

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Winchester City
Council
Planning Department
Development Control

TEAM MANAGER
SIGN OFF SHEET

Delegated Decision

Case No:	08/01998/FUL	Valid Date	21 August 2008
W No:	21058/01	Recommendation Date	21 November 2008
Case Officer:	Mr Nick Fisher	8 Week Date	16 October 2008
		Committee date	11 December 2008
Recommendation:	Application Permitted	Decision:	Delegated Decision

Proposal: Demolition of no.16 Fox Lane & no.1 Chatham Road. Erection of 2no. 2 bedroom houses, 2no. 2 bedroom flats and 2no. 1 bedroom flats in two storey building (RESUBMISSION)

Site: 16 Fox Lane Winchester Hampshire SO22 4DY

Open Space Y/N	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
Y	Y	N	Y	Y	N	Y

DELEGATED ITEM SIGN OFF		
APPROVE Subject to the condition(s) listed	REFUSE for the reason(s) listed	
	Signature	Date
CASE OFFICER		
TEAM MANAGER		

AMENDED PLANS DATE:-

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Item No: 2
Case No: 08/01998/FUL / W21058/01
Proposal Description: Demolition of no.16 Fox Lane & no.1 Chatham Road. Erection of 2no. 2 bedroom houses, 2no. 2 bedroom flats and 2no. 1 bedroom flats in two storey building (RESUBMISSION)
Address: 16 Fox Lane Winchester Hampshire SO22 4DY
Parish/Ward: Winchester Town
Applicants Name: Mr Keith Read
Case Officer: Mr Nick Fisher
Date Valid: 21 August 2008
Site Factors:

Recommendation: Application Permitted, subject to contributions towards public open space and Hampshire County Councils Highway contribution scheme

General Comments

This application is reported to Committee at the request of Councillor Thompson whose request is appended in full to this report.

This application is also reported due to the number of objection letters received.

If the committee resolve to grant planning permission, consent will be issued after the receipt of payment towards public open space and Hampshire County Council highways contribution.

This application is a resubmission, following the withdrawal of 08/00590/FUL for the Demolition of no.16 Fox Lane & no.1 Chatham Road; erection of 2no. 2 bedroom houses, 2no. 2 bedroom flats and 2no. 1 bedroom flats, in a two storey building.

This submission contains the following amendments / improvements :-

- Natural slate is proposed for the roofs rather than zinc cladding and concrete tiles;
- The timber cladding is now oak rather than cedar;
- The roof pitch has been reduced to reduce the ridge height and subsequently increase the eaves overhang;
- The window details in the corner have been altered at the suggestion of the City of Winchester Trust;
- The external doors will be be-spoke and constructed from Oak;
- The arrangement of the parking area on the western side of the site has been altered to reduce the prominence of the parked vehicles; greater distance to the boundary is incorporated to protect the existing vegetation from damage;
- Additional planting in close proximity to parked vehicles to act as a visual shield;
- The design of the bin and bike store has been revised and the location of the building amended to replicate the existing garden walls / stores within the area;
- The garden area serving plot four has been increased and additional boundary planting has been introduced to increase levels of privacy;

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

- Additional layout information and arboricultural information has been included to demonstrate that the important boundary screening is maintained.

Site Description

The site is located in a corner position adjacent to the junction of Fox Lane and Chatham Road. The site is rectangular in shape, with a site area of 1067sqm. There is a noticeable north to south slope through the site.

The site contains a pair of redbrick, two storey, semi detached family sized houses. This style of dwelling is common within the area. There are mature trees and hedging upon along the site's boundaries.

This part of Stanmore is likely to have been constructed between 1945 and the later part of the 1950s. The area is characterised by, primarily, two storey, semi-detached dwellings. The area has a strong sub-urban structure that incorporates generous distance between buildings, respect for the topography, and uniformity with regard to building materials

Proposal

It is proposed to demolish the two existing semi-detached dwellings on the site and erect 2no two bedroom dwellings, 2no two bedroom flats, and 2no one bedroom flats. These will be accommodated within one, two storey building with three elements, incorporating a distinctive corner feature. The building is located centrally within the site and addresses the corner of Chatham Road and Fox Lane. It is proposed that the building is constructed from a soft red stock brick, a natural slate roof, oak cladding and bespoke dark grey powder coated aluminium windows.

The scheme incorporates both private and communal garden areas. It is proposed that the majority of the existing vegetation on the site is retained.

The development re-uses the two existing access at the site and it is proposed to park cars in two separate areas. Six car parking spaces are proposed to serve the dwelling.

The density of development is 57 dph (approx).

Relevant Planning History

08/00590/FUL - Demolition of no.16 Fox Lane & no.1 Chatham Road; erection of 2no. 2 bedroom houses, 2no. 2 bedroom flats and 2no. 1 bedroom flats in two storey building. Withdrawn 23rd May 2008.

Consultations

WCC Highways: No objection subject to conditions 03, 04 and 05.

WCC Engineers: Drainage: No objection.

Environmental Health: No objection subject to a condition regarding unexpected contamination (condition 06).

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

WCC Landscape: The Officer supports the scheme and considers that it will enhance the area. No significant trees will be lost and important vegetation within the site is being retained. The planting of a birch tree within the corner would help to further soften the appearance of the building. (Conditions 07 and 12 relate to landscape matters).

WCC Tree Officer: No objection to the revised layout and arboricultural information subject to condition 08 regarding tree protection measures.

Environment Agency: No objection.

Southern Water: No objection, subject to conditions 9 and 10 regarding surface water disposal and public sewer protection.

Representations:

City of Winchester Trust: No objection to the scheme. The trust considers that the simple form of the scheme turns the corner in a better manner than the existing dwellings upon the site. It is questioned if timber is the correct material for the corner feature and brick may be more appropriate.

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

- The design is not appropriate in relation to the distinct character and style of the area;
- The density of development is too high in relation to the surrounding area.
- The proposed car parking provision is insufficient in relation to the number of dwellings proposed and will result in cars being parked upon the highway.
- The proposed lighting will give rise to light pollution;
- The proposed materials will relate poorly to the existing materials used in the area;
- The proposed amendments do not improve the scheme in relation to the earlier submission.
- The climbing plants to be mounted to the internal walls may be removed;
- The scale and massing of the buildings are poor;
- The development may set an undesirable precedent;
- The introduction of flats into the area will harm the character of the area.
- More dwellings will add to noise problems within the area;

Relevant Planning Policy:

Winchester District Local Plan Review
DP1, DP3, DP4, DP9, H3, H7, RT4, T1, T2, T3

National Planning Policy Guidance/Statements:
PPS 1 Delivering Sustainable Development
PPS 3 Housing
PPG 13 Transport

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Planning Considerations

Principle of development

The principle of development is acceptable, the proposal accords with adopted planning policies. The proposal has overcome the concerns raised during the consideration of the previous withdrawn planning application.

The development makes effective and efficient use of the site as required by policies DP3 and H7 of the WDLPR 2006. The density of development (57.1 dph) and mix and size of dwellings also accord with policy H7 from the WDLPR 2006. Whilst the density of development is higher than the existing area (the applicant has shown that neighbouring areas within Stanmore have a density of 23dph and 45dph) it is considered that the proposal respects the character of the area whilst avoiding a cramped form of development.

The form of development, the detailed design, and location of built form within the site are acceptable. It is considered that the scheme represents an innovative form of development that relates well to the street-scene and responds to the existing character of the area.

At the time of writing this report a contribution towards public open space and Hampshire County Council's highway contribution scheme (as required by policies RT4 and DP9) had not been received. If consent is resolved to be granted, it is done so on the basis that a decision notice is not issued, until the contributions are received.

Design/layout

The proposed layout is considered to respond well to the site's constraints and structure of the surrounding area. The building is located centrally within the site affording sufficient communal amenity space. This ensures that the proposal will not appear to be cramped in relation to the site's boundaries or neighbouring buildings. The existing building affords 9m to the dwelling to the west and 7m to the dwelling to the north, the proposed scheme affords 7m and 8m respectively to these buildings.

The contemporary nature of the scheme, arranged around a central oak clad element and the use of high quality materials (red brick (to closely match the bricks used in surrounding buildings), natural slates for the roof, oak cladding for corner element and bespoke doors and windows) is considered to represent a distinctive form of development that will add visual interest to the area. Elements such as the proposed double gable ends, and flat roofed outbuilding reflect the form and design of the neighbouring dwellings.

The two storey nature of the development and proposed use of three interlinked elements that step down the site, ensure that the building sits comfortably within its surrounds and respect the site's topography.

The retention of the existing vegetation on the boundaries will ensure that the building will not appear to be excessively prominent within the street-scene, and respects the mature nature of the surrounding housing estate.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

The dispersed location of car parking provision to two locations within the site is also considered to be acceptable as it ensures that a large, single, prominent area of hard-standing is avoided. In addition half of the proposed provision is located to the side and rear of the building and will be blocked from view by the proposed building. This ensures that parked vehicles will not dominate the street-scene

Impact upon the character of area

The proposed development will not have a detrimental impact upon the character of the area, which is primarily characterised by two storey semi-detached dwellings that are set back from the highway by verges and small front gardens. It is also noticeable that there are sizeable gaps between the buildings and buildings heights and that floor levels and gardens respect the existing topography. It is considered that the proposal affords generous space to the site's boundaries and incorporates adequate distance to the highway. Furthermore the built form and garden areas respond well to the slope through the site.

Landscape/Trees

The retention of the existing trees and hedgerow within the site is considered to be a positive element of the proposal. This will ensure that the proposed built form is visually softened when viewed from public locations and adjacent private garden areas. The revised arboricultural impact appraisal and method statement submitted as part of the application, has demonstrated that the proposed development will not harm the trees

Residential amenity.

Due to the retention of the existing vegetation on the rear boundaries with 18 Fox Lane to the north and 3 Chatham Road to the west and the distance between the rear elevations and boundaries (13m approx and 18m approx respectively) it is considered that the scheme will not give rise to unacceptable levels of overlooking upon neighbouring garden areas. In addition the proposal will not give rise to loss of light or overshadowing upon neighbouring dwellings.

The amount of communal amenity space to serve the two 2 bedroomed flats and two 1 bedroom flats is considered to be acceptable. The retention of the existing vegetation upon the boundary will provide sufficient screening to ensure that the communal area is not significantly overlooked from the highway. A second communal area is proposed to the rear of the building.

The development affords two private garden areas to serve the two 2 storey flats. Whilst the garden areas are small they are considered to be large enough to meet the future needs of the occupants.

Highways/Parking

The highway officer considers that the scheme is acceptable and that the provision of one parking space per dwelling is acceptable when consideration is given to the small size of the units and sustainable location in relation to bus services (services from Stanmore run to both the bus and train station on a 15 -20min frequency).

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

The proposed accesses to the parking area providing provision for four parked vehicles and the re-use of the existing two bay parking areas off Fox Lane are both considered to be acceptable as is the level of private and communal cycle provision. The development is not considered to represent a danger to highway users

Planning Obligations/Agreements

In seeking the planning obligation(s) and/or financial contributions for, the Local Planning Authority has had regard to the tests laid down in Circular 05/2005 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

That permission be granted subject to **(i)** the payment of contributions towards public open space and Hampshire County Council highways contribution scheme.

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

(ii) the following conditions

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 building 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.

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

3 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.

4 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.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

5 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.

Reason: To ensure the permanent availability of parking for the property.

06 Development shall cease on site if, during any stage of the works, unexpected ground conditions or materials which suggest potential contamination are encountered, unless otherwise agreed in writing with the Local Planning Authority. Works shall not recommence before a site assessment has been undertaken and details of the findings along with details of any remedial action required (including timing provision for implementation), has been submitted to and approved in writing by the Local Planning Authority. The development shall not be completed other than in accordance with the approved details. NB - potentially contaminated ground conditions include infilled ground, visual evidence of contamination or materials with an unusual odour or appearance.

Reason: In order to secure satisfactory development and in the interests of the safety and amenity of future occupants.

7 Prior to the first occupation of the dwellings a broad leaf tree shall be planted in the communal garden area adjacent to Fox Lane and Chatham Road unless otherwise agreed in writing by the Local Planning Authority. The location of the tree shall be agreed in writing by the Local Planning Authority prior to the commencement of development. If within a period of 10 years from the date of the planting of any tree, or any tree planted in replacement of it, that tree is removed, uprooted or destroyed or dies (or becomes in the opinion of the Local Planning Authority seriously damaged or defective) another tree of the same species and size as that originally planted shall be planted at the same place within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: In the interest of visual amenity of the area.

8 Protective measures, including fencing and ground protection, in accordance with the arboricultural impact assessment and method statement prepared by Enviroplant issued 15 August 2008 taking into account revised plan 'Extract From T2 architects drawing no. 0716_04.rev.F shall be installed prior to any demolition, construction or groundwork commencing onsite and maintained until completion of development. Any deviation from works prescribed or methods agreed shall be agreed in writing to and approved by the Local Planning Authority.

Reason: In the interests of tree protection and visual amenity.

9 Construction of the development shall not commence until details of the proposed means of surface water disposal have been submitted to, and approved by the Local Planning Authority in consultation with Southern Water.

Reason: To ensure a satisfactory form of development.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

10 No development or new tree planting should be located within 3 metres either side of the centreline of the public sewer and all existing infrastructure should be protected during the course of construction works.

The developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to protect the public sewers, prior to the commencement of development.

Reason: To ensure a satisfactory form of development.

11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking and re-enacting that Order with or without modification) no development permitted by Classes E of Part 1 of the Order shall be carried out without the prior written consent of the Local Planning Authority.

No fence panelling or enclosure (including walls and gates) above 1metre in height shall be erected within the communal garden area or upon the boundary of a communal garden area and a private garden area or upon the sites boundaries, without the prior written approval of the Local Planning Authority.

Reason: To ensure that outbuildings and enclosures are not erected without Local Planning Authority consent and to ensure that these features do not become excessively prominent within the street-scene. In the interests of visual amenity.

12 In this condition "retained tree" means an existing tree / bush / hedge which is to be retained in accordance with the approved plans and particulars, and paragraphs (a) and (b) below shall have effect until the expiration of from the date of the occupation of the building(s) for its permitted use.

a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

b) If any tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.

Reason: To ensure the protection of trees which are to be retained and in the interests of visual amenity.

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.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

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

Winchester District Local Plan Review 2006: DP1, DP3, DP4, DP9, H7, RT4, T1, T2, T3

3. All work relating to the development hereby approved, including works of demolition or preparation prior to operations, shall only take place between the hours of 08:00 to 18:00 Monday to Friday and 09:00 to 13:00 Saturdays and at no time on Sundays and Bank Holidays. Where allegations of noise nuisance from the works are substantiated by the local authority, a notice limiting the hours of operation under the control of pollution act 1974 may be served.

4. No materials shall at any time be burnt on site. The applicant / developer are reminded that the Environmental Pollution Act 1990 and The Clean Air Act 1993 are both pertinent.

5. 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 please contact Atkins Ltd on 01962 858688.