

7 - 9 Gordon Avenue, Winchester, Hampshire. SO23 0QE

16/00258/FUL



Legend

Scale: 0 0.0125 0.025 0.05 KM

Organisation	^Organisation
Department	^Department
Comments	^Comments
Date	13/05/2016
MSA Number	^MSA Number

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE AGENDA

Item No: 05
Case No: 16/00258/FUL / W24433
Proposal Description: Conversion of existing mixed A1 and C3 buildings with single and two storey rear and side extensions and adaptations to form 6No. One bedroom apartments
Address: 7 - 9 Gordon Avenue Winchester Hampshire SO23 0QE
Parish, or Ward if within Winchester City: St Michael
Applicants Name: Polystar Plastics (Holdings) Ltd
Case Officer: Mrs Megan Osborn
Date Valid: 10 February 2016
Recommendation: Application Permitted

General Comments

This application is reported to Committee because of the number of representations received contrary to the recommendation.

Site Description

7-9 Gordon Avenue is located within the city of Winchester in the area of Highcliffe. This is a corner plot with no. 7 on the corner and no. 9 fronting onto Gordon Avenue. The building was used as a news agent and residential (mixed A1 and A3), however the use has ceased.

The side of the building fronts Nelson Road with a wall running along the side boundary and a garden to the rear. There is a walkway to the east of the building between no.9 and no.11 Gordon Avenue that provides access for bins for houses 11-19 Gordon Avenue.

Proposal

The proposal is to convert the existing building from the existing use A1 and A3 mixed use to just A3 (residential) to provide 6 one bedroom flats.

Relevant Planning History

None

Consultations

Engineers: Drainage:
No objections

Engineers: Highways:
No objections

Southern Water:
No objections

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Representations:

City of Winchester Trust: Neither objects or supports the application. The Trust has no comment to make on the building design. It noted that neighbours were concerned about parking but also that the Highways Engineer had concluded, on the basis of a survey, whose methodology is questioned by neighbours, that parking requirements for the proposed development could be accommodated within the existing public highway space. It will be up to the Planning Department to review the issue and assess the legitimacy of the concerns.

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

- Parking is an issue in this area and the additional flats will add to this.
- The use of this building as flats is out of keeping with the character of the area.
- The proposed flats do not comply with the National Space standards policy.
- This is overdevelopment of the site.
- The side extension would result in an overbearing and overshadowing effect on the side window of no. 11 Gordon Avenue.

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

- A smoking area is possible to the rear of the house which would effect the enjoyment of the surrounding gardens and dwellings.
- As this is flats the bins would never be taken out and this would result in an environmental health issue.

Relevant Planning Policy:

Winchester District Local Plan Review
DP3, DP3, T4, H3

Winchester Local Plan Part 1 – Joint Core Strategy
MTRA1, DS1, CP2, CP3, CP10, and CP13

National Planning Policy Guidance/Statements:
National Planning Policy Framework

Other Planning guidance
Movement, Access, Streets and Spaces
Parking Standards 2002

Planning Considerations

Principle of development

The site is located within the built up area of Winchester, where the principle of development for housing is considered acceptable.

Policy CP2 of the Local Plan Part 1 considers housing mix and introduces a more flexible approach to it, moving away from the previous Local Plan requirement for 50% of the dwellings to be 1 or 2 bed. The policy requires that there should be a majority of 2 & 3 bed dwellings, unless local circumstances indicate an alternative approach should be taken. This application proposes 6 x one bedroom flats. The agent has submitted

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justification detailing that there is a high demand within the city of Winchester for one bedroom flats. This is mirrored in a recent decision made on Bridge Street for 5 x one bedroom flats. It is therefore considered that given the current local circumstances in Winchester and based on the evidence provided that it is considered acceptable in this case to have a housing mix of 6 x one bedroom dwellings on this site.

The National Space Standards are optional standards that Council can adopt if justified by evidence, though a Local Plan policy. They do not form part of Building Regulations. Winchester City Council do not currently have any adopted internal space standards, therefore the size of the proposed flats is acceptable under current planning policy.

Condition CP11 doesn't apply to small scale conversions such as this and therefore the proposed scheme is acceptable in relation to this policy.

Impact on character of area and neighbouring property

The only external alterations proposed as part of this application are a single storey side extension to the east of the building and a two storey rear extension with a dormer window. The neighbouring property has a very similar extension in terms of design and scale and therefore it is considered that these extensions would not impact on the character of the surrounding area.

The proposed two storey extension is approx. 1.5m from the side boundary with the walkway that runs between the houses no.9 and 11 Gordon Avenue with a total distance of 2.5m to the side boundary with no.11 Gordon Avenue. Therefore, given the distance between the dwelling and the location of the proposed extension in relation to the neighbouring property it is considered that this would not result in any overbearing or overshadowing harm to this property. There is a window proposed on the rear elevation of the two storey extension that looks towards the side elevation of no.30 Nelson Road, however it is considered that this would not result in a harmful level of overlooking that is not expected in a residential area such as this.

The proposed single storey side extension infills a small section of the side return on the eastern side of the building. A gap of approx. 1m remains between the extension and the side of the extension at no.11 Gordon Avenue. Although it is acknowledged that there would be some effect on the neighbouring property to the east (11 Gordon Avenue), in terms of loss of light and overbearing to their kitchen window, this is a single storey extension and the height to the eaves is approx. 2.5m (a wall of 2m is permitted development). No further windows could be built on the eastern elevation of this development (condition 3).

Highways/Parking

The proposal is supported with a transport statement that sets out the highway implication of the development. The site is located within Highcliff, which is a residential neighbourhood close to Winchester Town Centre, with its various facilities and services. The site is also located close to a number of public transport services, which makes the use of a car less essential. The proposals do not include provision for off site car parking and is reliant on space within the public highway to accommodate any parking demand. The Traffic Survey includes the results of a parking survey that has been undertaken at a number of days and times, to ascertain the capacity of parking on the highway. It concludes that such demand for parking from this development can be accommodated within the existing public highway, where parking is not controlled through permits.

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There are a number of appeal decisions that have sided with applicants who can demonstrate that spare on street capacity exists to accommodate parking needs of development. Therefore the highways engineer finds the data supplied to be relevant and acceptable.

With regard to secure and undercover cycle parking, this is being provided through way of lockable individual stores, which is in accordance with Policy. The application is therefore acceptable from a highway point of view.

Affordable Housing

A full Open Book Appraisal that charts the viability of the development proposal has been submitted and has been considered.

The viability report concludes that an off site contribution of £328,800 should be paid. The viability report has been considered by an External Valuer on behalf of the Head of Estates who agrees with the submitted viability assessment.

Planning Obligations/Agreements

In seeking the planning obligation(s) and/or financial contributions for affordable housing contribution, 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 Permitted subject to a legal agreement and the following condition(s):

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

Conditions

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

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

02 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

02 Reason: To ensure a satisfactory visual relationship between the new development and the existing.

03 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking and re-enacting that order, with or without modification), no windows or doors other than those expressly authorised by this permission shall, at any time, be constructed in the east elevation(s) of development hereby permitted.

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

Informatives:

01 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 updated of any issues after the initial site visit.

02 This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

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

Local Plan Part 1 - Joint Core Strategy: MTRA1, DS1, CP2, CP3, CP10, and CP13
Winchester District Local Plan Review 2006: DP3, DP4, T4, H3

04 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.

05 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.

06 A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH Tel 01962 858688 or www.southernwater.co.uk.

07 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.

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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.