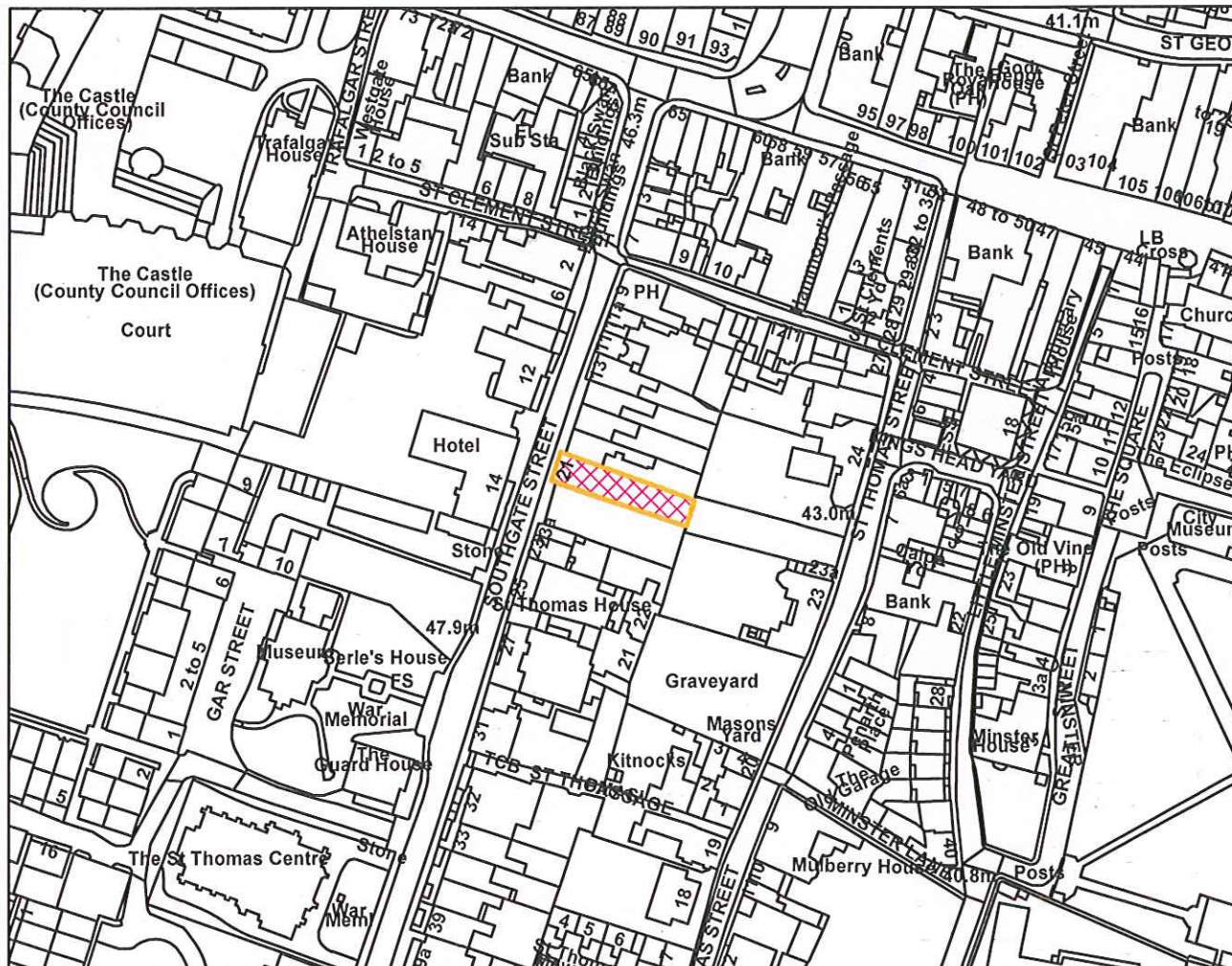


21 Southgate Street, Winchester



Winchester
City Council

13/02322/FUL



Legend

Scale: 0 0.02 0.04 0.08 KM

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Organisation	Winchester City Council
Department	Winchester GIS
Comments	
Date	21/02/2014
MSA Number	100019531

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Item No: 6
Case No: 13/02502/FUL / W02165/11
Proposal Description: Mixed use development to include retention of ground floor A2 office, extension and conversion of existing building to form 14 no. class C1 halls of residence study bedrooms with communal facilities
Address: 21 Southgate Street Winchester Hampshire
Parish, or Ward if within Winchester City: St Michael
Applicants Name: Malins Group
Case Officer: Mr James Jenkison
Date Valid: 8 November 2013
Site Factors: Winchester Conservation Area
Air Quality Management Area
Conservation Area
Within 50m of Listed Building
Recommendation: Application Permitted

General Comments

This application is reported to Committee at the request of Councillors Mather and Sanders whose requests are appended in full to this report.

In response to concerns raised by Building Control the applicant has submitted amended details that include a roof light in the rear roof elevation located above the stairwell. This amendment is considered to be minor in nature and has not therefore been re-advertised.

Site Description

21 Southgate Street is an unlisted building located within the Winchester Conservation Area. It forms the southern end of a group of five three-storey Georgian terraced buildings which both collectively and individually make a positive contribution to the Conservation Area. Although not listed, the existing building contains numerous original features and is considered to be a heritage asset. The building has had latter rear extensions constructed on an ad-hoc basis, extending approximately 14.5 metres into the back garden.

21 Southgate Street has listed buildings in close proximity and due to its elevated position, is visible from a number of vantage points within the Conservation Area. This includes many of the Listed Buildings fronting onto St. Thomas Street, from St Thomas Street itself and from the former graveyard of St Thomas Church. There is a mature sycamore tree located in the back garden of the application site which contributes to the landscape character of the Conservation Area.

The site immediately to the south (21a and 21b Southgate Street) is a gap site with no buildings located on it, affording views of the side elevation of No.21 from Southgate Street.

Proposal

The proposal is to retain the ground floor business whilst converting the upper floors into a halls of residence with 14 bedrooms and associated common areas. The existing single

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DEVELOPMENT CONTROL COMMITTEE AGENDA

storey rear extension is proposed be demolished and replaced by a 2-storey rear extension with a depth of approximately 12 metres. This will require the pruning of the mature sycamore tree located in the back garden.

Relevant Planning History

13/00653/PRE - Mixed use development to include retention of ground floor A2 office, extension and conversion of existing building to form 15 no. class C1 halls of residence study bedrooms with communal facilities. Opinion provided 26th July 2013.

Consultations

Engineers: Drainage:

No Objection.

Engineers: Highways:

No objection. The application site is located in an area of prime accessibility (close to transport interchanges), where zero parking is encouraged.

Head of Environmental Protection:

Condition 2 recommended to ensure occupants are protected from traffic noise.

Head of Historic Environment:

Existing rear extensions proposed to be demolished detract from the Conservation Area and proposed scheme is a significant improvement on details submitted at pre-application stage. Subject to conditions (Conditions 5 -8) the proposal will improve the character and appearance of the Conservation Area.

Archaeological remains within the application site are likely to exist. Conditions 10-12 recommended.

Head of Landscape:

Submitted arboricultural information considered to provide adequate tree protection subject to conditions (Conditions 3 and 4).

Building Control:

Concern expressed about the means of escape.

Representations:

City of Winchester Trust: Proposal appears luxurious for student accommodation and does not appear to have communal areas where residents can mix socially.

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

- No transport statement.
- Not clear how extraction will be achieved.
- Noise and disturbance resulting from HMOs.
- HMOs out of character with local area.

Reasons aside not material to planning and therefore not addressed in this report

- Planning permission for adjacent site has lapsed.
- HMOs would lead to social tension.

Relevant Planning Policy:

Winchester District Local Plan Review 2006

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DP3, DP4, DP5, HE4, HE5, SF1, SF2
Winchester Local Plan Part 1 – Joint Core Strategy
DS1, WT1, CP10, CP13, CP14, CP20
National Planning Policy Guidance/Statements:
National Planning Policy Framework

Supplementary Planning Guidance
Winchester City and its Setting.

Planning Considerations

Principle of development

The proposal would result in the conversion of professional offices at 1st and 2nd floor level to a halls of residence, however, retaining the ground floor for offices would be consistent with NPPF guidance for mixed use developments and the guidance of saved Policy SF2 of the WDLPR 2006.

The proposal is therefore considered to be acceptable in principle.

Design/layout/ impact on the Conservation Area and listed buildings/trees

By replacing the existing extensions with a building of more traditional design and constructed in a more traditional palate of materials the proposed extension is considered to improve the character of the Conservation Area and the setting of nearby listed buildings. The rear extension is consistent in nature and scale of extensions to 13, 15 and 17 Southgate Street, maintaining a side garden and emphasising that the rear extension is a later ancillary addition to the main original building.

The roof line will be approximately 1.5 metres higher than the existing extensions, however, the proposal will be of less depth and the roofline slopes down from the common boundary with 19 Southgate Street. An arboricultural assessment has also been undertaken that indicates that the mature sycamore tree is able to be adequately protected as a result of the proposal and will ensure that this landscape feature will continue to dominate views into the back garden of the application site.

The proposal is therefore not considered to have a materially harmful impact on the character of the locality, the Conservation Area or nearby listed buildings.

Impact on neighbouring properties/on-site amenities

The neighbouring property at 19 Southgate Street will be overshadowed by the proposed rear extension, which will be constructed to a height of approximately 5.3 metres at the common side boundary. However, there are examples of other 2-storey rear extension (such as 17 Southgate Street) in this commercial city centre location. Furthermore, 19 Southgate Street has recently been refurbished as a kitchen showroom for Searle and Taylor and the extension and side/back garden do not serve as amenity space for residential or other purposes where material harm might otherwise arise.

The submitted floor plans do not show any communal areas and, apart from the ground floor offices, the proposal comprises single room bedsit type arrangements, with 6 of these facing Southgate Street. Furthermore, the sustainable city centre location of the site, where car parking requirements can be waived, ensures that the proposal itself will not generate any traffic disturbance. Additionally, access to the proposed student accommodation will only be able to be obtained from Southgate Street, further mitigating

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DEVELOPMENT CONTROL COMMITTEE AGENDA

against any potential impacts on residential properties along St. Thomas Street. The type and density of development is also considered to be consistent with what would be expected in a city centre location and perceptions about the behaviour of potential occupants is not considered to be a material planning consideration, with appeal decisions in suburban locations indicating that even in these more subdued areas similar sized schemes can be accommodated without material harm to neighbouring residential amenities.

The proposal is not therefore considered to be harmful to the amenities of nearby properties.

The bedsits fronting onto Southgate Street will be potentially subject to noise and disturbance and Condition 2 is intended to ensure that those bedsits will not be materially harmed by such noise and disturbance. Furthermore, the size of the bedsits and transitory occupation is sufficient to avoid the need for outside communal areas.

Highways/Parking

The proposal provides for 14 cycle parking spaces and is located within an area of prime accessibility. The proposal is not therefore considered to be materially harmful to highways safety.

Other Matters

The Open Space Strategy does not require open space contributions for halls of residents. An occupation (Condition 13) is attached to prevent permanent bed sitting that would attract contributions towards public open space and affordable housing.

Recommendation

Application permitted subject to the following condition(s):

Conditions

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

2 Prior to any work commencing on site, details of a scheme for protecting the rooms with windows in the front elevation adjacent to Southgate Street from external noise shall be submitted, and approved in writing by the Local Planning Authority. Such a scheme shall demonstrate that, upon completion of the development, the following noise criteria can be met:

i. All bedrooms/bedsits shall achieve an 8-hour LAeq (23:00 to 07:00) of 30dB(A)

A noise validation report, demonstrating compliance with these noise criteria, shall be submitted to and approved in writing by the Local Planning Authority before the 1st floor and above of the approved development is occupied. Such noise protection measures shall thereafter be maintained and operated in accordance with the approved scheme.

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2 Reason: To ensure that acceptable noise levels within the bedsits facing Southgate Street are not exceeded.

3 All works related to demolition and construction activities and works to trees shall be undertaken in strict accordance with the Arboricultural Information ref: 13416-AIA written by Barrie Draper of EcoUrban Limited and submitted as part of this planning application.

3 Reason: To ensure protection and long term viability of retained trees, to minimise impact of construction activity and to protect the amenities of the Conservation Area and locality.

4 In this condition "retained tree" means all trees identified as being retained in the Arboricultural Information ref: 13416-AIA written by Barrie Draper of EcoUrban Limited and submitted as a part of the planning application:

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 details of the Arboricultural Information ref: 13416-AIA written by Barrie Draper of EcoUrban Limited and submitted as a part of the planning application before any equipment, machinery, or materials are brought onto the site, or groundworks undertaken, 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.

4 Reason: To protect retained tree cover in the interests of amenities and the character of the Conservation Area.

5 All new external works and finishes and works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition attached to this permission.

5 Reason: To ensure that the development maintains and enhances the character of the building, and does not materially harm the character Conservation Area and setting of nearby listed buildings.

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6 The new joinery work shall match the existing joinery work adjacent in respect of materials, dimensions and profiles, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition attached to this consent.

6 Reason: To ensure that the detailing and finish maintains the architectural character and appearance of the, building, the conservation area and the setting of nearby listed buildings.

7 Prior to work commencing on the site details in respect of the following shall be submitted to and approved in writing by the Local Planning Authority. The relevant work shall be carried out in accordance with such approved details.

- a) detailed drawings at 1:20 scale of all windows and doors;
- b) samples of all external materials.

7 Reason: To ensure that the detailing and finish maintains the architectural character of the building and appearance of the conservation area.

8 All approved new external rainwater goods and soil pipes on the visible elevations shall be of cast iron, painted black unless previously otherwise approved.

8 Reason: To ensure that the detailing and finish maintains the architectural character building and appearance of the conservation area.

9 No dwelling shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority.

9 Reason: To ensure adequate drainage of the scheme.

10 No development/demolition or site preparation shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological mitigation work in accordance with a written Scheme of Investigation to be first submitted to and approved in writing by the Local Planning Authority. No demolition/development or site preparation shall take place other than in accordance with the approved Written Scheme of Investigation and archaeological mitigation. The Written Scheme of Investigation shall include:

- 1. An assessment of significance and research questions
- 2. The programme and methodology of site investigation and recording
- 3. Provision for post investigation assessment, reporting and dissemination
- 4. Provision to be made for deposition of the analysis and records of the site investigation (archive)

10 Reason: To mitigate the effect of the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations, in compliance with policy HE.1 of the Winchester District Local Plan Review.

11 Following completion of all archaeological fieldwork a report will be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports and publication.

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11 Reason: To ensure that evidence from the historic environment contributing to our knowledge and understanding of our past is captured and made publicly available, in compliance with policy HE.1 of the Winchester District Local Plan Review.

12 Before any works hereby permitted are begun, details of the foundations including any piling configuration, drainage and services to include a detailed design and method statement, shall be submitted to and approved in writing by the Local Planning Authority, such details to show the preservation of surviving archaeological remains which are to be preserved.

12 Reason: To ensure the conservation and protection of important archaeological remains present within the site, in compliance with policy HE.1 of the Winchester District Local Plan Review.

13 The bedsit units hereby approved shall only be occupied by students engaged in full-time study and for a maximum period of 32 weeks per calendar year per bedsit. Details of the management arrangements of the hostel shall be submitted to the Local Planning Authority prior to the occupation of the units and updated details submitted within one week of any change in arrangements. The management arrangements shall include the keeping of a register of the names of the occupiers of each of the bedsits and their arrival and departure dates and the contact details of the manager of the register. The register shall be produced to the Local Planning upon reasonable notice.

13 To ensure the bedsits are managed as a halls of residence for students and for no other form of residential accommodation and because the development is not considered to be suitable for permanent accommodation.

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;

- 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.

In this instance the applicant was provided with pre-application advice and updated on issues arising during the application.

2. 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.

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

Local Plan Part 1 - Joint Core Strategy: DS1, CP20

Winchester District Local Plan Review 2006: DP3, DP4, DP5, HE4, HE5, SF1, SF2

4. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or recognised public holidays. Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.
5. During Construction, 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.
6. The applicant is advised that one or more of the Conditions attached to this permission need to be formally discharged by the Local Planning Authority before works can commence on site. Details, plans or samples required by Conditions should be submitted to the Council at least 8 weeks in advance of the start date of works to give adequate time for these to be dealt with. If works commence on site before all of the pre-commencement conditions are discharged then this would constitute commencement of development without the benefit of planning permission and could result in Enforcement action being taken by the Council.

The submitted details should be clearly marked with the following information:

The name of the planning officer who dealt with application

The application case number

Your contact details

The appropriate fee.

Further information, application forms and guidance can be found on the Council's website
- www.winchester.gov.uk.

**City Councillor's request that a Planning Application be considered by
Planning Development Control Committee**

Request from Councillor:	ROBERT SANDEAR
Case Number:	13 / 02502 / FUL
Site Address:	21 Southgate St, Worcester
Proposal Description:	conversion of offices to flats of residence
Requests that the item be considered by the Planning Development Control Committee for the following material planning reasons: CONTRAVENTION OF DPS : PROPOSED DEVELOPMENT WILL HAVE AN UNACCEPTABLY ADVERSE IMPACT ON ADJOINING-USES OF PROPERTY	

- Whilst requests will be accepted up to the determination of the application, Members should make their request as quickly as possible and preferably within the publicity period of the application. Otherwise the case may be determined under delegated powers soon after the expiry of the publicity period. The committee date for the application will depend upon when the request is received in relation to the committee cycle.
- It would be helpful if Members can indicate their preferred outcome to avoid it going to Committee unnecessarily

Once completed, please email this form to the relevant Planning Case Officer and the Head of Development Management.



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City Councillor's request that a Planning Application be considered by the Planning Development Control Committee

Request from Councillor:

FIONA MATHER

Case Number:

Site Address:

21 SOUTHGATE STREET

Proposal Description:

CONVERSION OF OFFICES TO HOUSES OF RESIDENCE

Requests that the item be considered by the Planning Development Control Committee for the following material plan

Student blocks next to residential accommodation are only acceptable if it's possible to control the potential disturbance and loss of amenity that neighbours could experience by planning condition. It may well not be possible to do this. The application needs to be publicly considered by the Planning Committee.

- Whilst requests will be accepted up to the date of application, Members should make their request and preferably within the publicity period of the case may be determined under delegated authority of the publicity period. The committee decision will depend upon when the request is received by the committee cycle.

- It would be helpful if Members can indicate the date they would like to avoid it going to Committee unnecessarily

Once completed, please email this form to the relevant Officer and the Head of Development Management