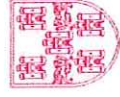
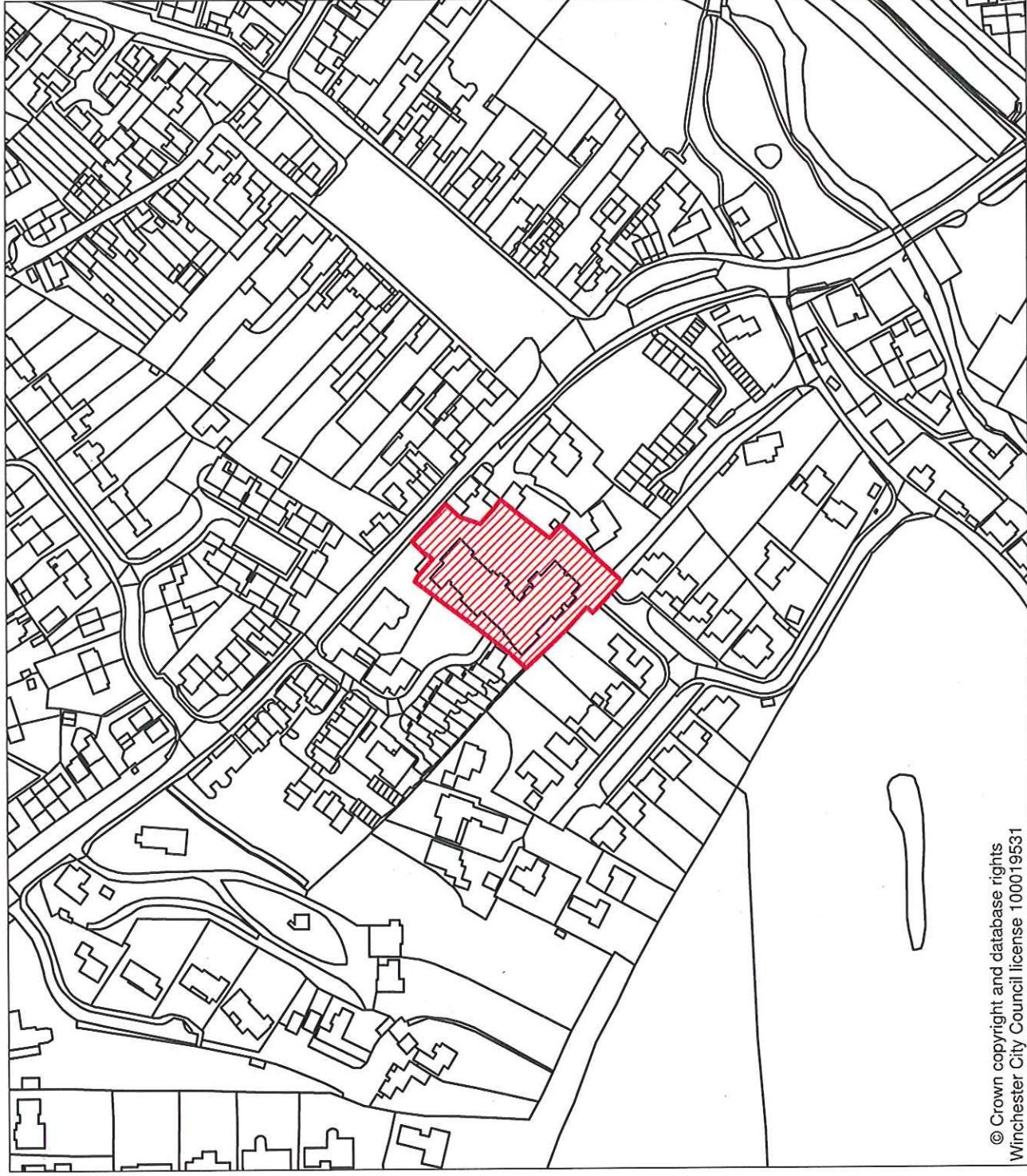


Wykeham Court, Winchester Road, Wickham, Hampshire.

16/01048/FUL



Winchester  
City Council



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## Legend

Scale: 0 0.0275 0.055 0.11 KM

Organisation	^Organisation
Department	^Department
Comments	^Comments
Date	26/07/2016
MSA Number	^MSA Number



**Item No:** 05  
**Case No:** 16/01048/FUL / WPP-05120302  
**Proposal Description:** Removal of condition 26 of 13/00212/FUL pedestrian access.  
**Address:** Wykeham Court Winchester Road Wickham Hampshire  
**Parish, or Ward if within Winchester City:** Wickham  
**Applicants Name:** McCarthy & Stone Retirement Lifestyles Ltd (Mr Shane Paull)  
**Case Officer:** Richard Palmer  
**Date Valid:** 13 May 2016

**Recommendation:** Application Refused

#### **General Comments**

This application is reported to Committee because of the number of supporting letters and objection letters received.

#### **Site Description**

Wykeham Court is a retirement home complex which was recently completed and is now predominantly occupied by residents. It has vehicle and pedestrian access from Winchester Road and is a short distance to the Square in Wickham. The site was previously occupied by Wickham Laboratories Ltd.

The site is within the Conservation Area.

Tanfield Park is to the rear/south of the site and comprises of a mixture of bungalows and houses. As agreed via the 2013 planning permission, there is a locked pedestrian access gate which leads from Wykeham Court onto Tanfield Park, which currently is to be used by refuse collectors and for emergency access for the Fire Service.

#### **Proposal**

The applicant has requested that the access is allowed to be used by residents of Wykeham Court and their visitors to allow pedestrian access through to Tanfield Park. This will still be controlled by a security lock. Thus they have requested relief from condition 26 of the original consent.

(NB. The applicants have also requested amendments to the S106 agreement which also controlled the access to Tanfield Park).

#### **Relevant Planning History**

**13/00212/FUL** – Demolition of structures on site and redevelopment to form 31 retirement apartments with communal facilities and associated landscaping and car parking.

Condition 26 read: **There shall be no pedestrian access through or from the site to Tanfield Park.**

**Reason:** The site is not considered suitable for pedestrian access in the interests of highway safety.

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There was also a S106 Agreement covering various elements of the proposed development and use. Section 4 in the Schedule is relevant and is repeated below:

**4. Access from Tanfield Park**

**4.1 (The owners covenant with the Council as follows) not to Occupy or permit the Occupation of any Dwelling until a gate has been constructed in the position shown for the purposes of indication only on the Plan or such other position as is approved by the Council in writing (such approval not to be unreasonably withheld or delayed) ("the Gate).**

**4.2 to thereafter maintain the Gate and, unless otherwise agreed in writing with the Council, to ensure that the Gate remains locked at all times save:**

**4.2.1 for the purposes of allowing access to the development by refuse collection vehicles equipment and/or personnel;**

**4.2.2 in case of emergency;**

**4.2.3 for any other purposes as may be approved in writing by the Council (any such approval not to be unreasonably withheld or delayed).**

**Consultations**

Engineers: Highways: - Objection due to potential increase in vehicle using and parking in Tanfield Park leading to highway safety issues.

**Representations:**

**Wickham Parish Council**

- Objection. The planning condition preventing pedestrian access to Tanfield Lane is required to discourage residents of the new development and their visitors from parking in Tanfield Park. The Parish Council raised this concern at the planning stage due to the inadequate onsite parking provision proposed by McCarthy & Stone. It is clear that there is insufficient parking and this should not be resolved to the detriment of residents of the surrounding roads. The applicant has cited the need for a safer access to Wickham Square for mobility scooters, the pavement route via Tanfield Park is unsafe and inadequate for these vehicles and the development and highways improvements were planned for residents to use Winchester Road to access local services.

**Councillor Mrs A. Clear**

- Objects as this will lead to extra car parking in Tanfield Park to the detriment of residents in Tanfield Park. The gate is already being used by Wykeham Court residents, although this is unauthorised. It was stipulated from the start that the only access is for refuse collectors and emergency use. It is not the best route for elderly pedestrians and scooters to reach the Square and there is no pavement in Tanfield Lane and this is quite dangerous.

**Wykeham Court Residents Association**

- (i) Parking at Wykeham Court is adequate for residents;
- (ii) Most residents do not own cars;
- (iii) Tanfield Park is a public highway where anyone can park;
- (iv) Perhaps double yellow lines will solve the concern that visitors/residents will start parking in Tanfield Park;



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- (v) It is unjust that Wykeham Court residents are denied access to a public highway .

**Public Comments**

There have been 13 letters from 12 households in support of the application and 23 letters from 19 households against.

**Summary of comments in support:**

- (i) The pavement in Winchester Road to the Square is a narrow strip where on the carriageway lorries travel at speed within inches;
- (ii) Large vehicles have been seen to mount the pavement in Winchester Rd;
- (iii) There is slipstream caused by vehicles making it unsafe for people using sticks/frames;
- (iv) Walking on this narrow pavement make us feel vulnerable;
- (v) There is no pavement on the opposite side of Winchester Rd;
- (vi) What harm is there to use the rear gate to go for a quiet walk;
- (vii) Additional housing planned further up Winchester Rd will increase traffic in Winchester Rd;
- (viii) There is a preference to use our buggies via Tanfield Park and the quieter lane with slow moving traffic and then to the centre;
- (ix) It will also allow easier access to the golf course and bridleways;
- (x) We are all peaceful, elderly people and the removal of the restriction would not impinge on the amenities of Tanfield Park neighbours;
- (xi) The gates will be controlled by a key-fob system available only to residents and therefore not open to abuse by others.

**Summary of comments against:**

- (i) By allowing the gate to be unlocked will mean that parking will increase by the use of vehicles parked by Wykeham Court residents, their visitors and delivery vehicles. Tanfield Park will become an overflow car park. Additional pedestrian and mobile scooters will use this route. This will lead to greater disturbance to the occupiers of Tanfield Park, a quiet residential area;
- (ii) This is a bid to allow Wykeham Court residents to park their vehicles in Tanfield Park to the general disturbance of residents in this quite cul-de-sac;
- (iii) Extra parking of vehicles in the cul-de-sac will lead to an untenable situation where residents will face restricted access to their own properties;
- (iv) When Wykeham Court was being built, many traders vehicles parked in Tanfield Park to the disturbance of residents;
- (v) The pavement/footpath crosses over the front gardens in Tanfield Park, and increased use will lead to disturbance;
- (vi) Part of the footway/pavement is overgrown by hedgerows requiring pedestrians to use the road;
- (vii) Refuse collections have been taking place via the Winchester Rd access;
- (viii) Tanfield Lane is narrow with no footpath. Lorries use this lane. Using this route to the Square will not be safer;
- (ix) There are regular traffic hold-ups on Tanfield Lane;
- (x) Increased traffic to Tanfield Park will have a negative impact on Tanfield Lane impacting on highway safety;
- (xi) Many residents of Tanfield Park park their own cars and their visitors in the cul-de-sac and it is often difficult to find a place to park;
- (xii) Tanfield Park is already used as an overflow carpark by workers in Wickham;
- (xiii) The £250 fee charged by McCarthy & Stone for Wykeham Court residents to

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- park there must be discouraging;
- (xiv) By allowing access via this gate, could lead to security/crime issues;
  - (xv) McCarthy & Stone knew the situation of building 31 flats with 21 car park spaces;
  - (xvi) There have not been traffic calming measures in Winchester Street as promised by McCarthy & Stone;
  - (xvii) McCarthy & Stone are shirking their responsibilities to improve conditions for their residents;
  - (xviii) McCarthy & Stone were fully aware that there was to be no public access at the consultation stage and then later by planning condition and legal agreement;
  - (xix) Parking permits are available in Wickham Square, a short distance away for residents.

**Relevant Planning Policy:**

Winchester District Local Plan Review  
Policies DP3 and T2

Local Plan Part 2  
Policy DM17

National Planning Policy Guidance/Statements: National Planning Policy Framework

**Planning Considerations**

Principle of development

It is considered that policies DP3 (general) and T2 (access) of Winchester District Local Plan Review are relevant to the assessment of the proposal. In addition emerging policy DM17 of the LPP2 is relevant. These policies aim to control developments to ensure highway safety and minimise disturbance to adjoining land and properties.

In considering the proposed development of the retirement homes (2013/00212/FUL refers), it was decided that the amenities of the residents in Tanfield Park should be safeguarded and disturbance minimised by controlling access to and from the proposed Wykeham Court residential complex to that only by refuse collections and for any emergency reason. This was controlled via planning condition 26 and also via a clause (4) in the S106 Agreement.

Now that residents are occupying Wykeham Court, the applicants are requesting that pedestrian access for residents only is allowed via Tanfield Park. The reasons are to allow pedestrians and mobility scooters access via Tanfield Park and Tanfield Lane to the countryside and as an alternative route to the Village Square, and the associated shops and businesses. This route will avoid the only available option, which is via Winchester Road, which has a section of narrow pavement and is a busy route used by lorries etc.

It should be noted that the S106 agreement and also the S278 Highways agreement required safety improvements to a length of Winchester Road, which when completed should improve upon the current experience and safety when walking along the route from the site to the Square.

Impact on character of area and neighbouring property



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Whilst Tanfield Park is a public highway, where anyone can legally park, it is a cul-de-sac and as such has a quieter ambience, compared to a through residential road. It is considered that this amenity will be demonstrably harmed if pedestrian access is allowed because it is likely to result in extra vehicle traffic entering and parking in Tanfield Park. This vehicle traffic would occur either by Wykeham Court residents parking in Tanfield Park (avoiding the on-site parking fee imposed by McCarthy and Stone), by visitors to Wykeham Park residents parking their vehicles, and also by trade and delivery vehicles using Tanfield Park as a preferred access route. The use of a key-fob to control entry to that of Wykeham residents only, would not overcome the prospect of residents or their visitors parking in the cul-de-sac as the key-fob could be shared. Also deliveries could still occur via the access, where residents could collect their goods at the gate. The increase in traffic in the cul-de-sac would lead to highway safety issues.

The improvements to Winchester Road are still to take place which should improve the pedestrian through-route to the Square and the experience of Wykeham Court residents

In this regard it is considered that this application should be refused for reasons of protecting the amenities of residents of Tanfield Park and for highway safety.

### **Recommendation**

Application Refused subject to the following reason:

01 Tanfield Park is a cul-de-sac which presently has a quiet residential character that is not impinged by high levels of traffic or heavily pedestrianised. It is considered that the use of the presently restricted pedestrian gateway by the occupiers of the 31 residential flats at Wykeham Court is likely to give rise to increase vehicle activity and parking by them and their visitors which will be to the detriment of the existing amenities of the residents in Tanfield Park though increase noise and disturbance. Furthermore, the increased vehicle activity will lead to a higher risk to highway safety to the detriment of road users. As such the proposed development is considered to be contrary to policies DP3 and T2 of the Winchester District Local Plan Review 2006 and policy DM17 of the Winchester District Local Plan Part 2.

### **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.

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

Winchester District Local Plan Review (WDLPR):

DP3, T2

Local Plan Part 2:

Policy DM17

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03 In considering the relevance of these policies and how the proposed development satisfies them the Council has identified the main issues to be whether the scheme is acceptable in terms of traffic generation and impact on neighbouring land and amenities. These issues are in the Council's consideration have not been satisfactorily addressed by the proposed development because it would:-

- (a) be detrimental to the existing amenities of local residents;
- (b) become a highway safety consideration.