

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 22 June 2005

Item No: 06
Address: Sarasota Automation Ltd (Peek Plc) London Road Kings Worthy
Winchester Hampshire SO23 7QA

Parish/Ward Headbourne Worthy

Proposal Description: Erection of 5777 sq. metres of B1 Office/R&D floor area with associated parking

Applicants Name Castle Investments (Winchester) Ltd

Case No: 05/00675/FUL

W No: W00519/23

Case Officer: Sylvia Leonard

Date Valid: 15 March 2005

Delegated or Committee: Committee

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

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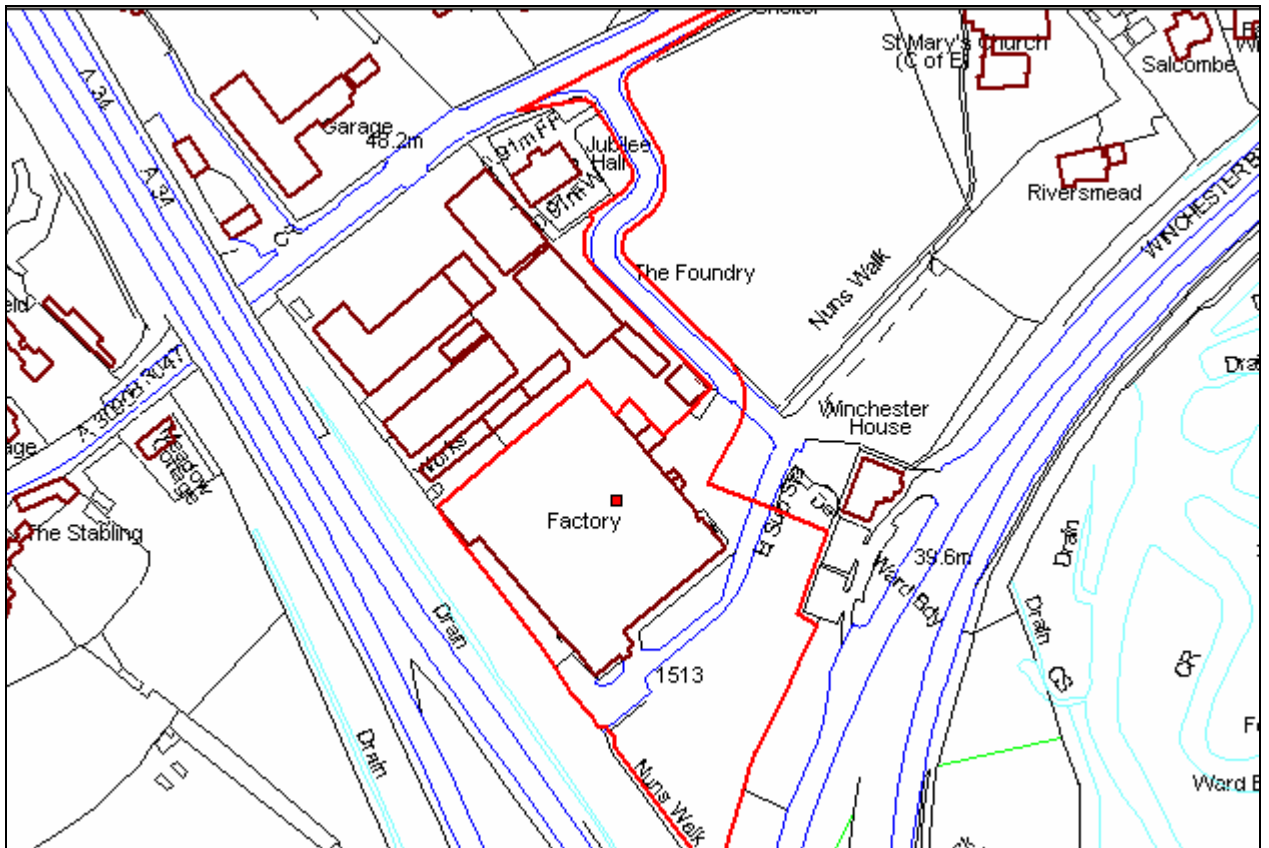
SITE LOCATION PLAN

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Proposal Description: Erection of 5777 sq. metres of B1 Office/R&D floor area with
associated parking



Site Description

- The 1.32 ha site is located in the south of Kings worthy between the fork of the A34 and the A33. It was formally occupied by the Peeks speed camera manufacturing premises, which comprised a largely steel clad factory unit measuring some 70 m by 60 m, prior its recent demolition.
- Also within the application site is the access road off London Road (the main road linking Kings worthy with Winchester).
- The site is within the settlement policy boundary, and lies immediately south of the Kings worthy Conservation Area.
- To the north of the site is a hard surfaced parking area which was formally part of the Peeks site and the 0.9 hectare Green.
- The Grade 2* St Mary's Church is to the north of the Green and the historic Nuns Walk, which forms part of the 'Pilgrims Way' long distance footpath runs through the application site.
- There are belts of mature trees along the boundaries with the A33 and London Road
- There is a sharp drop in site levels from London Road across to the main part of the site

Relevant Planning History

- Outline planning consent has been granted for 5 no. buildings comprising 7432 square metres of mixed office, R and D and other (unspecified) use on 01.09.2003.(W00519/16). This was a renewal of W00519.13 approved on 31.01.97. The consent relates to the siting of 4 buildings on the area presently occupied by the factory and forecourt area and one building on the carpark on the eastern edge of the site within the Conservation Area
- There is a current application to change the unspecified 'other' use of consent W00519/16 to 'offices' and officers support this, subject to an amended section 106 agreement . (W00519/19). The result will be outline planning consent for 1858 square metres of R and D and 5574 square metres of office use.
- Outline planning permission was refused for a mixed use development comprising 25 no. dwellings, 5575 metre squared offices/R and D, various landscaping and alterations to existing access (application for siting and landscaping) on 22nd June 2004. (W00519/21)
- Following negotiations with officers, a revised application was submitted to overcome the concerns with the previous scheme (W00519/22). This outline application was for 29 no. dwellings, 5574 metre squared offices/R and D (B1), car parking, landscaping and alterations to the existing access and the Planning Committee resolved to grant outline consent subject to a legal agreement covering highway contributions, travel plan, affordable housing, and off-site open space provision. The details of the legal agreement have not yet been resolved and it remains uncompleted.

Proposal

- As per Proposal Description
- The application seeks full planning consent for 5777 sq m B1 offices/R and D with associated parking and access

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- The application relates only to the commercial part of the previous outline application for the mixed use development of the overall Peeks site
- The residential element of the previous outline scheme is the subject of a current, separate, full planning application for 29 dwellings (W00519/24)
- Whilst the detail of the building design differs from the previous proposal, the proposal follows the layout and design principles of the previous outline application which the Planning Committee resolved to approve last year, with the offices arranged as 3 x 3-storey, hipped roof buildings arranged around a central square
- 228 parking spaces are proposed, including some podium parking, some in the central square, and some around the edges of the buildings
- The existing access road to the site would be retained, (and also used by the proposed adjacent residential development) but with a modified junction onto London Road
- The application follows the principles of the design statement, tree survey and traffic /safety audit report submitted with the last application (W00519/22), which are to be taken into account as material considerations with respect to this current application, although they have not been formally submitted with the application

Consultations

Conservation:

- The size has increased since the outline application
- If the height has also increased, it needs to be amended to be as previously approved
- Conditions should be attached regarding design details

Engineers:Drainage:

- The application site falls within an APZ and the EA must be consulted
- A public foul sewer crosses this site and must be diverted if the building layout as proposed is to be approved.
- Southern Water must be consulted regarding the diversion and also to ensure that the sewer has the capacity to accept the flow that the new development will generate
- The applicant needs to liaise with Southern Water to see if a suitable diversion can be made
- Stormwater will go to soakaways
- Provided that EA and SW recommendations are implemented, and that Building Regs approval is given, there will be no objection on drainage grounds

Engineers:Highways:

- HCC should comment on the detailed layout of the site under the Agency Agreement terms
- There appears to be excessive car parking based on HCC's parking standards and no lorry parking in accordance with HCC standards
- It is not clear how some of the units are to be serviced by large service vehicles
- No bin or refuse stores are shown and it is not clear how the cycle stores relate to the main entrances of the buildings or what form of secure and undercover storage is proposed

English Heritage:

- No comments;
- The application should be determined in accordance with Government guidance, development plan policies and with the benefit of conservation advice locally

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Environment Agency:

- No objection – subject to conditions regarding prior investigation of contamination potential and water pollution potential and prior agreement of measures to prevent pollution of ground and surface water; prior agreement of method of piling foundations; prior approval of surface water drainage scheme; surface water drainage to pass through oil bypass interceptor; no soakaways to be constructed in contaminated land

Environmental Health:

- No adverse comments regarding noise and contamination issues

HCC Highways:

- Under the terms of the new Development Control Agency Agreement, Engineers from WCC should be providing the strategic highway advice on this application
- However, HCC has been consulted on the proposed Section 278 works and the previously agreed highway contribution
- A precedent has been set for this site with planning permission W00519/22 which proposed the construction of 29 dwellings and 5777 sq m of office/RandD and the highway objections were addressed after a package of measures were negotiated from the developers
- This included improvements to the site access on London Road and a highway contribution of £50,000 towards the Winchester Movement and Access Plan
- It is recommended that the highway package negotiated for the previous application should be secured with the 2 current planning applications
- No highway objections provided there is a condition that the buildings shall not be occupied until the highway improvements to the site access with London Road have been completed and a section 106 shall require the payment of £30, 000 towards the Winchester Movement and Access Plan, to be paid before commencement of the development

Landscape:

- No objection
- The submitted landscaping details are acceptable

Southern Water:

- The development should ensure that all new on-site sewers which are to be offered for adoption as public sewers, are located in highways or open areas to which vehicular access will be possible at all times. The sewer layout should therefore be considered at an early stage in the layout design. A public sewer crosses the site and its exact position should be determined on site by the applicant before the layout of the proposed development is finalised. No new building or new tree planting should be located over or within a minimum of 3 metres of the public sewer. An acceptable solution for the diversion of the sewers has been devised through discussions with the developer. A condition should ensure that these sewer diversions are undertaken prior to any construction of the buildings proposed in this planning application or the integrity of the sewerage system could be compromised. The point and details of the proposed connection to the public sewer will require the formal approval of Southern Water. There are no public surface water sewers in the vicinity of the site. No surface water should be discharged to the foul sewer as this could cause flooding to downstream properties. A capacity check has been carried out on foul sewers to serve this development and there is sufficient capacity for the anticipated foul flow. A water supply can be provided for the proposal as and when required in accordance with SW's normal conditions, which may include off site improvements

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Sites and Monuments Officer:

- The site has potential for archaeological remains relating to the alignment of a Roman Road and has potential for palaeo-environmental remains which would contribute to our understanding of past land-use along the Itchen Valley
- The developer has undertaken a programme of archaeological recording and no further evidence of archaeological or palaeoenvironmental remains was located during a further stage of archaeological evaluation and monitoring of geotechnical investigations
- Therefore the archaeological recording has been completed satisfactorily and conditions relating to the archaeological work may be discharged

Representations:

Headbourne Worthy Parish Council:

- No comments

Kings worthy Parish Council:

- Comment only:
- Nuns walk should remain accessible as a public right of way during construction

Ramblers Association: Winchester Group:

- Objects:
- A major public highway crosses this site, this footpath is included in a number of national walking trail that are based around Winchester, including the St Swithuns Way which connects to the North Downs Way
- The value of such a footpath to the local economy in respect of visitors to the area and to the local population as a means of recreation is significant
- Despite the status of these paths, this planning application makes no provision for the safety of the pedestrians who will be traversing this site on what are planned to be narrow access roads and car parks
- The existing path crosses a car park etc, however the proposed change in density of this site will make any future crossing significantly more hazardous
- The application makes no reference to what action will be taken during demolition and construction of the site to ensure that pedestrians are able to safely and without inconvenience, cross the site
- Planning permission shall be withheld until these issues are resolved

Letters of objection have been received from 3 neighbours:

- Adverse impact on enjoyment of neighbouring properties
- Adverse impact on environment from extra traffic and resulting noise and pollution
- Exacerbation of hazardous London Road for pedestrians

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB1, UB2, UB3, EC1, T2, T4, T5, T6, E1, E2, E3, E4, E8, E14, E16, E17

Winchester District Local Plan

- E.1, E.2, T.8, T.9, T.10, T.11, T.12, HG.2, HG.6, HG.23, EN.4, EN.5, EN.7, EN.8, EN.13, EN.16, EN.17

Winchester District Local Plan Review Deposit and Revised Deposit:

- E.1, E.2, T.2, T.3, T.4, T.5, T.6, HE.2, HE.4, HE.16, DP.1, DP.3, DP.4, DP.5, DP.6, DP.9, DP.15, DP.16

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Supplementary Planning Guidance:

- Parking Standards 2002

National Planning Policy Guidance/Statements:

- PPS 1 Delivering Sustainable Development
- PPG 4 Industrial and Commercial Development by Small Firms
- PPG 13 Transport
- PPG 15 Planning and the Historic Environment
- PPG16 Archaeology and Planning

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
- Diversion of public footpath
- Landscaping/trees
- Archaeology
- Contaminated Land

Principle of development

- The application site is already in employment use and the principle of replacement employment with offices/Rand D (B1) use on this site has been accepted by the Committee resolution to approve the previous outline application (W00519/22)
- The proposed commercial floor space is increased from 5574 sq m to 5777 sq m, which is an acceptable increase given the overall size of the site and proposal

Impact on character of area/conservation area/listed building

- The Kings worthy Conservation area lies to the north side of the site, and the site lies within the setting of the Grade 2* Listed St Marys Church to the north side of the Green
- The siting and massing of the office buildings does not differ significantly from that of the scheme shown for illustrative purposes on the outline application that the Planning Committee resolved to approve in December 2004
- The buildings remain 3-storey with hipped roofs
- The overall height has increased by 1.5 m to 15.5 m but this is not considered to be a significant change given the context of the siting of the buildings adjacent to other commercial buildings to the west, the mature landscaping that bounds the site boundaries with the A33 and A34 and the distance between the buildings and the Listed church

Detailed Design

- The detailed design differs from that shown on the previous outline application but the design of office buildings was not one of the matters to be considered at outline stage and the revised design and materials are acceptable
- The proposed 3-storey, hipped roof buildings would have facing brick walls with feature Terracotta Rain Screen panels, and powder coated aluminium windows with tinted glass.
- The roofs would be grey slate tiled.

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Residential Amenities

- No residential properties within the immediate vicinity of the site which could be affected
- The proposed commercial buildings would be B1 use and so, by definition, should not impact unacceptably on the new housing proposed to the north side of the application site, wrapping around the Green, sited between the Green and the proposed office buildings (current application W00519/24)

Highways

- Access would be via the existing site access, with the junction modified, and the access road would be shared by the commercial and the adjacent proposed housing development
- 228 parking spaces are proposed for the commercial units
- The access proposal is as on the previous outline application and the parking layout has not been altered significantly
- HCC highways raise no objections, although the amount of car parking exceeds the HCC parking standards and there is a lack of lorry parking and servicing facilities.
- However, these issues were not raised at the outline stage and the amount of parking proposed is less than that for the outline application.
- An independent safety audit was provided with that previous application and the layout was considered to be acceptable in highway terms.
- Hampshire County Council have no objection, subject to the completion of the highway improvements to the junction of the site access with London Road and the contribution of £30,000 towards the Winchester Movement and Access Plan
- The proposal will necessitate the diversion of the Nun's Walk Footpath, which is a public right of way, and a separate footpath diversion application has been made under Section 257 of the 1990 Town and Country Planning Act

Landscaping/Trees

- No significant trees would be removed
- The application includes detailed landscaping proposals which are acceptable

Archaeology

- The site has potential for archaeological remains relating to the alignment of a Roman Road and has potential for palaeo-environmental remains which would contribute to our understanding of past land-use along the Itchen Valley
- The developer has undertaken a programme of archaeological recording and no further evidence of archaeological or palaeo-environmental remains was located during a further stage of archaeological evaluation and monitoring of geotechnical investigations
- Therefore the sites and monuments officer considers that the archaeological recording has been completed satisfactorily and there is therefore no need for any archaeological condition

Contamination

- The applicant has submitted a contamination report and assessment to address concerns that the previous activities which have taken place on the site may have resulted in contamination of the site.
- The report has been examined by the Environmental Health officer and there is not considered to be any outstanding contamination issues

Planning Obligations/Agreements

In seeking the planning obligation(s) and/or financial contributions for highway improvements 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/Section 278 Agreement for:

- 1. Approval and implementation of a Work Place Travel Plan**
- 2. Financial contribution of £30, 000 towards the Winchester Movement and Access Plan**

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 No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the development 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.

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

03 All hard and soft landscape works shall be carried out in accordance with the approved plans. The works shall be carried out before the commercial units hereby approved are occupied 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 5 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 in the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

03 To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs

04 Details of covered cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the commercial units hereby approved and the development shall be carried out in accordance with the approved details.

04 To ensure the satisfactory provision of cycle parking facilities

05 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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- 05 To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features
- 06 Details of provisions to be made for the parking and turning on site of operative and construction vehicles during the period of development shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the construction period.
- 06 In the interests of highway safety
- 07 The carparking 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 and unloading and turning of vehicles.
- 07 To ensure the permanent availability of parking for the property
- 08 Details of the alterations to the London Road site access shall be submitted to and agreed in writing by the Local Planning Authority before the development commences. The agreed details shall be fully implemented before the development hereby approved is occupied.
- 08 In the interests of highway safety
- 09 No development shall take within 3.0 m of any public sewer
- 09 To ensure the satisfactory provision of foul and surface water drainage
- 10 If piling required, the method of piling the foundations for the development shall be carried out in accordance with a scheme to be approved in writing by the Local Planning Authority prior to any development commencing
- 10 The site is potentially contaminated and piling could lead to the contamination of the underlying aquifer
- 11 No development approved by this permission shall be occupied until a scheme for surface water drainage has been submitted to and approved in writing by the Local Planning Authority
- 11 The site lies on the edge of the Source Protection Zone 1, therefore the site is very sensitive with regard to groundwater and the effects of surface water drainage
- 12 Prior to being discharged into any watercourse, surface water sewer or soakaway, all surface water drainage shall be passed through an oil bypass interceptor designed and constructed to have a capacity compatible with the site being drained. Roof water shall not pass through the interceptor.
- 12 To prevent pollution of the water environment
- 13 No soakaway shall be constructed in contaminated ground
- 13 To prevent pollution of ground water
- 14 The existing trees shown as being retained on the approved plan shall not be lopped, topped, felled or uprooted without the prior written approval of the Local Planning Authority. These trees shall be protected during building operations by the erection of protective fencing in accordance with BS 5837

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14 To retain and protect the trees which form an important part of the amenity of the area

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 38(6) of the Planning and Compulsory Purchase Act 2004, 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: UB1, UB2, UB3, EC1, T2, T4, T5, T6, E1, E2, E3, E4, E8, E14, E16, E17

Winchester District Local Plan Proposals: E.1, E.2, T.8, T.9, T.10, T.11, T.12, HG.2, HG.6, HG.23, EN.4, EN.5, EN.7, EN.8, EN.13, EN.16, EN.17

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: E.1, E.2, T.2, T.3, T.4, T.5, T.6, HE.2, HE.4, HE.16, DP.1, DP.3, DP.4, DP.5, DP.6, DP.9, DP.15, DP.16

03. The developer is reminded that the grant of planning permission does not entitle them to obstruct a public right of way. If it is necessary to stop up or divert a right of way in order to enable the development to be carried out, they should apply without delay:

i) in the case of a footpath or bridleway to the Council for an order under section 257 of the Town and Country Planning Act 1990

ii) in the case of a highway to the Secretary of State for the Environment for an order under section 247 of the Town and Country Planning Act 1990

04. Under the terms of the Water Resources Act 1991, the prior written agreement is required for discharging dewatering water from any excavation or development to controlled waters. The applicant is advised to contact the Hampshire and IOW Area office (Itchen Environment Management Team) to discuss which type of authorisation will be required

05. If dewatering of the site and discharge of associated water is necessary during construction operations, the Environment Agency should be notified regarding the dewatering and consulted regarding the need for a discharge consent

06. All works, including demolition and construction, shall be carried out only between the hours of 0800 and 1800 Monday to Friday and 0800 and 1300 hours on Saturday and at no time on Sundays or Bank Holidays. Where allegations of noise from such works are substantiated by the Health and Housing Service, a Notice limiting the hours of operation under the Control of Pollution Act 1974 may be served

07. No materials should be burnt on site. Where the Health and Housing Service substantiate allegations of statutory nuisance, 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