

Winchester Snooker Centre

12/01486/FUL



Winchester
City Council



Legend



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Organisation	Winchester City Council
Department	Winchester GIS
Comments	
Date	20 February 2013
SLA Number	100019531

**WINCHESTER CITY COUNCIL
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Item No: 1
Case No: 12/01486/FUL / W06512/10
Proposal Description: Demolition of former snooker centre building and erection of 9 dwellings (Use Class C3) (AFFECTS THE SETTING OF A LISTED BUILDING)
Address: Winchester Snooker Centre Radley House 8 St Cross Road
Winchester Hampshire
Winchester City Ward: St Michael
Applicants Name: Whyteleaf Investment Limited
Case Officer: Mr James Jenkison
Date Valid: 27 July 2012
Site Factors: Winchester Conservation Area
Special Advertisement Control areas
Conservation Area
Recommendation: Application Refused

General Comments

This application is reported to Committee at the request of Councillor Tait, whose request is appended in full to this report.

Planning permission 10/00514/FUL was approved by Planning Development Committee on 7/10/2010 for the demolition of the existing snooker centre and its replacement with a mixed use scheme comprising a terrace of 3 x 3-bedroom dwellings, 2 x 2-bedroom dwellings and 1 x 2-bedroom apartment along Edgar Road and an north side extension to Radley House for use as a facility and service for use classes specified by the applicant.

The extension was considered to be an important aspect of the scheme due to the application sites town centre location and to address policy objections to the complete loss of services and facilities from the site (the snooker centre use). A legal agreement was originally considered for securing the delivery of the facility and service through the extension, however, the applicant requested that this be secured through a condition instead and this was agreed by Planning Development Committee at the time.

Planning Condition 17 was therefore attached to the planning permission to ensure that the extension was constructed prior to occupation of the dwellings so that the service and facility building was provided prior to occupation of any of the residential dwellings. The condition does not require the extension to be occupied prior to occupation of the dwellings.

A subsequent application (11/00681/FUL) was submitted for the removal of Condition 17 and this was refused and subsequently dismissed at appeal. A concern raised by the Council at the appeal, and shared by the Inspector in reaching his decision, was that, notwithstanding the loss of the service and facility use, the building extension may not be constructed (in the absence of a condition requiring it to be built prior to occupation of the new dwellings) leaving the scheme incomplete. This would have meant that the remainder of the site would have been used for car parking or could have just been left undeveloped. Such an arrangement was considered unacceptable by the Inspector. The appeal was dismissed and the decision has been appended to this report (see

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Appendix A).

The proposed scheme is a new application with a similar design to the scheme approved by planning permission 10/00514/FUL. The main changes are that the scheme is now entirely for residential development, with the extension to Radley House to incorporate 2 x 1-bedroom apartments and 1 x 2-bedroom apartment rather than a service or facility use. The terrace fronting Edgar Road has also been modified to provide 4 x 4-bedroom dwellings, 1 x 2-bedroom dwelling and a 1 x 1-bedroom apartment. The overall mix proposed therefore is 4 x 4-bedroom dwellings, 2 x 2-bedroom dwellings and 3 x 1-bedroom flats.

Amended plans have been submitted as a result of concerns raised initially by the Head of Historic Environment but she has now withdrawn her objection to the scheme.

The Winchester District Local Plan Part 1 - Joint Core Strategy (JCS) was subject to Examination in Public between 30 October and 9 November 2012 and the Planning Inspectors findings were published on 11 February 2013. The JCS therefore now carries significant weight and the proposed development would now be subject to the dwelling mix and affordable housing requirements of policies CP2 and CP3 and the sustainable building requirements of Policy CP11.

The principle issues therefore are the loss of a service or facility use within Winchester City centre, dwelling mix, affordable housing provision and sustainable construction.

Site Description

The snooker centre comprises a single storey commercial shed style building attached to the side and rear of Radley House, a Grade II listed building that fronts on to St. Cross Road and backs onto Edgar Road. A brick boundary wall approximately 2.9 metres high has been constructed at the Edgar Road boundary and serves as the west elevation of the snooker centre. The floor level of the snooker centre is set approximately 2 metres below the level of Edgar Road and the roof has been designed to maintain a low profile, affording views over the site from St. Cross Road towards the 2-storey traditional terrace houses on the west side of Edgar Road.

The listed building is a three storey villa, with more modern single storey side extensions evident from St. Cross Road. The side extension to the south has been sympathetically designed to create an elevation of narrow brick archways consistent with the size and spacing of the main ground floor windows of the original house. The archways cast a shadow over the glazing behind ensuring that the extension does not visually compete with the original house. The side extension to the north (serving the entrance to the snooker centre) is less sympathetic with much larger archways and a main wall including light render, resulting in the extension being noticeably discordant with the original listed building.

Immediately adjoining the site to the north is the National Tyres and Autocare site at the corner of St. Cross Road, St. James Lane and Edgar Road. The site, comprising a single storey industrial building and advertisements, contrasts strongly with the surrounding historic area, which consists of 2 and 3 storey buildings.

On the west side of Edgar Road, is a row of two-storey terrace houses dating from the nineteenth century and typified by small front gardens and narrow plots. The terraces can be divided into three groups - with one group being constructed of red bricks and

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incorporating small bay windows, another group constructed of yellow brick and incorporating single storey bay windows and the third group finished in various shades of render and having no bay windows, but including dormer windows in the roof. These houses range in height from 8 to 9 metres. Consistent with this, small groups of modern terraced housing, of high quality design, have been constructed along the east side of Edgar Road and the north side of St. James Lane.

The application site comprises approximately 0.9 hectares and includes the snooker centre (approximately 628 square metres in floor area) and the car parking area on the northern side at the front of the site.

Proposal

The proposal is to demolish the snooker centre and construct a terrace of 5 houses and an apartment (4 x 3-bedroom dwellings, 1 x 2-bedroom dwelling and 1 x 1-bedroom flat) along Edgar Road and construct a 2-storey side extension to Radley House to provide 2 x 1-bedroom and 1 x 2-bedroom flats. Radley House is approximately 10.7 metres high.

The terraced houses are of a consistent design that provides a rhythm of plots and dwellings approximately 6.5 metres wide and 7 metres deep. Because the site is set approximately 2 metres below the level of Edgar Road, the terraces will have the visual appearance of being two storey dwellings with basements below. The ridge height of the dwellings above the level of Edgar Road will be approximately 7 metres. The dwellings are proposed to be constructed of yellow stock brick (to reflect those used in Radley House and some of the terrace houses on the opposite side of Edgar Road) and will have natural slate roofs. Three chimneys are also proposed. The dwellings will have polygonal bay windows at the front and balconies at the rear, with the balconies located within the mass of the building and not projecting from the walls.

The 3-bedroom dwellings will each be approximately 120m² and the 2-bedroom dwelling approximately 86 square metres and apartment approximately 47m². The 3-bedroom dwellings will have back gardens ranging in size from 38-48 square metres, whilst the 2-bedroom dwelling will not be provided with a garden.

The extension to the north side of Radley House will comprise 2 x 1-bedroom flats approximately 48m² in size at ground floor level and 1 x 2-bedroom flat approximately 72m² in size at 1st floor level. The ground floor flats would have no private gardens or amenity space, whilst the 2-bedroom apartment would have a terrace of approximately 22 square metres. The extension will be set behind a brick arched colonnade and have a flat roof approximately 5.5 metres height. Behind the brick arch, the front elevation will have full height glazing and 1st floor level having a green wall enclosing the terrace. 1st floor level will be set back approximately 2.5 metres from the front elevation of the original building. An alley is to be provided along the north side elevation, providing access to the rear of the site where the gardens of the dwellings fronting Edgar Road are to be located.

10 car parking spaces are to be provided at the front of the site in front of the proposed extension to Radley House.

Relevant Planning History

10/00514/FUL - (Amended Plans) Demolition of existing snooker centre, erection of 3 no.

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3 bedroom and 3 no. 2 bedroom dwellings fronting Edgar Road, 2 storey side extension to Radley House for D1, D2, A1 or A2 use, associated landscaping (AFFECTS THE SETTING OF A LISTED BUILDING). Permitted subject to conditions 7th January 2011.

10/00734/LIS - Demolition of existing snooker centre, erection of 3 no. 3-bedroom and 3 no. 2-bedroom dwellings fronting Edgar Road, 2-storey side extension to Radley House for D1, D2, A1 or A3 use, associated landscaping (AFFECTS THE SETTING OF A LISTED BUILDING). Permitted subject to conditions 7th September 2011.

11/00681/FUL - Removal no. 17 of planning permission 10/00514/FUL, Winchester Snooker Club redevelopment to allow occupation of the residential units before the completion and occupation of the facility accommodation. Refused 29th June 2011. Appeal ref: APP/L1765/A/11/2161052 dismissed 27 February 2012

11/03067/LIS – Refurbishment of Radley House offices, relocate wc's. Permitted subject to conditions 15th February 2012.

12/01487/LIS - Demolition of former snooker centre building and erection of 9 dwellings (Use Class C3). Concurrent with this application.

Consultations

Engineers: Drainage: Dwellings should have water butts. Permeable parking area commendable. Applicant should liaise with Southern Water for sewer connection.

Engineers: Highways: Conditions recommended.

Head of Environmental Protection: Conditions recommended.

Head of Historic Environment: No objection to amended scheme.

Archaeology: conditions recommended.

Head of Strategic Planning:

Site located within the defined town centre of Winchester.

Policy SF.2 resists the loss of commercial or leisure uses at ground floor level within the defined town centre.

Condition 17 of planning permission 10/00514/FUL) made the proposal policy compliant with policies SF.2 and SF.7 of the Adopted Winchester District Local Plan Review 2006. At appeal the Inspector agreed that the condition was necessary to ensure compliance with development plan policy and was not satisfied that there was adequate evidence, e.g. on viability, to justify its removal. This was despite acknowledging that there was an inadequate housing land supply.

Current scheme therefore fails to meet the requirements of policies SF.7 and SF.2 of the Adopted Winchester District Local Plan Review 2006. Emerging Local Plan Part 1 Joint Core Strategy Policy CP6 also seeks to retain facility/service uses and sites but allows for their potential loss where there is no reasonable prospect of an alternative facility. The permitted scheme would allow for various uses, including A1 and A2, which are appropriate given the location of the site and the policy requirements.

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The application is for the whole of the site and the viability appraisal only accounts for the commercial/facility element, formerly the snooker club. One of the reasons for allowing a much reduced element of commercial/facility development was to enable its cross-subsidy by the residential element, so even if the commercial element alone produces a negative land value, this is irrelevant as it is the scheme as a whole which should be assessed against the policy requirements and which is the subject of the application.

The scheme conflicts with the policy requirement to retain at least an element of the site in facility/commercial use. Even if the facility/commercial element is unviable in itself, it is the scheme as a whole which should be considered and which seems capable of cross-subsidising the facility/commercial element to produce a viable development.

Head of Estates:

Existing planning permission clearly links retention of a commercial use on this site which is with the development of the 6 dwellings and that in order for this to be carried out it should be erected before the building of the dwellings.

Current market conditions are very difficult at the present time unless the unit it is ready for occupation for sale or to let. An office use is certainly possible here either for letting or sale providing the developer is acting reasonably having regard to the market conditions. No evidence has been submitted relating to the extent of advertising for end uses and quoted rents/sale figures etc.

The viability appraisal does not address the fact that the housing element is expected to cross-subsidise the commercial element and there is therefore no reason in this case why the commercial element should not be built prior to the erection of the dwellings.

Representations:

City of Winchester Trust had no comment to make on the application.

5 letters received objecting to the application for the following reasons:

- Congestion on Edgar Road.
- Edgar Road footpath too narrow.
- Applicant's claim of commercial viability disputed as scheme for private gym has been proposed.
- Insufficient on-site parking provision.
- Impact on setting of listed building
- Construction activity disturbance.
- Arcade of extension essential to protect character of Radley House

4 letters received commenting on the application for the following reasons (if not summarised above):

- Impact on wall at 10 St. Cross Road.
- Terraces along Edgar Road should be same style as terraced houses opposite.

No letters of support received.

Relevant Planning Policy:

South East Plan 2009:

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CC.4, CC.6 , H.3, T.2, T.4, NRM.11

Adopted Winchester District Local Plan Review 2006:

SF2*, SF7, RT4, DP3, DP9, HE5*, HE14*

* saved policies of JCS (Appendix A).

Winchester District Local Plan Part 1: Joint Core Strategy (JCS):

WT1, CP3, CP6, CP7, CP8, CP10, CP11, CP21

National Planning Policy Guidance/Statements:

National Planning Policy Framework:

9 - making it easier for jobs to be created.

14 - sustainable development.

17 – promote mixed-use developments, actively manage growth patterns to promote public transport, deliver sufficient cultural and community facilities and services to meet local needs.

19 – sustainable economic growth.

21 - support existing business sectors and plan for clusters of knowledge driven, creative and high tech industries.

23 - promote viability and vitality of town centres, allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office tourism, cultural, community and residential development needed in town centre. Importance placed on need for retail, leisure, office and other main town centre uses are met in full and are not compromised by limited site availability. Encourage residential development on appropriate sites.

24 - focus town centre uses within town centre.

30 – promote development patterns that promote sustainable transport.

37 – planning policies should aim for a balance of land uses.

50 – plan for a mix of housing based on current and future trends and provide for affordable housing.

56 – requiring good design.

58 – optimise potential use of site and create and sustain an appropriate mix of uses.

95 – support energy efficiency improvements and set local requirements consistent with the governments zero carbon buildings policy.

154 – Local plan policies should set out opportunities for development and clear policies on what will or will not be permitted and where.

173 – Ensure developments are viable and deliverable.

174 – Local plan policies to set out standards for affordable housing provision.

186 – Decision taking should be positive to foster delivery of sustainable development.

Supplementary Planning Guidance

Winchester Conservation Area Project

Retail and Town Centre Uses Study 2010.

Planning Considerations

Principle of development

On 11 February the Council received confirmation from the Planning Inspector dealing with the Council's new Local Plan that the Winchester Local Plan Part 1 – Joint Core Strategy is sound subject to the Council accepting a number of modifications to the Plan recommended by him. The Council will now be recommended to formally adopt the Plan, incorporating the Inspector's changes, in March 2013.

At the present time the saved policies of the Winchester District Local Plan Review 2006 remain part of the development plan for the purposes of decision making for planning

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applications and therefore these policies should be taken into account. However, the policies set out in the Joint Core Strategy are now material considerations which should be afforded significant weight, given that the Plan has been found sound by the Inspector (subject to modifications being made).

Where there is any inconsistency between the Joint Core Strategy and 2006 Local Plan officers' advice is that the Joint Core Strategy should be given greater weight as these policies are up-to-date and comply fully with current evidence and the National Planning Policy Framework March 2012. Furthermore, the Joint Core Strategy also introduces additional requirements for certain types of development, such as provision of affordable housing on all residential schemes, in order to meet the Council's corporate aims and the relevant policies should be afforded significant weight when applications are decided.

When the Council formally adopts the Joint Core Strategy it will also 'un-save' a number of policies in the 2006 Local Plan and they will therefore no longer form part of the development plan. At this point those policies will not be material when making planning decisions. Some policies in the 2006 Local Plan will remain saved even after the Joint Core Strategy is adopted as they deal with development management issues and these will still form part of the development plan until Winchester Local Plan Part 2 is adopted in 2015."

The proposed development seeks to remove the current commercial building on the site which was last used for indoor sport and recreation (a snooker hall). This use was deemed to be a service and facility under Local Planning policies and this application seeks to replace it with an entirely residential scheme. Had the original application (10/00514/FUL) been for an entirely residential scheme then it would have been refused and, given this planning permission includes a condition requiring provision of a facility or service use (condition 17 which was upheld on appeal), it cannot be considered as a providing the applicant with a fallback position for a scheme which is entirely housing.

The proposed development should therefore be assessed on the basis that it would result in the loss, in its entirety (without replacement), of a site and building used for the provision of facilities and services within the town centre.

Furthermore, the Retail and Town Centre Uses Study 2010, adopted subsequent to the recommendation to grant 10/00514/FUL, identified an under provision of private health and fitness clubs within the District. The proposal is therefore considered to be contrary to policies SF2 and SF7 of the Adopted Winchester District Local Plan Review 2006 and Policy CP6 of the Winchester District Local Plan Part 1: Joint Core Strategy.

Para. 2.6 of the JCS indicates that employment is anticipated to grow by 13% up until 2031 with main growth sectors being service sector (primarily business services), health, distribution and retail. The most sustainable location for this employment growth will be Winchester City centre and the town centres of the market towns in the District.

Furthermore, the Council is seeking to diversify the economy through the promotion of the knowledge, tourism, creative, media and education sectors and the most sustainable location for these activities would be Winchester City Centre. Policies WT1 and CP8 of the JCS re-enforce this, seeking to promote the retention and use of appropriate premises for development that attracts high visitor numbers and for growth in business services, retail, leisure, culture, creative industries and tourism. Policy SF2 (WDLPR

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2006) and Policy CP6 (JCS) also seek to resist the loss of services, facilities and employment uses (Use Classes A1, A2, A3, A4, A5, B1, C1, D1 and D2), particularly within the defined city centre, where premises are a finite resource

Notwithstanding this, a report prepared by Goadsby for another site within the city centre identified commercial demand for office premises of between 1000 and 3000 square feet (93 - 280 square metres) which would indicate that there is general demand for the amount of floorspace approved for planning permission 10/00514/FUL for use by services and facilities. Indeed, Radley House itself is utilised by a firm of architects. Furthermore, the viability assessment submitted with this application appears to have assigned the costs associated with demolishing the snooker centre and basic site development to the extension by itself rather than across the whole development.

Whilst there is a need for the Council to make provision for new housing of all types through its local plan process, adequate provision for delivery is being made, including maintaining reserve sites. This allocation process is at an advanced stage with the EiP Inspector's report of 11 February 2013 on the JCS endorsing the Council's approach to housing provision. As a part of this process, landowners have been encouraged to submit sites for investigation in the Strategic Housing Land Availability Assessment (SHLAA) as potential windfall development sites. The Council will, through the local plan process, assess the suitability of each site for allocation, including any sites the Council has identified itself. A number of windfall sites due for investigation are located within Winchester City. As the Council has not identified the application site or neighbouring sites as a windfall sites and landowners of the application site have not made submissions to include this property for assessment through the SHLAA process it is not considered that there is an overriding need for the application site to be developed more intensively for housing.

The views of the Head of Strategic Planning and Head of Estates are therefore considered to be important considerations in the assessment of the application's merits and are consistent with promoting the principles of sustainable development and it is not considered that there is sufficient justification for the loss of this services and facility site in its entirety to residential development.

Design/layout, Impact on the character and appearance of the Conservation Area and the setting of Radley House

Since Radley House was constructed the area has gradually increased in density, with the development of small groups of terraces and now has a townscape character typically found on the edge of the city centre.

The design, scale and layout of the terraced houses fronting Edgar Road reflect the dense terraced nature of this inner city residential location, promoting a crisp modern design that incorporates features (such as polygonal bay windows) that reflect, in a contemporary way, the bay windows of the terraced houses on the opposite side of Edgar Road.

The height of the terrace will be approximately 1-2 metres lower than that of the houses

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on the opposite side of Edgar Road and the London yellow stock brick proposed is consistent with that used for some of those houses as well as for Radley House and is therefore considered to be acceptable.

Small front gardens have also been provided that allow effective servicing (such as bin storage) and scope for effective boundary treatment. The scheme benefits from the fact that car parking will be provided in the existing courtyard at the front of Radley House, ensuring the houses fronting Edgar Road do not include driveways or garages, which would detract from the character of the street scene.

The design of the extension to Radley House creates a balanced and symmetrical appearance to the front elevation of the building and ensures that the single storey wings are subordinate to the listed 3-storey original building. The extension will also provide some screening of the rear elevation of the terraced houses from public views.

The applicant has not provided any details as to how the proposed development would meet Level 5 for the Energy aspect of the Code for Sustainable Homes (CSH) and Level 4 for the water aspect of the CSH from adoption of this Plan. In the absence of details, it is therefore not possible for the Council to determine whether the proposal would be able to achieve these requirements or whether other material considerations would justify a relaxation of this requirement.

Overall the design of the proposed development will reflect the historic character and enhance the character of the conservation area. Additionally, the design is essentially similar to that of the approved development (planning permission 10/00514/FUL) and this is a significant material planning consideration which weighs in favour of permitting this scheme

In conclusion it is considered that the schemes scale, mass, design and materials, responds positively to development in the locality, would preserve or enhance the area's character and appearance and would not harm the setting of Radley House itself. However, it is considered that in the absence of details of how the proposal would meet the Code for Sustainable Homes requirements the proposal would be contrary to Policy CP11 of the Joint Core Strategy.

On-site amenities and Impact on neighbouring property

The distance between the front windows of dwellings facing each other across Edgar road will be approximately 12.5 metres, which is consistent with a city centre environment. For this reason, it is considered that there will be no materially harmful impact on neighbours' privacy.

Whilst the proposed terrace will reduce views over the site from the front windows of houses on the west side of Edgar Road this would not constitute material planning harm to the residential amenity of neighbours.

The garden areas provided are small but they are considered to be an acceptable size for a city centre location. The scheme differs from that of planning permission 10/00514/FUL in that the 2-bedroom dwelling (Flat 5) does not have a private garden and Flat 6 will share a courtyard with the ground floor flats for the proposed extension to Radley House. The amenities of these ground floor flats will be less than that of the dwellings, with the

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rear flat and Flat 6 receiving limited winter sunlight, and the front flat located adjacent to the parking courtyard and facing towards St. Cross Road. However, it is accepted that city centre living in mixed-use environments such as this will result in some dwellings having lower levels of amenity than would be expected of dwellings in suburban locations. Overall it is considered that the proposed dwellings would achieve satisfactory levels of amenity.

Landscape/Trees/Public Realm

The site is currently occupied by a large building that does not provide any scope for landscaping to the rear or north side of the site. The proposal will not allow any additional substantial tree planting but will create undeveloped space within the site (such as back gardens) and the provision of a degree of landscaping in front of dwellings fronting onto Edgar Road. The public realm of Edgar Road will be enhanced by the removal of a long, sheer and high wall and its replacement with attractively designed houses and an active frontage. The houses are of a height and scale that is consistent with what would be expected for this area and are consistent with that of the terraced houses on the opposite side of the street, creating a comfortable level of street enclosure.

Highways/Parking

The level of car parking provided for the proposed development is consistent with what would be expected in a central city location where retail, entertainment, employment, recreation and frequent transport services are all within easy and convenient walking distance.

In such circumstances requiring high levels of on-site parking provision would result in a development that would be an inefficient use of land and a site dominated by parking spaces would be out of character with its surroundings. The Highways Engineer has advised that as the site is within an area of prime accessibility zero parking could be tolerated, so the provision of 10 car parking spaces for the proposed development is considered to be adequate.

Affordable Housing

Policy CP3 of the JCS requires 40% of all new housing developments to be affordable housing. Para. 66 of the EiP Inspectors report of 11 February 2013 on the JCS confirms that the policy is properly qualified and that site specific circumstances are able to be accounted for. There is therefore a policy requirement on this site for 3.6 affordable houses.

Where affordable housing provision on-site is not deemed suitable identification of an alternative site for such provision is considered the next appropriate option and, failing that, the provision of a financial contribution will be acceptable. Off-site contributions for affordable housing are calculated in accordance with Appendix 2 of the 2008 affordable housing SPD (updated November 2012) on a like for like basis of the size of houses proposed. Based on the Core Strategy the contribution for this scheme would be based on the provision of 0.4(3) x 1 –bedroom dwelling (1.2 x 90,000), 0.4 (2) 2-bedroom dwellings (0.8 x 118,000) and 0.4(4) x 3-bedroom dwellings (1.6 x £137,000). The amount required would therefore be £108,000 + £94,400 + £219,200 = £421,600.

In this case no form of affordable housing has been proposed (on-site/off-site/financial contribution). Without the provision of the affordable housing the proposal is considered to

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be contrary Policy CC4 of the South East Plan and Policy CP3 of the Joint Core Strategy Part 1.

Public Open Space

The development does not provide any on-site public space. The Open Space Strategy 2012-2013 details the purposes that the contributions will be used for and occupants of the proposed dwellings would benefit from improvements to nearby open space as well as open space (such as playing fields) further afield due to the frequency of bus services along St. Cross Road. A financial contribution for public open space purposes is therefore appropriate and has been calculated at £15,714.

The basis of the system for open space contributions adopted by Winchester City Council was considered by the Winchester District Local Plan Inquiry Inspector whose Report was published in January 1997. The Inspector strongly supported its main principles, and recommended no changes to its method of operation, considering that "it is only right and proper that small developments should provide their share of such provision (of recreational space) to the same standard as that applied to larger developments". He concluded that the system was equitable and the Planning Inspectorate has continued to generally support the system since that decision was made, with the original policy being accepted into the Adopted WDLPR 2006 by the Inquiry in Public as Policy RT4. Policy CP7 of the Joint Core Strategy (pg.77-79) continues with this system and the EiP Inspector's report of 11 February 2013 (page 16, paragraph 71) endorsed this policy approach. As such the requirements for open space contributions would comply with the Community Infrastructure Levy 2010.

Without provision being made for public open space the proposal is therefore considered to be contrary to Policy RT4 of the Winchester District Local Plan Review 2006 and Policy CP7 of the Joint Core Strategy in that it fails to make adequate provision for public recreational open space to the required standard, and would therefore be detrimental to the amenities of the area.

Sustainable Transport Improvements (Hampshire Transport Contributions Policy).

Because the proposed development comprises new dwellings, a financial contribution for sustainable transport improvements is considered appropriate, as there are a number of local improvement schemes proposed for Winchester, including along St. Cross Road (including bus shelters and uncontrolled crossing points). Taking into account the existing use of the site for D2 activities a financial contribution of £8, 506.00 was required for planning permission 10/00514/FUL and it is considered that a similar contribution would be appropriate in this instance.

Planning Obligations/Agreements

In assessing the financial contributions for affordable housing, transport and public open space, the Local Planning Authority has had regard to the tests laid down in para 204 of the NPPF 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

Application: Refused subject to the following reasons:

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Reasons

1 It is considered that the site is situated in a highly accessible and sustainable location within Winchester city centre and the services and facilities premises (snooker hall), the subject of this application, should be capable of being re-used or redeveloped for services and facilities uses, or failing this, other appropriate non-residential town centre uses, either in its entirety, or as part of a mixed-use scheme. It is therefore considered that the loss of services and facilities use in this instance has not been justified. The proposal is therefore considered to be contrary to policies SF2 and SF7 of the Adopted Winchester District Local Plan Review 2006 and policies WT1 and CP6 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

2 The proposal is considered to be contrary Policy CC4 of the South East Plan and Policy CP3 of the Winchester District Local Plan Part 1 - Joint Core Strategy in that the applicant has not demonstrated that the development would be unviable if the required level of affordable housing (40% of the total number of units) was provided as part of the development (on site), or if this is not feasible, on an alternative site, or by way of an appropriate financial contribution, in accordance with the 2008 (updated November 2012) Affordable Housing Supplementary Planning Document.

3 The proposal is considered to be contrary Policy RT4 of the Adopted Winchester District Local Plan Review 2006 and Policy CP7 of the Winchester District Local Plan Part 1 Joint Core Strategy in that it fails to make adequate provision for public recreational open space to the required standard, and would therefore be detrimental to the amenities of the area and future occupiers of the new units, and the applicant has not demonstrated that the development would be unviable if the required level of open space contributions were made in accordance with the Council's Open Space Strategy 2012-2013.

4 The proposal is considered to be contrary Policy DP9 of the Adopted Winchester District Local Plan Review 2006 and policies CP10 and CP21 of the Winchester District Local Plan Part 1 - Joint Core Strategy, 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 burden imposed on the existing network arising from this development) and the applicant has not demonstrated that the development would be unviable if the required level of contributions were made in accordance with the policy.

5 The proposal is contrary Policy CC4 of the South East Plan and Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy in that it has not been demonstrated that the proposal would achieve Level 5 for the Energy aspect of the Code for Sustainable Homes and Level 4 for the water aspect of the Code for Sustainable Homes.

Informatives:

In accordance with paragraphs 186 and 187 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;

**WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA**

- offering a pre-application advice service and,
- updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

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

Winchester District Local Plan Review 2006: SF2, SF7, RT4, DP3, DP9, HE5, HE14
Joint Core Strategy Part 1: WT1, CP3, CP6, CP7, CP8, CP10, CP11, CP21
South East Plan 2009: CC.4, CC.6 , H.3, T.2, T.4, NRM.11