

**PLANNING DEVELOPMENT CONTROL (VIEWING) SUB-COMMITTEE**

**22 January 2008**

Attendance:

Councillors:

Jeffs (Chairman) (P)

Baxter (P)  
Busher (P)  
Evans  
Huxstep (P)  
Lipscomb

Johnston (P)  
Pearce (P)  
Ruffell  
Saunders (P)  
Sutton (P)

Officers in Attendance:

Mr D Dimon (Team Leader Major Applications Team)  
Mr J Hearn (Team Manager, Planning East)  
Mr F Sutherland (Planning and Information Solicitor)

1. **APOLOGIES**

Apologies were received from Councillors Evans, Lipscomb and Ruffell.

2. **ERECTION OF STUDENT ACCOMMODATION CONTAINING 382 ROOMS AND ANCILLARY FACILITIES FOLLOWING THE DEMOLITION OF COLEBROOK AND PARCHMENT FORMER NURSES ACCOMMODATION HOUSES IN QUEENS ROAD (AMENDED PLANS INCREASING NUMBER OF UNITS FROM 375 TO 382 AND SHOWING REDUCED HEIGHT AT SOUTHERN END AND CONSEQUENT INCREASED HEIGHT TO BLOCK ADJACENT TO QUEENS ROAD AND MINOR CHANGES TO FOOTPRINT AND LAYOUT) CASE REFERENCE NUMBER 07/02101/FUL**

[\(Report PDC729, Item 1 refers\)](#)

The Sub-Committee met at the Guildhall, Winchester where the Chairman welcomed to the meeting approximately 12 members of the public together with representatives of the applicant.

At its meeting on 10 January 2008, the Planning Development Control Committee had agreed to refer determination of the application to the Viewing Sub-Committee, so that Members could consider in greater detail the relationship of the proposed development with surrounding buildings; the gradient of the site and its effect on distant views.

Immediately prior to the public meeting, the Sub-Committee had visited the application site. Members had viewed the site from the vicinity of Parchment and Colebrook buildings, near to which the applicant had pegged out the footprint of the proposed buildings. The Sub-Committee noted the probable relationship between the proposed buildings with Alwyn Hall and Florence Portal House. At the invitation of the owners, Members also assessed the probable impact of the development from the

nearest residential properties in Milnthorpe Lane; Lommedal, Wellwood and Redwood House. The Sub-Committee had also considered verifiable photo montage views of the proposals as seen from St. Catherines Hill and St. Giles Hill, which were presented to the 10 January 2008 meeting.

Mr Dimon introduced the application to the Sub-Committee. He explained that the application proposed the demolition of Colebrook and Parchment former nurses' homes, more recently used as student accommodation. These blocks were two four-storey brick and slate buildings providing 30 rooms each, with small car parks on their northern sides.

The site was 0.603 hectares and fell by over 20 metres in height to the south from Queens Road at the north. The site was bounded to the west by woodland which marked the edge of the mental health unit, Melbury Lodge and to the north by Queens Road and the adjoining Florence Portal House, the hospital's maternity unit. To the west of the site was the University campus and its nearest existing building, Alwyn Hall, a three storey building which provided student accommodation. At the lower, southern end of the site was the boundary with Lommedal, a residential property on Milnthorpe Lane.

The new accommodation would be provided in seven blocks, divided into two parallel rows of three blocks, orientated north-south down the steep gradient of the site with the seventh block being attached at right angles to the northern end of the eastern row of accommodation and fronting Queens Road to face Florence Portal House.

The seven blocks were staggered in relation to the gradient of the site, running down the hill, and varied in height between six and seven-storeys. However, its visual impact was reduced, as the lower floors were partly cut into the slope.

In the space between the blocks, the applicant proposed a cascade of landscaped terraces, forming an amenity area and open storage space for cycles, interconnected by steps and platform lifts.

Mr Dimon explained that, following discussion with local residents, the applicant had submitted amended plans, which lowered the height of the southern end of the western block from 5/6 to 3/4 storeys, to reduce its impact on Lommedal.

Subsequent to the meeting on 10 January 2008, Mr Dimon updated the Sub-Committee that the applicant had submitted plans which illustrated the required sewer diversion and that changes of levels for the terracing would minimise any conflict with the retention of the Blue Atlas Cedar tree, located at the north end of the terracing that would separate the buildings. Both of these issues had been considered by the relevant officers and no objection had been raised. The Sub-Committee noted that negotiations were continuing between the applicant and Southern Water regarding the diversion of the sewer to run under the central landscaped terraces.

Mr Dimon also reported that the applicant had provided letters confirming that they were willing to facilitate additional, off-site, planting within the grounds of Alwyn Hall and adjacent to the southern boundary of the site, within the garden of Lommedal. As these areas were outside the application site, this was a private matter between the applicant, the university and the owner of Lommedal and could not be required by condition.

In concluding his presentation, Mr Dimon recommended the inclusion of further conditions, in addition to those set out in the Report. These related to drainage, landscape, site levels, trees, the ecological mitigation strategy and deletion of the irrelevant reference to the Code for Sustainable Homes in Condition 15.

During the public participation element of the meeting, Mr Boyd (Chairman of Milnthorpe Lane Residents' Association) spoke against the application. In summary, he thanked the Sub-Committee for visiting the site and hoped that Members had attained a better understanding of the application's likely effect on the amenity of Milnthorpe Lane residents. Mr Boyd explained that whilst the local residents were supportive of the continued success of the University, and recognised the development potential of the site; they considered the proposed application to be too large. He commented that the buildings would have an overbearing impact on properties in Milnthorpe Lane and that their scale and density was out of proportion with existing University buildings. The proposed landscaping was unlikely to screen the top two floors of the building from Milnthorpe Lane during the summer and much less during the winter when the leaves had fallen. Mr Boyd added that the inclusion of unnecessary south facing windows at the end of the lower blocks would overlook Lommedal and that this was unlikely to be solved by the applicant's proposed system of louvres. He added that these windows were likely to further damage the amenity of Lommedal through light and noise pollution.

In concluding, Mr Boyd highlighted that the applicant was keen to complete the buildings in time to house students for the start of the 2009 academic year, but given the size and impact of the application, he urged Members not to hurry its determination. Instead, he asked that the application be deferred or refused, to allow the applicant to re-consider a smaller development that was more sympathetic to its surroundings, in consultation with local residents.

Councillor Beveridge spoke against the application as a Ward Member. In summary, he also supported the development of the University but was concerned that the application was an intense development, on a greater scale than existing buildings, and that it was therefore an overdevelopment of the site. He considered that the proposed buildings would sit uncomfortably with Florence Portal House and Alwyn Hall.

Councillor Beveridge also considered that the application was likely to have a considerable, detrimental impact on the amenity of its residential neighbours due to its scale, and that it was much closer to the boundary of Lommedal than the existing Parchment house building. He considered that this was unlikely to be totally alleviated by the proposed landscaping.

Councillor Mather spoke against the application as a Ward Member. In summary, she echoed the concerns raised by Councillor Beveridge and Mr Boyd. She was concerned about the height, scale and density of the development and the loss of amenity to local residents due to noise, light pollution and overlooking. She considered that the application appeared to have been designed in isolation, with little consideration as to how it related to existing, nearby buildings. In conclusion, she recommended that the appropriate solution to the needs of residents and the University would be a further scaling down of the development towards its southern boundary.

Mr Geddes (Pro Vice Chancellor, Administration, University of Winchester) spoke in support of the application. He explained that the University were conscious of the effects that high concentrations of student housing had in areas of Winchester, such as Stanmore. He therefore suggested that the application presented an opportunity to house a large number of students on campus, which would be of wider benefit to the town, and that this had to be balanced against the loss of amenity to one property; Lommedal, Milnthorpe Lane. However, he explained that Milnthorpe Lane was a relatively recent development in an area, which was characterised by the large buildings of the NHS Trust, University and Prison. He highlighted the amendments the University had already made in response to concerns of local residents which lowered the southern end of the western block, but he explained that any further delay would affect the likelihood of the buildings' completion in time for 2009 and that this would be very damaging to the reputation of the University.

Mr Geddes also explained that the University had successfully managed its larger student accommodation blocks at West Downs to the satisfaction of local residents and that the same practices learnt there would be employed at the new buildings. For example, to respect its proximity to Lommedal, rooms at the south of the building would be let as "quiet rooms", with no music permitted after 10.30pm and this would be patrolled by wardens. He also explained that the design of the louvres would prevent light pollution and overlooking.

In conclusion, Mr Geddes underlined that the application accorded with planning policies, had the support of the Council's officers and that no objection had been raised by the Architects' Panel.

In response to the comments made, Mr Dimon explained that the issues raised had been carefully considered and were set out in the Report. Mr Hearn, explained that the design concept of the scheme worked well, as it maximised the use of the site within its constraints and that, through design, the potential harm to neighbours had been mitigated. He stated that the orientation of the buildings reduced its impact from views to the south and that it sat comfortably in its landscape in distant views from St. Catherines Hill and St. Giles Hill. Although the proposed buildings were taller than Alwyn Hall, he considered that they related well to the existing buildings and this relationship would be enhanced by the proposed landscaping. He also considered that the proposed terraces between the blocks would provide a good space for the students and, that although the buildings would be visible through the landscaping from the south, purely a view of a building was not a reason to refuse the application. He believed that the buildings, given the amendments, would not be materially overbearing and any potential overlooking would be resolved by the positioning of the louvres and the introduction of additional planting along the southern boundary.

During questions, the Sub-Committee considered the proximity of the proposed buildings to Lommedal. Mr Dimon explained that, at its closest, the buildings were 11 metres from the boundary and approximately 28 metres from Lommedal itself. The Sub-Committee also noted that the existing, informal access from Milnthorpe Lane to the University would be closed as part of the landscaping scheme.

In considering overlooking issues, Mr Dimon confirmed that he was unaware of any complaints regarding overlooking from Alwyn Hall.

A Member was concerned at the effect of surface water running down the slope into Lommedal and Mr Dimon explained that the applicant proposed a system of sustainable drainage, which was supported by officers.

Members were also concerned that the terraced area between the blocks would be dark and canyon-like. Mr Dimon stated that the buildings would be staggered in and out of the terraces but, at its narrowest, the terraces would be approximately 16 metres across.

In response to concerns, Mr Dimon explained that 10 car parking spaces were to be provided at the top of site (which included disabled parking spaces) and that it was from this area that students would be expected to drop off their possessions and walk to their rooms at the start of term. The management of the spaces would be controlled by the University. He further added that, as there was no proposed access road to the southern end of the building, fire hydrants would be installed along the length of the buildings. He was unaware of any intention the applicant may have to install fire sprinklers, contrary to a Cabinet decision in 2002 which encouraged their installation. However, he stated that this was not a material planning consideration and would be considered as part of the Building Regulations.

At the conclusion of debate, Members agreed to grant planning permission as set out and subject to the conditions below, as they considered that the application fitted well into the landscape, protected the amenity of neighbours and maximised the potential of the site. Although the Sub-Committee appreciated the concerns of local residents, they considered that, given the experience of West Downs, the blocks were likely to be well managed by the University to minimise noise impact on local neighbours.

RESOLVED:

That the application be approved, subject to conditions as set out below:

APPROVE - subject to the following:

1 Conditions/Reasons

01 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

01 Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

02 No development shall take place until details and samples of the materials to be used for the construction of the external surfaces of the development 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.

02 Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

03 The developer must advise the local authority (in consultation with Southern Water) of the measures that will be undertaken to divert the public sewers, prior to the commencement of the development.

03 Reason: To ensure that the development does not prejudice existing sewage disposal infrastructure and makes satisfactory provision to connect into it.

04 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:

- (A) existing and proposed finished levels or contours:
- (B) means of enclosure, including any retaining structures:
- (C) car parking layout:
- (D) other vehicle and pedestrian access and circulation areas:
- (E) hard surfacing materials:
- (F) minor artefacts and structures (e.g. street furniture, play equipment, refuse or other storage units, signs, lighting etc):
- (G) proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, including lines, manholes, supports etc.):
- (H) retained historic landscape features and proposals for restoration.

Soft landscape details shall include the following as relevant:

- (I) planting plans:
- (J) written specifications (including cultivation and other operations associated with plant and grass establishment:
- (K) schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate:
- (L) retained areas of grassland cover, scrub, hedgerow, trees and woodland;
- (M) manner and treatment of watercourses, ditches and banks:
- (N) implementation programme:

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

05 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.

05 Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

06 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules, shall be submitted to and approved in writing by the Local Planning Authority within 6 months of commencement of works on site. The management plan shall include the following information:

- i. A landscape management key plan coordinating all requirements for external areas as covered by other conditions and including landscape, trees, levels and drainage.
- ii. All plans for the external areas based on an accurate topographical survey.

The landscape management plan shall be carried out in accordance with the details hereby approved and implemented for a period of 20 years following completion of landscape works on site as agreed with the LPA.

06 Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by features that contribute to the landscape and historic setting of Winchester.

07 Prior to the commencement of any site groundwork, ground preparation, demolition or construction, an arboricultural impact assessment shall be submitted to and approved by the Local Planning Authority. The method statement shall be written in accordance with British Standard 5837:2005 and shall include the following information:

- (i) Tree Protection plan, to an appropriate scale, showing the finalised layout proposals, tree retention and tree and landscape protection measures detailed within the arboricultural method statement which can be shown graphically;
- (ii) Clear information on the location of construction exclusion zones which shall include areas for future planting to maintain the integrity of soil in such areas;
- (iii) Performance specifications for any technical or engineering solutions which will be required to affect development within the root protection areas or construction exclusion zone;
- (iv) A program of site supervision by the appointed project arborist.

07 Reason: to ensure the protection of existing trees and areas for future planting.

08 In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars, and paragraphs (a) and (b) below shall have effect until the expiration of (5 years) from the date of the occupation of the building(s) for its permitted use.

a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be subject to any arboricultural works other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any arboricultural works approved shall be carried out in accordance with British Standard 3998 Tree Work.

b) If any tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.

c) The erection of fencing, and any other protective measures for the protection of any retained tree shall be undertaken in accordance with details, in the form of an arboricultural method statement and associated tree protection plan, to be submitted and approved in writing by the Local Planning Authority before any equipment, machinery, or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation or other works be carried out, without the written consent of the Local Planning Authority.

08 Reason: To ensure the protection of trees which are to be retained.

09 Details of the design of building foundations and the layout, with positions, dimensions and levels of service trenches, ditches, drains and other excavations on site, insofar as they affect existing and proposed trees and hedgerows on or adjoining the site, shall be submitted to and approved in writing by the Local Planning Authority before any works on the site are commenced.

09 Reason: To ensure the protection of trees and hedgerows to be retained and in particular to avoid unnecessary damage to their root system.

10 No excavation of the land, no demolition of the building and no works to trees shall commence pursuant to this permission until such time as an ecological mitigation strategy has been submitted to and approved in writing by the local planning authority. The mitigation strategy shall clarify the likely impact that the proposed development would have on any bat and reptile population on and adjacent to the site and include mitigation measures to be implemented should any protected species be found during development. The demolition of the buildings shall be supervised by a licensed bat worker and in the event of bats being found all demolition works shall cease until the mitigation measures contained in the approved mitigation strategy have been implemented.

10 Reason: To ensure that appropriate regard is had to the protection of protected species in accordance with national and local ecological policies and relevant legislation (see informative 5 below).

11 No development, or works of site preparation or clearance, shall take place until details, including plans and cross sections of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto, have been submitted to and approved in writing by the Local Planning Authority.

11 Reason: To ensure a satisfactory relationship between the new development and adjacent buildings, amenity areas and trees.

12 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 [the use hereby approved is commenced and the buildings are occupied]

12 Reason: To ensure satisfactory provision of foul and surface water drainage.

13 Storm water from the development must be disposed of via a sustainable drainage system and a drainage strategy submitted to and approved by the LPA prior to commencement of development on site.

13 Reason: In order to ensure that the development addresses the need to meet sustainability objectives in accordance with policy DP6 of the Winchester District Local Plan.

14 Details of a scheme for insulating the buildings hereby approved against internally generated noise shall be submitted to and approved in writing by the Local Planning Authority before the commencement of development and completed before the use permitted commences. Such noise insulation shall thereafter be maintained and operated in accordance with the approved scheme.

14 Reason: To secure the reduction in the level of noise emanating from the building and to protect the amenities of the occupiers of nearby premises.

15 Details of the provision to be made for the storage and disposal of refuse from the units of accommodation shall be submitted to, and approved in writing by the Local Planning Authority before the development hereby permitted is commenced.



This provision shall be fully implemented in accordance with the approved details before the units are occupied.

15 Reason: In the interests of the amenities of the locality.

16 Before the development hereby permitted is commenced a construction traffic routing plan shall be submitted to and approved in writing by the Local Planning Authority to require that all construction traffic or deliveries of materials to the site shall access the site only via Romney Road and Queens road in connection with the development hereby permitted.

16 Reason: In the interests of road safety and the amenity of neighbouring properties.

17 No development shall take place until a Construction Method Statement and Construction Code of Practice for limiting the emission of noise and dust from all demolition and construction activities on the site has been submitted to and approved in writing by the Local Planning Authority. Development shall not commence until the measures approved in the scheme have been fully implemented and they shall be adhered to throughout the construction period

17 Reason: To protect the amenities of the occupiers of nearby residents.

18 The development and use hereby permitted shall be implemented in strict conformity with the accompanying management plan and any variation thereto which shall be first submitted to and approved in writing by the Local Planning Authority.

18 Reason: In the interests of the amenities of the site in particular and the area in general.

19 Details of provisions to be made for the parking and turning on site of operative and construction vehicles during the period of development shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the construction period.

19 Reason: In the interests of highway safety.

20 Details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the duration of the construction period. No lorry shall leave the site unless its wheels have been cleaned sufficiently to prevent mud being carried onto the highway.

20 Reason: In the interests of highway safety.

21 The accommodation hereby permitted shall not be used for any other purposes than halls of residence to serve students of the University of Winchester including university courses run outside of normal term time.

21 Reason: The development is not of a type that would be satisfactory for other residential use and does not incorporate sufficient parking provision for alternative types of occupancy.

22 Before the development hereby permitted is commenced details of the measures to be incorporated within the design and management of the development to meet sustainable development objectives, including renewable energy provisions, carbon footprint reduction, sourcing of materials and local labour shall be submitted to and approved in writing by the Local Planning Authority.

22 Reason: In order to ensure that the development addresses the need to meet sustainability objectives in accordance with policy DP.6 of the Winchester District Local Plan and Planning Policy Statement 1.

### **Informatives**

01. 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.

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

Hampshire County Structure Plan Review T5, E16,  
Winchester District Local Plan Review: DP.1, DP.2, DP.3, DP.4, DP.5, DP.6,  
SF.6, H.3, T.1, T.2, T.3, T.4, W.1,

03. The applicant / developer should enter into a formal agreement with Southern Water to provide the necessary sewage infrastructure required to service this development. Please contact Atkins Ltd Anglo St James House, 39 Southgate Street, Winchester, SO23 9EH (TEL 01962 858600. or [www.southernwater.co.uk](http://www.southernwater.co.uk)).

04. A formal application for connection to the water supply is required in order to service this development. Please contact Atkins Ltd Anglo St James House, 39 Southgate Street, Winchester, SO23 9EH (TEL 01962 858600. or [www.southernwater.co.uk](http://www.southernwater.co.uk)).

05. The applicants attention is drawn to the fact that it is an offence to undertake works that affect the habitat of protected species without first undertaking appropriate surveys and providing a mitigation strategy and first obtaining and complying with the terms and conditions of any licences required, as described in Part IV B of Circular 06/2005. You should accordingly liaise with Natural England to ensure that the provisions of the following legislation are satisfied before any work is commenced on site pursuant to the permission hereby granted: Parts IV and Annexe A of circular 06/2005 'Biodiversity and Geological Conservation'; Section 40(1) of the Natural Environment and Rural Communities Act 2006 and Regulation 3(4) of the Conservation (Natural Habitats & c ) Regulations 1994 and section 74 of the Countryside and Rights of Way Act 2000.

06. 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. 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.

07. 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.

The meeting commenced at 11.00am and concluded at 12.00pm.

Chairman