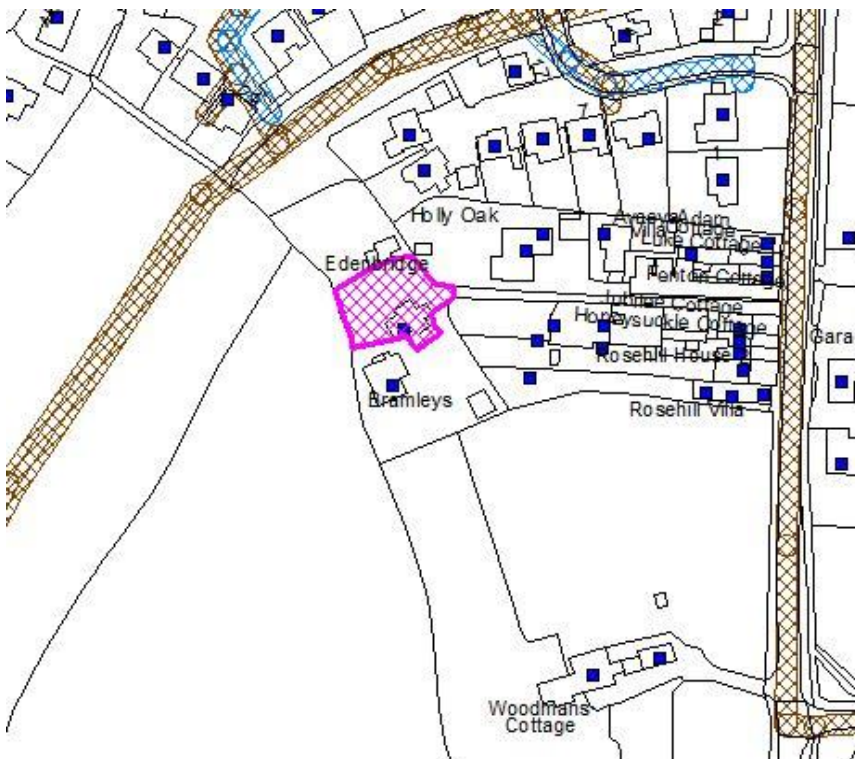


WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 23/00899/OUT
Proposal Description: Erection of a 4 bedroom 1 1/2 storey house on the site of former dwelling Edenbridge (to be demolished under planning permission 21/00065/FUL).
Address: Edenbridge Winchester Road Waltham Chase Southampton Hampshire
Parish, or Ward if within Winchester City: Shedfield Parish Council
Applicants Name: Mr Gordon Pullinger
Case Officer: Cameron Taylor
Date Valid: 11 May 2023
Recommendation:
Pre Application Advice No

Link to Planning Documents

[Link to page – enter in reference number 23/00899/OUT](https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple)
<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



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Case No: 23/00899/OUT

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Reasons for Recommendation

The development is recommended for permission as it is considered that the proposal is in-keeping to the character and appearance of the area and would not result in significant adverse harm to the neighbouring amenity that would warrant refusal.

General Comments

The application is reported to Committee at the request of the Parish Council, based upon the material planning considerations as shown in appendix 1.

Amendments to Plans Negotiated

None

Site Description

The application site is located within the settlement boundary of Waltham Chase, accessed at the end of a private access which serves Winchester Road. This access serves a newly approved dwelling and an existing dwelling. The area consists of single, and two-storey terraced and detached dwellings with various built forms and external appearances including facing and painted brickwork. The site used to be within the curtilage of a single dwelling which has since received permission to be replaced with a new dwelling and the subdivision of the plot.

Proposal

The proposal is for the outline permission for the erection of a two-storey chalet style 4 bed dwellinghouse, which utilises the existing access off Winchester Road and has the provisions for parking to the site which includes a garage. The landscaping of the site shall be dealt with under reserved matters.

The proposed dwelling is adjacent to the boundary to the neighbouring property to the south with a gap over 7 metres to the dwelling itself. To the north, there is a gap of over 3m to the boundary and 6.5 metres to the dwelling. The proposed dwelling retains a 7 metre gap to the eastern boundary, with a gap over 25 metres to the neighbouring dwellings to the east.

This application is seeking outline consent for the principle of development along with the scale and external appearance of the proposed dwelling.

The following matters are reserved and will be subject to a future Reserved Matters application.

- Details of Hard and Soft landscaping
- Details of the foul and surface water drainage
- Parking provisions to the site.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Relevant Planning History

- -21/00065/FUL-Demolition of existing 3 bedroom house and replacement with a 3 bedroom house. Permitted 15.03.2021
- -19/01714/FUL- (Amended Access) Demolition of existing dwelling & sheds, erection of 2 new 4-bed houses, detached garages & associated external works. Withdrawn 09.08.2019

Consultations

Service Lead for Engineering (Drainage) - No Objection

Service Lead for Natural Environment (Ecology) - No Objection

Natural England - No Objection subject to appropriate mitigation

Representations:

Shedfield Parish Council Objection- see appendix 1

2x Objecting Representations received from different addresses citing the following material planning reasons:

- The introduction of a new dwelling.
- Introduction of additional nitrates into the watercourse.

Relevant Government Planning Policy and Guidance

National Planning Policy Framework

Section 2 Achieving Sustainable development

Section 4 Decision Making

Section 8 Promoting healthy and safe communities

Section 12 Achieving well designed places

Section 14 Meeting the challenge of climate change, flooding and coastal change

Section 16 Conserving and Enhancing the Historic Environment

National Planning Practice Guidance

Climate Change

Consultation and pre-decision matters

Design: process and tools

Environmental Impact Assessment

Flood risk and coastal change

Planning Obligations

Use of planning conditions

Winchester Local Plan Part 1 – Joint Core Strategy (LPP1

DS1 - Development Strategy and Principles

MTRA2 - Market Towns & Rural Area

Case No: 23/00899/OUT

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

CP2 - Housing Provision and Mix
CP7 - Open Space, Sport and Recreation
CP11 - Sustainable Low and Zero Carbon Built Development
CP13 - High Quality Design
CP14 - Effective Use of Land

Winchester District Local Plan Part 2 – Development Management and Site Allocations

DM1 - Location of New Development
DM15 - Local Distinctiveness
DM16- Site Design Criteria
DM17- Site Development Principles
DM18- Access and Parking

Supplementary Planning Document

National Design Guide 2019
Car Parking Standards (2008)
High Quality Places SPD (2015)
Shedfield Parish Council Village Design Statement

Other relevant documents

Climate Emergency Declaration; Carbon Neutrality Action Plan 2020 – 2030
Statement of Community Involvement 2018 and 2020

Planning Considerations

Principle of development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 47 of the National Planning Policy Framework (NPPF, 2023) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The application site is situated within the defined settlement boundary of Waltham Chase. The principle of a new residential dwelling within a defined settlement boundary is considered acceptable in principle subject to compliance with the development plan as a whole and material planning considerations.

The principle of development is therefore considered acceptable.

Assessment under 2017 EIA Regulations.

The development does not fall under Schedule I or Schedule II of the 2017 Environmental Impact Assessment Regulations, therefore an Environmental Impact Assessment is not required.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Impact on character and appearance of area

The site is situated within an existing residential curtilage which has been separated from a single residential dwelling to 2 residential curtilages.

The existing dwelling is to be demolished following permission granted under reference 21/00065/FUL.

The application under consideration is for the subdivision of the curtilage of the previous bungalow and the erection of a new two-storey chalet style detached dwelling. The site itself is bound by residential property along its north, south and eastern boundary.

The proposal seeks outline permission for the location of the proposed dwelling along with its scale and external appearance. The proposed dwelling is situated centrally within the plot, with a scale in-keeping to the size of the plot and other dwellings within the area. The dwelling proposed is two-storey in height with the first-floor accommodation being located within the roof space and half dormers being located along the front and rear elevations. The proposed dwelling includes an element which is a subservient single-storey projection off the side elevation, which is considered to remain in-keeping to the scale and appearance of the dwelling.

The character of the area is defined by being on the outskirts of the settlement boundary with a rural character. There are a number of residential dwellings within the immediate area consisting of single and two-storey detached and terraced dwellings, along with paddocks located to the west of the site. The proposed dwelling is of a scale, design and appearance that is in-keeping and sympathetic to the character and appearance within the immediate and wider area. To secure the quality of the proposed materials, a condition is included (condition 3) requesting details and samples of the proposed materials prior to the development exceeding damp proof course level.

The resulting density of the plots is similar to the surrounding plots and is considered to be characteristic with the wider area.

Land to the north of the site is the Brooklyn Close Public Open Space, protected by policy DM5 of the LPP2. None of the application site sits within the protected open space. The development does not cause physical or setting harm to the open space and it remains open to the public in the same way as existing.

Based upon the above assessment it is considered that no adverse impact can be demonstrated upon the character and appearance of the existing site and surrounding area. The proposed development therefore accords with policies CP13 of the Local Plan Part 1 and DM1, DM15 and DM16 of the Local Plan Part 2

Development affecting the South Downs National Park

The application site is located over 1.8miles from the South Downs National Park.

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) updated 2023. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural

Case No: 23/00899/OUT

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

heritage are also important considerations and should be given great weight in National Parks.

Due to the intervening features and distance, the development will not affect any land within the National Park and is in accordance with Section 11a of the National Parks and Access to the Countryside Act 1949.

Historic Environment

There will be no adverse impact as the works do not affect a statutory listed building or structure including its setting; the area is not a conservation areas and there is no archaeological sensitivity or non-designated Heritage Assets within the site's vicinity.

Neighbouring amenity

The proposed dwelling has neighbouring residential properties along its north, east and southern boundary. The dwellings being constructed along its northern boundary retain a gap to the dwelling, whilst its scale and orientation demonstrate that there will be no adverse overbearing, overshadowing or overlooking impacts.

Bramleys is the neighbouring dwelling to the south of the site. Whilst the properties are close in proximity they are offset and given the orientation and location of the site and neighbouring property an adverse overbearing and overshadowing impact is not identified. Whilst there is glazing to habitable rooms at a first floor level, these views are directed to the west and not towards sensitive areas. Therefore an adverse overlooking impact is not identified.

There is a neighbouring property currently being built to the north within the curtilage of the original dwelling. The proposed dwelling retains an ample gap to the neighbouring dwelling to the north with no glazing along the north elevation. Therefore given the location, scale and orientation of the dwelling and surrounding area, an adverse overbearing, overshadowing and overlooking impact is not identified.

Holly Oak and Elm House are the neighbouring dwellings to the east of the site. The dwelling retains a gap to these boundaries and the dwellings themselves are located over 20 metres away. Therefore given the intervening distance, an adverse overbearing and overshadowing impact is not identified. The dwelling does include a bedroom window at a first floor level on the east elevation, however there is existing boundary hedging between the site and the neighbour along with a distance over 20 metres to the neighbouring dwelling. Therefore a significant adverse overlooking impact is not identified.

The proposal therefore does not result in adverse residential amenity impacts and is in compliance with policy DM17 of the LPP2.

Sustainable Transport

The proposal utilises an existing access and would not affect the safety of the surrounding highway network. The development does not create additional traffic to a level which harms the safe operation of the junction of the private access with Winchester Road.

Case No: 23/00899/OUT

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

The landscaping and proposed hardstanding for parking does not form part of the outline permission. However, there is ample space to the front to accommodate at least 2 allocated spaces along with the attached garage. The hardstanding will be confirmed under a reserved matters application for landscape information. Therefore the proposal complies with policy DM17 of the Local Plan Part 2.

Ecology and Biodiversity

The application site is not located within, bordering or in close proximity to a European Protected Site (i.e. River Itchen SAC, The Solent SAC, SPAs, Ramsar Sites).

The original site was noted for the presence of a day roost of common pipistrelle and occasional roost of brown long-eared bat within the existing dwelling. The demolition of the building has been previously authorised as part of the previous application 21/00065/FUL. Whilst it is noted within the consultation with HCC Ecology that the age of the surveys has been raised, the demolition of the dwelling (and associated bat remediation and mitigation) is secured by the previous consent.

Within this consent, a Biodiversity Mitigation and Enhancement Plan is also secured by condition 8.

The proposal therefore complies with policy CP16 of the Local Plan Part 1.

Appropriate Assessment.

The application will have a likely significant effect in the absence of avoidance and mitigation measures on European and Internationally protected sites as a positive nitrate contribution of 1.7 Kg/TN/year is made. The authority has concluded that the adverse effects arising from the proposal are wholly consistent with, and inclusive of the effects detailed in the Winchester City Council Position Statement on nitrate neutral development and the guidance on Nitrates from Natural England.

The authority's appropriate assessment is that the application coupled with a mitigation package secured by way of a Grampian condition complies with this strategy and would result in nitrate neutral development. It can therefore be concluded that there will be no adverse effect on the integrity of the designated sites identified above in this regard.

The application site is not within the River Itchen Catchment and Phosphorous mitigation is therefore not required.

This represents the authority's Appropriate Assessment as Competent Authority in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006 to the purpose of conserving biodiversity. Consideration of the Ramsar site/s is a matter of government policy set out in the National Planning Policy Framework 2023

Under Reg 63(4) of the Habitat Regulations the Council considers that is not appropriate, to take the opinion of the general public, and have not therefore further advertised the Appropriate Assessment with the general public.

Case No: 23/00899/OUT

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

A further consideration is that in order to deal with the effect of new housing on the Special Protection Areas (SPA) of the Solent as more people visit the coast. Specifically, as more people visit the coast, the wildfowl and wading birds which overwinter along the Solent are more likely to be disturbed. Winchester City Council therefore has a responsibility under the Conservation of Habitats and Species Regulations 2010 as to not permit a plan or project which will have an adverse affect on a SPA. The application site falls within 5.6km of the Solent SPAs, where Natural England advises that any additional housing development is likely to have significant in-combination effects. Accordingly, Winchester City Council will contributions towards the strategic mitigation scheme.

In this case the applicant has made an up front payment of £980 for the required contribution and the relevant agreements have been signed.

A Habitat Regulations Assessment has been undertaken and accordingly it is concluded that (having regard to mitigation) there is therefore sufficient information to rule out likely significant effects on the internationally designated sites in the Solent catchment due to the increase in wastewater resulting from the proposal in combination with other plans and projects across the Solent area.

Sustainability

Developments should achieve the lowest level of carbon emissions and water consumption which is practical and viable. Policy CP11 expects new residential developments to achieve Level 5 for the Energy aspect of the Code for Sustainable Homes and Level 4 for the water aspect. Condition 5 secures the submission of design-stage data prior to the commencement of development to ensure this is complied with. Condition 6 then requests as-built data prior to the occupation of the unit to ensure that the requirements have been met.

The proposal therefore complies with policy CP11 of the Local Plan Part 1.

Sustainable Drainage

The site is located within a floodzone area 1 with a very low risk of fluvial and pluvial flooding. The proposal whilst not identifying the disposal of foul drainage is located within a area with existing public sewers in the area, therefore to confirm the disposal of foul drainage along with surface water runoff this will be dealt with under a reserved matters application.

Therefore the proposal complies with policy DM17.

Other Topics

Trees

There are no protected trees on site. The soft and hard landscaping will be dealt with under reserved matters to be approved by the council to protect the amenities of the locality and maintain a good quality environment.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Equality

Due regard should be given to the Equality Act 2010: Public Sector Equality Duty. Public bodies need to consciously think about the three aims of the Equality Duty as part of the process of decision-making. The weight given to the Equality Duty, compared to the other factors, will depend on how much that function affects discrimination, equality of opportunity and good relations and the extent of any disadvantage that needs to be addressed. The Local Planning Authority has given due regard to this duty and the considerations do not outweigh any matters in the exercise of our duty.

Planning Balance and Conclusion

The proposal would not have a significant adverse impact upon the character and appearance of the existing dwelling and area, or upon the amenities of the neighbouring properties. The proposal therefore complies with policies DM1, DM15, DM16, DM17 and DM18 of the Local Plan Part 2 (2017) and DS1, CP11, CP13, CP16 and CP20 of the Local Plan Part 1 (2013) and the High Quality Places SPD.

Planning Obligations/Agreements

Recommendation Permit subject to the following condition(s):

Conditions

1.

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

The development hereby permitted shall begin before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the provision of Section 92(2) of the Town and Country Planning Act 1990 (as amended).

2.

The outline proposal subject of this planning permission shall be in accordance with the details as submitted showing the developable area within the application red-line boundary and as otherwise agreed in the plans, drawings, specified materials and written documentary supporting submissions with the application, including the following plans:

-Proposed- Dwg No. EWR-200- Received 11.04.2023

Reason: To clearly define the outline proposal for development which will be subject to further reserved matters detail considerations based upon the area for development within the red-line application site.

3.

Plans and particulars showing the detailed proposals for all the following aspects the development (hereinafter called "the reserved and other matters" shall be submitted to and

Case No: 23/00899/OUT

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

approved in writing by the Local Planning Authority before any development is commenced. The approved details shall be carried out as approved and fully implemented before the building(s) is/are occupied.

Reserved and other matters: -

- (a) The colour and texture of external materials to be used together with samples of all external facing and roofing materials.
- (b) The layout of foul sewers and surface water drains
- (c) The provision to be made for the parking, turning, loading and unloading of vehicles - The alignment, height and materials of all walls and fences and other means of enclosure
- (d) The provision to be made for the storage and disposal of refuse
- (e) The finished levels, above ordnance datum, of the ground floor of the proposed building(s), and their relationship to the levels of any existing adjoining buildings
- (f) Landscape considerations including:
 - A Landscape scheme showing the planting proposed to be undertaken, the means of forming enclosures, the materials used for paved and hard surfaces and the finished levels in relation to existing levels
 - Details of any external lighting

Reason: To comply with Section 91 of the Town and Country Planning Act 199.

4. The development hereby permitted shall NOT BE OCCUPIED until:

A) A water efficiency calculation which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to and approved in writing by the Local Planning Authority:

B) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European sites by the development and be implemented in full prior to first occupation and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites

C) All measures forming part of that mitigation have been secured and submitted to the Local Planning Authority."

5. Prior to the commencement of the development hereby permitted detailed information (in the form of SAP design stage data and a BRE water calculator) demonstrating that the dwelling shall meet the Code 4 standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these findings.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2012 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

Case No: 23/00899/OUT

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

6. Prior to the occupation of the dwelling hereby permitted detailed information (in the form of SAP "as built" stage data and a BRE water calculator) demonstrating that the dwelling shall meet the Code 4 standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be occupied in accordance with these findings.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2012 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

7. Detailed proposals for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved details shall be fully implemented before development commences. Reason: To ensure satisfactory provision of foul and surface water drainage

8. No development shall take place until a Biodiversity Mitigation and Enhancement Plan is submitted to and approved by the Local Planning Authority.

Development must then continue in accordance with the approved details.

Reason: To accord with the Policy CP16 of the Winchester District Local Plan Part 1.

Informative:

1.

In accordance the NPPF (2023), Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:

- offer a pre-application advice service and,
- update applicants/agents of any issues that may arise in the processing of their application, where possible suggesting alternative solutions.

2.

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

Local Plan Part 1 - Joint Core Strategy: DS1, CP11, CP13, MTRA2

Local Plan Part 2 - Development Management and Site Allocations: DM1, DM15, DM16, DM17, DM18

3.

This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out above, 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.

4.

All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or recognised public holidays.

Case No: 23/00899/OUT

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

5.

During Construction, no materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Protection Team, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.

6.

Please be respectful to your neighbours and the environment when carrying out your development. Ensure that the site is well organised, clean and tidy and that facilities, stored materials, vehicles and plant are located to minimise disruption. Please consider the impact on your neighbours by informing them of the works and minimising air, light and noise pollution and minimising the impact of deliveries, parking and working on public or private roads. Any damage to these areas should be remediated as soon as is practically possible.

For further advice, please refer to the Construction Code of Practise

<http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-considerate-practice>

7.

Please be advised that Building Regulations approval may be required for this development. Please contact WCC Building Control Department for more information (T: 01962 848176, E: buildingcontrol@winchester.gov.uk)

8.

The applicant is advised before works commence to check the location of works in proximity to the pipeline corridor. You can do this via Line search before u dig. – WWW.LSBUD.CO.UK

This website will allow to locate the position of the pipeline on the site and will be able to give guidance and advice ensuring that all work is carried out in a safe and efficient manner. This is a free service for users.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Appendix 1- Shedfield Parish Council request for committee

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

From: Shedfield Parish Council Parish

Case No: 23/00899/OUT

Location: Edenbridge, Winchester Road, Waltham Chase, SO32 2LX

Proposal: Demolition of existing 3-bedroom house and replacement with a proposed 4 bedroom 1 1/2 storey house on the site of Edenbridge.

Comments:

Shedfield Parish Council wishes to object to the application due to the following reasons:

- The application is completely misleading as the demolition of the property on the site of Edenbridge, is already due for demolition as part of an existing application, so cannot be offered for demolition a second time.
- Application ([21/00065/FUL](#)) for a three bedroom house was permitted on condition that the original three bedroom house, Edenbridge, would be demolished within three months of the completion of the new build. Refer Condition 11.
- The condition states the following:
11. Within 3 months of the dwelling hereby permitted being first occupied the existing bungalow (Edenbridge) shall cease to be occupied for residential purposes and shall be demolished. The remaining land shall be restored to an acceptable condition which shall be agreed in writing with the Local Planning Authority.

11. Reason: To accord with the terms of the application since the site lies within an area where additional residential properties would not normally be permitted and to prevent the creation, by conversion, of inappropriate units of accommodation, possibly leading to over intensive use of the site.
- Application 21/00065/FUL was granted approval on a *one for one* basis; namely the demolition of a 3-bed house for the building of a 3-bed house. This would have no wider effect on the community infrastructure or upon the access track.
- This application is for an **additional** 4-bed house within the garden of the new development and is likely to have an adverse effect due to the over-development of Waltham Chase.
- In the Shedfield Parish Council Village Design Statement, it states that the preference is for small development rather than backfilling gardens.
- Under the current local Policy there is one site (Morgan's Yard) that is currently being considered with an application for 80 houses and commercial units. Should the Morgan's Yard application receive approval, this may have an influence on this application. The entrance to the property will be directly opposite the entrance to the Morgan's Yard development ([21/02439/FUL](#)).
- The application is for an additional house at the end of a single-track lane. There are a total of 12 properties that use the narrow, dead-end track serving these properties. An additional house will increase access and safety issues for vehicles wishing to enter the lane, not least

WINCHESTER CITY COUNCIL PLANNING COMMITTEE

because there is no turning space should 2 vehicles meet, meaning the possibility of the vehicle having to reverse onto the busy road. The lane is unsuitable for this current level of traffic and the access would be too narrow for construction material delivery vehicles without damage to the hedging or existing buildings. Shedfield Parish Council understands that residential property and hedging has been damaged by delivery vehicles using the track.

- WCC currently collect refuse bins from the either side of the access track entrance. Established residents and new build residents/converted properties (LHS of access lane when viewing from B2177) have different refuse collection arrangements (part of previous planning resolution). Additional bins at the track entrance would diminish the view for vehicles exiting the lane safely onto the main road. The bin area created for the new dwellings is full.
- The Bat Survey was completed in September 2019. Typically, bat surveys are valid for a period of one year, because bats are mobile animals that can move roost sites both within and between years.

Request for application to be considered by Committee:

Due to the reasons outlined above, Shedfield Parish Council requests that this application is heard by the Planning Committee.

Signed: Ailsa Duckworth
Assistant Clerk to Shedfield Parish Council

Date: 12th June 2023