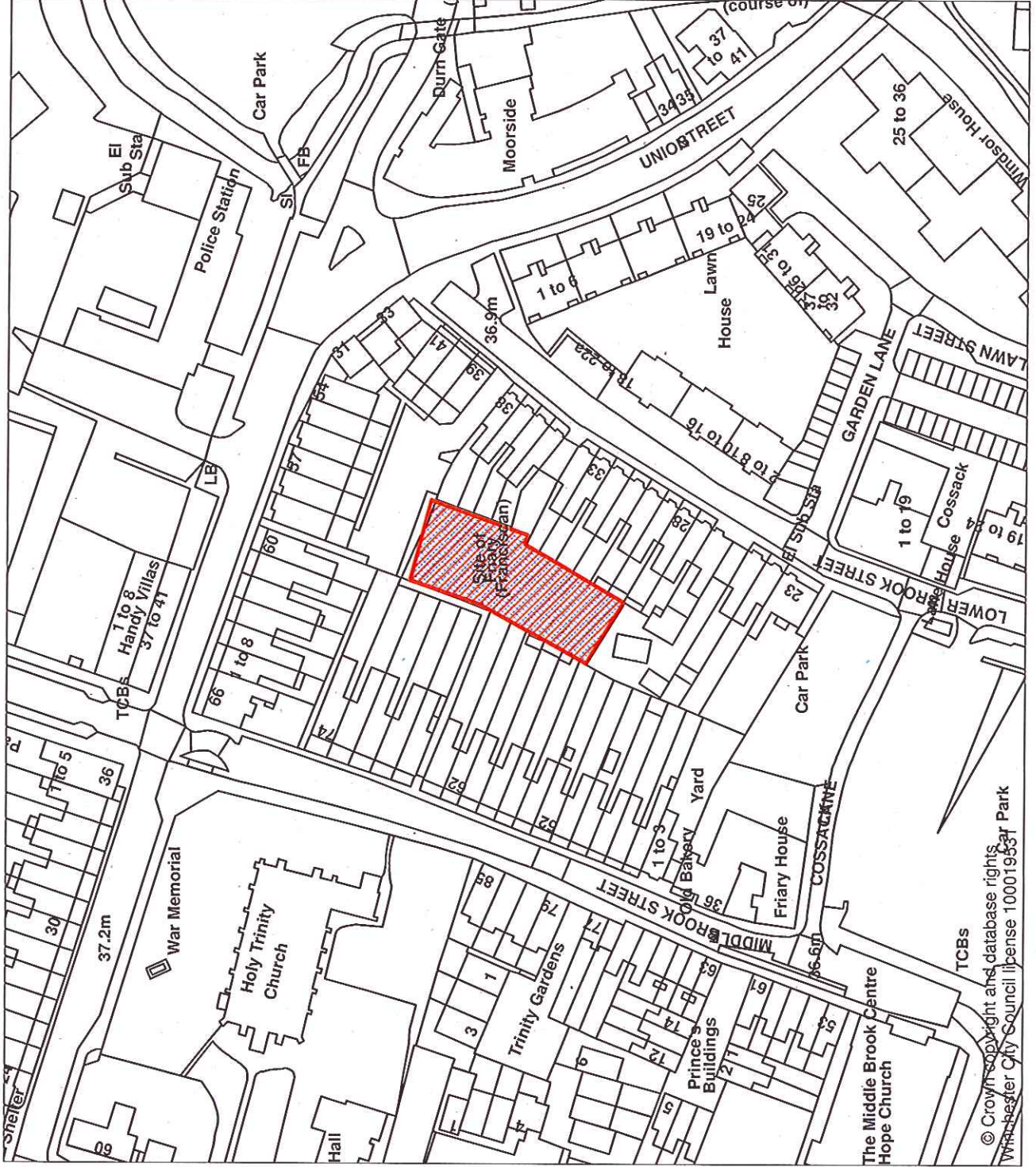


# Fire Station and Premises, North Walls, Winchester, SO23 8DP

16/03224/FUL



Winchester  
City Council



## Legend

Scale: 0 0.0125 0.025 0.05 KM

Organisation	Winchester City Council
Department	Winchester GIS
Comments	1:1250
Date	10/03/2017
PSMA Number	100019531



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**Item No:** 08  
**Case No:** 16/03224/FUL  
**Proposal Description:** Erection of 1 dwelling together with associated car parking, landscaping and access (AMENDED DESCRIPTION)  
(AMENDED PLANS RECEIVED 22.2.17)  
**Address:** Fire Station And Premises North Walls Winchester SO23 8DP  
**Parish, or Ward if within Winchester City:** St Michael  
**Applicants Name:** Mr & Mrs Price  
**Case Officer:** Mrs Katie Nethersole  
**Date Valid:** 25 November 2016  
**Site Factors:** Winchester Conservation Area:  
Air Quality Management Area  
Article 4 Direction  
Civil Aviation  
Contaminated Land Consultation  
**Recommendation:** Application Permitted

**General Comments**

This application is reported to Committee because of the number of objections received

Amended plans were received on 22<sup>nd</sup> February to alter the layout so that it provides one single dwelling rather than two attached dwellings.

Previous planning permission ref 14/00227/FUL was given for the redevelopment of the site including the old Fire Station and the former Faberlux Yard.

**Site Description**

The application site is located within the settlement boundary of Winchester and is located between the rear gardens of terraced properties on Lower Brook Street and Middle Brook Street. This site was formally known as Faberlux Yard and was part of a previous redevelopment of the Fire Station under planning reference 14/00227/FUL. The original scheme proposed three single storey bungalows on this part of the site. The rest of the site has been constructed and occupied but this part of the site has not been developed; largely because it was used during construction as the area for siting the contractors parking and site materials.

Currently the site is vacant and enclosed by close boarded fencing on all sides with rear gardens of terraced properties in Lower Brook Street and Middle Brook Street to the east and west of the site. The site is flat and level and is largely screened from public views due to its location.

The site is situated within the Winchester Conservation Area.

The surrounding area is largely characterised by terraced Victorian properties with rear gardens, however the new development fronting North Walls consists of town houses.

The access from Lower Brook Street that currently gives access to the car parking for the

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new houses along North Wall will be utilised for the proposed dwelling. This will lead to the proposed car parking to the front of the site.

### **Proposal**

The proposal was originally for two single storey dwellings however amended plans have been submitted to alter the internal layout so that only one dwelling is proposed. The design of the dwelling is contemporary and modern in style with the use of materials such as timber cladding, brick, zinc and sedum roofs.

The dwelling would be accessed from the existing access off Lower Brook Street which currently leads to the car parking for the new houses on North Walls. It is proposed to have three car parking spaces provided to the front of the site; one for the resident, one for disabled use and one for a visiting carer.

The proposed dwelling would be sited approximately 14 metres to the rear of the properties in Lower Brook Street and approximately 26 metres from the rear of the properties in Middle Brook Street. There would be a distance of approximately 18 metres from the front of the proposed dwelling to the rear of the new properties on North Walls. To the rear of the proposed dwelling is a public car park.

The site area is 0.50 hectares and the density is therefore 2dph.

### **Relevant Planning History**

11/02637/FUL - Demolition of existing buildings and structures and replace with a development of 17 no. two bedroom and 30 no. one bedroom apartments (28 open market and 19 affordable housing) with associated parking, access and landscaping. WDN 22nd March 2012.

11/02665/LBC - Demolition of existing buildings and structures and replace with a development of 17 no. two bedroom and 30 no. one bedroom apartments (28 open market and 19 affordable housing) with associated parking, access and landscaping. WDN 22nd March 2012.

14/00227/FUL - Demolition of existing building(s) and redevelopment comprising 6no. four bedroom dwellings, 6no. three bedroom dwellings and 4no. two bedroom dwellings with associated parking, bicycle store, garden sheds, landscaping and access via lower brook street. PER 5th December 2014.

### **Consultations**

Engineers: Drainage: Site is in a flood zone 2/3 so a FRA is required which has been provided under the previous permission. The building and access points will be raised above the typical flood level so there are no concerns regarding this. Condition 4 requires the development to be implemented in accordance with the FRA and condition 5 requires details of the disposal of foul and surface water.

Engineers: Highways: Adequate car and cycle provision is proposed and therefore there are no highway objections to the proposal.



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Historic Environment: The overall impact of the development on the character and appearance of the Conservation Area will be limited. Conditions 14 and 15 are recommended to seek further details regarding materials and joinery details.

Head of Landscape: The proposals create valuable and interesting private spaces and the proposed green roofs are welcomed. Further details need in terms of hard landscape treatments, boundary treatments and soft landscape plans, Condition 8 and 9 are recommended.

Environment Agency: No objection in principle however condition 3 is proposed to ensure that the development does not pose an unacceptable risk to the environment.

Southern Water: No objections

Urban Design: Proposal fails to comply with policy and High Quality Places SPD due to the lack of an active frontage, the potential for overbearing from the second storey elements and the parking provided being unnecessary for its location.

**Representations:**

City of Winchester Trust: Objects on the basis that proposal would adversely impact the amenity of neighbouring properties

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

- Overdevelopment
- Design not in keeping with Conservation Area
- Impact on neighbouring amenity
- Loss of privacy
- Loss of light

1 letter of support received.

- Design is innovative

**Relevant Planning Policy:**

Winchester District Local Plan Review  
DP3, H3

Winchester Local Plan Part 1 – Joint Core Strategy  
MTRA1, CP2, CP11, CP13, CP14, CP20

Winchester Local Plan Part 2 – Development Management and Site Allocations  
WIN1, DM1, DM2, DM16, DM17, DM18, DM27

National Planning Policy Guidance/Statements:  
National Planning Policy Framework

Supplementary Planning Guidance  
SPD – High Quality Places

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**Planning Considerations**

Principle of development

The site is located within the city centre of Winchester and therefore the presumption is in favour of development. Policies H3, WIN1 and DM1 allow for new residential development within the settlement boundary of Winchester provided it accords with the Development Plan.

DP3 supports new development provided that it responds positively to the character and appearance of the area and does not have an adverse impact on adjoining uses or property. It is considered that although the design does not reflect the character of the surrounding area it does not result in an unacceptable level of harm to the neighbouring amenities.

CP2 seeks to ensure that there is a range of dwelling types with the majority being 2 and 3 bedrooms; however as the development is for a single dwelling this mix does not apply. The policy allows for a range of housing needs including specialist accommodation for disabled persons. This proposal is for a single dwelling to consist of specialist accommodation suitable for the applicant's disabled son.

The design of the dwelling is considered to be high quality using contemporary materials and innovative design to make the best use of the site in accordance with the criteria of policies CP13 and DM16.

The site is located within the Winchester Conservation Area and therefore the development should seek to enhance and conserve the historic environment in compliance with policy CP20. It is considered that the impact of the development upon the character and appearance of the Conservation Area would be limited.

The introduction of the two storey elements is considered to be acceptable in this urban context and will not create an unacceptable adverse impact on the adjoining neighbours in compliance with the requirements of policy DM17.

Design/layout

The design of the proposed dwelling is contemporary with the use of a mixture of materials including facing brick, timber cladding, zinc and sedum roofing. The existing access from Lower Brook Street that provides access for car parking to the new houses on North Walls will be utilised to provide access for the new dwelling.

The layout of the proposed dwelling is orientated so that impact to the neighbouring properties in Lower Brook Street and Middle Brook Street is minimised. The siting of the dwelling is dictated by its position between rear gardens of the neighbouring properties. The use of this site for residential has already been accepted in the previously consented 3 units. It is considered that the contemporary design will significantly reduce the bulk and density of the development. The form of the proposed dwelling will respond positively to the context of its central location and accords with the aspirations of the High Quality Places SPD which supports contrasting architectural forms.

Impact on character of area

The proposal is considered to have limited impact on the character of the area due to its position as a back land plot. There will be some distant views from the public car park on



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Middle Brook Street however these will be partially obscured by existing trees.

Although the site is located within the Winchester Conservation Area it is not considered to harm the character due to its location and it would not be particularly visible from the surrounding streets.

The Historic Environment officer concluded that the proposed dwelling would not have a prominent presence in the conservation area as it would not be visible from the surrounding streets. There will be some views from the public car park however this will be at some distance to the site and therefore the contribution to the wider conservation area is considered low.

Impact on neighbouring property

The proposed dwelling will have two storey elements which differ from the previously approved single storey bungalows. However the two storey elements have been positioned so that they are set away from the boundaries with the neighbouring properties to minimise their impact. Added to this there are no windows proposed in the side elevations of the two storey element so there will be no overlooking as result.

The distance between the proposed dwelling and the rear of the properties in Middle Brook Street is approximately 34 metres and between the proposed dwelling and the rear of the properties in Lower Brook Street is approximately 68 metres. The distance between the two storey element and the rear of the properties in Lower Brook Street is approximately 39 metres. The distance between the two storey element and the rear of the properties in Middle Brook Street is approximately 80 metres. It is therefore considered that the proposed dwelling would not have an overbearing impact by of loss of amenity.

The dwelling is positioned to the west of the dwellings in Lower Brook Street and therefore there will be limited loss of light to the rear gardens of these properties. The two storey elements are set away from the rear boundaries of these properties between 10 and 15 metres. The dwelling is positioned to the east of the dwellings in Middle Brook Street so there will be some shadowing to the rear of the gardens but not to an unacceptable level. This is due to the distance between the two storey elements and the boundary with these dwellings which is between 15 and 17 metres. Therefore the two storey elements are separated in excess of the minimum requirements as set out in the BRE guidance.

Details have been submitted by the agent to demonstrate that there is an acceptable distance between the proposed dwelling and the neighbouring properties to prevent unacceptable levels of harm in term of loss of light. The potential for harm on neighbouring amenities has been mitigated by setting the two storey elements away from the boundaries, reducing the overall bulk with the majority of the dwelling being kept to single storey, and selecting a mix of materials including a green roof to help it blend in with the surrounding gardens.

It is considered that the site lends itself better to one unit rather than 3 units. The development of one unit on this site will reduce the impact on the neighbouring properties, by reduced bulk, form and activity. This proposal is less intensive that the consented three units and therefore the impact will be minimised.

It is therefore considered that the proposed dwelling will not result in an unacceptable level of loss of light or privacy to the neighbouring properties.



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### Landscape/Trees

The existing site currently has limited landscaping however there is an existing mature tree to the west of the site that is outside of the red line boundary.

It is proposed to set the dwelling around courtyard style gardens which will provide the future occupants with amenity space that can function as integral to the house as well as a garden.

It is proposed to use sedum roofs to the ground floor elements which will help to ensure that the green spaces of the existing back gardens is enhanced by the proposal.

### Highways/Parking

The Highways Engineer has confirmed that adequate car and cycle parking is proposed and therefore there are no objections from a highways standpoint.

It is proposed to provide three car parking spaces; one for the resident, one disabled space and one for a visiting carer. There will also be cycle parking provided within the garage.

The access from Lower Brook Street will be utilised and this is used for access to the car parking to the rear of the new properties in North Walls.

### Conclusion

In conclusion it is considered that the proposed dwelling is acceptable in principle and has been designed in such a way to minimise the impact on neighbouring amenities. The contemporary design is one that is supported by policy and the High Quality SPD which will not have an adverse impact on the character of the area. Therefore the proposed development will not result in an unacceptable impact on the character of the area nor on neighbouring amenities.

### **Recommendation**

Application Permitted subject to the following condition(s):

### **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 development hereby approved shall be carried out in accordance with the following plans:

Drawing no P605 111 Rev P2 Proposed elevations

Drawing no P605 110 Rev P2 Proposed elevations

Drawing no P605 101 Rev P2 Proposed ground floor plan

Drawing no P605 102 Rev P2 Proposed first floor plan

Drawing no P605 103 Rev P1 Proposed roof plan

Drawing no P605 051 Rev P2 Proposed site plan

Drawing no P605 120 Rev P2 Proposed site sections



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02 Reason: In the interests of proper planning and for the avoidance of doubt

03 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) Ref: OPUS 8Ef1383/APT and dated 10 December 2013, and the following mitigation measures detailed within the FRA:

- Finished floor levels are set no lower than 37.4 metres Above Ordnance Datum (AOD) as specified within section 11.2. page 4 of the FRA

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority

03 Reason: To reduce the risk of flooding to the proposed development and future occupants

04 Detailed proposals for the disposal of foul and surface water, specifically confirmation from Southern Water that capacity exists with permission to connect for both foul and surface water, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved details shall be fully implemented before development can begin.

04 Reason: To ensure satisfactory provision of foul and surface water drainage.

05 The recommendations within section 5.1.2 of the Lindsay Carrington Ecological Appraisal dated August 2016 should be adhered to. Prior to commencement of development details of biodiversity enhancements as set out in section 5.2 of the report should be submitted to and approved in writing by the Local Planning Authority.

05 Reason: In the interests of promoting ecology

06 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be shown in relation to the proposed levels and boundary treatment shall be completed before the development is occupied. Development shall be carried out in accordance with the approved details.

06 Reason: In the interests of the visual amenities of the area and neighbour amenity.

07 The first floor windows in the north and south elevation shall be fixed and thereafter retained as such in perpetuity and no access shall be created onto the flat roofs

07 Reason: To protect the amenity and privacy of neighbouring properties

08 A detailed scheme for landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period



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of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

08 Reason: To improve the appearance of the site in the interests of visual amenity.

09 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before occupation. Development shall be carried out in accordance with the approved details.

09 Reason: In the interests of the visual amenities of the area.

10 Prior to the commencement of the development hereby permitted detailed information (in the form of SAP design stage data and a BRE water calculator) demonstrating that all homes meet the Code 4 standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these findings

10 Reason: To ensure a sustainable form of development consistent with the objectives of, The National Planning Policy Framework 2012 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

11 Prior to the occupation of the dwelling hereby permitted detailed information (in the form of SAP "as built" stage data and a BRE water calculator) demonstrating that all homes meet the Code 4 standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be occupied in accordance with these findings.

11 Reason: To ensure a sustainable form of development consistent with the objectives of, The National Planning Policy Framework 2012 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

12 No works shall commence on the development hereby approved until a full material schedule has been submitted to and approved in writing by the Local Planning Authority. The submitted schedule must specify in detail the proposed materials and methods of workmanship proposed, supplemented by labelled samples and finishes, to be agreed in writing by the Local Planning Authority prior to the relevant parts of the works commencing

12 Reason: Details are required prior to works commencing because insufficient detail was submitted with the application to preserve or enhance the character and appearance of the conservation area, in accordance with Winchester District Local Plan Review adopted 2006 saved Policy HE14; Policy CP19 & CP20 Winchester District Joint Core Strategy; NPPF Section 12.

13 No works shall commence on development hereby approved until full joinery details, at a scale of 1:5, including section/profile details where necessary and all types of finishes,



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have been submitted to and approved in writing by the Local Planning Authority. The submitted details must be referenced against the approved plans, and must show the relationship with the surrounding fabric. The works shall then proceed in strict accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority

13 Reason: Details are required prior to works commencing because insufficient detail was submitted with the application to preserve the character and appearance of the conservation area in accordance with Winchester District Local Plan Review adopted 2006 saved Policy HE14; Policy CP19 & CP20 Winchester District Joint Core Strategy; NPPF Section 12.

14 No development, or works of site preparation or clearance, shall take place until details, including plans and cross sections of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto, have been submitted to and approved in writing by the Local Planning Authority.

14 Reason: To ensure a satisfactory relationship between the new development and adjacent buildings, amenity areas and boundary treatments.

**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.

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.

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

Winchester District Local Plan Review 2006: DP3, H3  
Local Plan Part 1 – MRTA1, CP2, CP3, CP11, CP13  
Local Plan Part 2 – DM1, DM2, DM16, DM17, DM18, WIN1  
SPD - High Quality Places

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



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Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

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.

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](http://www.winchester.gov.uk).

A formal application for connection to the public sewerage system is required in order to service this development, Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk)