

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA

*Winchester City Council*  
Planning Department  
Development Control

**TEAM MANAGER  
SIGN OFF SHEET**

## Committee Decision

<b>Case No:</b>	08/00439/FUL	<b>Valid Date</b>	6 March 2008
<b>W No:</b>	13975/06	<b>Recommendation Date</b>	15 May 2008
<b>Case Officer:</b>	Mr Tom Patchell	<b>8 Week Date</b>	<b>5 June 2008</b>
		<b>Committee date</b>	
<b>Recommendation:</b>	<b>Application Permitted</b>	<b>Decision:</b>	<b>Committee Decision</b>

<b>Proposal:</b>	6 no. two bed, 4 no. three bed and 2 no. four bed chalet bungalows to replace existing dwellings at Clelands and Gambut
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<b>Site:</b>	Clelands Churchill Close Kings Worthy Winchester Hampshire
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Open Space	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
<b>Y</b>	<b>N</b>	<b>N</b>	<b>Y=30</b>	<b>N</b>	<b>Y</b>	<b>Y</b>

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

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**AMENDED PLANS DATE:-**

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**Item No:** 7  
**Case No:** 08/00439/FUL / W13975/06  
**Proposal Description:** 6 no. two bed, 4 no. three bed and 2 no. four bed chalet bungalows to replace existing dwellings at Clelands and Gambut  
**Address:** Clelands Churchill Close Kings Worthy Winchester Hampshire  
**Parish/Ward:** Kings Worthy  
**Applicants Name:** Mrs Vivienne White  
**Case Officer:** Mr Tom Patchell  
**Date Valid:** 6 March 2008  
**Site Factors:**  
**Recommendation:** Application Permitted

### General Comments

This application is reported to Committee because of the number of objections received.

This planning application has been submitted following the delegated refusal of planning application reference number W13975/03, for the following reasons:

- 1 – A service vehicle would be unable to turn within the site and therefore enter and leave in a forward gear.
- 2 – Unsatisfactory vehicular parking arrangement.
- 3 – Lack of financial contribution towards the provision of recreational open space within Kings Worthy.
- 4 – Lack of information to show how the existing public sewer could be diverted.

The submitted proposals have amended the layout in order that:

- 1 – A service vehicle can turn within the site and therefore enter and leave the site within a forward gear.
- 2 – Previously 6 parking spaces were located in the south west corner of the site. These spaces were not overlooked by any adjoining dwelling. In addition, due to them being distant from the dwellings they were allocated to it was considered that they would not be used. Within the revised scheme, all vehicular parking for the proposed dwellings is located either within their curtilages or directly opposite the dwellings.
- 3 – A financial contribution towards recreational open space has been received.
- 4 – The revised scheme allows for more planting.
- 5 – Information has been submitted as part of the planning application to show how the public sewer is to be diverted in order that no development is to be within 3 metres of the centreline of the sewer.

The general layout and design of the proposed development has not been amended since the submission of the previous proposal.

### Site Description

The site currently contains two small bungalows set at the end of a narrow road, Churchill Close, which is characterised by small low-ridged bungalows.

Clelands and Gambut are set at a higher level than the adjoining land to the north and west and from within the site there are extensive views of the surrounding area to the west, Springvale Road to the south, and the land beyond.

The dwellings immediately to the west are screened from the site by hedging and 3 or 4 trees and on all boundaries of the site are trees and hedging that provide a screen of the adjoining development.

To the east of the site are the two storey dwellings of Edinburgh Road.

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**Proposal**

The proposed development is of 12 dwellings, consisting of 6 No two bed, 4 No three bed and 2 No 4 bed dwellings. Of the 12 dwellings, 6 are to have two bedrooms and a gross internal floor space not exceeding 75 square metres.

The proposed development comprises contemporarily designed chalet style bungalows located parallel to the north east and western boundaries. The site would contain a mixture of detached, semi-detached and one terrace of 3 properties.

The proposed entrance to the site would be to the north of the existing access, in order that it follows straight from Churchill Close, with the vehicle turning area at the front, eastern, edge of the site.

The south west boundary of the properties would be shared with the dwellings in Roberts Close and the existing boundary hedge would be replanted immediately adjacent to the boundary, as the level of the land is to be lowered, due to it sloping to the south west.

The distance between the proposed dwellings and those within Roberts Close varies from 12 metres, between the side elevation of Plot 6 and Nos. 3 and 4 Roberts Close, to 23 metres between the rear elevations of Plot 9 and No 6 Roberts Close.

There would be a distance of approximately 12 metres between the proposed dwellings to the north of the site and Hilmarton, which is accessed off Edinburgh Road.

The heights of the proposed dwellings would be 8.1 metres to the ridge, for the 4 bedroom properties, and 7.6 metres for all other dwelling types.

The design of each of the dwelling types would have the eaves above the ground floor windows with dormer windows within the roof slope of the front and rear elevations.

The density of the proposed development is approximately 31 dwellings per hectare.

**Relevant Planning History**

**W13975/02** Residential redevelopment to Clelands and Gambut comprising; 4 no. three bedroom, 2 no. four bedroom dwellings and 6 no. two bedroom chalet bungalows (This application may affect the setting of a public Right of Way) - Clelands Churchill Close Kings Worthy Winchester Hampshire SO23 7PD - Application Withdrawn - 26/07/2006 (Delegated decision)

**W13975/03** Residential redevelopment to Clelands and Gambut comprising; 4 no. three bedroom, 2 no. four bedroom dwellings and 6 no. two bedroom chalet bungalows (This application may affect the setting of a public Right of Way) (RESUBMISSION) - Clelands Churchill Close Kings Worthy Winchester Hampshire SO23 7PD - Application Refused - 10/11/2006 (Delegated decision)

**W13975/04** Conversion of bungalow to 2 no. dwellings (This application may affect the setting of a public Right of Way) - Clelands Churchill Close Kings Worthy Winchester Hampshire SO23 7PD - Application Permitted - 28/03/2007 (Delegated decision)

**W13975/05** Conversion of bungalow to 2 no. dwellings (This application may affect the setting of a public Right of Way) - Gambut Churchill Close Kings Worthy Winchester Hampshire SO23 7PD - Application Permitted - 28/03/2007 (Delegated decision)

**Consultations**

Engineers: Drainage: No objection

Southern Water should be consulted to ensure that they will be entering an agreement to divert the public sewer.

Engineers: Highways: No objection subject to conditions (Conditions 3 - 7)

The revised plans have overcome all previous concerns with regards to service vehicle turning and the number and location of vehicular parking spaces.

Environmental Health: No objection subject to contaminated land condition (Condition 2)

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Strategic Housing: There is no requirement for affordable housing on this site.

Hampshire County Council (Rights of Way): No objection

- Kings Worthy footpath No. 3 runs along the southern boundary of the site.
- All boundary features should be retained
- There should be no works to the surface of the right of way without first seeking the permission of the Rights of Way Officer.
- Nothing associated with the development, or its future use, should have an adverse affect on the right of way or its use.
- Welcomes the intention to clearly define the footpath with a crossover at the new access point.

Environment Agency: No objection

- The application has been assessed as having a low environmental risk.

Southern Water: No objection

- A public sewer runs through the site, which needs to be diverted.
- Southern Water can provide foul sewage disposal and a water supply.
- There are no public surface water sewers in the area.
- An alternative means of drainage for the surface water is required.

**Representations:**

Kings Worthy Parish Council: Objects

- Increased use of Churchill Close would conflict with and increase the hazard to existing users, in particular the use of the disabled parking bays.
- The site is unstable and could lead to subsidence.
- Out of keeping with the surrounding area.

County Councillor Jackie Porter: Objects

- An increase in traffic in Churchill Close may detrimentally affect the provision of support services to the residents of Churchill Close.
- The proposed vehicular access crosses a public footpath; this would lead to an increased danger to users of the footpath.
- No account of the increase in surface water run-off from the site, as a result of the increase in hard surfacing.
- Churchill Close is of an inadequate width to accommodate the proposed increase in traffic.
- The proposed pedestrian link to Lovedon Lane would create a potentially dark alley.

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

- Churchill Close is unsuitable for an increase in traffic.
- Increased danger to the residents of Churchill Close.
- Loss of privacy.
- Increased risk of intruders to adjoining dwellings.
- Removal of trees and hedges.
- An alternative means of vehicular access should be found.
- Potential conflict between the vehicles associated with the proposed development and regular emergency vehicle visits to Churchill Close.
- Over-development.
- Increased danger to users of the footpath to Springvale Road.
- Increased noise from the proposed footpath link to Lovedon Lane.
- Stability of land.

2 letters received raising no objection to the application, but raising the following concerns:

- Stability of land.
- Loss of privacy.
- Increase in traffic in Churchill Close.

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- How will large vehicles access the site?
- Development should link with any possible development in Edinburgh Road.
- Proposed dwellings would be overbearing.
- What will the boundary treatments be?
- Who will be responsible for the maintenance of the hedge?

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

- Drainage issues – increase in surface water run-off.
- Building work within 3 metres of a public sewer.
- Removal of trees and hedges by future occupants.
- Prior consultation with 39 Springvale Road only.
- Should use a rainwater harvesting system.
- Bins should not be placed at the front of the dwellings.

**Relevant Planning Policy:**

Hampshire County Structure Plan Review:

No saved policies of relevance

Winchester District Local Plan Review

DP.1, DP.3, DP.4, DP.5, DP.6, CE.10, H.1, H.3, H.7, RT.4, T.1, T.2, T.3, T.4 and T.5

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPG 3 Housing

PPG 25 Development and flood risk

Supplementary Planning Guidance

Kings Worthy and Abbots Worthy Village Design Statement

**Planning Considerations**

Principle of development

The site is located within the settlement boundary of Kings Worthy where the policies of the adopted Local Plan support residential redevelopment and infilling within the defined settlements providing that the proposed development:

- Makes efficient and effective use of the land. The density of the proposed development is approximately 31 dwellings per hectare with the density of Churchill Close being 40 dwellings per hectare.
- Responds positively to the character and appearance of the surrounding area. The proposed layout of the development does respond positively to the character and appearance of the surrounding area.
- Keeps parking provision to a minimum. There is a ratio of 2.08 parking spaces per dwelling;
- Does not have an adverse or unacceptable impact on the occupants of adjoining properties;
- Contains sufficient open amenity and recreational space. A financial contribution has been made towards the provision of recreational open space within Kings Worthy.

In addition, within a development of this size there is a need to provide for a mix of housing types and sizes. Also 50% of the proposed dwellings should be smaller dwellings of 1 or 2 bedrooms, with a gross internal floor area not exceeding 75 square metres.

Planning Policy Statement 3: Housing (PPS3)

PPS3 promotes more sustainable patterns of development and making better use of previously-developed land. This policy document seeks to provide wider housing opportunity and choice and a better mix in the size, type and location of housing than is currently available, and seeks to create mixed communities. PPS 3 also promotes good design in new housing developments in order to create attractive, high-quality living environments in which people will choose to live.

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Kings Worthy Village Design Statement

The majority of properties within Kings Worthy are brick-built, using mass-produced materials, reflecting the modernisation of the production and delivery process. Around Tubbs Green, properties dating from the 1960s tended to include large windows, weatherboarding or tile hanging, and typical brick and tile stocks, mainly in yellow and green.

Likewise, the 1970's properties at the Hookpit Farm estate are constructed of brick and are tiled. Windows tend to be casements, of either timber or Upvc.

More recent developments, dating from the 1990s and early 21st century, have seen more architectural variations, including circular windows, half hipped or catslide roofs, brick detailing and detached, weather-boarded garages. Whilst the architecture has not always been specifically designed to reflect the site, they have attempted to provide interest and a degree of individuality.

Dwellings in new developments should be arranged to create attractive, sociable spaces and a sense of place.

The division between public and private space should be clearly defined, but walls and fences should not be used more than necessary. Boundary hedgerows and planting should be used to soften the visual impact of new development and car parking. Coniferous hedging should be avoided and, where appropriate, native species should be used.

Where appropriate to the context, high quality, contemporary innovative architecture is welcomed throughout the villages.

Design/layout

The proposed design of the dwellings is not reflected by any other dwellings within the surrounding area, which are all of a simple, more traditional character.

However, the location of the site and its physical separation from Churchill Close by the hedging to the footpath would allow for a development that creates its own individual character.

The dwellings proposed, which are chalet style bungalows with a maximum height of approximately 8.1 metres for the 2 no. 4 bedroom properties and 7.6 metres for all others, do however reflect the scale of the surrounding area.

The proposed layout has fully utilised the unusual shape of the site, without appearing cramped, and provides sufficient space for supplementary planting to the boundaries of the site, whilst retaining appropriate existing landscaping.

Impact on character of area and neighbouring property

Many of the proposed dwellings have been sited in such a way as to provide a gap of close to, or in excess of, 20 metres distance from the adjoining dwellings within Roberts Close and Springvale Road. For example, between Plot 7 and No. 6 Roberts Close there is a distance of 19 metres and the gap between Plot 10 and No. 6 Roberts Close is 24 metres. The distance between proposed Plot 12 and No. 39 Springvale Road is approximately 22 metres, which would not result in a loss of privacy to any of the adjoining occupants.

Plots Nos. 1-6 are located close to the north eastern boundary with Hilmarton, Edinburgh Road.

Plots 5 and 6 have been angled in such a way that the proposed first floor windows would be facing the rear of the adjoining garden and would not result in a detrimental loss of privacy.

Plot 5 does, however, propose to have a corner window at first floor level to the fourth bedroom which would provide an oblique view over No. 5 Roberts Close, at a distance of approximately 13

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metres. It is therefore proposed to include a condition requiring that these windows are obscurely glazed, in order to prevent any direct over looking and loss of privacy. (Condition 12)

Plots 1-4 are located within 8 metres of the shared boundary. From the submitted plans, it would appear that Plots 1-3 would either overlook the front garden area to the adjoining dwelling Hilmarton, or the side elevation of the property, neither of which would result in a detrimental loss of privacy to the occupants.

However, Plot 4 would overlook the area of rear garden immediately adjacent to Hilmarton. There are a number of large conifer trees that are located within the development site and would screen any potential overlooking from the first floor windows. It is therefore proposed that a condition is attached to any approval, which requires this hedging to be retained and maintained at a particular height. (Condition 14).

#### Landscape/Trees

The proposed development would remove the existing boundary hedge between the site and the properties within Roberts Close. This has been proposed as the existing hedge would have been within the rear gardens of the proposed dwellings, leaving a gap of approximately 4.8 metres to the north west boundary, which was considered to be an unacceptable arrangement.

The proposed site works provide for the significant slope of the land to the north west to be reduced, allowing for a more gentle change in levels of the land, with the planting of a replacement hedge adjacent to the north west boundary.

The siting of the proposed dwellings also allows for the retention of the existing landscape features of importance to the character of the site within the surrounding area, together with supplementary planting where appropriate.

#### Highways/Parking

The Highways Engineer has fully assessed the proposed development with regards to the projected level of traffic generated and its impact on the surrounding road network, particularly Churchill Close, and does not raise any objection.

The proposals are also considered to satisfactorily address the need for adequate parking to serve each of the dwellings and to provide adequate space for a service vehicle to turn and therefore enter and leave the site in a forward gear.

It is not considered that the traffic generated by the proposed development would detrimentally affect the existing parking within Churchill Close, or support services visiting its residents.

Hampshire County Council Rights of Way Officer has welcomed the proposed works to delineate the existing footpath.

#### Other Matters

The stability of the land and risk of subsidence, either during or following the construction works, is a matter for the applicant to satisfy himself that appropriate ground investigation measures and foundation design has been undertaken in liaison with the Council' Building Control Section. There is no evidence to suggest that such matters cannot be addressed by appropriate foundation design or that the subsoil conditions would so inhibit the possibility of development (as proposed) that this would warrant refusal of planning permission.

The existing boundaries are within private gardens and these will remain, it is therefore not known how there would be an increased risk of intruders to the adjoining land owners.

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Within the site location plan there is a link shown, outlined in blue, to Lovedon Lane. However, it has not been proposed as part of this planning application that this should form a pedestrian link to Lovedon Lane from the proposed development.

Planning Obligations/Agreements

A financial contribution of £20,972 has been received from the applicants towards the provision of recreational open space within Kings Worthy.

In seeking the financial contributions for recreational 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**

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 Development shall cease on site if, during any stage of the works, potential contamination is encountered which has not been previously identified, unless otherwise agreed in writing with the Local Planning Authority. Works shall not recommence before an assessment of the potential contamination has been undertaken and details of the findings along with details of any remedial action required (including timing provision for implementation), has 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.

3 The proposed access and drive, including the crossing of the public highway 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 Prior to the completion of development a cut off drain shall be provided to prevent the egress of surface water onto the public highway.

Reason: In the interests of highway safety.

5 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.



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6 The parking area(s) including the garage(s) shall be provided in accordance with the approved plans before the dwelling(s) is/are first occupied and thereafter permanently retained and used only for the purpose of accommodating private motor vehicles or other storage purposes incidental to the residential use of the dwelling(s).

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

7 The roads and footways shall be laid out and made up in accordance with the specification, programme and details to be approved in writing by the Local Planning Authority. No dwelling erected on the land shall be occupied until there is a direct connection from it completed to the approved specification [less the final carriageway and footway surfacing] to an existing highway.

Reason: To ensure that the roads and footways are constructed to a satisfactory standard.

8 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:

- existing and proposed finished levels or contours:
- means of enclosure, including any retaining structures:
- hard surfacing materials:

Soft landscape details shall include the following as relevant:

- planting plans:
- written specifications (including cultivation and other operations associated with plant and grass establishment:
- schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate:
- retained areas of grassland cover, scrub, hedgerow, trees and woodland;
- implementation programme:

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

9 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.

10 Prior to the commencement of development a Sustainability Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Sustainability Strategy shall identify the measures taken within the development to comply with the aims of Policy DP.6 of the adopted Winchester District Local Plan Review and the Code for Sustainable Homes.

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Reason: In order to promote sustainable forms development and avoid wasteful use of energy and natural resources.

11 Prior to the commencement of development details of the measures to be taken to divert the public sewer shall be submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

Reason: To ensure adequate means of drainage and waste disposal from the site.

12 The first floor windows in the south west elevation of the dwelling hereby permitted at plot 6 shall be glazed in obscure glass and thereafter retained.

Reason: To protect the amenities of adjoining occupants.

13 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 south west elevation of plot 6 hereby permitted.

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

14 Before development commences the applicant shall submit in writing to the local planning authority details showing the height of the boundaries to the site (hedges and fences) and whether or not they are within the control of the applicant. The hedges in the applicants control shall be retained at an appropriate height to be determined by the local planning authority in writing. No hedges within the control of the applicant shall be reduced in height without the written consent of the local planning authority.

Reason: To protect the amenity of neighbours.

15 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 or D of Part 1 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

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

16 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.

**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.

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

Hampshire County Structure Plan Review: No saved policies of relevance

Winchester District Local Plan Review 2006: DP.1, DP.3, DP.4, DP.5, DP.6, CE.10, H.1, H.3, H.7, RT.4, T.1, T.2, T.3, T.4 and T.5

3. 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).
4. A formal application for connection to the water supply in order to service this 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).