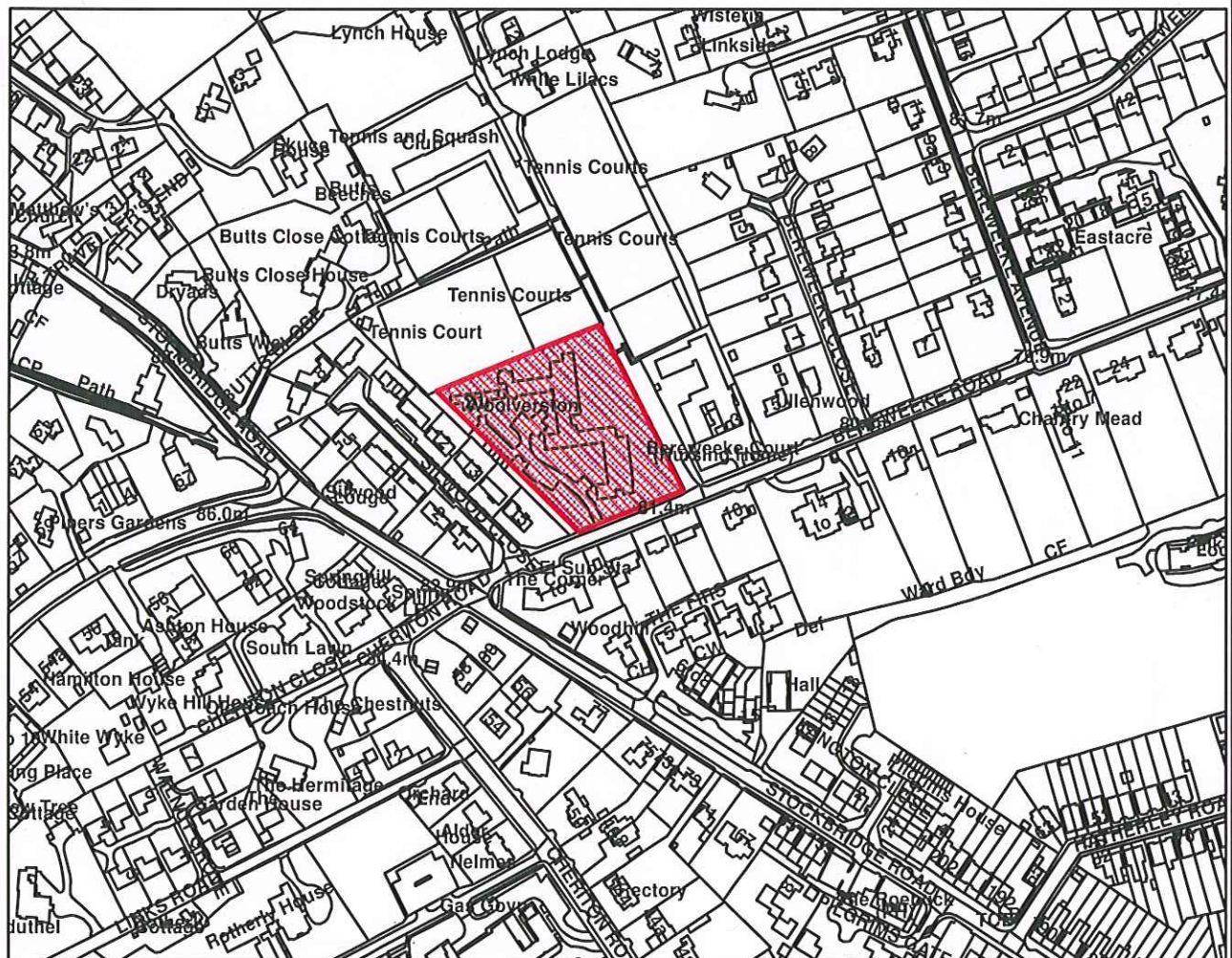




14/01682/FUL



Legend

Scale: 0 0.04 0.08 0.16 KM

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Organisation	Winchester City Council
Department	Winchester GIS
Comments	Not Set
Date	01/10/2014
MSA Number	100019531

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE AGENDA

Item No: 3
Case No: 14/01682/FUL / W03652/14
Proposal Description: Amendments to planning permission reference 13/00786/FUL comprising the addition of dormer windows to units 1 - 6 of the permitted scheme.
Address: H V H S Housing Group Woolverston Bereweeke Road
Winchester Hampshire
Parish, or Ward if within Winchester City: St Barnabas
Applicants Name: Drew Smith Group
Case Officer: Mrs Jill Lee
Date Valid: 30 July 2014
Site Factors: Contaminated Land Consultation
Southern Water Sewer Foul Drainage
Recommendation: Application Refused

General Comments

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

This application proposes an amendment to the permitted scheme by the addition of dormer windows to units 1 – 6 which effectively makes the roof voids habitable living space. Units 1 – 6 were the smaller 2 and 3 bedroom units and the conversion of the roof space could effectively create a further two bedrooms to each unit. Because the application is for the variation of planning permission 13/00786/FUL if permission was granted then it would be tantamount to granting a new permission for the entire development.

Site Description

The application site is located on the northern side of Bereweeke Road close to the junction with Silwood Close to the west and abutting the tennis club to the north and Bereweeke Court nursing home to the east. On the opposite side of Bereweeke Road to the south are detached residential properties.

The site was previously occupied by a property known as Woolverston which comprises 46 studio and one bedroom flats and a pair of semi detached bungalows which offered warden accommodation associated with the flats. The main building on the site is a large 2 and 3 storey brick built block with a pitched roof. These buildings have now been demolished.

The site area comprises some 1.98 acres and has its access onto Bereweeke Road. The site is at a higher level than Bereweeke Road and is open to views from the road as much of the vegetation which previously effectively screened the site has been removed. The site is not flat and the levels rise towards the tennis courts to the north. There are significant trees to the boundaries of the site some of which are TPO'd and which are important within the street scene and contribute to the character and appearance of the area.

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The character of the area is defined by residential dwellings with significant trees and vegetation to the roadside boundaries; properties generally front the street and are set in generous plots.

There is an attractive brick and flint wall to the boundary with Bereweek Road.

Proposal

It is proposed to amend the permitted scheme by adding dormer window to units 1 - 6 to allow the roof space to be utilised. The dormer windows will be front and rear on all units and additionally one on the side of plot 4.

Relevant Planning History

13/00786/FUL - (AMENDED PLANS 12.11.2013) Demolition of the existing buildings and erection of 11 no. dwellings (comprising of 2 no. two bed, 4 no. three bed, 1 no. five bed, 3 no. six bed and 1 no. seven bed dwellings) with associated garaging and landscaping. Application Permitted 17th January 2014

14/00612/NMA - Addition of 2 no. dormer to units 1, 3 and 6; Addition of 3 no. dormers to units 4 and 5; Addition of 1 no. dormer to unit 2. NMA rejected the proposed amendments to plots 1 - 6 by insertion of dormer windows materially affects the external appearance of the development and cannot be accepted as a non material minor amendment.

Consultations

None required.

Representations:

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

Councillor Anne Weir

Given the history of the redevelopment of this site I would ask for this application to be taken to Planning Committee for a decision. Essentially the proposed changes from the permission granted earlier this year appear to conflict with Policy CP2 (Housing Provision and Mix) which requires new residential developments to meet a range of community housing needs and deliver a wide choice of homes. The increase in capacity of the 6 smaller houses on this site to potentially 4 and 5 bed homes would remove the required 2 and 3 bed provision required under CP2. I think it is important that Planning Committee has the opportunity to review the development and the implications of this application for undertakings previously given by the developer.

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

- Higher of number of residents on the site more activity adverse impact on highways and amenity
- Increased traffic from additional floor space
- Scheme will not comply with policy CP2
- Likely not to be family homes but sub divided

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- Using roof space will impact on ability to achieve Code Level 5
- Should pay affordable housing now there will be more residents
- Insufficient car parking
- Increased hard surfacing

1 letters of support received with no reasons given.

1 letter of comment only, concern over hours of operation.

Relevant Planning Policy:

Winchester District Local Plan Review

DP3

Winchester Local Plan Part 1 – Joint Core Strategy

CP2

National Planning Policy Guidance/Statements:

National Planning Policy Framework

Planning Considerations:

Principle of development

The application site is located within the settlement boundary of Winchester where there is a presumption in favour of residential development subject to normal development management criteria. The principle of the residential development on the site was accepted when planning application reference 13/00786/FUL was permitted at committee on 9 January 2014. At the time the application was permitted it was in accordance with the policies of the development plan including CP2 which sets out the requirement for all new developments to provide a majority of two and three bedroom houses. The approved scheme had 6 out of the 11 dwellings being two and three bedrooms and so was in accordance with the policy.

This application is for a variation to this planning permission and so amounts to reconsidering the entire development afresh. The existing planning permission was granted in January of this year and since this time there has been no change in policy and so the principle of the residential development on the site is still acceptable. Neither has there been any significant changes in the neighbouring uses, gardens, access and so all of these matters are still acceptable as they were when consent was granted. The only relevant change is the introduction of the Community Infrastructure Levy (CIL). The additional floor space to be created through the use of the roof space for habitable accommodation would be CIL liable and the necessary letters have been issued to the agent.

Although the floor plan indicates the use of the roof space will be flexible habitable space, a recent request to deal with this change as a non maternity minor amendment to the consent scheme was refused. The application for the dormer windows clearly indicates that the created space could be used to provide at least two bedrooms and bathrooms to each dwelling making all of the proposed smaller dwellings 5 bedroom properties. This would result in a scheme which would not be in compliance with policy CP2 of the adopted Local Plan. The applicant argues that they will use permitted development rights to implement the dormers in any case should permission be refused but this is not necessarily a correct assumption. The dwellings have to be built in accordance with the

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approved plans and there are indications such as a highway to the front and to the rear of the site which may mean that the dormers would not be permitted development in any case. It is open to the applicant to submit a Lawful Development Proposed Development application. Condition 18 on planning permission reference 13/00786/FUL requires the development to be carried out in accordance with the approved plans and lists them for the avoidance of doubt. Legal advice has been sought and an opinion given that if they wish to exercise their right to use permitted development rights they cannot do so until they have completed the proposal fully in accordance with the approved plans. If they intend to create a new floor space within the roof this will need permission otherwise the houses will not be built in accordance with the plans and this would also be in breach of condition 18 and not in accordance with the description of the development. Whilst the overall principle of residential development on the site is still acceptable to make all of the smaller dwellings into 5 bedroom dwellings is unacceptable as the resulting development would not be in compliance with policy CP2.

Design/layout

The design is amended only by the addition of dormer windows. These are not unacceptable in their own right and have been designed to fit with the proposed architecture within the site. There are dormer windows approved on plots 7 – 11 and so the principle of using dormers on this site is established.

The design of the dwellings overall is still acceptable and subject to the same policy and site considerations as the earlier consent which is still extant.

Impact on character of area and neighbouring property

There is no impact on the character of the area or neighbouring property as the dormers to the front look into the site and those to the rear look toward the access road to the tennis and squash club with the nursing home beyond.

The impacts of the other plots on neighbours and the character of the area has already been assessed as acceptable and there have been no material changes to warrant taking a different view on these matters.

Highways/Parking

Plots 1 – 6 would all be five bedroom dwellings which would require 3 car parking spaces. The approved layout allows for 3 cars to park on each plot although in some cases this would require 3 cars to be parked in tandem which is not an ideal situation but in the view of the highway officer could not constitute a reason for refusal.

The other parking and highways arrangements within the site are to remain the same and have been deemed to be acceptable.

Conclusion.

The existing planning permission reference 13/00786/FUL has established that the principle of the development on the site is acceptable and the only change is the utilisation of the roof space on units 1 – 6. These were the smaller 2 and 3 bedroom units on the original scheme making the mix acceptable and compliant with policy CP2 (LPP1).

Although the accommodation has been labelled as flexible habitable space a previous non material minor amendment has already been refused for exactly the same space which was laid out as two additional bedrooms with bathrooms. It is clear that this space is large enough to provide two additional bedrooms and will be served by permanent stairs and windows and this could result in the smallest dwelling on the site being 5 bedrooms which would be contrary to CP2 and provide development that would fail to meet housing needs.

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Recommendation

Application Refused for the following reason:

1 The proposed development would be contrary to policy CP2 of the Winchester District Local Plan Part 1 - Joint Core Strategy in that the site would fail to provide a mix of dwelling sizes and no overriding justification has been put forward to support this approach. The development would therefore be detrimental to the amenities of the area by failing to reflect the need for smaller dwellings.

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.

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

Winchester District Local Plan Part 1 - Joint Core Strategy: CP2
Winchester District Local Plan Review 2006: DP3

Jacky Wilson

From: Cllr Anne Weir
Sent: 10 September 2014 12:55
To: Jill Lee
Cc: Cllr Martin Tod; Anne Weir
Subject: Planning ref 14/01682/FUL Woolverston

Dear Jill,

Given the history of the redevelopment of this site I would ask for this application to be taken to Planning Committee for a decision. Essentially the proposed changes from the permission granted earlier this year appear to conflict with Policy CP2 (Housing Provision and Mix) which requires new residential developments to meet a range of community housing needs and deliver a wide choice of homes.

The increase in capacity of the 6 smaller houses on this site to potentially 4 and 5 bed homes would remove the required 2 and 3 bed provision required under CP2.

I think it is important that Planning Committee has the opportunity to review the development and the implications of this application for undertakings previously given by the developer.

Kind regards

Anne Weir

Cllr Anne Weir
Ward Member for St Barnabas

07/10/2014