

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA

Winchester City  
Council  
Planning Department  
Development Control

TEAM MANAGER  
SIGN OFF SHEET

## Committee Item

<b>Case No:</b>	09/00264/FUL	<b>Valid Date</b>	10 February 2009
<b>W No:</b>	00171/31	<b>Recommendation Date</b>	2 April 2009
<b>Case Officer:</b>	Andrea Swain	<b>8 Week Date</b>	<b>12 May 2009</b>
		<b>Committee date</b>	<b>23 April 2009</b>
<b>Recommendation:</b>	<b>Application Permitted</b>	<b>Decision:</b>	<b>Committee Decision</b>

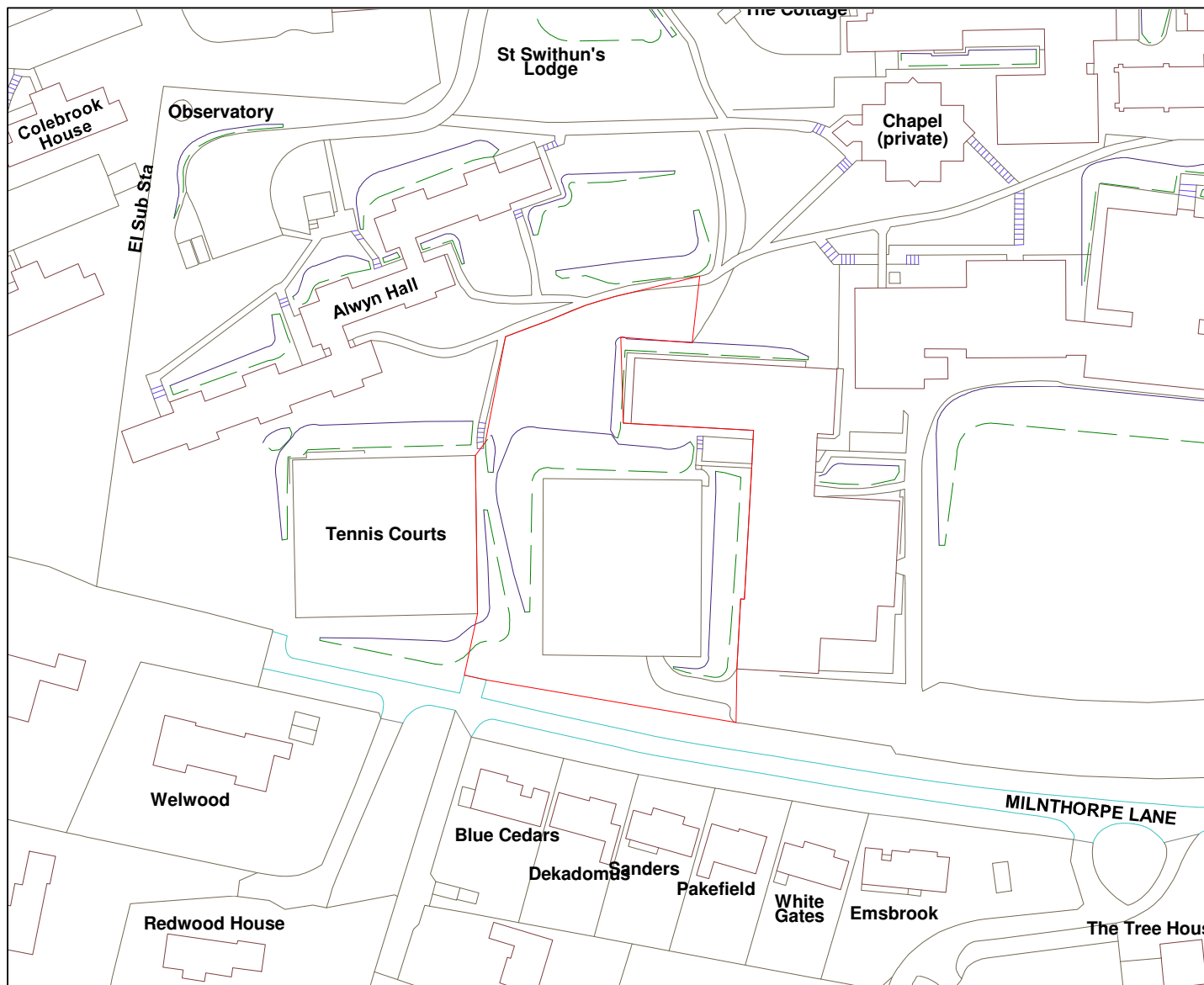
**Proposal:** Erection of two storey detached building to provide performing arts faculty

**Site:** University College Winchester Sparkford Road Winchester Hampshire

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

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

**AMENDED PLANS DATE:-**



Legend	
<b>Scale:</b>	1:1250



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<b>Organisation</b>	Winchester City Council
<b>Department</b>	Development Services
<b>Comments</b>	
<b>Date</b>	08 April 2009
<b>SLA Number</b>	00018301

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**Item No:** 3  
**Case No:** 09/00264/FUL / W00171/31  
**Proposal Description:** Erection of two storey detached building to provide performing arts faculty  
**Address:** University of Winchester Sparkford Road Winchester  
Hampshire  
**Parish/Ward:** St Michaels  
**Applicants Name:** Mr John Mann  
**Case Officer:** Andrea Swain  
**Date Valid:** 10 February 2009  
**Site Factors:** Within a settlement.  
**Recommendation:** Application Permitted

### General Comments

This application is reported to Committee because it is for a major development

### Site Description

The site is within the University campus and was formerly a tarmac tennis court between the existing sports hall and tennis courts. The site measures 30 square metres by 30 square metres and is level, but surrounding buildings and land step and bank from north to south and west to east. The southern boundary is formed by Milnthorpe Lane, a residential private road of detached properties which look directly towards the site. This southern boundary is made up of deciduous and coniferous hedges and trees and there are limited views from these houses into the site. The immediate surroundings are characterised by the University campus buildings, set within landscaped grounds. To the south, the character changes to low density residential housing.

### Proposal

The proposed Performing Arts building will provide 12 studios for teaching purposes, with toilets and changing facilities in a two storey building of 1500 square metres. The spaces are not intended for performance or the gathering of large audiences. The proposed building will sit within the existing tarmac area of the site and be 8.8 metres in height from ground level.

The new building is to have a main entrance on its north side facing back towards the main footpath that transverses the campus from east to west. The entrance will address the campus and is remote from the boundary edge adjacent to the residential properties along Milnthorpe Lane. A graphic wall is proposed adjacent to the main entrance, consisting of an illuminated canvas stretched across a bespoke steel frame.

Due to the level changes, a new path and bridge is proposed which will give access to the building at first floor level for all students, including those requiring wheelchair access. A lift will service the two levels of the new building off a secondary corridor. Fire escape access only is proposed on the southern side of the building. A south facing green wall will be created along the southern elevation of the building to further screen the building

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from the residential properties to the south. There will be no windows on the south elevation, to prevent overlooking.

In order to avoid sound egress to the outside and between teaching spaces, there will be no opening lights within the façade. Air will be brought into the studios from the façade via an attenuated inlet and distributed into the space. Air is then drawn through the roof by a sound-attenuated ventilating chimney located in the dividing walls between the double height and single height studios.

The materials of the building will be a flush fixed cladding similar to that used elsewhere on the campus. The façade will be divided horizontally, by a colour change in the cladding and the projection of the upper façade out beyond the lower, to also give depth and shadow.

The building will be 27 metres from the closest residential property in Milnthorpe Lane.

### **Relevant Planning History**

Since the Planning History records began in 1974, the University has grown and a number of new buildings have been erected on the campus. None are directly related to this planning application.

### **Consultations**

#### Engineers: Drainage:

The application site is currently a disused tennis court and is therefore already hard landscaped. The construction of a building on this area will not significantly increase surface water run off and suitable soakaway drains will dispose of this flow in a sustainable way. The effluent from the showers / WCs will be accommodated by the existing foul drainage infrastructure without causing overload. No objection on drainage grounds.

#### Engineers: Highways:

The proposal will not significantly raise student or staff numbers as this facility is seeking to enhance the existing facilities at the campus. The University has a green travel plan. The status of the plan needs to be checked to see if it would need updating as a result of this application.

#### Environmental Health:

Section 5 within the report addresses the issue of the impact of noise on neighbouring properties, however, the second paragraph does acknowledge limitations on the acoustician's ability to determine the building's acoustic integrity because, at the time the report was drafted, *'The construction of the building is still under review, and, as a result, specific airborne sound insulation ratings for the build elements, roof, windows, doors etc, of the design have not been finalised, but will be developed as part of the detailed design of the building. Currently, both lightweight and conventional construction options are being investigated.'*

The report goes on to determine the potential for noise break-out at the nearest residential property, assuming light-weight construction and an internal noise source of 95 db(A). Their findings are as follows:

- typical internal levels with an open window of between 31 and 35dB  $L_{(A)eq}$

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- maximum internal noise levels of between 44 and 49  $L_{(A)max}$

When assessed against BS 8233:1999, it suggests that a reasonable standard in bedrooms at night (23:00 to 07:00), for individual noise events (measured with the F time weighting) should not normally exceed 45 dB(A)  $L_{(A)max}$ . A condition could be applied to determine reasonable hours of operation (Condition 5). Sound insulation details to be submitted (Condition 4).

Landscape:

No objection in landscape terms; the proposed building fits well into the space available to it without removal of any significant existing trees. There is also room for compensatory tree planting. It is regrettable that some attractive flowering trees are to be lost, but these are not high quality trees, as demonstrated in the submitted tree survey. It would nevertheless be desirable to see a more detailed landscape planting plan, which should address both the need to maximise the vegetational buffer between the site and Milnthorpe Lane and to help the building integrate into its landscape setting. No objection, subject to conditions (Conditions 6 and 7).

Arboricultural Officer:

To be reported.

## Representations

City of Winchester Trust:

It is wondered whether it would be possible to 'green' the roof, which would be good for environmental reasons and look less unsightly when seen from nearby buildings on high land.

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

- Noise and disturbance
- Planting along boundary and 'green wall' need to be guaranteed
- Centre must not be used for a drum school

## Relevant Planning Policy

Winchester District Local Plan Review

DP1, DP2, DP3, DP4, DP6 and SF6

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPG 24 Planning and Noise

## Planning Considerations

Principle of development

The site is within the settlement boundary, where Policy SF6 allows the development of new buildings for facilities and services for educational establishments. The erection of a new building for the Performing Arts facility at the University is, therefore, acceptable in principle, subject to the other relevant policies of the Development Plan.

Policy DP1 of the Development Plan requires planning applications to be supported by a Design Statement.

Policy DP2 requires major landowners in the District to produce long term master plans for their land. Proposals for significant development will not be permitted in the absence of such plans.

Policy DP3 requires development to make efficient and effective use of land or buildings;

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for the design, scale and layout of development to respond positively to the character, appearance and variety of the local environment; to keep parking provision to a minimum; to provide for ease of movement and local permeability; to maximise access to public transport and to have an acceptable impact on adjoining land uses or property.

Policy DP4 does not permit development where it would result in the loss of trees and hedgerows.

Policy DP6 promotes sustainable forms of development by maximising opportunities for passive solar gain, and, where appropriate, incorporating renewable energy production equipment, measures to reduce water consumption, sustainable drainage systems and waste minimisation during construction.

Planning Policy Statement 1: Delivering Sustainable Development, promotes good design and seeks to reject development which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area.

Planning Policy Guidance Note 24 : Planning and Noise, seeks to ensure that development does not cause an unacceptable degree of disturbance to neighbouring occupiers.

#### Design/layout

With regard to Policy DP1, a comprehensive Design and Access Statement has been submitted with the application.

A Master Plan for the University Campus has been submitted to the Local Authority and is to be presented to Cabinet on 21<sup>st</sup> May, 2009. The Master Plan sets out the University's Estates Strategy and advises that the requirement for the Performing Arts building has come about as a result of the University restructuring its academic departments and creating a new Faculty of Business, Law and Sport, which will be located in the West Downs Centre. A large proportion of Performing Arts courses are currently taught in the West Downs Centre and, to facilitate the move of Business School courses, it is necessary for the University to provide alternative purpose-built studio space. The current space at West Downs used by Performing Arts, which will be taken on by the Business School, broadly matches the floor area to be provided in the proposed new building and there will, therefore, be no net change in the movement of students and staff between the two locations. Accordingly, the proposal is in accordance with Policy DP2.

It is considered that the building has been designed to a high standard to take account of its location on the perimeter of the university campus and to reflect the existing high quality design of new buildings on the site. Samples of the materials to be used in the building are to be submitted to ensure that they are good quality and appropriate to the location (Condition 2).

#### Impact on character of area and neighbouring properties

The building will be well screened from the properties in Milnthorpe Lane by the bank of trees on the northern side of the lane. The addition of the green wall on the south elevation will further assist in screening the building from the lane to ensure that it has a positive impact on the character of the area.

The building is to the north of Milnthorpe Lane and will not cause any overshadowing to the residential properties to the south.

#### Landscape/Trees

The building will be located in a landscaped setting, supplemented by the proposed green wall. Planning Condition 6 will require plans to be submitted with regard to the landscape details. Planning Condition 7 will ensure the satisfactory implementation and

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maintenance of the green wall.

Comments are awaited from the Tree Officer with regard to the Arboricultural Report which has been submitted with the planning application.

Noise

The Environmental Health Officer is satisfied with the findings of the acoustic report by the English Cogger Partnership and has recommended planning conditions with regard to sound insulation measures to be submitted and a restriction on the opening times of the teaching facility (Conditions 4 and 5).

Highways/Parking

The Highways Officer is satisfied that the proposal will not significantly raise student or staff numbers, as this facility is seeking to enhance the existing facilities at the campus. The University has a green travel plan which will be updated in the light of the new Park and Ride facility to the south of Winchester. It is not considered that the erection of the new Performing Arts building will affect the existing green travel plan, given that staff and student numbers will not increase.

Sustainability and Drainage

The new Performing Arts building will be integrated into the University's waste management scheme which seeks to manage waste in an environmentally responsible manner. Recycling points are located at strategic points in all buildings. Waste is collected twice daily from all buildings on campus by the University's recycling team. The studios are to be naturally ventilated, with some fan assistance to the ventilation chimneys at peak times to provide the lowest energy use. The studios are provided with natural light, which will reduce the use of artificial light. Horizontal and vertical shading elements have been introduced in key areas to reduce solar gain and the associated overheating of spaces.

The Drainage Engineer has raised no objection. Accordingly, the proposal is considered to be in accordance with Policy DP6.

Other Matters

All matters raised by the letters of objection have been dealt with above. The noise levels are controlled by planning Condition 4. Besides the requirements of this planning condition, there are other noise controls under Environmental Health Legislation.

Conclusion

The proposal is in accordance with Development Plan policy and is recommended for approval.

**Recommendation**

Application Permitted, subject to the following conditions:

**Conditions**

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

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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 before the building is occupied.

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

3. 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 the south elevation(s) of the building hereby permitted.

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

4. The building(s), structure(s) and plant shall be constructed so as to provide sound insulation against internally generated noise, with windows shut, and other means of ventilation provided, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Such noise insulation shall be thereafter maintained and operated in accordance with the approved scheme.

Reason: To ensure that the building is adequately sound-proofed in the interests of the amenities of the occupants of nearby premises.

5. The teaching facility hereby permitted shall not be used between the hours of 2200 and 0800 hrs.

Reason: To protect the amenities of the occupiers of nearby properties.

6. 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, 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.

7. A detailed method statement and a management plan for the implementation and maintenance of the proposed green wall should be submitted to and approved in writing by the Local Planning Authority prior to any development.

Reason: To improve the appearance of the site 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:-

Winchester District Local Plan Review 2006: DP1, DP2, DP3, DP4, DP6 and SF6.

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 0800 and 1800 Monday to Friday and 0800 and 1300 on Saturdays and at no time on Sundays and Bank Holidays.