down from the previously refused scheme, it is still considered that the height and width of the dwelling in this small plot would appear cramped, overdeveloped and at odds with the prevailing character in the surrounding locality. Whilst there is greater space allowed at either side

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

of the dwelling, the cramped feeling is exacerbated by this space being used for parking, together with an enclosed garden area to the other side. In addition, the dwelling would appear cramped in the plot when viewed from the road, by virtue of the close proximity to the rear boundary fence,

The desire to maximise accommodation at first floor level, yet at the same time to restrict the height of the ridge to reduce the potential for overlooking, has led to an unsympathetic roof form and proliferation of roof lights.

The proposed velux windows to the north elevation would serve en-suite bathrooms. They are also high level. These windows could reasonably be conditioned to remain obscurely glazed and it is not considered that a refusal could be justified in terms of overlooking.

Whilst the dwelling may result in a small element of overshadowing to the north, this would not be significantly greater than the overshadowing caused at present by the boundary treatment on the north side of the plot. It is not considered that overshadowing could be used as a reason for refusal.

It is considered that the provision of a new dwelling with 2 additional cars would not result in sufficiently greater noise pollution, nor pollution by car fumes.

The orientation of the property and distance from neighbouring properties is such that light pollution to neighbouring properties would not occur to any extent.

Landscape/Trees

It is proposed to retain the existing hedge at the rear of the property and provide further screening from the properties to the north. In addition, the proposals include boundary screening along the west, south and south east of the site, although concern is raised as to the effectiveness of this boundary landscaping given the narrow nature of the landscape strips.

Highways/Parking

The issue of the proposed access onto Main Road was considered on the previous application. Given the limited number of traffic movements that the proposal would generate, together with the existing number of similar accesses serving a greater amount of development along Main Road and the lack of injury accidents at this access, and also the recent decision at No. 29 Main Road where the access was not considered to be an issue, it is considered that a refusal on the proposed access could not be sustained.

The parking provision meets current standards and is considered by the Highway Officer to be an acceptable arrangement.

The current scheme now provides for cycle storage together with refuse and recyclable storage and is acceptable in this respect.

Other Matters

A contribution has been made which meets the requirements of Public Open Space provision. However, the Council includes a reason for refusal on this basis as a fall-back position should the applicant seek a refund following the decision and then progress with an appeal to the Planning Inspectorate.

Recommendation

Application Refused for the following reasons:

Reasons

1 The proposed development would be contrary to Policy UB3 of the Hampshire County Structure Plan Review 1996 - 2011, and Policy DP3 of the Winchester District Local Plan Review in that it

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

would result in the overdevelopment of the site by virtue of the design, height, mass and bulk of the dwelling within a cramped layout in a limited sized plot.

2 The proposal is contrary to the policies of the Hampshire County Structure Plan Review (R2) and the Winchester District Local Plan Review (RT4) in that it fails to make adequate provision for public recreational open space to the required standard, and would therefore be detrimental to the amenities of the area.

Informatives

The Local Planning Authority has taken account of the following Development Plan policies and proposals:-

Hampshire County Structure Plan Review: No relevant policies

Winchester District Local Plan Review 2006: DP1, DP3, DP4, DP5, DP6, DP8, DP10, H3, H7, RT4, T1, T2, T3, T4