

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>	09/00194/FUL	<b>Valid Date</b>	3 February 2009
<b>W No:</b>	07198/06	<b>Recommendation Date</b>	6 April 2009
<b>Case Officer:</b>	Mr Simon Avery	<b>8 Week Date</b>	<b>31 March 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>

<b>Proposal:</b>	Rear extension to form 17 no. additional bedrooms (net increase of 16 bedrooms), including ancillary facilities and additional car parking
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<b>Site:</b>	Tegfield House 24 Chilbolton Avenue Winchester Hampshire SO22 5HD
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Open Space	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
<b>N</b>	<b>N</b>	<b>N</b>	<b>Y</b>	<b>N</b>	<b>N</b>	<b>N</b>

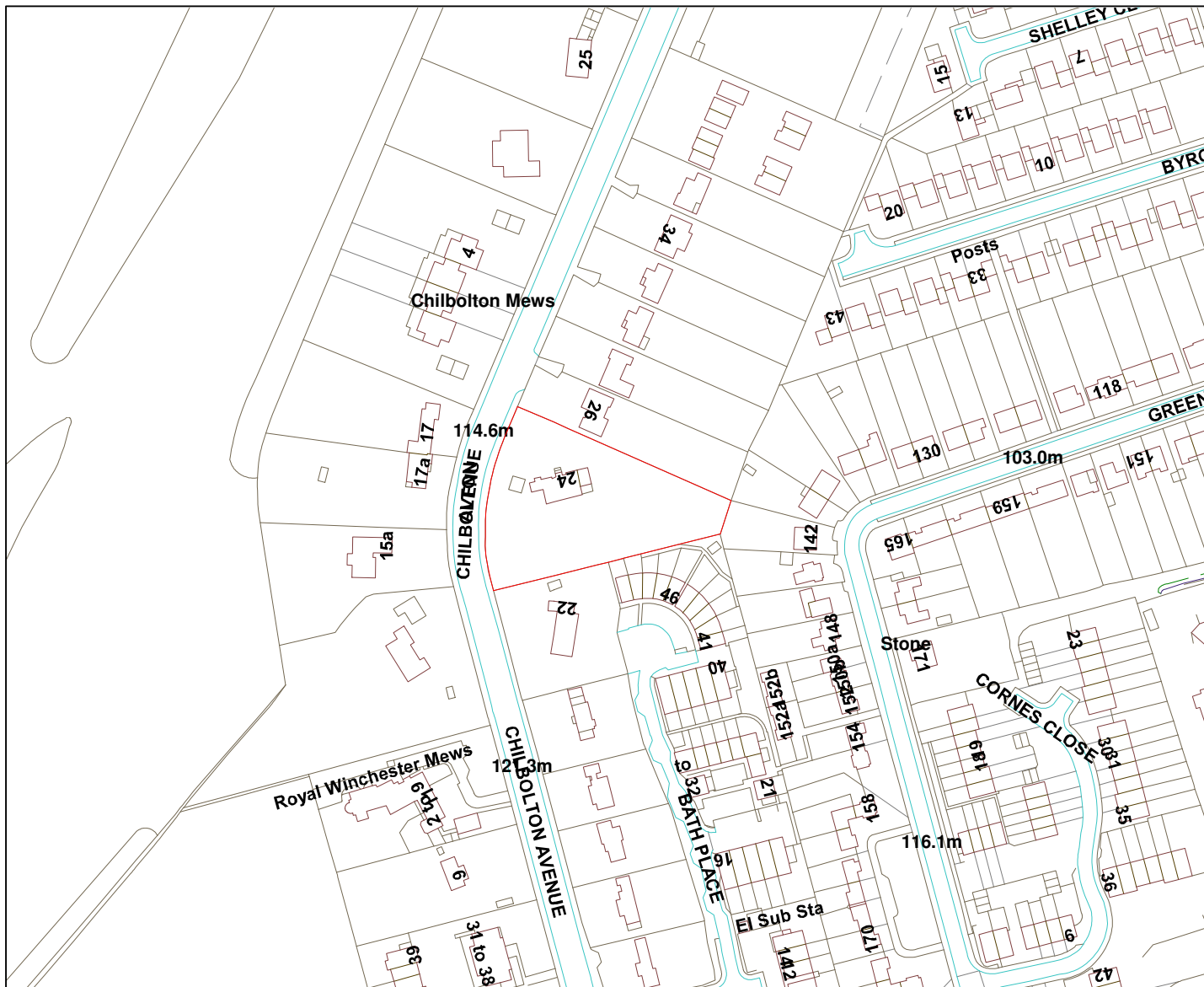
<b>APPROVE</b> Subject to the condition(s) listed	<b>REFUSE</b> for the reason(s) listed	
	<b>Signature</b>	<b>Date</b>
<b>CASE OFFICER</b>		
<b>TEAM MANAGER</b>		

# Tegfield House, 24 Chilbolton Ave

09/00194/FUL



**Winchester**  
City Council



## Legend

Scale: 1:2500



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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:** 5  
**Case No:** 09/00194/FUL / W07198/06  
**Proposal Description:** Rear extension to form 17 no. additional bedrooms (net increase of 16 bedrooms), including ancillary facilities and additional car parking  
**Address:** Tegfield House 24 Chilbolton Avenue Winchester Hampshire SO22 5HD  
**Parish/Ward:** St Pauls  
**Applicants Name:** Hartford Care Ltd  
**Case Officer:** Mr Simon Avery  
**Date Valid:** 3 February 2009  
**Recommendation:** Application Permitted

### General Comments

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

### Site Description

This site is located on the eastern side of Chilbolton Avenue, located at a bend in the road. The site is roughly triangular in shape, narrowing to the east. Land levels drop to the north and east. The site currently holds one large building in use as a care home. The building has a horseshoe shaped footprint, with the main spine of the building set on an east-west axis and two wings projecting to the south. The building is two storeys in height with clay roof tiles and cream coloured render. There is hardstanding and a parking area to the north of the building and lawns to the south and east. Between the two projecting wings is a small courtyard area. There are a number of large trees around the boundaries, in particular fronting Chilbolton Avenue and on the eastern boundary. Chilbolton Avenue is made up historically of large detached houses in large plots. There are, however, more recent developments of large buildings which contain several residential units. Furthermore, to the south east of this site is Bath Place, a development of terraced residential blocks set back behind the main houses on Chilbolton Avenue. The immediate neighbours of the site are No. 26 Chilbolton Avenue to the north east and No. 22 Chilbolton Avenue to the south, detached houses. Nos. 41 to 50 Bath Place, a crescent of two storey houses, is located to the east of No 22 Chilbolton Avenue. To the east, beyond the site, are the rear gardens of properties on Greenhill Road.

### Proposal

The proposal is for an extension to an existing care home to provide a net increase in the number of bedrooms from 24 to 40. These rooms are to be accommodated within a one and half storey extension on the southern side of the building. This will be attached to the two existing wings which project southwards and so create an inner courtyard. The proposal also includes ancillary facilities and additional car parking and the removal of a garage to the north of the building.

### Relevant Planning History

**83/01619/OLD:** Change of use from dwelling house to guest house - Permitted - 11/03/1983

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**83/00998/OLD:** Change of use from dwelling house to rest home for the elderly - Permitted - 11/03/1983

**86/00921/OLD:** First floor side extensions and two dormer windows - Permitted - 03/04/1986

**88/01014/OLD:** Installation of velux roof light and conversion of loft - Permitted - 13/04/1988

**92/00666/OLD:** Two storey side and rear extensions and double garage - Permitted - 30/01/1992

**04/03035/FUL:** Conservatory to rear - Permitted - 23/12/2004

## Consultations

### Highways Officer

Following the submission of speed survey data, it has been demonstrated that adequate visibility can be provided at the existing site access, with the removal of the fence panels and some vegetation. Adequate car parking is being provided and servicing of the site will remain unchanged. The development will result in an additional 17 daily vehicular movements and, in accordance with the adopted contributions policy, a Transport Contribution of £310.00 will be required.

### Drainage Engineer

No objection.

### Environment Agency

All precautions must be taken to avoid discharges and spills to the ground both during and after construction.

### Southern Water

Awaiting comments.

### Landscape - Trees

The arboricultural report has identified the key tree constraints on the site and the footprint of the extension respects the root protection areas of all retained trees, as surveyed by Ian Keen Ltd. The trees that are to be removed are either in poor structural condition or are growing within the site with no importance in the wider landscape.

At approximately 6m, a Silver Birch (T43) will be relatively close to the rear elevation of the extension. However, given the light crown structure of the tree, the relationship is considered acceptable and will not result in undue shade.

The storage location to the east of the site may impact on the Indian Bean tree (T58) and the Laburnum (T60). These trees are category C trees, and if the trees do suffer as a result, it will not impact on the integrity of the important group of mature category A trees (G59).

The temporary storage to the front of the site will require the removal of a number of small shrubs which will have a temporary impact on the frontage with Chilbolton Avenue. This area should be reinstated on completion of the development and you may wish to consult with the Landscape Team who will be able to advise on a suitable condition. The category R Beech tree, to be removed because of its poor structural condition, will also need to be replaced.

## Representations:

### City of Winchester Trust

A smaller extension with fewer additional bedrooms would provide better light and outlook for the residents, although it is appreciated this might not be economically viable. It would therefore be useful to have details that justified the necessity of an extension of this size.

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Landscaping that reinforces the boundary screening is considered essential.

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

- Close proximity to the southern boundary;
- Impact on amenity of Nos. 49 and 50 Bath Place;
- Overbearing bulk and massing;
- Impractical and unsightly features such as the zinc-clad bay;
- Impact on amenity afforded to Tegfield House residents through loss of light and recreational space;
- Inadequate information provided, such as sections, a block plan, contextual elevations;
- Significant increase in size of building;
- Loss of green space;
- Bulky building, large expanse of roof, visual impact;
- Inadequate parking provision;
- Potential highway danger due to access;
- The majority of the site will become occupied by buildings, car park and hard landscaping;
- Shops and green open spaces are inaccessible from the site;
- Loss of open space out of character with the Avenue;
- Inaccuracies in the planning statement;
- Increase in traffic;
- Impact on trees;
- The design of the building is not sensitive to the needs of those living and working within it;
- Overlooking;
- Impact of the development on existing infrastructure facilities.

Reasons aside not material to planning and therefore not addressed in this report

- No evidence of consideration of an alternative location;
- Impact on amenity afforded to Tegfield House residents during construction;
- There will be long term problems providing sufficient care staff.

One letter of comment received:

- Additional planting required on boundary with No. 26 Chilbolton Avenue to reduce impact of noise and light pollution from extra car parking

**Relevant Planning Policy:**

Winchester District Local Plan Review

DP1, DP3, DP4, DP5, DP9, DP11, DP13, H8, SF6, T1, T2, T4, W1, W7

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPS 3 Housing

Supplementary Planning Guidance

Chilbolton Avenue Local Area Design Statement

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## **Planning Considerations**

### Principle of development

Policy H8 of the Winchester District Local Plan Review 2006 allows the development of care homes, subject to detailed criteria which are discussed in more detail below. Policy DP3 is also relevant and requires development to respond positively to the character, appearance and variety of the local environment.

### Impact on character of area

The proposed extension will be visible in public views from Chilbolton Avenue. When approaching the site from the south or north, the extension would be screened by planting and the existing building, so the main view from Chilbolton Avenue will be from immediately to the west. In this view, while the extension is quite wide, it is lower in height than the main building and will have a lower eaves height. As such, it will appear subservient and it is not considered that it would be visually intrusive. Furthermore, there will still be a significant gap between the extension and the southern boundary so that the appearance of space around the building will be retained and the resulting building will not appear cramped on the site. The roof form has also been designed to match the roofs on the existing building. A characteristic of the older properties on Chilbolton Avenue is of sizeable buildings with large, broken roof-forms and space between the built form and the boundaries. It is considered that this proposal is consistent with this character and would respond positively to the surrounding environment. Whilst the proposed half-dormers and zinc clad bay are not features which are present on the existing house, it is not considered that these would be intrusive or incongruous in this context.

### Landscape/Trees

The proposed extension will be relatively close to a Silver Birch tree on the southern boundary. The Arboricultural Officer has concluded that, due to the light crown structure of this tree, the relationship with the extension will be acceptable and will not result in undue shade. Apart from this, the trees that are to be removed are either in poor structural condition or are growing within the site with no importance in the wider landscape. Landscape conditions are attached (Conditions 3 and 4) to ensure that the existing planting is strengthened and to ensure that a section of hedge is added along the northern boundary to protect No. 26 Chilbolton Avenue from increased disturbance from car movements.

### Highways/Parking

The Highway Officer is satisfied that the access and parking arrangements are acceptable.

### Residential amenity

No. 22 Chilbolton Avenue and Nos. 50 and 49 Bath Place are located to the south of the boundary of the site, in line with the proposed extension. The houses at Bath Place are approximately 6 metres back from the boundary, while No. 22 Chilbolton Avenue is approximately 9 metres back. The southern boundary is fairly well screened by planting, although the existing building, which is 17 metres from the boundary, is visible from these neighbouring gardens and rooms. The proposed extension would be 8 metres from the southern boundary. It will, therefore, be more visible from these neighbouring sites than the existing building. However, at this distance, it is not considered that the extension would appear overbearing, especially as it will have a lower eaves height than

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the existing building.

The proposed zinc clad bay on the southern elevation of the extension will have windows facing east and west and so will not provide any views towards the neighbouring sites to the south. The proposed rooflights will be positioned at 1.8 metres above floor level and so will be too high to provide views from the first floor rooms in the extension onto neighbouring gardens or into neighbouring properties. It is therefore considered that the proposal will not result in any loss of privacy for neighbours.

As the proposed extension is to the north of these adjoining site, it will not result in any loss of light to the neighbouring gardens.

The proposal also includes the removal of a garage to the north of the building. The occupier of No. 26 Chilbolton Avenue has raised concern that the removal of this screening structure and the revised car parking arrangements will result in an increase in noise and light pollution. However, it is considered that the insertion of additional fencing and hedging on this boundary would sufficiently mitigate any disturbance in this regard and the neighbour has confirmed that they are satisfied with this solution.

The proposed extension will reduce the amount of amenity space for the residents of Tegfield House. However, there is a large area of garden located to the east and this will be improved to provide a more useable area with seating and more formal landscaping. It is considered that this is sufficient amenity space for the care home. The extension will also create an inner courtyard. Concern has been raised that this may be an overly shaded area. However, while it would be shaded, it will still benefit from a certain amount of sunlight and will also provide a more sheltered area for residents which would also provide an alternative benefit to the remaining garden area to the east.

The south facing rooms in the extension will be located relatively close to the trees along this boundary. While this may result in some shading to these rooms, it is not considered that it would be unacceptable as the tree cover is intermittent along this boundary and mainly set towards the edge of the site. The Arboricultural Officer has concluded that the closest tree, due to its light crown structure, would not result in undue shading.

#### Accessibility

The site is an existing care home and, being in a city location, is within reasonable distance of facilities and public transport within the city centre and at Weeke.

#### **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.

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

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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 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 before the extension is occupied.

Reason: To ensure a satisfactory visual relationship between the new development and the existing.

3. No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include the following, as relevant:

- means of enclosure;
- hardsurfacing materials;
- existing and proposed finished levels or contours;

Soft landscape details shall include the following as relevant:

- planting plans, including new tree planting;
- written specification (including cultivation and other operations associated with plant and grass establishment:
- schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate:
- implementation programme.

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

4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before the use hereby permitted is commenced 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 five 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 at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

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

5. 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.



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6. Protective measures, including fencing, ground protection, working procedures and special engineering solutions shall be carried out in accordance with the Arboricultural Impact Appraisal and Method Statement written by Ian Keen Limited ref. IJK/6936/vf. Any deviation shall be agreed in writing by the Local Planning Authority.

Reason: to ensure the protection and long term viability of retained trees and to minimise the impact of construction activity.

7. 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.

8. 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.

9. Before the development hereby approved is first brought into use, visibility splays of 2.4 metres by 90.0 metres to the north and by 2.4 metres by 60.0 metres to the south shall be provided at the junction of the access and public highway. The splays shall be kept free of obstacles at all times. No structure, erection or vegetation exceeding 600mm in height above the level of the adjacent highway shall be permitted within the splays.

Reason: In the interests of highway safety.

10. The car park 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, unloading and turning of vehicles.

Reason: To ensure that adequate on-site parking and turning facilities are made available.

11. The proposed rooflights shall be conservation rooflights.

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

12. Before the development hereby permitted is commenced, a method statement giving details of the removal or relocation of any spoil from the site shall be submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with these approved details.

Reason: In the interests of local amenity and sustainability.

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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, DP3, DP4, DP5, DP9, DP11, DP13, H8, SF6, T1, T2, T4, W1, W7

3. 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.

4. 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.

5. The applicant is advised that all precautions must be taken to avoid discharges and spills to the ground both during and after construction. For advice on pollution prevention measures, the applicant should refer to the guidance 'PPG1 General guide to the prevention of pollution', which is available on the Environment Agency website at [environment-agency.gov.uk](http://environment-agency.gov.uk).