

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA

<b>Item No:</b>	07
<b>Address:</b>	Garage Court, Harwood Place, Kings Worthy, Hampshire
<b>Parish/Ward</b>	Kings Worthy
<b>Proposal Description:</b>	Demolition of existing garages; erection of 4 no. three bedroom houses; 6 no. two bedroom and 4 no. one bedroom flats in two blocks; new access, associated parking/cycle store and landscaping
<b>Applicants Name</b>	Drew Smith Ltd
<b>Case No:</b>	05/01890/FUL
<b>W No:</b>	W07772/02
<b>Case Officer:</b>	Lorna Hutchings
<b>Date Valid:</b>	2 August 2005
<b>Delegated or Committee:</b>	Committee Decision
<b>Reason for Committee:</b>	4 or more representations contrary to the Officer's recommendations have been received
<b>Site Factors:</b>	None

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**Site Description**

- The site currently comprises two linear garage blocks serving local residents within a wider area of hardstanding.
- The site is in the central part of Kings Worthy to the north and west of Harwood Place.
- It is on sloping land from the northeastern to southwestern sides.
- Two storey properties surround the site to the north, south and east boundaries but with an area of open space also to the north and the ends of long gardens to the southwest with overgrown vegetation and small trees along the boundary.
- There is a group of mature Silver Birch trees adjoining the access and a row also lines the footpath running through the open space to the north, past the eastern side of the existing row of garages.
- The properties within the context of the area are 1960s and 1970s build of a simple brick construction with shallow concrete tiles roofs and tile elevations to the first floor.

**Relevant Planning History**

- W07772/01 Demolition of existing garages; erection of 4 no. one bedroom flats, 6 no. two bedroom flats and 3 no. three bedroom houses, 1 no. four bedroom house with new access, associated parking and landscaping, Withdrawn 02.03.2005.

**Proposal**

- Demolition of existing garages;
- 4 no. three bedroom houses (plots 1-4);
- 6 no. two bedroom flats (plots 5-10); and
- 4 no. one bedroom flats (plots 11-14);
- 1 no. bin store
- 2 no. cycle stores for 20 bikes;
- 21 parking spaces.

**Consultations**

Engineers: Drainage:

- no objections subject to building regs. Hard landscaping should be kept to a minimum and permeable.

Engineers: Highways:

- no objection in principle comments include: 21 spaces is acceptable due to the nature of the development, secure undercover cycle storage should be within sheds in back gardens for 3 bed houses and cycle blocks should be located more conveniently to flats, service vehicle turning into Harwood Place is tight having to reverse out is not acceptable.

Crime Prevention Design:

- No objections – suggestions made include, minimum height for fencing 1.8m and non climbable, max for planting 2m, street lighting to car parks and pathways which should be overlooked, suitable locks and hinges required.

Housing Enablement:

- Support this well thought out scheme and have been working closely with Hyde Housing Association with them consulting thoroughly with agency and community stakeholders, throughout the pre planning process. The type and size of units reflect the affordable need in the area.

Arboriculture:

- No objections - Tree protective fencing required to be shown around retained trees and retained trees on western boundary are important for screening so it is good they will be reinforced. Details required.

Southern Water:

- No adverse comments – there is a public sewer running through the site, informative recommended.

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Environment Agency

- Awaiting response - comments to be forwarded at Committee.

**Representations:**

Kings Worthy Parish Council

- No comments.

Letters of representations have been received from 3 Neighbours

- 2 household objections – trees should remain but not shown, to side of no. 8 Boyne Rise as natural screen, subsidence as levels difference, adequate fencing is required on this boundary, overlooking, overdevelopment, inadequate parking, traffic congestion increase, design not in keeping, loss of privacy, existing housing stock should be utilised.
- 1 petition of 118 signatures – existing development is excessive, amenities are at full stretch, car parking concerns regarding highway safety for children who use green, cars park all over pavements, additional housing will add to hazard and noise and pollution.
- No further comments received from 32-39 Harwood Place after additional consultation regarding amended plans showing bike store to this side.
- Group for Disabled People – standard comment that houses need to be made accessible with low switches and wide corridors etc.

**Relevant Planning Policy:**

Hampshire County Structure Plan Review:

UB1, UB3, T2.

Winchester District Local Plan

H1, H5, H7, T9, RT3, EN5.

Winchester District Local Plan Review Deposit and Revised Deposit:

H2, H5, H7, RT3, T1.

Supplementary Planning Guidance:

- Achieving a Better Mix in New Housing Developments
- Movement, Access, Streets and Spaces
- Parking Standards 2002

National Planning Policy Guidance/Statements:

- PPS 1 Sustainable communities.
- PPG 3 Housing
- 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
- Landscaping
- Public open space provision
- Comments on representations
- Affordable / mix / density / housing

Principle of development

- The principle of the development is acceptable as the site is located within the main settlement boundary of Kings Worthy, subject to other policy requirements.
- All the housing will be provided by Hyde Housing Association so weight is attached to the need for the proposal in meeting one of the Councils main objectives.

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- The proposed mix of dwellings and flats in terms of type and size is in line with the Councils Housing Needs Survey 2002 and housing waiting lists.

Impact on character of area / spatial characteristics / street scene.

- The semi detached housing and two flat blocks are in a linear form, following the pattern of the existing garages on site and rows of houses to the northeast, which comprise terraces and semi detached houses.
- The scale and nature of the proposed units is considered to be in keeping with existing development with simple 2 storey pitched roof houses and with 2 storey blocks with monopitched roofs linked by a central pitched roof element sloping forward to minimise the massing of the flat blocks. The larger block (plots 6 & 9) has its central element stepped back from the front elevation.
- The proposal will be visible from the public realm in principal from the public footpath and area to the east and north. The southern part of the proposal will be viewed from Harwood Place but it is considered that the proposal will relate well to it in form and siting with no materially harmful impacts on the character of the area.

Detailed design

- A mixture of brick and render is proposed with slate and terracotta roof tiles. Timber cladding is proposed to elevations on the first floor with colour introduced onto some rendered areas and door. This will contrast to the design of buildings within the immediate area but is considered to add interest and variety into the street scene without harm to it.
- The division of the site area is simple with parking and hard surfacing to the east, with accommodation in the centre and gardens and soft boundaries to the rear (west).
- Cycle and bin stores are shown located off access paths and are designed in materials to match the houses with monopitched roofs.

Residential amenities

- Additional information has been requested (and is awaited at the time of writing this report) to demonstrate the level that the proposed buildings will be set at given the slope of the site and level changes to adjacent properties. It is however considered that the proposal can be accommodated within the site so that it will not compromise privacy or be overbearing to existing outlooks. The existing houses to the northeast are 28m away and proposed side elevations have no windows to living areas.
- Additional information on boundary treatments are also requested to address concerns regarding earth retention and noise and disturbance to amenity, particularly with retaining walls to no. 8 Boyne Rise and to the new parking spaces to the east. A good solid fence will be required also to the southern boundary to ensure amenity is protected.

Highways

- Additional cycle storage is required through condition to the rear of the three bed houses; this will ensure a total of 24 cycle spaces in accordance with standards. Any remaining highway concerns with the proximity of the cycle blocks to the flats and service vehicle turning, which can access the site, although turning may be tight, is outweighed by the positive aspects of the proposal and the need for affordable housing.

Landscaping

- Trees worthy of retention are shown on the plans and additional drawings are awaiting to show Tree Protection Zones and fencing to ensure their retention. Conditions are recommended to retain trees and strengthen the landscaping which will assist with softening the impact of the development within the area and mitigate any impacts on neighbours to the west and north.
- Details of levels and new tree planting is required through condition so that any new planting will establish itself effectively.

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Affordable housing / mix / density

- A legal agreement is required to ensure that all the housing will be affordable as has been applied for, as it would be possible for the land owner to sell it with this planning permission for a private company to then build and sell privately, without legal restriction on this matter.
- As noted above the size mix of units is in accordance with policy and housing need.
- Density is largely in accordance with PPG3 at 53.8 dwellings per hectare. This is considered to be in keeping with the area, which comprises flats to the south and terraces as noted above.

Comments on representations

- It is considered that objection grounds are addressed above.

**Planning Obligations/Agreements**

In seeking the planning obligation(s) and/or financial contributions for the provision of Public Open Space and affordable 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**

**APPROVE (provided the applicant is prepared to make the appropriate provision for public open space through the open space funding system) – subject to the following condition(s):**

**APPROVE – subject to a Section 106 Agreement for:**

- 1. The provision of 100% affordable housing**
- 2. A financial contribution of £22,356 towards the provision of public open space through the open space funding system**

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

**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 (as amended).

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 dwellings, walls, railings, bin and cycle stores 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 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:

03 - existing and proposed finished floor and ground levels:

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03 - means of enclosure, including any boundary treatments and retaining structures:

03 - hard surfacing materials:

03 - minor artefacts and structures (eg. street furniture, play equipment, signs, lighting etc):

03 Soft landscape details shall include the following as relevant:

03 - planting plans:

03 - schedules of plants and new trees, noting species, planting sizes and proposed numbers/densities where appropriate:

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

04 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.

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

05 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 topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping 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 for the protection of any retained tree shall be undertaken in accordance with the approved drawing reference KY MPN 905 and the Arboricultural Officer shall be contacted to check that the fencing has been erected to his satisfaction, 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 be made, without the written consent of the Local Planning Authority.

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

06 The parking spaces and cycle stores hereby permitted shall be provided in accordance with the approved plans before the first occupation of the flats and dwellings hereby approved and

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shall only be used for these purposes and shall not at any time be used for any other purposes including storage, unless otherwise agreed in writing by the Local Planning Authority.

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

07 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, E, F of Parts 1 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

07 Reason: To protect the amenities of the locality and to maintain a good quality environment.

08 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 windows other than those expressly authorised by this permission shall, at any time, be constructed in the southeast elevation(s) of flats hereby permitted.

08 Reason: To protect the amenity and privacy of the adjoining residential properties.

09 The existing buildings on site shall be demolished and all resultant materials removed from the site, prior to the commencement of the development hereby permitted.

09 Reason: To safeguard the amenity of the locality.

10 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.

10 Reason: In the interests of highway safety.

11 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.

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

12 Details of secure and undercover cycle storage for one no. bicycle per 3 bed dwelling within the rear gardens of the 3 bed dwellings hereby permitted, such as small sheds, shall be submitted to and approved in writing by the Local Planning Authority before the development commences.

12 Reason: In the interests of sustainability and highway safety.

13 Details of the replacement parking scheme at Tubbs Hall, Mountbatten Way shall be submitted to and approved in writing by the Local Planning Authority.

13 Reason: In the interests of sustainability and highway safety.

### **Informatives**

01. All work relating to the development hereby approved, including works of demolition or preparation prior to operations, shall only take place between the hours of 0800 and 1800

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Monday to Friday and 0800 and 1300 Saturdays and at no time on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

02. 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.

03. 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 for the development, please contact Southern Water's Network Development Team (Wastewater) based in otterbourne, Hants or [www.southernwater.co.uk](http://www.southernwater.co.uk).

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

Hampshire County Structure Plan Review: UB1, UB3, T2.

Winchester District Local Plan Proposals: H1, H5, H7, T9, RT3, EN5.

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: H2, H5, H7, RT3, T1.

05. A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water's Network Development Team (Water) based in Chatham, Kent or [ww.southernwater.co.uk](http://ww.southernwater.co.uk).