

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Item No: 12
Address: The Coach House 88 Christchurch Road Winchester Hampshire
SO23 9TE

Parish/Ward Winchester Town

Proposal Description: Redevelopment of site and the erection of 3 no. three-storey town houses with integral garages; 2 no. one-bed apartments; 1 no. two-bed apartment with associated parking and landscaping

Applicants Name EBB TIDE INVESTMENTS LTD

Case No: 05/01908/FUL

W No: W11438/05

Case Officer: Mr Jonathan Roach

Date Valid: 1 August 2005

Reason for Committee: 4 or more representations contrary to the Officer's recommendations have been received

Site Factors: Winchester Conservation Area

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Site Description

- The site is located to the rear of Christchurch Road, south of the Winchester City Centre and within the Winchester Conservation Area.
- The site comprises a single two storey residential dwelling set in the middle of the plot with a detached 3 car garage adjacent to the property. The remainder of the site consists of a driveway and private amenity space to the front, rear and side of the dwelling.
- The neighbouring development fronting Christchurch Road consists of high density residential dwellings in the form of two pairs of semi detached town houses (St Edmunds) and a block of 12 self contained flats (Lantern Court) that screen the site from Christchurch Road. The train line abuts the site to the west.
- Access to the site is from Christchurch Road and this is shared with St Edmunds and Lantern Court.
- A large row of tall conifers are situated along the western boundary.
- The land is generally flat.

Relevant Planning History

- W11438** Two storey rear extension - Application Permitted - 01/08/1989
W11438/01 (AMENDED DESCRIPTION) Replacement of two bay windows and replacement of other windows - Application Permitted - 01/11/1999
W11438/02LB Demolition of existing dwelling - Application Withdrawn - 14/03/2005
W11438/03 Demolition of existing dwelling and erection of 3 no. three bedroom dwellings, 1 no. two bedroom and 2 no. one bedroom flats; associated parking and landscaping (AMENDED DESCRIPTION) - Application Withdrawn - 14/03/2005

Proposal

- As per Proposal Description.
- Demolition of existing garage and dwelling.
- Proposal for the construction of 6 new dwellings comprising of three 3 bedroom town houses, two 1 bedroom flats and one 2 bedroom flat.
- Three bedroom town house forms a 2.5 storey terrace sited on the footprint of the existing dwelling.
- The 3 self contained flats form a separate 2 storey structure, roughly in the same location as the existing garage block.
- Row of tall conifers to be retained.
- Two trees of minor significance to be removed.
- Narrow strip of land in the south west corner of the plot to be designated as open space.
- According to the applicant, the design of the two separate structures is to reflect the type and scale of the surrounding development and the character of the Conservation Area.
- The existing vehicular access to remain unchanged.
- To be constructed of brown brick with slate roof.
- The proposal has been formulated with pre application discussions.

Consultations

Conservation:

- After extensive negotiation this application is now considered to be acceptable as it will preserve if not enhance this part of the Winchester Conservation Area. The application is therefore in accord with relevant plans and policies.

Engineers:Highways:

- The access to the site is via the private driveway, currently shared by the existing dwelling and garages at the rear of St Edmunds and Lantern Court. The private driveway is considered to be capable of accommodating the additional traffic flows, 30 movements per day approximately, without causing undue interference with users of the adjoining highways.

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- A total of ten spaces (including the garages) are proposed for the 6 dwellings, which is a ratio of 1.66 spaces per unit. Mindful that the site is in a fairly central location and close to regular long established bus routes, the amount of car parking proposed is considered acceptable in this instance.
- Financial contributions for improvements to the Winchester Movement and Access Plan is required to the amount of £10 000 (£2000 per unit minus the existing house). This may be taken in the form of a section 106 legal agreement or unilateral undertaking.
- The minimum cycle parking provision as set out in Hampshire County Council's "Parking Strategy and Standards" Document must be provided. This equates to a total of 11 long term (secure/undercover) and 6 short term (loops/hoops).
- Therefore no objection to the proposal subject to a number of conditions.

Environmental Health:

- A noise/vibration report has been submitted to mitigate against the impact of the adjacent train line. Council's Environmental Health team is satisfied that the proposal is acceptable subject to complying with the recommendations submitted in the report.

Landscape:

- Council's Landscape Team was initially concerned about the potential loss of two trees in the south west corner of the plot. However, after further discussions have verbally agreed to their removal. Therefore no objection subject to the imposition of a condition requiring the submission of a landscaping plan incorporating the strip of land designated as open space.

Representations:

City of Winchester Trust:

- The City of Winchester Trust has objected to the demolition of the existing dwelling and the redevelopment of the land. The reasons for the objection are as follows;
 - (a) Unacceptable level of detail regarding the building to be demolished;
 - (b) Inadequate information regarding the area designated on the plans as open space;
 - (c) Design has not improved since previous application; and
 - (d) Parking area visible from Christchurch Road and should be located in a less visible location.

Letters of representations have been received from 19 neighbours (12 standard letters/7 non standard letters) with regard to the proposed demolition of the existing dwelling (W11438/04LCBA) and 19 neighbours (13 standard letters/6 non standard letters) with regard to the redevelopment of the land (W11438/05). The objections are as follows;

- Loss of privacy and light to adjoining properties.
- Impact on street scene.
- Over intensification of land.
- Out of keeping with the character of the area to the detriment of the Conservation Area.
- Loss of outlook for Lantern Court.
- Impact of surface water run off.
- Inadequate access way for the proposed volume of traffic.
- Increased potential for traffic problems.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB3, T2, T4, R2, E16

Winchester District Local Plan

- EN.5, EN.9, H.1, H.7, T.9, RT.3, HG.6, HG.7, HG.8, HG.9

Winchester District Local Plan Review Deposit and Revised Deposit:

- DP.3, DP.6, H.2, H.7, T.2, T.4, RT.3, HE.4, HE.5, HE.6, HE.7

Supplementary Planning Guidance:

- Achieving a Better Mix in New Housing Developments

National Planning Policy Guidance/Statements:

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- PPS 1 Delivering Sustainable Development
- PPG 3 Housing
- PPG 15 Planning and the Historic Environment

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Comments on representations
- Public open space provision
- Highways
- Housing density/affordable housing
- Residential amenities
- Impact on the character of the area

Principle of development

- The site is situated within the settlement boundary of Winchester and the Winchester Conservation Area
- There is a general presumption in favour of residential development that is compatible in design, scale, layout and density of its surroundings and contribute to the quality of the built environment.
- Development will not normally be permitted unless it makes adequate provision for highway safety, access and internal layout and parking.
- Within Conservation Areas, development proposals which preserve or enhance the character or appearance of the area, and accord with other relevant proposals of this Plan, will be permitted, provided the character, scale and plan form of the original building are respected and would not result in the loss of features that contribute to the character or appearance of the Conservation Area.

Comments on representations

- There will be no loss of light to adjoining properties as the development has been orientated to ensure no overbearing impact. The dwellings have been designed to avoid overlooking the private amenity space of adjoining properties, with no windows on the eastern elevation of the town houses facing St Edmunds. Consequently there is not considered to be any demonstrable harm to adjoining properties.
- With regard to the increased volume of traffic using the shared access way, Council's Highway Engineers do not consider the proposal to result in traffic problems.

Public open space provision

- The applicant has entered into a legal agreement for the payment of a public open space contribution.

Highways

- Subject to the payment of a highways contribution and the provision of cycle parking facilities, the proposal is supported by Council's Highway Engineers.

Housing density/affordable housing

- The proposed development of 6 dwellings falls below the threshold of 15 dwellings, beyond which affordable housing shall be provided.
- The proposal provides 50% 1 or 2 bedroom units, in accordance with adopted supplementary planning guidance 'Achieving a Better Mix in New Housing Developments
- National Planning Policy Guidance 3: Housing recommends a minimum housing density of between 30 to 50 dwellings per hectare, in order to address the needs of housing within settlement areas.

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Residential Amenities

- The applicant has submitted a noise/vibration report to reduce the impact of the noise generated by the rail line on the proposed development. In this respect, the proposal has been supported by Council's Environmental Health Department subject to construction in accordance with the report and other general conditions.
- The development has been designed to reduce the impact on adjoining properties through overshadowing or overlooking. Therefore the proposal will not harm the amenity of neighbouring properties.

Impact on character of area

- The existing dwelling is of little architectural merit and does not contribute to the character of the Winchester Conservation Area and street scene of Christchurch Road. The demolition of this dwelling has been supported by the Council's Conservation Team.
- The design of the proposed development is supported by the Council's Conservation Team and is generally sympathetic to the character and massing of development in the immediate area.
- The development will only be partially visible from the street and is of a design characteristic of the area
- The development is of smaller scale than adjoining properties St Edmunds and Lantern Court. With this regard the scale and mass of the development will not be out of keeping with the development in the immediate area.

Recommendation

APPROVE – subject to a Section 106 Agreement for:

- 1. A financial contribution of £10000 towards highway improvements**
- 2. A financial contribution of £7528 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 (as amended).
02. No development shall take place until details and samples of the bricks and tiles to be used in the construction of the external surfaces of the dwelling 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. 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, B, C, D, E or F of Parts 1 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

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03. Reason: To protect the amenities of the locality and to maintain a good quality environment.
04. Detailed proposals for the disposal of foul and surface water from the building 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 the new dwelling hereby approved is occupied.
04. Reason: To ensure satisfactory provision of foul and surface water drainage.
05. 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 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.
05. Reason: To improve the appearance of the site in the interests of visual amenity.
06. 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 windows other than those hereby approved shall, at any time, be constructed in the upper floor of the dwellings hereby permitted.
06. Reason: To protect the amenity and privacy of the adjoining residential properties.
07. The parking area including the garage shall be provided in accordance with the approved plans before the dwelling is first occupied and thereafter permanently retained and used only for the purpose of accommodating private motor vehicles or other storage purposes incidental to the use of the dwelling house as a residence.
07. Reason: To ensure the permanent availability of parking for the property.
08. 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.
08. Reason: In the interests of highway safety.
09. 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.
09. Reason: To ensure a satisfactory relationship between the new development and adjacent buildings, amenity areas and trees.

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10. The new windows shall be full height single glazed timber casements finished with a microporous paint. The following details shall be submitted to and approved in writing by the Local Planning Authority. The works permitted shall be carried out in accordance with the approved details.
 - (a) the materials and intended finish; and
 - (b) large scale elevations 1:10 of the window and full size sections showing:
 - i) the new sill in relation to the opening in which it is to be set.
 - ii) the mouldings to be used on the glazing bars.
 - iii) the relationship of the opening window to the frame which should follow a traditional form
10. Reason: To ensure the materials and details are satisfactory and respect the character of the Winchester Conservation Area.
11. Detailed proposals for the provision of cycle parking shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The minimum cycle parking provision as set out in Hampshire County Council's "Parking Strategy and Standards" Document must be provided, which equates to a total of 11 long term (secure/undercover) and 6 short term (loops/hoops). The approved details shall be fully implemented before the new dwellings hereby approved is occupied and thereafter retained.
11. Reason: To maintain a good quality and sustainable environment.
12. The development hereby permitted shall be carried out in accordance with the details recommended in the submitted noise/vibration report, unless otherwise agreed in writing by the local planning authority.
12. Reason: To protect the amenities of occupiers of the development from unreasonable noise levels generated from the adjacent train line.

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, T2, T4, R2, E16
Winchester District Local Plan Proposals: EN.5, EN.9, H.1, H.7, T.9, RT.3, HG.6, HG.7, HG.8, HG.9
Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP.3, DP.6, H.2, H.7, T.2, T.4, RT.3, HE.4, HE.5, HE.6, HE.7

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03. 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 Bank Holidays. Where allegations of noise from such works are substantiated by the Environmental Health and Housing Department, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.
04. No materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Health and Housing Department, 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.