

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

**18 May 2010**

Attendance:

Councillors:

Jefferies (Chairman) (P)

Baxter (P)

Bell (P)

Evans (P)

Fall (P)

Huxstep (P)

Lipscomb (P)

Johnston (P)

Ruffell (P)

Tait (P)

Others Attendance who did not address the meeting

Councillors Prowse and Thompson (for the site visit only)

Officers in Attendance:

Mrs J Pinnock – Planning Team Manager

Ms L Hutchings – Principal Planner

Ms F Sutherland – Planning and Information Solicitor

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1. **CHAIRMAN'S ANNOUNCEMENT**

The Sub-Committee met at Winchester Guildhall, where the Chairman welcomed to the meeting two members of the public and two representatives of the applicant.

2. **16 FOX LANE, WINCHESTER – CASE NUMBER 09/02556/FUL**  
[\(Report PDC852 Item 1 refers\)](#)

The Chairman reminded the Sub-Committee that the application had last been considered by the Planning Development Control Committee at its meeting held on 22 April 2010. At that meeting, Members had agreed that the application should be determined by the Planning Development Control (Viewing) Sub-Committee, following a site visit. The Committee had agreed that it was unable to determine the application without first visiting the site to assess its impact in the context of the adjacent dwellings.

In summary, the application proposed the demolition of the two existing semi-detached dwellings on the site and the erection of 2no two bedroom dwellings, 2no two bedroom flats and 2no one bedroom flat.

Therefore, immediately prior to the public meeting in the Guildhall, Winchester, the Sub-Committee visited the site. At the site visit, the Sub-Committee were

joined by Councillors Prowse and Thompson (Ward Members who were able to attend the site visit only) and two representatives of the applicant, who facilitated access to the site. On site, Members noted the proposed location of the new building and areas of hard-standing and its relationship with neighbouring properties. Members also noted the existing hedgerows and landscaping and how these would be affected by the proposals.

Members also viewed the site from a neighbouring property, 27 Fox Lane, at the invitation of the occupier, Mr Glasgow.

At the public meeting, Ms Hutchings reminded Members of the main issues regarding the application as set out in the Report.

The Sub-Committee noted that a similar application for re-development of the site had been refused by the Planning Development Control Committee on 11 December 2008. In addition to standard reasons for refusal relating to highways and open space contributions, that Committee agreed that the application did not:

*“... respect the form, architectural style and density of the surrounding area. It does not respond positively to the character and appearance of the local environment and is contrary to Policy DP3 (ii) of the Winchester District Local Plan Review 2006.”*

The applicant then appealed against the Council's decision and this appeal was dismissed in September 2009, on the grounds that the roofs serving the gable end features were too shallow and related poorly to the character of the area.

This latest application therefore attempted to address the reasons for refusal given by the Planning Inspector and Ms Hutchings stated that the Inspector's comments and conclusions were an important material planning consideration.

Members noted that, in comparison with the refused scheme, the current application showed the following amendments:-

- Revised roof pitch details for the gable features;
- The use of clay plain tiles, instead of slate as previously proposed;
- That the applicant had provided a bat survey which showed that there was no evidence of bat use and that the buildings provided low bat potential.

As a consequence of these changes, Ms Hutchings reported that it was the officers' view that the current application overcame the Inspector's concerns and therefore recommended that the application be approved.

The new dwellings would be accommodated within one, two storey building with three elements and would incorporate a distinctive corner feature with a pyramidal roof.

The application proposed that the building be constructed from a soft red brick, clay roof tiles, oak cladding and bespoke dark grey powder coated aluminium windows.

In response to a Member's question, Ms Hutchings explained that the application proposed an approximate increase of just less than 50% beyond the existing area of hard-standing and the existing footprint of the building.

Members raised concerns regarding the materials to be used and whilst Ms Hutchings stated that she was unaware whether oak cladding had been used elsewhere in the locality, she considered that it would help break up the visual bulk of the building.

Whilst discussing the proposed materials, the Sub-Committee noted that (if approved) the Head of Planning Management would, as part of the Conditions, request information as to how the proposed cement elevations and other materials would weather, to ensure an appropriate finish.

From the site visit, Members had noted the existing hedgerow which ran around the front boundary of the property. In response to concerns about its future maintenance, the Sub-Committee agreed that if permission were to be granted, it should be subject to a Legal Agreement to deal with the management of communal areas.

During their consideration of the communal garden area, a Member raised concerns regarding the proximity of this to two bedrooms of the proposed flats.

Members also referred to the proposed parking and vehicle access to the site. It was noted that the development proposed to re-use the two existing accesses to provide car parking in two separate areas for a total of six spaces. Ms Hutchings confirmed that the highways officers had raised no objection to the prospect of residents reversing along the side of building onto the road and had confirmed that the number of proposed car parking spaces was adequate.

Following a debate regarding the merits or otherwise of allocating the on-site parking, Mrs Pinnock agreed to consider this issue further with the applicant as part of the Legal Agreement regarding the maintenance of the communal areas, if the application were approved.

The Sub-Committee noted that, when viewed from the south or north of the site (in particular from 27 Fox Lane and a neighbouring property, 3 Chatham Road) the gabled roofs appeared as continuous bulk of roofing. Concerns were expressed that these elevations presented neighbours with a very stark outlook. Ms Hutchings explained that the first floor side window of 3 Chatham Road faced directly onto the site and that this elevation of the proposed development featured only high level windows to en suite bathrooms.

During their debate, Members focused on the style of the proposed building. Members noted that the contemporary style proposed by the applicant was not replicated elsewhere in the area. Ms Hutchings explained that, whilst it could

be seen as a subjective judgement, in her opinion, the contemporary style complimented the strong and uniform character of the surrounding area, as it would give the passer-by a point of interest and variation and that its difference would help accentuate the quality of the surrounding estate.

However, at the conclusion of debate, the Sub-Committee did not agree with this judgement and considered that the proposed building would create an alien form of development, which would be detrimental to the character of area. Members had noted the consistent and strong rhythm of the surrounding area which had, almost uniquely, retained its original garden-village style from the post war period.

Therefore, the Sub-Committee did not support the recommendation set out in the Report (and as amended above requiring a legal agreement on the management of communal areas and further details on the weathering of materials) and instead resolved to refuse planning permission.

Notwithstanding the Planning Appeal Inspector's conclusions, Members considered that the application had failed to overcome their earlier concerns regarding the application's detrimental effect on the character of the area.

RESOLVED:

That planning permission be refused for the following reasons:

1. The proposed development does not respect the form, architectural style and density of the surrounding area. It does not respond positively to the character and appearance of the local environment and is contrary to Policy DP3 (ii) of the Winchester District Local Plan Review 2006.
2. The proposal is contrary to Policy RT4 of the Winchester District Local Plan Review 2006 in that it fails to make adequate provision for public recreational open space to the required standard and would therefore be detrimental to the character of the area.
3. The proposal is contrary to Policy DP9 of the Winchester District Local Plan Review 2006 in that it fails to make adequate provision for improvements to transport and the highway network, in accordance with Hampshire County Council's Transport Contributions Policy 2007, such provision being required in order to mitigate for the additional transport needs and the burden imposed on the existing network arising from the development.

The meeting commenced at 11.00am and concluded at 12.20pm.

Chairman