

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Winchester City
Council
Planning Department
Development Control

TEAM MANAGER
SIGN OFF SHEET

| | | | |
|------------------------|--|----------------------------|------------------------|
| Case No: | 07/02520/FUL | Valid Date | 11 October 2007 |
| W No: | 20880 | Recommendation Date | |
| Case Officer: | Neil Mackintosh | 8 Week Date | 10 January 2008 |
| | | Committee date | 20 August 2008 |
| Recommendation: | Permission, subject to provisos | Decision: | |

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| Proposal: | 4 no. three bed, 5 no. two bed, 1 no. four bed and 4 no. one bed dwellings with access onto Dodds Lane (AMENDED PLANS) |
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| Site: | Land At Dodds Lane Swanmore Hampshire |
|--------------|---------------------------------------|

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

| DELEGATED ITEM SIGN OFF | | |
|--|------------------|-------------|
| APPROVE Subject to the condition(s) listed | | |
| | Signature | Date |
| CASE OFFICER | | |
| TEAM MANAGER | | |

AMENDED PLANS DATE:- 18/04/08, 02/05/08

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Item No: 1
Case No: 07/02520/FUL / W20880
Proposal Description: 4 no. three bed, 5 no. two bed, 1 no. four bed and 4 no. one bed dwellings with access onto Dodds Lane (AMENDED PLANS)
Address: Land At Dodds Lane Swanmore Hampshire
Parish/Ward: Swanmore
Applicants Name: Hyde Housing Association Ltd
Case Officer: Mr Neil Mackintosh
Date Valid: 11 October 2007
Site Factors: Countryside

Recommendation: Permitted, subject to legal agreement

General Comments

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

Amended plans were submitted on 18/04/08, 22/04/08 and 02/05/08

Neighbours and the Parish Council were re-notified and responses have been received.

The amended plans show, as follows:-

18/04/08 - cosmetic changes to design

22/04/08 - a footpath link between the site and Chapel Road to the south of Dodds Lane

02/05/08 - additional landscaping

Site Description

The site comprises approximately 0.52ha of unkempt farmland to the south of Dodds Lane and to the rear of houses fronting on to Chapel Road. It forms part of a larger field that appears to have been abandoned and has self-sown shrubs growing sporadically. There is a natural belt of vegetation to the west of the site, adjacent to the rear gardens of Chapel Road, but the boundary with Dodds Lane is bare and hedgeless. The eastern and southern boundaries of the site are undefined.

This field is on the same high ground as Swanmore village but the land to the east slopes down to the Droxford Road. There are views of the site from the Droxford Road and the Cott Street junction

Proposal

The proposal is to provide a mixture of residential accommodation, all for social housing purposes, and comprising the following:

4 x one-bed flats, 5 x two-bed houses, 4 x three-bed houses and 1 x four-bed house.

Vehicular access is proposed from Dodds Lane, in the form of a single, adopted highway.

Parking is provided at a ratio of 1 space per one-bed flat and 2 spaces for the remainder.

Relevant Planning History

None

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Consultations

Engineers: Drainage:

No objection but details will be required of how the applicant will dispose of storm water in a sustainable manner (Condition 2 (d)). A flood risk assessment is not required.

Engineers: Highways:

Consult HCC as Highway Authority, as application includes off-site works
With regard to the internal layout, the plans are satisfactory, subject to conditions (Conditions 2 (f), (g), (h), 5, 6, 7 and 8).

Hampshire CC (Highways):

Letter dated 20 May 2008

"Given that the development is relatively small I believe that the provision of a footway link, while desirable if achievable, is not essential to enable the site to be developed, as the pedestrian movements are likely to be low. I would suggest that a financial contribution be sought towards transport improvements in the vicinity of the site so that improvements to wider pedestrian facilities may be explored"

Letter dated 28 July 2008

"The matter of the provision of a footway serving the proposed residential development at Dodds Lane is something that has been discussed at length with the Section 278 Engineers and the transport consultant acting on behalf of Hyde Housing Association. Every possible option has been explored and the decision to recommend that the footway link is not essential to the development of the site was not taken lightly, as I agree with your officers that the link is desirable and if achievable would provide a valuable connection to the existing pedestrian network"

The County Council engineers quote a previous appeal decision where the Appeal Inspector stated that *"whilst traffic would increase as a result of the development proposed, the character of the road would not be changed and I see no reason why speeds should increase or why, as at present, the pedestrians and others who use the road should not continue to safely share the highway with cars and other motorised vehicles"*.

The conclusion of the Head of Highways Development Control is that *"I would consider that, with the limited scale of the development being proposed at Dodds Lane, the same considerations would apply. I would therefore advise against refusing the application on the basis of a lack of footway provision"*.

Landscape:

Original plan – proposal unacceptable in landscape terms as it is contrary to Local Plan Policy H6, which allows for housing exception sites provided that *"it does not intrude unduly into the countryside or harm the landscape character or setting of settlements"*

This scheme would create a suburban edge with little in the way of definitive soft landscaping.

Amended plan – the landscape strategy proposal now submitted is acceptable. If permission is to be granted, a condition would be needed to cover details of planting size, number and spacing, as well as the hard landscape details (Conditions 2(b) and 3).

Strategic Housing:

"This affordable housing scheme has my full support and is an excellent opportunity to provide much needed affordable housing for local people. The properties will be safeguarded for local people, in perpetuity, through a Section 106 Agreement."

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As of 26 October 2007 the local housing need was comprised of 24 units, i.e. 12 x one-bed, 5 x two-bed, 6 x three-bed and 1 x four-bed units. The layout, design, size and tenure of dwellings is acceptable

Environment Agency:

An area of low environmental risk

Southern Water:

No objection, subject to an informative re: foul drainage and satisfactory disposal of surface water (Informative 4)

Hampshire Constabulary

Should comply with Secured by Design criteria, including a 1.8m close-boarded fence along west, south and east boundaries as well as part of north boundary. Car parking should be in small groups, close to and adjacent to homes. Cycle storage should be weatherproof, brick structures.

Hampshire CC (Ecology):

No comment

Representations:

Swanmore Parish Council

Original plans – supports, subject to satisfactory resolution of the following; highway safety issues, provision of satisfactory footpath, adequate local infrastructure, proximity of houses to Dodds Lane, design of dwellings and landscaping issues

Amended plans – supports the amendments, subject to satisfactory report by HCC concerning Dodds Lane and the footpath.

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

- Outside village boundary on 'greenfield' site.
- Contrary to Swanmore Village Design Statement – in 'green corridor'.
- Other sites are better.
- Traffic and pedestrian safety in Dodds Lane.
- Road is too narrow.
- Inadequate footpath.
- Loss of roadside hedge.
- Loss of agricultural field.
- House designs not in keeping with the area.
- Too many houses proposed – Swanmore needs one and two-bed units, not four-bed.
- Not enough parking.
- Adverse impact on amenities of neighbours in Chapel Road.
- Insufficient infrastructure eg. water supply, drainage, school places, GP, dentist.
- Adverse impact on wildlife.
- Adverse impact upon potential National Park.
- Precedent for further development.

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

- Loss of value of neighbouring properties
- Social impact on local residents

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- Loss of water pressure

One letter of support received – subject to occupiers having a tangible connection with the village and provided that the road safety is adequate.

Amended plans were received on 18/04/08 and, as they contained significant changes, neighbours were re-notified. As a result seven letters were received, of which five objectors to the original application maintained their objections. Two letters of objection were received from households in Dodds Lane and Mislingford Road that had not objected the first time, as follows;

- Object until the speed limit for the whole of Dodds Lane is reduced to 30mph
- Housing Association development is unacceptable in an area of individual housing

Relevant Planning Policy:

Hampshire County Structure Plan Review:

H1, H2, T5

Winchester District Local Plan Review

H6, H7, CE5, DP1, DP3, DP4, DP5, RT4, T1, T2, T3, T4

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPS 3 Housing

PPS 7 Sustainable Development in Rural Areas

PPG 13 Transport

PPG 17 Planning for Open Space, Sport and Recreation

Supplementary Planning Guidance

Swanmore Village Design Statement

Other Planning Guidance

Guide to the Open Space Funding System

Hampshire Biodiversity Action Plan

Movement, Access, Streets and Spaces

Parking Standards 2002

Rural Housing Information Booklet

Winchester District Landscape Assessment

Winchester Housing Needs Survey

Achieving a Better Mix in New Housing Developments

Planning Considerations

For some time now the Council's Housing Department, in conjunction with the Parish Council, has been aware of the need to provide for affordable housing in Swanmore. As of 28/07/08 the need was identified as follows:

1-bed x 24, 2-bed x 14, 3-bed x 12 (of these 5 have 3 or more children and would be eligible for a 4-bed house) and 4-bed x 1 ie a total of 51 units.

This proposal is for a total of 14 units comprising; 1-bed x 4, 2-bed x 5, 3-bed x 4 and 4-bed x 1.

The main consideration, if Members accept the need, is whether to allow an area of countryside, outside the built-up area of Swanmore, to be used for this purpose.

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Principle of development

Policy H6 of the Winchester District Local Plan states that :

“As an exception to other policies of the Local Plan, small-scale housing schemes will be permitted on sites well related to existing defined and other settlements, to meet the needs of local people unable to afford to rent or buy property on the open market”

This is subject to the following criteria:

- i) the Local Planning Authority must be satisfied that the need cannot be met within the settlement where the need exists,
- ii) the development provides affordable housing for local people in proven housing need,
- iii) there is access by public transport, walking or cycling to local facilities, particularly shops and schools,
- iv) the development is well related to the scale and character of adjacent settlements and it does not intrude unduly into the countryside or harm the landscape character or setting of settlements, particularly in the East Hampshire Area of Outstanding Natural Beauty.

In the case of Swanmore, no sites are available for social housing within the policy area and, although other sites outside that area have been explored, they have either been dismissed as unsuitable or have not been made available by the landowner. The Housing Strategy and Development Manager fully supports the use of the Dodds Lane site and acknowledges that this provision will go some way to satisfying the need for social housing in the Parish.

In addition to the above policy, the usual planning criteria must be applied, eg. those required in the Design and Development Principles, Housing and Traffic policies of the Local Plan

Design/layout

Fourteen dwellings are proposed on a site that is 0.524 hectares in area, representing a density of approximately 30 dwellings per hectare. This is consistent with the guidelines laid down in PPS3 and is considered suitable for an edge-of-settlement site.

The fourteen units comprise flats, semi detached houses and detached houses, thus satisfying the requirements of the Councils 'Better Mix' Policy (Local Plan Policy H7).

The dwellings are served by a single road with access from Dodds Lane.

The 4-bed house, the flats and a 2-bed house front on to Dodds Lane and the remainder front on to a cul-de-sac. However, all vehicular access is from the cul-de-sac.

The design of the units has been adapted to reflect the rural nature of the site on the edge of the village, i.e. all units are two storeys and the materials palette includes red/brown bricks with an element of natural timber boarding under a grey/black roof.

Impact on character of area and neighbouring property

The site is to the rear of houses fronting on to Chapel Road, and these are the only near neighbours. Having said that, the Chapel Road houses have long rear gardens, between 55m and 65m in depth, and a woodland belt of 6-10m width is to be retained on the application site, where it borders the properties to the west. As a result, it is considered that the amenities of those living in Chapel Road will not be adversely affected.

However, the downside of this is that the long distances involved between the proposed and the existing houses in Swanmore may mean that the new dwellings would not appear to be closely related to the existing built form of the village. To help to overcome this, and to mitigate views from the east, a landscape planting belt is proposed on the eastern and

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southern sides of the development.

The site is not within the East Hampshire Area of Outstanding Natural Beauty, although it is within the proposed South Downs National Park, and it is considered that this development will not prejudice the designation of the latter.

Landscape/Trees

The application site consists of part of an overgrown field that contains only scrub.

There are no landscape features of any importance on the site. However, development here will be visible from the east, particularly when approaching along Dodds Lane and from the Droxford Road. The latter is lower than the application site but the amended plans incorporate a planting belt that is considered to be a suitable mitigating feature against intrusion in the landscape. The proposed planting belt will vary between 8m and 2m in width and, in addition to the proposed blackthorn hedge, will contain mixed native species of trees and shrubs. The Landscape Architect is content with the revised proposals, subject to the submission of further, detailed plans and an implementation condition (Conditions 2(b) and 3).

Highways/Parking

The Council's Highway Engineer considers that the layout of the proposed access and cul-de-sac are satisfactory and that sufficient car parking spaces (24), and cycle storage facilities, are to be provided. The provision of a footway within the site, separated by a hedge from Dodds Lane, is also considered to be satisfactory. The 'internal' footway emerges on to Dodds Lane.

Hampshire County Council, as Highway Authority, is responsible for the 89m of Dodds Lane that separates the site and existing footways within the village. Although the applicant proposes to construct a footway to connect the two, the Highway Authority is not prepared to support the proposal that was put forward in April of this year.

Meetings have taken place between City Council and Hampshire County Council Officers, on site, to explore whether there is a design solution for the provision of a footway along the southern side of Dodds Lane. However, the Highway Authority (HCC) has confirmed that such a footway cannot be provided in a satisfactory manner because of drainage and root protection issues.

Whilst City Council officers remain concerned about the development of this site without a footway link, the advice from the Highway Authority is clear. The construction of a footway is desirable but is not essential and, therefore, the scheme can proceed without this being made a requirement of any permission. In the light of the highways advice received, the proposal is recommended for permission without a requirement to provide the footway along Dodds Lane that is shown on the submitted plans. It is, of course, open to the applicant to continue to pursue the footway issue with the Highway Authority outside the scope of this application or planning permission granted.

The Highway Authority has suggested that a financial contribution be sought towards transport improvements in the vicinity of the site instead of the provision of a footway. However, this has not been pursued as, firstly, the application was submitted before the City Council adopted the HCC Transport Contributions Policy and, secondly, it is unlikely that such a contribution would meet the tests of Circular 05/05, ie. that it would be necessary to make the proposed development acceptable in planning terms or that it would be directly related to the proposed development.

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Public Open Space – the applicant has been notified that a contribution of £24,940 is required in respect of the Council's Public Open Space Funding Scheme. No response has been received but negotiations are ongoing regarding the on-site provision of a Children's Play Area.

Drainage – foul waters can be drained to a public sewer but surface water may be more of a problem on this sub-soil. Measures must be taken to conserve and re-use rain water and details of this and storm water disposal must be submitted. (Condition 2(d))

Other matters

The loss of agricultural land – the site is not of high quality and has not been used for agriculture for many years.

The consideration of other sites – many have been considered but this is the only one that has been forthcoming, meanwhile the need has increased from 19 units in February 2007 to 51 units now.

Insufficient infrastructure – the site is well related to the village and to the facilities and services that it provides.

The Swanmore Village Design Statement – this document is not specific about the application site but refers to the green corridors leading to and from the village. It is considered that, whilst the development of this site will have a significant impact upon the visual amenities of the area, it would not appear as an intrusive form of development when viewed against the backdrop of the village. In addition, the VDS states "*New pavements on existing village lanes would be inappropriate*"

Planning Obligations/Agreements

In seeking the planning obligation(s) and/or financial contributions for Public Open Space Funding and the provision of Social Housing 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

That, provided that the applicant enters into a Section 106 Agreement to secure Public Open Space Funding and the provision of Social Housing in perpetuity, planning permission be granted, subject to the following conditions:

(Note: If the Legal Agreement is not completed within 6 months then the application may be refused without further reference to Committee)

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. Plans and particulars showing the detailed proposals for all the following aspects of the development shall be submitted to and approved in writing by the Local Planning Authority

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before any development is commenced. The approved details shall be carried out as approved and fully implemented before the buildings are occupied:

- a). Details and samples of the materials to be used in the construction of the external surfaces of all buildings;
- b). A landscape scheme showing the planting proposed to be undertaken, including that for the blue land shown on the approved plan, the means of forming enclosures, the materials to be used for paved and hard surfaces and the finished levels in relation to existing levels; the arrangements to be made for the future maintenance of landscaped and other open areas;
- c). The finished levels, above ordnance datum, of the ground floor of the proposed buildings and their relationship to the levels of the adjoining land;
- d). A drainage strategy showing how storm water may be disposed of in a sustainable manner and showing the foul water going to a public foul sewer;
- e). The provision to be made for street lighting;
- f). The provision to be made for contractors vehicles parking and plant, storage of building materials and any excavated materials, huts and all working areas;
- g). Details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway;
- h). Details of secure/undercover cycle storage for the 1-bed flats.

Reason: To secure properly planned development and since no such details have been submitted.

3. 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.

4. 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, C, D and E of Part One 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.

5. Before the development hereby approved is first brought into use, visibility splays of 2.4 metres by 120 metres westbound and 2.4m by 90m eastbound 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.

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6. Details of the width, alignment, gradient and type of construction proposed for the roads and footways including all the relevant cross-section and longitudinal sections showing the existing and proposed levels together with the details of street lighting and the method of disposing of surface water, and details of a programme for the making up of the roads and footways 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 use hereby approved is commenced.

Reason: To ensure that the roads are constructed to a standard which may allow them to be taken over as a publicly maintainable highway.

7. Before the development hereby approved is first brought into use, a turning space shall be provided within the site to enable a refuse freighter, as operated by Winchester City Council, using the site to enter and leave in a forward gear. The turning space shall subsequently be retained and kept available for such purposes at all times.

Reason: In the interests of highway safety.

8. The parking areas shall be provided in accordance with the approved plans before the dwellings 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 use of the dwelling houses as a residences.

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

Informatives:

1. This permission is granted for the following reason:

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: H1, H2, T5

Winchester District Local Plan Review 2006: H6, H7, CE5, DP1, DP3, DP4, DP5, RT4, T1, T2, T3, T4

3. All work relating to the development hereby approved, including works of demolition or preparation prior to operations, should only take place between the hours of 0800 and 1800 Monday to Friday and 0800 and 1300 Saturdays and at no time on Sundays and Bank Holidays.

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, please contact Atkins Ltd, 39a Southgate Street, Winchester, SO23 9EH (01962 858600).

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