

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA

Winchester City  
Council  
Planning Department  
Development Control

TEAM MANAGER  
SIGN OFF SHEET

## Committee Decision

<b>Case No:</b>	06/02961/FUL	<b>Valid Date</b>	25 September 2006
<b>W No:</b>	06707/04	<b>Recommendation Date</b>	4 April 2007
<b>Case Officer:</b>	Mr Simon Avery	<b>8 Week Date</b>	<b>20 November 2006</b>
		<b>Committee date</b>	<b>19 April 2007</b>
<b>Recommendation:</b>	<b>Application Permitted</b>	<b>Decision:</b>	<b>Committee Decision</b>

<b>Proposal:</b>	Demolition of existing office building and erection of 10 no dwellings over three storeys with associated parking
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<b>Site:</b>	Parkersell Lighting & Electrical Ltd Parkersell House Cranworth Road Winchester Hampshire
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Open Space	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
Y	Y	N	Y	N	N	Y

DELEGATED ITEM SIGN OFF		
<b>APPROVE</b> Subject to the condition(s) listed		
	Signature	Date
<b>CASE OFFICER</b>		
<b>TEAM MANAGER</b>		

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**AMENDED PLANS DATE:- 22 February 2007**

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**Item No:** 2  
**Case No:** 06/02961/FUL W06707/04  
**Proposal Description:** Demolition of existing office building and erection of 10 no. dwellings over three storeys with associated parking  
**Address:** Parkersell Lighting & Electrical Ltd Parkersell House Cranworth Road Winchester Hampshire  
**Parish/Ward:** Winchester Town  
**Applicants Name:** BMP Estates Ltd  
**Case Officer:** Mr Simon Avery  
**Date Valid:** 25 September 2006  
**Site Factors:**  
**Recommendation:** Application Permitted

### General Comments

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

A previous application to replace the existing office block with a three storey building containing nine flats and two 2 bedroom houses was refused for the following reasons:

(i) due to the mass of the buildings and the amount of site coverage there would be an overdevelopment of the site which would result in inadequate amenity space for the size and number of dwellings proposed and would result in a lack of privacy for the users of the ground floor rooms of the building which face the amenity space;

(ii) due to the mass, height and siting of the building there would be an unacceptably adverse impact on the residential amenities of No. 1 Cranworth Road through loss of light to the side windows and loss of sunlight to the rear garden of this property and through being overbearing on the outlook from these windows;

(iii) the proposed gabled dormer windows and the small gable to the front elevation are not in keeping with the features of the surrounding development and draw attention to the height and scale of the proposed roof and are therefore detrimental to the character and appearance of the area.

The applicant appealed the refusal and the appeal was dismissed on 24 November 2006 (after this application was submitted). The Inspector concluded that:

(i) the proposal would not provide adequate living conditions for future residents because of the lack of private amenity space for virtually all dwellings;

(ii) the impact of the proposal on outlook and loss of light for the occupiers of the neighbouring property, No 1 Cranworth Road, would be significant and unneighbourly to an extent that is unacceptable

This application is a resubmission of the scheme, reducing the development to nine flats and one 2 bedroom house. Amended plans have been submitted for this application to address both the concerns raised by the Inspector and some concerns raised by the highway engineer.

### Site Description

This site is on the east side of Cranworth Road in Winchester. It is approximately 20 metres north of the junction with Stockbridge Road. It is in the settlement boundary. Winchester Railway Station is to the south. Cranworth Road comprises predominantly Victorian/Edwardian terraced housing. Adjacent to the south of the site is a detached single storey hall. Opposite the site is a

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new development of two storey terraced housing. The site is 0.09 of a hectare and contains a two storey office building. This is set back from the road with a hardsurfaced parking area to the front. This is enclosed by a low wall and railings. Vehicular access is from Cranworth Road. There are two large silver birches to the front of the site near the vehicular access. There is another silver birch to the rear of the building. All three trees are protected by a Tree Preservation Order on them. There is a steep landscaped embankment which leads up to the railway station car park to the rear.

### **Proposal**

The proposal is to demolish the office building, remove the silver birch to the rear of the site and construct a new residential building. This will be three storeys in height (i.e. two storeys with accommodation in a steeply pitched roof) to the front facing the road with a two storey section to the rear. The front part of the building will contain seven 2 bedroom flats and two 1 bedroom flats. The rear part will contain one 2 bedroom house. This house will have its own private amenity space. The nine flats will share the remaining amenity area to the rear, which will contain a replacement silver birch. There will be provision for six car parking spaces to the front of the site. The two silver birches to the front will be retained. There will be a new wall and railings to the front of the site.

### **Relevant Planning History**

**W06707:** Erection of 2 storey office extension - Permitted - 28/04/1982

**W06707/01:** Erection of enclosed entrance porch - Permitted - 02/08/1983

**W06707/02:** Demolition of existing office building and construction of one no. three storey block consisting 5 no. one bedroom and 7 no. two bedroom dwellings with associated parking, altered existing and new vehicle access - Withdrawn - 18/02/2004

**W06707/03:** Replace office block with three storey building containing 4 no. one bed and 5 no. two bed flats and 2 no. two bed houses with associated parking (resubmission) - Refused - 14/11/2005 – Dismissed at appeal 24/11/06

### **Consultations**

#### Engineers: Highways:

There are no highway objections to the principle of the development. There are concerns about the amount and location of cycle parking and about the size and location of the bin stores.

#### Landscape:

The amendments to frontage and rear garden space have been amended as raised under the previous consultation. If recommendation is to approve then conditions should be attached requiring a hard and soft landscape scheme and 5 years maintenance.

#### Arboriculture

I would draw your attention to the Trees (4.28) section of the Robin Buchanan Planning Statement which fairly clearly sets out the tree issues following discussions between Robin and myself. It indicates that the building line has been moved back to accommodate the trees better. The hard surfacing around the two trees at the front is to remain unchanged. The third birch at the rear of the site is less significant and may be removed with a suitable replacement in a better location. Due to the ground conditions around the trees it is not possible to erect any meaningful fence so in this case there will not be a tree protection fencing condition.

#### Environment Agency:

No objection in principle

#### Southern Water:

There is currently inadequate capacity in the local network to provide foul sewage disposal to service the proposed development. To overcome this, the applicant will need to undertake a survey to confirm that the proposed flows will not be greater than the existing flows or can apply to Southern Water to request that additional off-site sewers or improvements to existing sewers be provided.

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Southern Water can provide surface water disposal to service the proposed development, this requires a formal application to be made by the applicant.

Southern Water can also provide a water supply to the site, also requiring a formal application.

Hampshire Constabulary:

Comments about fencing and gates, cycle bays, house security, doors and windows

**Representations:**

City of Winchester Trust:

It is considered that the arched feature on the west-facing gable should be omitted, as it is architecturally uncomfortable because its weight is apparently borne by the frame of the window below. It is also felt most strongly that the segmental-headed windows seen on so many standard developments should not be used here, where ordinary sash windows would be preferable.

North Hampshire Chamber of Commerce & Industry

Concern about the loss of employment space outside the central area of the City, where further office development is already restricted

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

- Inadequate parking provision/Increased pressure on parking spaces
- Increased traffic on streets, including construction traffic
- Proposed development would be cramped in the street scene and out of character
- Loss of light to No.1 Cranworth Road, overbearing on the outlook from this property, loss of sunlight to the garden
- Overdevelopment of the site
- Flooding
- Loss of privacy to first floor bedrooms of properties opposite
- Loss of a tree
- Loss of office/commercial space

Copies of the amended plans were sent to the occupiers of No. 1 Cranworth Road as the revision affected them and they commented as follows:

- Did not agree with the Inspector's conclusions about the use of the kitchen or the impact on light into, or views from, the kitchen windows

1 letter of support

- Support development not on greenfield site
- Support low parking provision given proximity of station

**Relevant Planning Policy:**

Hampshire County Structure Plan Review:

UB3, R2

Winchester District Local Plan Review

DP1, DP3, DP4, DP5, H3, H7, E2, E4, T2, T4, RT3

Supplementary Planning Guidance:

Achieving a Better Mix in New Housing Developments

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPS 3 Housing

PPG 13 Transport

Principle of development

The loss of the existing office use to residential has been accepted in principle with previous applications. The site is within Winchester City, but outside the town centre boundary and in such a location office use is discouraged while a residential use encouraged. The previous reasons for refusal and the subsequent conclusions in the Inspector's appeal decision are the issues which need to be addressed if this application is to be acceptable. Revised plans were submitted to the Inspectorate for the appeal showing flat roofed dormer windows and the Inspector considered that these were acceptable and overcame the third reason for refusal on the previous application.

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Therefore the outstanding issues which need to be considered are:

Provision of private amenity space;  
Impact upon residential amenity.

Provision of private amenity space.

The previous application provided a private garden area for one of the houses but only provided a shared triangular amenity area for the other house and the nine flats and this was considered inadequate, especially for the house which would normally be expected to be provided with a separate garden. Amended plans were submitted to the Inspectorate for the appeal which divided the private amenity area, giving part of it to the second house and leaving the remaining for the nine flats. The Inspector concluded that this was unacceptable as the garden provided for the house was too awkward in shape and would be overlooked by a first floor window of the other house, while the remaining amenity area amounted to only 52.5 square metres which was considered inadequate for the nine flats.

This application has removed the second house, leaving the first house with a separate garden area and giving the nine flats the remaining triangular area for a shared space. The communal space is approximately 100 square metres in size and although this is not large, it does provide some usable space for the occupants of the flats and in a city location such as this, this provision is considered appropriate.

Impact on residential amenity

It was considered that the building as proposed in the previous application would result in a loss of light and outlook to the side windows of No 1 Cranworth Road and a loss of sunlight to the rear garden. No.1 Cranworth Road has a kitchen and dining room with ground floor windows facing the site and a bedroom and bathroom at first floor level with windows facing the site. There is an existing side fence outside the kitchen and the kitchen also has another window facing onto the back garden of No.1 Cranworth Road. The Inspector concluded that, due to the existing fence, the other window at the back of the kitchen and the fact that a kitchen is not regarded as a habitable room, the impact of the proposal of the side windows of the kitchen would not be unduly harmful. However, the Inspector concluded that the impact on the windows of the dining room and first floor bedroom through loss of outlook and loss of light would be unacceptable. This resubmitted scheme moved the proposed building back on the plot by 1 metre to seek to address the original reason for refusal regarding residential amenity. Following the issue of the Inspector's decision, the applicant has submitted amended plans, moving the building back by 2 metres from the previous application. This means that the new building will be sited outside the kitchen windows of No. 1 Cranworth Road but will be set back from the line of the dining room and bedroom windows. This means that there will be clear views from these windows down towards the bottom of Cranworth Road, and that the loss of light to these rooms will be minimal. In these circumstances it is considered that the revised scheme has adequately addressed the Inspector's concerns.

The proposal will result in some additional loss of sunlight to the rear garden of No.1 Cranworth Road. However, setting the proposed building back by 2 metres will also reduce this detrimental impact and it is not considered that this loss of light would be significantly harmful to substantiate a reason for refusal.

Highways/Parking

Notwithstanding the concerns of local residents about parking, given the location of the site near the railway station, there are no highway objections to the proposed parking provision and it would not be possible to reject the application on such grounds. The amended plans have addressed the highway officers concerns about the provision of cycle parking.

Other Matters

Bin storage – adequate bin storage has been provided on the amended plans. The highway officer was also concerned that the bin store was some distance from some of the flats. However, the practical use of the bins is a matter to be dealt with by the occupiers of the

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development and it would be unreasonable to refuse an application on such an issue. Concern has been raised about loss of privacy from properties across the road from the development. However, the front-to-front distance between this proposal and properties across the street is typical of, if not more generous than, the distances between properties up and down this street.

Flooding – the Environment Agency has been consulted and raised no concerns. The appropriate open space contribution has been paid.

**Recommendation**

Subject to the following condition(s):

**Conditions/Reasons**

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

2 No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the scheme hereby permitted (which shall be as stated on drawing number 03/894/11/B) have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

3 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.

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

4 The two bedroom units hereby approved shall be permanently retained as two bedroom units and shall not be extended, altered or combined with another dwelling.

Reason: To ensure the housing mix is maintained in accordance with H7 of the Winchester District Local Plan Adopted 2006.

5 Detailed proposals for the disposal of 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 the buildings are occupied.

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

6 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

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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.

Reason: In the interests of the amenity of the area.

7 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 or E of Part 1 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

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

8 Details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway 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 duration of the construction period. No lorry shall leave the site unless its wheels have been cleaned sufficiently to prevent mud being carried onto the highway.

Reason: In the interests of highway safety.

9 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.

Reason: In the interests of highway safety.

10 The doors and windows on the development hereby approved shall be recessed a minimum of 75mm.

Reason: In the interests of the amenity of the area.

11 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 expressly authorised by this permission shall, at any time, be constructed in any of the elevations of the development hereby permitted.

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

12 Prior to the commencement of development 1:20 fully annotated elevations and sections shall be submitted to and approved in writing by the Local Planning Authority showing fully:

- front doors
- windows, which shall be timber vertical sliding sashes
- eaves
- bay windows
- window sills
- front doors
- brick detailing over front doors
- dormer windows
- front wall and railings

The approved details shall be fully implemented before the development is occupied.

Reason: In the interests of visual amenity.

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**Informatives**

1. 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.

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

Hampshire County Structure Plan Review: UB3, R2

Winchester District Local Plan Adopted 2006: DP1, DP3, DP4, DP5, H3, H7, E2, E4, T2, T4, RT3

3. A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water's Network Development Team (wastewater) based in Otterbourne, Hampshire or [www.southernwater.co.uk](http://www.southernwater.co.uk)

4. A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water's Network Development Team (Water) based in Chatham, Kent or [www.southernwater.co.uk](http://www.southernwater.co.uk)

5. 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.

6. 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.