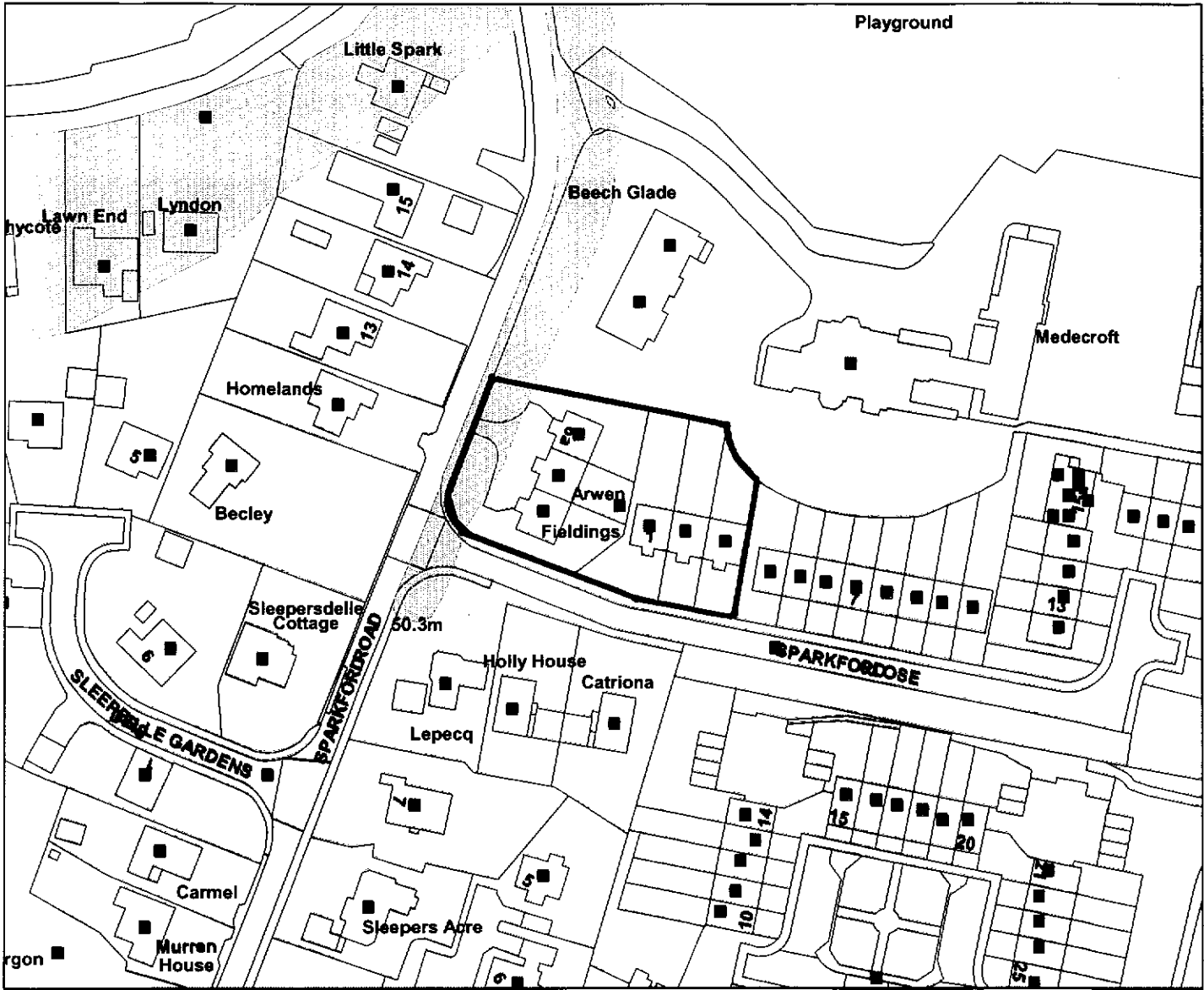


# Junction of Sparkford Close & Road, Winchester

11/02045/FUL



Legend

Scale:

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Organisation	Winchester City Council
Department	Development Services
Comments	
Date	30 November 2011
SLA Number	00018301

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**Item No:** 4  
**Case No:** 11/02045/FUL / W21686/01  
**Proposal Description:** (AMENDED PLANS AND DESCRIPTION) Erection of 2 no. four storey buildings to provide 117 student bedrooms, following the demolition of 6 dwellings  
**Address:** Land At Junction Of Sparkford Close And Sparkford Road  
Winchester Hampshire  
**Parish, or Ward if within Winchester City:** St Michael  
**Applicants Name:** Abbotswood Properties  
**Case Officer:** Elaine Walters  
**Date Valid:** 26 September 2011  
**Recommendation:** Application permitted subject to conditions.

**General Comments**

This application is reported to Committee because of the number of objections received.

Amended plans have been received clarifying discrepancies in the submitted drawings.

**Site Description**

The site on the corner of Sparkford Road and Sparkford Close measures 0.19Ha. On site are two terraces of three dwellings and all 6no. dwellings are two storeys in height. All these houses are owned by the applicant and were in use for student housing.

There is an extant planning permission for two buildings on site, to accommodate a total of 99no. student bedrooms (10/00076/FUL). An amendment is sought to allow additional bedrooms in building two facing Sparkford Close and a lower ground floor to building one facing Sparkford Road, the ridge height above existing external ground level is not proposed to be altered.

The site lies close to the University campus, at a distance of approximately 200-250m to the John Stipe theatre building, up Sparkford Road.

The existing terrace of dwellings facing Sparkford Road, have an off road parking area, with a raised bund fronting the road, with mature trees which are protected by a Tree Preservation Order. On Sparkford Close, Nos 1-3 are to be demolished. The frontage is open to the road with off road parking bays. There is a small Cherry tree on the boundary with No.4 Sparkford Close overhanging this site, which is to be retained.

Levels fall from north to south on the site by approximately 2.85m, and from west to east on Sparkford Close by circa 0.65m.

Opposite the site, on the southern side of Sparkford Close, there are three large detached dwellings, set back from the road and screened by mature trees on the frontage. Further to the south east, there is a substantial landscape strip of mature trees screening the rear of the dwellings on Wentworth Grange. Adjacent to the application site, on Sparkford Close, is a long terrace of 8 no. three storey dwellings, Nos.4-11 all with open grassed areas and a parking space to the front. Sparkford Close terminates in

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a turning head surrounded on three sides by terraces of two and three storey dwellings. The fourth, southern boundary is marked by mature trees to the rear of Wentworth Grange and there is a public footpath across this land.

On Sparkford Road, to the north of the site, the University of Winchester Beechglade building is screened by a 2m high close boarded fence at the back of the pavement. On the opposite side of the road, to the west of the site, the road is characterised by large detached two storey dwellings screened by mature roadside trees.

### **Proposal**

It is proposed to demolish the two terraces of dwellings on site at present and erect two blocks of student accommodation, totalling 117no student bedrooms with a total of 6no disabled access bedrooms. The extant permission for two buildings, accommodating 99 no bedrooms was allowed on appeal 10/00076/FUL. The Planning Inspector stated the main issues in that case were: effect on the character and appearance of the local area and its effect on the living conditions of neighbours particularly with regards noise and disturbance.

### **Relevant Planning History**

10/00076/FUL - (AMENDED PLANS AND DESCRIPTION) Erection of one 3 storey building and one 4 storey building to provide 99 student bedrooms, following the demolition of 6 dwellings. Refused 07.01.2011. Allowed on appeal 24/06/2011. A copy of the Inspectors appeal decision is attached.

### **Consultations**

#### Engineers: Highways:

This application is for a further 18 student rooms at the above site. Consent was granted for the provision of 99 student rooms on appeal following PDC refusal.

During the appeal, the Inspector fully considered the highway implications of the proposal and concluded that the proposal was acceptable with regard to access, parking, traffic management etc. This application seeks to increase the permitted number of students by a further 18, however the parking and servicing arrangements would remain as previously permitted. In light of the planning history to the site, I would not be able to sustain a highway objection to this increase in room numbers. Whilst the Appeal Inspector did not agree with the Planning Authority requirement for a transport contribution on the allowed scheme, the County Council are seeking a contribution for the increase in student numbers of £4230. The applicant has agreed to pay this transport contribution.

Any consent ultimately granted will also need to include all condition previous imposed by the Appeal Inspector. **Conditions 7-9.**

#### Environmental Protection:

No adverse comments to make. **Condition 12.**

#### Urban Design:

On the originally submitted application: There is conflicting information and a lack of information on the submitted application.

I am concerned about the introduction of a flat section of roof on building one, which will manifest itself on the south gable end, which is a very prominent part of the development.

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A pitched roof should be introduced with a ridge height no higher than the scheme approved on appeal.

On the amended scheme: The discrepancies in building heights and dimensions have been clarified. The flattened gable on the south elevation of building one was included in some of the approved drawings which the Appeal Inspector allowed. Whilst this flattened roof will be visible in views on Sparkford Road, it is not considered to be harmful enough to the character and appearance of the area sufficient to warrant the refusal of the amended development. Close to the application site this gable end, will be viewed against the flattened roof of building two which is not proposed to be amended from the approved scheme. All the Appeal Inspector's decisions should be included.

Southern Water:

On the original application: It was confirmed the surface water would go to soakaways and this satisfied Southern Water (subject to Building Regulations approval of the drainage layout).

On the amended scheme:

The comments in our original response remain unchanged and valid for the amended details.

**Representations:**

22 objections received from households, for the following reasons:

- **Policy:** Planning Committee identified that the application was contrary to planning policy.
- **Privacy:** Neighbours will be further overlooked by an additional storey making the building more visible to them.
- **Design:** The buildings are ugly and out of context with this residential neighbourhood. This mansard roof gives an institutional feel of the development as well as increasing the perceived height of this block. Surrounding buildings are all pitched roofs, generally lower pitch, especially along Sparkford Close. This end of the building is very prominent looking along Sparkford Road and as such this crude stunted gable end is highly inappropriate.
- The original application, responded to context by providing 3 storeys along Sparkford Road, however it would appear that this consideration is no longer considered relevant? Nothing has changed to suggest that a 4 storey block of flats is now suitable here, opposite 2 storey houses.
- **Disturbance:** More students will lead to more noise, pollution, traffic and traffic management problems and litter.
- Further increases in density of this development will cause further harm to the balance of the local community, increasing strains between local people, the University and it's students. It is important to consider this is not owned, managed or leased by the University with the potential controls this would have on student behaviour. The Developer has identified that tenants will be allowed parties in the hall, this will cause friction with local families, any increases in student numbers will increase these problems
- **Traffic:** Highway safety problems will be increased more than with the previous proposal. There has been a large increase in traffic over the past 10 years here. Airle, Sparkford and Sleepers Hill roads are now unsafe "rat runs" they were once, quiet, neighbourhood, residential streets.
- **Parking:** More cars will be abandoned by resident students for the week in the

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Stanmore neighbourhood for free parking. How do the developer and university propose that the students and their cars (even upon arriving and leaving at the beginning and ending of terms) will be safely accommodated at this development? How do the university and developer propose to have safe and effective access for regular refuse and recycling collection? And for emergency and police services? Already the trucks which regularly collect the university's refuse block Sparkford Road and stop traffic on all sides for upwards of 5 minutes at a pick up.

- This developer has a very poor record in respect of controlling car use, with cars regularly parked on pavements, gardens and footpaths. Developments previously approved on the basis of no parking and no car use, do not police this with tenants parking on access footpaths, service access and amenity space. This development will undoubtedly worsen this problem.
- **Notification:** Not all neighbours were notified of this application.
- **Management:** Without a residential on-site warden and 24 hour supervision the proposed plan is unworkable. The proposed CCTV cameras will not be monitored 24/7. The "regular transport" to and from the city from Sparkford Road has recently been reduced from ten to six bus journeys each weekday between 9am and 6pm with none on weekdays or weekends. No car parking is included on the basis students are forbidden to bring cars on site. However it is a fact post-graduate, second and third year students for whom this development is proposed own cars and this part of Winchester has no street parking to accommodate them.
- **Need and future use:** These extra student rooms are not needed. Since the approval of the application for 99 beds by The Planning Inspectorate, permission was granted for a 500 bed unit on campus; the second since 2008. There also must be a question over what is going to happen to student numbers at the University given the recent changes to government funding. Will there be a planning condition covering the use of this development should student numbers in future fail to grow as anticipated?
- **Planning Inspectorate:** The Planning Inspectorate's comment that as we live near the university we should expect noise disturbance was totally unreasonable. Many local residents have lived here for many years, well before the college became a university. We permanently live here as opposed to transitional students.

**Relevant Planning Policy:**

South East Plan:

CC6: Character of the environment

SP3: Urban focus of development

NRM11: Energy efficiency/renewables

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

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPS3 Housing

PPG24 Planning and Noise

**Planning Considerations**

Principle of development

This application seeks an amendment to the extant and implementable planning permission for two blocks of 99no student bedrooms on site. The Inspector's decision in

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allowing the approved scheme is a material planning consideration and it was considered that the 10/00076/FUL proposal did not harm the character and appearance of the area, nor neighbours amenity to warrant the dismissal of the appeal. The material alterations proposed from the approved scheme include a re-arrangement of the ground floor accommodation in building two and an excavation to create lower ground floor accommodation for building one. This would allow the increase in total bedrooms numbers from 99no approved to 117no proposed. The number of disabled access bedrooms has not been altered as a result of this application and remains at 5no. in building two. It is only these disabled access bedrooms and any disabled residents who would be allowed to park on site under the proposed Management Plan which has been based on the University accommodation at Queens Road.

Design/height/layout

The appeal Inspector found that: "the proposed scheme does not amount to an over-development of the site and although enjoying a prominent corner position the overall design and scale of the accommodation blocks would sit comfortably within the street scene... It does not conflict with policy DP3."

The amended scheme proposes a mansard roof to building one. This mansard was shown on some of the approved plans. Although some of the elevations showed a proposed pitched roof the applicant argues that the mansard on building one was part of the approved scheme. Further it is not considered that the mansard roof, whilst visible in views along Sparkford Road would have a materially harmful impact on the character and appearance of the area sufficient to warrant the refusal of this amendment scheme.

Four stories of accommodation are now proposed in building one fronting Sparkford Road, and whilst the adjacent buildings at Beechglade measure only three storeys in height and the dwellings on the western side of the road are uniformly two storeys, the introduction of a basement level, cut into the existing ground level at building one, will be screened from public views on Sparkford Road by a proposed boundary fence and hedging. The change to the approved scheme is not therefore considered to harm the character and appearance of the area sufficient to warrant the refusal of this amended scheme.

Impact on neighbours

The appeal Inspector considered that: "residents living close to a University campus cannot reasonably expect the same levels of peace and tranquillity as those living in areas not habituated by students... it is better to have large groups of students in purpose built properly managed residences because the effect on neighbours can be managed more easily... it is preferable to locate such residences as near as possible to campus to reduce and contain noise disturbance as students come and go between the University and their accommodation." Further, given the proposed pedestrian link to Medecroft "it [is] highly probable that student footfall along this section of Sparkford Road would not materially increase as a result of the proposal." "This would dramatically reduce the numbers of student vehicles parked within the site along with the related comings and goings." Increased takeaway food deliveries and taxis could park within the courtyard, therefore "I am satisfied such vehicle movement would not cause an unacceptable increase in levels of noise or disturbance for nearby residents." "The operation of the accommodation in accordance with the submitted Management Plan could be secured by the imposition of an appropriately worded planning condition." The Inspector further concluded that: "the development would not unduly harm the outlook, levels of privacy and levels of natural light enjoyed by nearby residents."

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The proposed amended scheme provides 18no additional student bedrooms, since the appeal Inspector considered that, subject to planning conditions and the submitted Management Plan, that the accommodation for 99no students would not unduly harm neighbours amenity, the increase in student numbers is considered acceptable.

The applicant asserts that the approved ridge heights of the two buildings are not to exceed that of the approved scheme. The additional bedrooms are to be accommodated at a lower ground level and cannot therefore be considered to cause harmful overlooking to neighbours.

Landscape/Trees

The lower ground level will require excavation near mature and protected boundary trees and a condition is proposed to ensure this will not harm the trees which form an important landscape feature surrounding this site (condition 07).

Highways/Parking

The appeal Inspector was satisfied that "build[ing] student accommodation without private car parking... has resulted in car usage amongst students in halls of residence at the University being extremely low...the appeal site is very close to the University campus and the city centre, a regular bus service the city centre passes the site and some 52 cycle spaces are to be provided".

With regards student pick up and drop off the Inspector found that: "the university has agreed in principle for Medecroft to be made available... any inconvenience to local residents would be for a very limited period and it would not outweigh the benefits of a largely car free development." "I am also satisfied that such a car free development combined with the existing controlled kerbside parking should not result in any greater risk to highway safety and nor can I see how it would cause obstruction to emergency vehicles."

Neighbours cite a reduction in the bus service to the area; however the site is very close to the main university campus and close to the city centre. Since the appeal decision, Cromwell Road and Stuart Crescent in lower Stanmore have parking restrictions put in place which would deter students leaving their vehicles all week in Stanmore. The Inspector accepted that the proposed Management Plan prevents illegal parking on the application site. The existing restrictions on Sparkford Close would only allow a student to park on the single yellow lines, outside of the prescriptive times, which are 8:00am to 6:00pm, Monday to Saturday, therefore this accommodation is unattractive to students who own cars and could only bring them to the site on Sundays.

Need

The appeal Inspector found that: "demand for managed accommodation from second and third year students is 30 times greater than current supply. In any event this is a commercial rather than a planning matter... The area has a mixed character given the presence of the University campus and it's associated large buildings."

Planning Obligations/Agreements

The appeal Inspector considered that planning conditions were adequate to secure long term student use of the accommodation and to tie in the Management Plan proposed and that the

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proposed section 106 legal agreement was unnecessary. On this amended application the applicant has already paid their highways contribution and no open space contribution is sought for this type of accommodation.

In seeking the planning obligation(s) and/or financial contributions for highways contributions, 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**

That planning permission be granted subject to the following conditions

**Conditions/Reasons**

1 The development hereby permitted shall begin not later than three years from the date of this decision.

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

2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan 1:1250 dated Jan 2010

Drawing Refs: 0826.041M, 0826.050, 0826.051H, 0826.052E, 0826.053B, 0826.054G, 0826.055C, 0826.056A and 0826.057

Reason: For the avoidance of doubt.

3 No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and agreed in writing by the local planning authority. Development shall take place in accordance with the approved details.

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

4 No development shall take place until details of both hard and soft landscaping works have been submitted to and approved in writing by the local planning authority. These details shall include the following:

- existing and proposed finished floor levels and contours;
- means of enclosure;
- hard surfacing materials;
- minor artefacts and structures such as street furniture, refuse and storage units, lighting etc;
- planting plans including written specifications and densities; and
- the implementation programme.

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



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5 All hard and sort landscaping works shall be carried out in accordance with the approved details before the development is first occupied. If within a period of five years after planting any tree or plant is removed, dies or becomes 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 written consent to any variation.

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

6 No development shall take place until details of the positioning, design, materials and type of boundary treatment to be erected have been submitted to and approved in writing by the local planning authority. The accommodation shall not be occupied until the boundary treatment has been erected in accordance with the approved details and it shall be retained thereafter.

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

7 A revised arboricultural method statement in accordance with BS5837:200 shall be submitted to and approved in writing by the local planning authority prior to any demolition, groundwork or construction taking place on the site in relation to the development hereby permitted. The development shall take place in accordance with the approved method statement.

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

8 Prior to any demolition, groundwork or construction in relation to the development hereby permitted taking place, measures for the prevention of mud from vehicles leaving the site being deposited on the public highway shall be submitted to and approved in writing by the local planning authority. The approved measures should be implemented from the commencement of any such works and shall be retained for the duration of the construction period.

Reason: In the interests of highway safety.

9 Prior to any demolition, groundwork or construction in relation to the development hereby permitted taking place, a scheme for the parking and turning of construction vehicles within the site during the construction period shall be submitted to and approved in writing by the local planning authority. The parking areas shall be available for contractors before any such works commence and they shall be retained for the duration of the construction period.

Reason: In the interests of highway safety.

10 The existing accesses to the site shall be stopped up and the footway crossing shall be reinstated in accordance with a specification first agreed with the local planning authority. The approved details shall be implemented before the new access is first brought into use or the accommodation is first occupied, whichever is the sooner.

Reason: In the interests of highway safety.

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11 No development shall take place until details for the disposal of foul and surface water drainage have been submitted to and approved in writing by the local planning authority. Development shall take place in accordance with the approved details.

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

12 No groundwork's relating to the development hereby permitted shall take place until details for the protection of the public water supply main within the site have been submitted to and approved in writing by the local planning authority. Development shall take place in accordance with the approved details.

Reason: To protect the water mains infrastructure from damage during construction.

13 No development shall take place until an acoustic report to assess the potential from noise break out from the buildings has been submitted to and approved in writing by the local planning authority. Any noise protection measures recommended within the approved report shall be implemented before the buildings are first occupied and shall be maintained in accordance with the approved specification thereafter.

Reason: To ensure that acceptable noise levels within the dwellings and the curtilages of the dwelling are not exceeded.

14 No development shall take place until the specification of all external windows, doors and the mansard roofs have been submitted to and approved in writing by the local planning authority. Development shall take place in accordance with the approved details.

Reason: To protect the amenity of the area.

15 No development shall take place until details of all external meter boxes, ducting and flues have been submitted to and approved in writing by the local planning authority. Development shall take place in accordance with the approved details.

Reason: To protect the amenity of the area.

16 The development hereby permitted shall be operated in strict accordance with the submitted Management Plan. Any variation must first be submitted to and approved in writing by the local planning authority.

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

17 No development shall take place until a scheme of measures to meet sustainable development objectives, including renewable energy provision, carbon footprint reduction, sourcing of materials, local labour and reference to the Code for Sustainable Homes has been submitted to and approved in writing by the local planning authority. Development shall take place in accordance with the approved details.

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.

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18 No development shall take place until details for the storage and disposal of refuse have been submitted to and approved in writing by the local planning authority. Development shall take place in accordance with the approved details which shall be operational before the accommodation is first occupied and shall be retained thereafter.

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

19 Prior to any demolition, groundwork or construction in relation to the development hereby permitted taking place; a Construction Traffic Routing Plan shall be submitted to and approved in writing by the local planning authority. All construction traffic shall strictly adhere to the approved routing plan for the duration of the construction period.

Reason: In the interests of the amenities and traffic safety in the locality.

20 Prior to any demolition, groundwork or construction in relation to the development hereby permitted taking place, a Construction Method Statement and Construction Code of Practice limiting the emission of noise and dust from all demolition and construction activity at the site shall be submitted to and approved in writing by the local planning authority. Works shall take place in accordance with the approved details for the duration of the construction period.

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

21 The accommodation hereby permitted shall not be used for any purpose other than as a hall of residence for university/college students.

Reason: The buildings are approved as student accommodation with a specific Management Plan and not for any other use within use class C1.

22 No development shall take place until details of the pedestrian link to Medecroft University Campus have been submitted to and approved in writing by the local planning authority. Development shall take place in accordance with the approved details and the pedestrian link shall be available for use before first occupation of the accommodation and shall be retained thereafter.

Reason: To secure the sustainable pedestrian links to the adjacent campus.

**Informatives**

1. 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.

2. The Local Planning Authority has taken account of the following development plan policies and proposals:-  
South East Plan policies: CC6: Character of the environment; SP3: Urban focus of development;  
NRM11: Energy efficiency/renewables

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Winchester District Local Plan Review 2006: 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

3. The applicant is advised that a licence will be required to carry out highway works. Please contact: Hampshire Highways, Central Depot, Bar End Road, Winchester, SO23 9NP. (Telephone: 01962 892850).

4. All works, including demolition and construction, should only be carried out between the hours of 0800 and 1800hrs Monday to Friday and 0800 and 1300hrs Saturday and at no time on Sunday or Bank Holidays. Where allegations of noise from such works 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.

5. 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.