

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 25 May 2005

Item No:	04
Address:	Home Lighting Centre, Portsmouth Road Fishers Pond Eastleigh Hampshire SO50 7HF
Parish/Ward	Colden Common
Proposal Description:	Replacement two storey building - comprising of ground floor showroom and office, first floor as 3 No. bedroom residential dwelling and erection of detached single storey showroom/store; addition of 9 No. car park spaces and alterations to existing access
Applicants Name	English Garden Spa Ltd
Case No:	05/00763/FUL
W No:	W18682/02
Case Officer:	Mr Dave Dimon
Date Valid:	21 March 2005
Delegated or Committee:	Committee Decision
Reason for Committee:	Parish Council submitted representations contrary to officer recommendation
Reason for Committee:	4 or more representations contrary to the Officer's recommendations have been received

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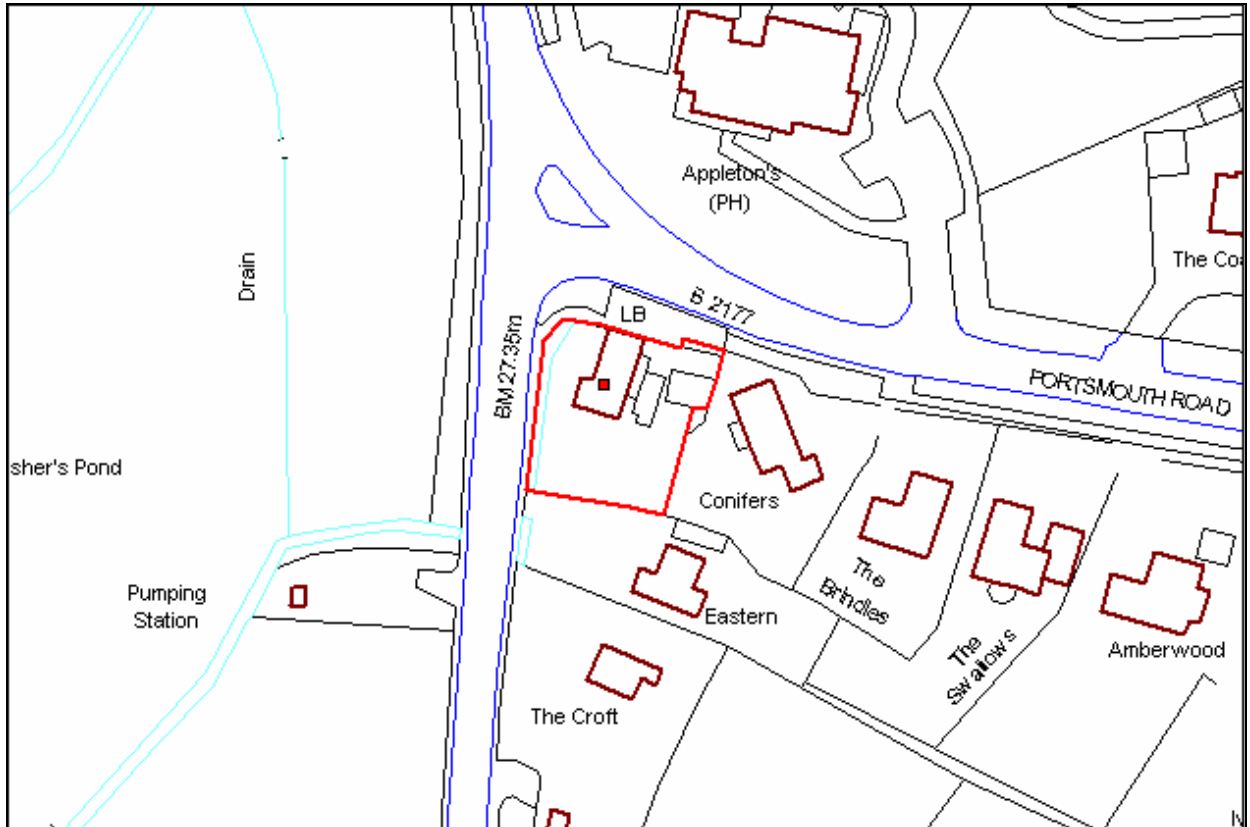
SITE LOCATION PLAN

Case No: 05/00763/FUL

W No: W18682/02

Address: Home Lighting Centre Portsmouth Road Fishers Pond Eastleigh
Hampshire

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Site Description

- The site is south of Colden Common on the junction of the B2177 Portsmouth Road and B3354
- There is a pub opposite on the North side of Portsmouth Road and residential properties to the east and south, open countryside to the west
- There is the remains of an existing building that collapsed in on itself last year that was previously a lighting shop and a flat on a plot approximately 790m²
- A footpath runs along the west side of the B3354 between Colden Common and Fair Oak and there is a bus stop on this road approximately 150m from the site

Relevant Planning History

- W18682 Single storey extension to existing retail unit, first storey conversion to one bedroom dwelling and detached single storey showroom Withdrawn 12.02.04
- W18682/1 Replacement two storey building, comprising of ground floor showroom and office, first floor as 3 No. bedroom residential dwelling and store, and erection of detached single storey showroom plus addition of 12 No. car park spaces and alterations to existing access Refused 01.12.2004

Proposal

- Replacement two storey building - comprising of ground floor showroom and office, first floor as 3 No. bedroom residential dwelling and erection of detached single storey showroom/store; addition of 9 No. car park spaces and alterations to existing access

Consultations

Engineers:Highways:

- No objection to proposal subject to conditions

Landscape:

- No objection to proposal subject to conditions

Consultees consulted on previous application

Engineers:Drainage:

- Site is within flood plain, may need flood risk assessment, need to consult Environment Agency

Environment Agency:

- Raise no objection to the proposal

Southern Water:

- Can provide a water supply to proposal. No surface water should be discharged to the foul sewer. The point and details of the proposed connection to the public sewer will require the formal approval of Southern Water.

Environmental Health:

- No objection in principle although would ask that trading hours are limited to 0800 -1800 hrs Monday to Sunday to protect neighbouring amenities

Representations:

Colden Common Parish Council

- Concerned over potential highway safety, would be better to have only one entry and exit point to site
- Have the original reasons for refusal been addressed by this application

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Letters of representations have been received from eight Neighbours

- Hedges have already been removed
- It would be detrimental to highway safety
- The footpath shown on the other side of the road is actually a cycle lane, the footpath on the southern side should remain available to pedestrians during construction
- It results in two retail units instead of one
- There are no surface water sewers in Fishers Pond
- The roof would be better in grey slate
- The 1.8m fence shown on the neighbouring boundary is not high enough
- The building will not blend in with neighbouring properties
- The junction should remain a green area
- There are too many parking spaces
- The building is too large for the site and location
- The building will be higher than adjacent properties
- The windows and roof are out of keeping
- The signage is not shown
- The north elevation should be softened
- Should have a viewing sub committee prior to making a decision
- Pictures of neighbouring properties have been taken without owners permission

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB3, S.4, EC.1, EC3, EC.4, T.5, H10, C.1, C.2

Winchester District Local Plan

- C.1, C.2, C.19, EN.5, EN.6; EN.9, FS.2, T.9

Winchester District Local Plan Review Deposit and Revised Deposit:

- DP.1, DP.3, C.1, C.6, C.17, C.22, SF.6, RT.3, T.2, T.3, T.4

National Planning Policy Guidance/Statements:

- PPS 1 Delivering Sustainable Development
- PPS 7 Sustainable Development in Rural Areas
- PPG 13 Transport

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area/spatial characteristics/street scene
- Detailed design
- Residential amenities
- Highways
- Comments on representations
- Drainage/flooding

Principle of development

- The principle of development is acceptable under the criteria set out in the policies listed above
- The proposal includes a slightly larger residential unit than the previous first floor flat which was under 120m², however it is only a 25% increase so it complies with proposal C19 of the WDLP and C22 of the EWDLP
- The previous application was refused on the grounds of its size, cramped form, prominence, boundary treatments, lack of amenity area and the amount of hard surfacing will be detrimental to the character and appearance of this area

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- It is considered that this application has addressed these issues as both the main building and store have been reduced in size, the main building has been pulled back from Portsmouth Road, there are less parking spaces therefore less hard standing is required, a fence rather than a brick wall has been proposed along the boundaries and the materials are more in character with the area

Impact on character of area

- The proposed building is replacing an existing dual use premises which is currently in disrepair
- It was previously a lighting shop with a flat above and the use is not being intensified with this proposal
- The building is on roughly the same footprint as the existing building so should not intrude in the landscape although the site is fairly prominent being on the corner of a busy junction

Detailed design

- The proposed design is a two storey building providing a showroom on the ground floor and a three bedroom flat at first floor and a separate single storey showroom with store on the eastern boundary
- There is a car park to the south with nine spaces, a bin store on the eastern boundary and proposed landscaping all around the site
- The proposed materials for the buildings are zinc roofing, cedar horizontal ship lap cladding, red brick and aluminium windows
- The bin store will be timber clad, the parking area is to be grey Tegula paving and there will be red Tegula paving around the building
- The proposed design is more low key than the previous applications and of a modern style

Residential amenities

- There is proposed fencing along the boundaries with neighbouring properties
- The proposal is to replace an existing building with a retail unit and a residential unit so there is no intensification of uses on the site
- There is one east facing window to the master bedroom of the first floor flat, but it is no closer than the first floor window of the previous residential property
- The opening hours are to be conditioned to protect neighbouring amenities

Highways

- There are no highway objections to the proposal
- Visitors will enter from the B2177 Portsmouth Road and leave the site on the B3354 Fair Oak Road to avoid congesting the traffic light controlled junction
- There is sufficient parking, 9 spaces in total, for the residential unit and retail unit

Comments on representations

- The highways engineer has no objections to the proposal subject to conditions that will be included if permission is granted
- The Environment Agency and Southern Water had no objections to the previous application, as the applications have been to replace an existing building
- Samples of the materials are to be submitted as part of condition 2
- The proposed roof is a pitched roof, of which there are many in the vicinity
- Any signs on the road side, or over a certain size on the building would be subject to planning permission
- The site is considerably lower than those on the Portsmouth Road and the building will not stand taller than Conifers to the East

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Drainage/Flooding

- The Environment Agency have no objection in principle to this development
- There has been a retail unit and a dwelling on this site for many years and this proposal is replacing what already exists so it is not considered that the current surface water run off will change

Recommendation

APPROVE – subject to the following condition(s):

Conditions/Reasons

01 The development hereby permitted shall be begun before the expiration of five 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.

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

03 Reason: In the interests of highway safety.

04 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.

04 Reason: In the interests of highway safety.

05 Before the development hereby approved is first brought into use, the access shall be constructed with a non-migratory surfacing material for a minimum distance of 15.0m metres from the highway boundary.

05 Reason: In the interests of highway safety.

06 Prior to the completion of development a cut off drain shall be provided to prevent the egress of surface water onto the public highway.

06 Reason: In the interests of highway safety.

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07 The car park shall be constructed, surfaced and marked out in accordance with the approved plan before the development hereby permitted is brought into operation. That area shall not thereafter be used for any purpose other than the parking, loading, unloading and turning of vehicles.

07 Reason: To ensure that adequate on-site parking and turning facilities are made available.

08 No gates shall be fitted at the accesses with the public highway.

08 Reason: In the interests of highway safety.

09 The access from the B2177 shall be signed as 'IN' only. The access from the B3354 shall be signed as 'OUT' or 'NO ENTRY' only.

09 Reason: In the interests of highway safety.

10 Landscape works shall be carried out in accordance with the plans hereby approved. Any changes in the plans should be submitted to and approved in writing by the Local Planning Authority prior to the commencement of planting.

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

11 The proposed single storey showroom/store shall only be used as ancillary accommodation for the main retail unit, and shall not at any time be used as an independent retail unit.

11 Reason: To restrict the use of the premises in the interests of highway safety and local amenity.

12 There shall be no outside storage within the site defined by the red line on the plans hereby approved without the express written consent of the Local Planning Authority.

12 Reason: In the interests of the visual amenity of the area.

13 1:20 detailed of the eaves shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works. The works hereby permitted shall be carried out in accordance with the approved details.

13 Reason: To maintain the architectural interest of the building.

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:

Winchester District Local Plan Proposals:

Emerging Development Plan- WDLP Review Deposit and Revised Deposit:

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03. All works including demolition and construction should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300hrs Saturday and at no time on Sunday and Bank Holidays. Where allegations of such noise are substantiated by the Health and Housing Service, a Notice limiting the hours of operation under the Control of Pollution Act 1974 may be served.