

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 8 November 2004

Item No: 01
Address: Land At The Sawmills Durley Hampshire

Parish/Ward Durley

Proposal Description: Erection of two storey office buildings (1038 sqm) erection of 3 No: three bedroom detached dwellings, 2 No: two bedroom semi detached dwellings and 1No: two bedroom detached dwelling, associated parking and garages and creation of new access

Applicants Name Glenbeigh Developments Ltd And The Durley Developments

Case No: 04/02263/FUL

W No: W01473/22

Case Officer: Mr George Allpress

Date Valid: 23 August 2004

Delegated or Committee: Committee Decision

Reason for Committee: The application is for a major development
Reason for Committee: 4 or more representations contrary to the Officer's recommendations have been received

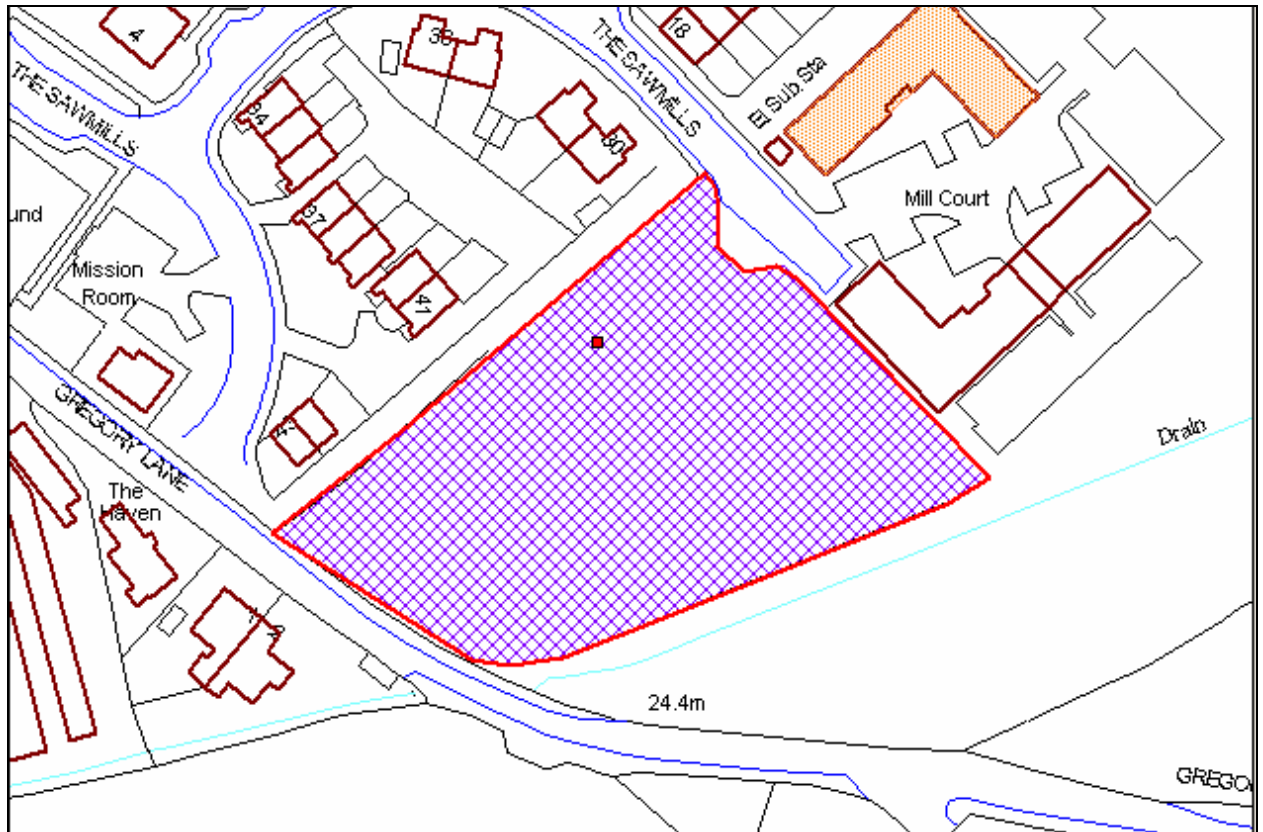
Site Factors: None

SITE LOCATION PLAN

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Site Description

- The application site has a site area of 0.44 hectares.
- It is part of the former Durley Sawmill Site.
- Immediately adjacent to the east of the site is residential and commercial (office) development on the Sawmills.
- The site is allocated in the adopted Plan for commercial (B1) uses.
- The site is cleared and levelled.
- Some planting and landscaping has been carried out along the road frontage and eastern boundary.
- There is a stream and copse beyond the east boundary of the site.

Relevant Planning History

- W01473/21 – Erection of 2 storey office buildings, erection of 3 No. 3 bed detached dwellings and 3 No. 2 bed dwellings and creation of new access – Decision Pending

Proposal

- The proposal comprises a mix of residential and office floorspace.
- The proposed office floorspace is 1038 sq.m. and is therefore a major development.
- Six houses are proposed, two of which would be nominated towards an RSL.
- The development proposes a mix of 50% of small and large units.
- Car parking is proposed at 30 spaces.

Consultations

Engineers: Highways:

- The current scheme appears to have addressed concerns with the previous application.
- No objection subject to minor changes to the detail and layout of parking and cycle bays and the submission of a 'Green Travel Plan.

Landscape:

- The proposals are acceptable in principle subject to a landscape condition.
- Concerns are raised with the screening provided by the existing planting belt and landscaping within the site.
- The planting belt itself is not within the site ownership, the remainder of the concerns can be addressed by condition.

Environment Agency:

- The Agency has no objection.

Southern Water:

- No objection.

Representations:

Durley Parish Council

- Felt these plans were more pleasing than previous ones and are glad some of the comments made were incorporated within these plans.
- Wider buffer zone and more screening alongside Gregory Lane.
- The road through the site should be finalised.
- Building materials should match the rest of the site.

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Letters of representations have been received from 6 neighbours

- Outstanding issues on previous scheme should be resolved before this application is considered.
- Extra traffic through the new development and on surrounding roads is of major concern.
- Design of houses is not in keeping with remainder of new development.
- The size of the office block is too large, industrial in scale.
- A further buffer zone should be provided between the site and the recent development.
- No objection to the principle however objections to detail – level of landscaping – level of traffic.
- Development should include measures to protect ecological interests identified within the site and in adjacent woodland.
- There should be a second access to facilitated the increased traffic, if not stringent traffic calming should be imposed.
- Concerned as the parking spaces for offices have been reduced.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB3, T4, T5, H1, H8, R2 and E16.

Winchester District Local Plan

- EN.5, EN.6, EN.7, EN.8, EN.9, H.5, H.7, S.23, (Allocated Employment Site), RT.3, T.5 and T9.

Winchester District Local Plan Review Deposit and Revised Deposit:

- DP.1, DP3, DP.5, H.1, H.5, H.7, E.1, S.14, RT.3, T.2, and T.4.

Supplementary Planning Guidance:

- Hampshire County Structure Plan (Revision): Implementing Policy H4
- Achieving a Better Mix in New Housing Developments
- Durley Sawmill Design and Development Brief
- Housing Monitoring Report
- Guide to the Open Space Funding System
- Parking Standards 2002

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG 3 Housing
- PPG 4 Industrial and Commercial Development by Small Firms
- PPG 13 Transport
- PPG 24 Planning and Noise

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area/spatial characteristics/street scene
- Detailed design
- Residential amenities
- Highways
- Public open space provision
- Comments on representations
- Affordable housing

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Principle of development

- The former sawmill site is allocated for a mixed residential, business and/or general industrial development.
- The application site itself forms part of a larger area which is specifically designated for low intensity business/storage use.
- Development of the larger site has been partially implemented with residential and employment development towards the north east corner.
- The Local Plan Review recommends that the site is reallocated as suitable for a mixed residential and business use subject to the employment use being a substantial part of the development and that access is via the link road serving the existing development.
- A form of separate residential and employment areas or live/work units is recommended by the Review.
- The proposed development is considered to meet these requirements and is therefore acceptable in principle.

Impact on character of area

- The office buildings will be located towards the north east corner of the site directly adjacent the existing business premises in Mill Court and will integrate with the existing business use.
- The proposed housing will be sited along the western boundary of the site against the existing residential boundary and separated by the retained landscape buffer strip.
- The housing continues along the southern boundary with Gregory Lane.
- Both office and dwellings will be two storey.
- The four dwellings towards the southern end of the site will be detached; the two on the north western boundary will be semi-detached.
- The layout of the office buildings resembles the existing commercial buildings.
- The choice of materials will be made to ensure the new buildings blend with the existing buildings.

Residential Amenities

- Main impact will be traffic related.
- The proposed siting of the units will be unlikely to have a harmful impact by reason of visual impact loss of privacy etc.

Highways

- The new section of circulation road accords with Engineers recommendations.
- Engineers comment that only 1 car parking space is proposed for each of Plots 1&2 however this is considered acceptable given the office parking could be used outside normal office hours.
- There is a shortfall of 5 parking space for the office development, however, as HCC requirement is for a maximum it is unlikely that a highway reason for refusal could be sustained.
- There is no objection to the proposal in principle on highway safety grounds.

Public Open Space

- Contributions towards public recreational open space are required.

Comments on Representations

- The main comments and representations are covered within the main body of the report.
- In addition:
- Proposal S.14 (ii) of the Local Plan review requires access from the new link road, stating that no vehicular access is to be provided to Gregory Lane.

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- The existing vehicular access arrangements are therefore considered acceptable.
- There are no known ecological interests on the site and no protected species appear to have been identified during the course of the Plan allocation of the site.
- However, S.14 (iv) requires measures to protect wildlife and ecological interest within the site and adjacent woodland to the east.
- A condition to this effect can be attached.
- The buffer zone along the northern boundary of the site is not within the applicants ownership.
- There are no habitable room windows facing existing nearby buildings.
- The existing buffer zone is therefore considered on balance sufficient as an amenity strip.

Affordable Housing

- Two units are to be allocated to an RSL as required by policy.

Planning Obligations/Agreements

In seeking the planning obligation(s) and financial contributions the Local Planning Authority has had regard to the tests laid down in Circular 1/97 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

APPROVE – subject to a Section 106 Agreement for:

- 1. The provision of 2 units of affordable housing**
- 2. A financial contribution of £9696 towards the provision of public open space through the open space funding system**

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

Conditions/Reasons

01 The development hereby permitted shall be begun before the expiration of five 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.

02 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no development permitted by Classes A of Parts Part 1 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

02 Reason: To protect the amenities of the locality and to maintain a good quality environment.

03 The garage hereby permitted shall only be used for the purpose of accommodating private motor vehicles or other ancillary domestic storage purposes, and shall not, at any time, be used for living accommodation, business, commercial or industrial purposes.

03 Reason: In the interests of the amenities of the locality.

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04 The car park shall be constructed, surfaced and marked out in accordance with the approved plan before the development hereby permitted is brought into operation. That area shall not thereafter be used for any purpose other than the parking, loading, unloading and turning of vehicles.

04 Reason: To ensure that adequate on-site parking and turning facilities are made available.

05 The hereby approved shall not be used for any other purpose than the parking of cars.

05 Reason: To ensure the provision and retention of the n the interests of local amenity and highway safety.

06 Details of the width, alignment, gradient and type of construction proposed for the for the roads and footways including all the relevant cross-, for the roads and footways including all the relevant cross-section and longitudinal sections showing the existing and proposed levels together with the details of street lighting and the method of disposing of surface water, and details of a programme for the making up of the roads and footways shall be submitted to and approved in writing by the Local Planning Authority before development commences. The agreed details shall be fully implemented before the use hereby approved is commenced.

06 Reason: In the interests of highway safety.

07 The roads and footways shall be laid out and made up in accordance with the specification, programme and details [less the final carriageway and footway surfacing] by the Local Planning Authority. No to be approved erected on the land shall be occupied until there is a direct connection from it completed to the approved specification to an existing highway.

07 Reason: To ensure that the roads and footways are constructed to a satisfactory standard.

08 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that order, with or without modification), no new windows other than those expressly authorised by this permission shall, at any time, be constructed in the north west elevations elevation(s) of the houses plots 1,2 and 3 hereby permitted.

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

09 The first floor window(s) in the north west elevations elevation of plots 1, 2 and 3 hereby permitted shall be glazed in obscure glass and thereafter retained.

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

10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with our without modification), the office buildings hereby permitted shall be used only for purposes within Class(es) B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to those Classes in any Statutory Instrument revoking and re-enacting that Order with or without modification) and for no other purpose(s).

10 Reason: To protect the amenities of the locality.

11 No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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11 Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

12 No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include the following, as relevant:

12 - means of enclosure, including any retaining structures:

12 - hard surfacing materials:

12 - retained historic landscape features and proposals for restoration.

12 Soft landscape details shall include the following as relevant:

12 - planting plans:

12 - schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate:

12 - retained areas of grassland cover, scrub, hedgerow, trees and woodland;

12 - implementation programme:

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

13 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before the use hereby permitted is commenced and prior to the completion of the development or in accordance with the programme agreed with the Local Planning Authority. If within a period of five years after planting any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

13 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before the use hereby permitted is commenced and prior to the completion of the development or in accordance with the programme agreed with the Local Planning Authority. If within a period of five years after planting any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

14 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, specifically the woodland area to the front of the site, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the details hereby approved.

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14 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, specifically the woodland area to the front of the site, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the details hereby approved.

15 Prior to commencement of the development hereby approved a 'Green Travel Plan' shall be submitted to and approved in writing by the Local Planning Authority and the development shall be operated in accordance with the recommendation therein. The 'Travel Plan' shall set out what measures and policies are to be adopted by future occupiers of the buildings and what measures will be use to encourage access by sustainable transport measures.

15 To ensure the development is carried out In the interests of amenity and in accordance with Local Plan policies.

16 Prior to commencement of any development works or preparatory works on site, a site investigation shall be carried out to ascertain whether or not there wildlife and ecological interest identified within the site and in the adjacent woodland to the east, a report shall be submitted to and approved by the Local Planning Authority prior to commencement of development and if necessary mitigation measures shall be carried out.

16 In compliance with Local Development Plan policy which seeks to ensure any wildlife or ecological interest on the site is fully address.

17 No development shall take place until the developer has carried out adequate investigation to assess the degree of contamination of the site and to determine its water pollution potential. The methods and extent of the investigation shall be agreed with the Planning Authority before any work commences. Details of appropriate measures to prevent pollution of groundwater and surface water, including provisions for monitoring, shall then be submitted to and approved in writing by the Planning Authority.

17 To prevent pollution of the water environment as the site may be contaminated due to the previous use.

18 No soakaway shall be constructed in contaminated ground.

18 To prevent pollution of groundwater

19 The method of piling foundations for the development shall be carried out in accordance with the scheme to be approved in writing by the Planning Authority prior to any development commencing.

19 The site is contaminated/potentially contaminated and piling could lead to the contamination of the underlying aquifer.

20 No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters has been approved by and implemented to the reasonable satisfaction of the Local Planning Authority.

20 To prevent pollution of the water environment.

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21 Any facilities for the storage of fuels shall be sited on impervious bases and surrounded by impervious bund walls. The bund capacity shall give 110% of the total volume for single and hydraulically linked tanks. If there is multiple tankage, the bund capacity shall be 110% of the largest tank or 20% of the total capacity of all tanks, whichever is the greatest. All filling points, vents, gauges and sight glasses and overflow pipes shall be located within the bund. There shall be no outlet connecting the bund to any drain, sewer or watercourse or discharging onto the ground. Associated pipework shall be located above ground where possible and protected from accidental damage.

21 To prevent pollution of the water environment.

Informatives

01. 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 54A of the Town and Country Planning Act 1990 (as amended), planning permission should therefore be granted.

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

Hampshire County Structure Plan Review: UB3, T4, T5, H1, H8, R2 and E16.

Winchester District Local Plan Proposals: EN.5, EN.6, EN.7, EN.8, EN.9, H.5, H.7, S.23, (Allocated Employment Site), RT.3, T.5 and T9.

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP.1, DP3, DP.5, H.1, H.5, H.7, E.1, S.14, RT.3, T.2, and T.4.