

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA 3 April 2008

Winchester City  
Council  
Planning Department  
Development Control

TEAM MANAGER  
SIGN OFF SHEET

## Committee Decision

<b>Case No:</b>	08/00378/FUL	<b>Valid Date</b>	13 February 2008
<b>W No:</b>	20975/01	<b>Recommendation Date</b>	19 March 2008
<b>Case Officer:</b>	Claire Burriss	<b>8 Week Date</b>	<b>9 April 2008</b>
		<b>Committee date</b>	<b>3 April 2008</b>
<b>Recommendation:</b>	<b>Application Permitted</b>	<b>Decision:</b>	<b>Committee Decision</b>

<b>Proposal:</b>	2 no. semi detached two bed dwellings with car parking and gardens in land to the rear of Romans Way (RESUBMISSION)
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<b>Site:</b>	Romans Way The Avenue Bishops Waltham Southampton Hampshire
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Open Space Y/N	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
<b>Y</b>	<b>N</b>	<b>N</b>	<b>Y</b>	<b>N</b>	<b>N</b>	<b>Y/N</b>

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

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**AMENDED PLANS DATE:-**

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**Item No:** 4  
**Case No:** 08/00378/FUL / W20975/01  
**Proposal Description:** 2 no. semi detached two bed dwellings with car parking and gardens in land to the rear of Romans Way (RESUBMISSION)  
**Address:** Romans Way, The Avenue, Bishops Waltham, Southampton, Hampshire  
**Parish/Ward:** Bishops Waltham  
**Applicants Name:** Mr N Cooper  
**Case Officer:** Claire Burriss  
**Date Valid:** 13 February 2008  
**Site Factors:** Settlement  
Group TPO on the opposite side of the track  
ROW footpath running parallel to the track  
**Recommendation:** Application Permitted

### General Comments

This application is reported to Committee because of the number of objections received. This application is a resubmission. The previous application was withdrawn because of previous officer concerns on privacy upon neighbouring properties. The difference includes the insertion of velux windows in the rear elevation instead of dormer windows.

### Site Description

The size of the site is 0.028 ha. The site is located at the end of the residential garden of Romans Way which includes the demolition of a garage/shed. Access to the site is off an unmade single track situated off The Avenue. The access and track is discrete and currently provides access for three other properties. The site is relatively level and there are no significant landscape features. There are TPO trees on the opposite side of the track to the south with playing fields beyond and residential gardens surrounding the rest of the site.

### Proposal

The development involves the erection of a pair of semi-detached properties. The dwellings are cottage in style with two dormer windows in the front elevation with first floor accommodation provided in the roof. Each property has a private garden space located to the rear

There is approximately a minimum distance of 10.6m from the proposed rear elevation to the rear garden boundary abutting Oakdene and approximately 1.5m to 2m either side of each dwelling providing side access to their rear gardens. There is room to park two vehicles for each dwelling to the front with direct access from the track.

The application is for a net increase of two dwellings, equating to a density of 71 dwellings per hectare. This is above the recommended minimum density of 30 dwellings per hectare as stated in policy H.7 of the local plan.

As detailed above the proposed development is to accommodate 2 x 2 bedroom units. There is a need for smaller dwellings of 1 or 2 bedrooms within the District; therefore, this proposal is in accordance with policy H.7.

Given the threshold required by policy H.5, the proposal does not fall within the criteria for the requirement of affordable housing.

### Relevant Planning History

- 07/03135/FUL – Two semi-detached properties located to the rear of Romans Way – Withdrawn

### Consultations

Engineers: Drainage: The applicant proposes to dispose of foul water to the public sewer and storm to a harvesting system with excess going to a soakaway system. This is a sustainable drainage system and there is no objection subject to granting of building regulation approval.

Engineers: Highways: No objection subject to conditions (conditions 9)

Trees: No comments received

Environmental Health: No objection subject to conditions (condition 10)

Right Of Way officer: No comments received

Environment Agency: The Agency considers this application as having a low risk.

Southern Water: No objection.

### Representations:

Hambledon Parish Council: Object. The development would result in a development that would result in a loss of space about the buildings to the detriment of the visual amenities and spatial characteristics of the area. The development is likely to encourage the parking of vehicles on the public highway which would interrupt the free flow of traffic and thereby add to the hazards of road users and cause possible blocking of emergency access.

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

- Overdevelopment of the site impacting on the character of the area
- No contingency for off-road parking for Romans Way
- More buildings and additional vehicles would cause more access problems on to the road and blocking of emergency vehicles.
- Insufficient garden space for the dwellings.
- More traffic on an already busy road impacting on pedestrian safety
- The road is not wide enough for more dwellings.
- There are lots of houses of this size that are not selling; the people they are designed for still cannot afford them.
- Loss of privacy

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

- Access off a private drive – *land ownership or a right to cross a private road is a civil issue between land owners and is not a material planning consideration.*
- Blocking access during construction.
- De-valuation of Romans Way.
- Impact on views from neighbouring properties.

There are no letters of support received.

### **Relevant Planning Policy:**

#### Hampshire County Structure Plan Review:

No relevant policies

#### Winchester District Local Plan Review

DP.1, DP.3, DP.4, H.3, H.7, T1, T2, T3, T4, RT4

#### National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPG 3 Housing

PPS 9 Biodiversity and Geological Conservation

PPG 13 Transport

PPG 17 Planning for Open Space, Sport and Recreation

#### Supplementary Planning Guidance

No relevant guidance

#### Other Planning guidance

Guide to the Open Space Funding System

Hampshire Biodiversity Action Plan

Movement, Access, Streets and Spaces

Parking Standards 2002

Winchester District Landscape Assessment

### **Planning Considerations**

#### Principle of development

The site is located within the settlement boundary of Bishops Waltham. Residential development is considered acceptable in principle under policy H.3 of the Local Plan.

#### Design/layout

The area consists of a mix of house types and sizes with a mix in the use of materials including brick and render finishes. The building has been designed in a cottage style and is proposed to be constructed using some reclaimed materials, Facing brick and plain clay tiles to match the other roofs within the area.

The private garden spaces to the rear have a width of between 8m to 8.5m and depth between 10.6m to 12m approximately. Given the modest scale and nature of the properties, it is considered that the garden spaces are a sufficient size to meet the likely needs of the occupiers.

#### Impact on character of area

As detailed above there is a mix of house designs and types within the area. The dwelling is tucked away situated off a private un-adopted track. There are very limited views of the dwelling from The Avenue and from the open fields opposite due to the tree and shrub coverage along the boundary on the opposite side of the track. There is a mix of plot sizes within the area. The scale of development is moderate in size and overall it is considered to have no significant adverse impact upon the character of the area.

It is therefore considered that the proposed development is in accordance with policy DP.3 of the Local Plan.

#### Impact upon neighbouring property

Overbearing and loss of light: The units are circa 6.6m high to the roof ridge with eaves at approximately 3.6m. There is a gap of approximately 1.5m from the side elevation of the proposal to the rear boundary of Romans Way. From the side elevation to the main rear elevation of Roman's Way there is just over 12m separation distance. Given that the dwellings are not full two storey buildings, and they are set away from the shared boundary, this side to rear relationship is

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considered to be sufficient so as to have no materially adverse impact on Roman's Way in terms of loss of light and outlook.

To the west there is a plot of land that houses some sheds and to the rear there is a residential plot. From an angled measurement there is approximately 13m between the proposal and this property (Oakdene). Given the indirect relationship and distance between, it is considered that there are no significant adverse impacts in relation to an overbearing effect or loss of light upon Oakdene or other surrounding properties.

Overlooking: Oakdene is located along the frontage with Roman's Way with a large garden to the rear. The proposed dwellings would look in the direction of the middle area of the garden. From the nearest proposed dwelling there is just over 10.5m to the rear boundary. Given the angled relationship, distance between the new houses and Oakdene and type of windows at first floor level in the rear elevation of the proposed dwellings (bathroom and high level bedroom windows) it is considered that there are no significant adverse impacts in respect of overlooking and loss of privacy so as to warrant a refusal on those grounds.

The first floor window in the side elevation facing Roman's Way would need to be conditioned to be obscurely glazed in order to avoid an unacceptable loss of privacy.

Landscape/Trees

The development does not involve the removal of significant trees or hedges.

Highways/Parking

The highways engineer considers that there are no significant adverse impacts upon highway safety and that there are sufficient parking arrangements in accordance with T1, T2, T3, and T4 of the local plan. An additional plan has been submitted detailing provision for the parking of two vehicles at Roman's Way which is in accordance with the District's parking standards.

Planning Obligations/Agreements

Open space contribution of £3,434 has been paid.

**Recommendation**

Application Permitted subject to the following condition(s):

**Conditions/Reasons**

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 dwellings 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.

3 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 and C of Parts 1 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

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

4 The first floor window(s) in the side elevation and bathroom window in the rear elevation of both dwellings hereby permitted shall be glazed in obscure glass and thereafter retained.

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

5 The rear facing first floor bedroom windows shall be high level with a minimum floor to cill height of no less than 1.8m.

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

6 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwellings are occupied. Development shall be carried out in accordance with the approved details.

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

7 A detailed scheme for landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

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

8 Details of the floor slab levels and existing and proposed ground levels shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on the site. The development shall be carried out in accordance with the approved details.

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

9 The parking area hereby approved shall not be used for any purpose other than the parking of cars and shall be hard surfaced prior to the occupation of the dwellings in accordance with details to be submitted to and approved in writing by the Local Planning Authority

Reason: The hereby approved shall not be used for any other purpose than the parking of cars.

10 Development shall cease on site if, during any stage of the works, contamination is identified unless otherwise agreed in writing by the Local Planning Authority. Works shall not recommence before an assessment of the contamination, along with details of any remedial action required (including timing provisions), have been submitted to and approved in writing, by the Local Planning Authority. The development shall not be completed other than in accordance with the approved details.

Reason: In order to secure satisfactory development and in the interests of the safety and amenity of future occupants.

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**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:-

Winchester District Local Plan Review 2006: DP.1, DP.3, DP.4, H.3, H.7, T1, T2, T3, T4, RT4

3. Developers are reminded that the grant of planning permission does not entitle them to obstruct a public right of way. If it is necessary to stop up or divert a right of way in order to enable the development to be carried out, they should apply without delay:-

(i) In the case of a footpath or bridleway, to the Council for an order under Section 257 of the Town and Country Planning Act 1990;

(ii) In the case of a highway, to the Secretary of State for the Environment for an order under Section 247 of the Town and Country Planning Act 1990.

4. A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Atkins Ltd, Anglo St James House, 39A Southgate Street Winchester SO23 9EH (tel: 01962 858600) or [www.southernwater.co.uk](http://www.southernwater.co.uk).

5. Prior to the commencement of development, measures to be undertaken to protect the public sewers shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented as approved.

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