

70 Belgarum Place, Winchester

09/00059/FUL



Winchester
City Council



Legend

Scale: 1:625



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Organisation	Winchester City Council
Department	Development Services
Comments	
Date	24 June 2009
SLA Number	00018301

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DEVELOPMENT CONTROL COMMITTEE AGENDA

Item No: 2
Case No: 09/00059/FUL / W21343
Proposal Description: Two storey side extension (amended plans received 10.02.2009, clarifying the position of the extension in relation to neighbouring properties)
Address: 70 Belgarum Place Staple Gardens Winchester Hampshire SO23 8SL
Parish/Ward: Winchester Town
Applicants Name: Mr Roger Davey
Case Officer: Mr Andrew Rushmer
Date Valid: 14 January 2009
Site Factors: Conservation Area
Recommendation: Application Permitted

General Comments

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

Two sets of amended plans have been received. The first set merely clarified the position of the extension in relation to the neighbouring properties. The second set of amended plans showed the extension moved back slightly to the edge of the retaining wall, out of the grassed area.

Site Description

The site is located in the corner of a recently completed, very high density development (153dph), built in a post-modern style and located between Tower Street and Staple Gardens.

In between the host dwelling and the flint wall running along the boundary of the properties fronting onto Tower Street is located an area of hard-standing, which is currently being used for car parking, though it is not officially allocated as such. Next to the area of hard-standing lies a retaining wall which is approximately 2m. tall. Behind the retaining wall is located an area of landscaping, which has an area of approximately 100sq.m. The landscaped area contains two trees (*Pyrus calleryana* – pear tree) as part of the original landscaping scheme, one of which has now grown to a reasonable size. Three other trees have also been planted on the edge of the landscaped area, which are flowering cherry trees.

There is a significant change in levels between the parking area, landscaped area and properties in Tower Street.

Proposal

The proposal involves extending the property in question to the west by approximately 3.7 metres.

The design echoes the form, style and fenestration of the host property.

Relevant Planning History

02/01332/FUL - (Amended description) Residential development including 5 No. three bedroom town houses with integral garages, 9 No. one and two bedroom flats and demolition of Documentation House - Withdrawn - 02/01/2003.

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03/01533/FUL - (Amended plans and description) Demolition of existing buildings and replacement with residential and commercial development comprising 25 No. one bed flats, 37 No. two bed flats, 1 No. three bed flat; 2 No. two bed houses, 4 No. three bed houses and 4 No. commercial units in 5 No. two, three, four and five storey blocks with associated parking, garages and access - Permitted - 04/11/2004.

Consultations

Conservation Officer: No objection to the proposal.

Historic Environment Officer (Archaeology): Registered no objection to the proposal, but did request that appropriate conditions be added to any grant of planning permission (Conditions 4 & 5).

Representations

City of Winchester Trust:

Registered no comment on the proposal

7 Letters of objection received from residents, and two from Councillors (Cllr Maynard and Cllr Hiscock), stating the following reasons:

- The proposal would undermine the objectives of the original permission for the site in terms of reducing impact on neighbours;
- Permitting the proposal will create further parking congestion within the development and provide insufficient parking;
- Existing building already causes loss of light;
- Original proposal caused excessive noise, disturbance and damage to properties;
- Concerns about the intentions of the applicant;
- The extension would constitute overdevelopment of the site;
- The extension would render the host dwelling out of character with the surrounding area;
- Concerns about the disturbance which will be caused during the building operation;
- Approved plans for Belgarum Place were not adhered to, to the detriment of local residents, a problem which will be exacerbated by this development;
- Original property mix would be undermined by permitting this application;
- Proposal would undermine the design and appearance of the terrace to which the extension will be attached;
- Proposal will have a detrimental impact on the quality of the living environment and make the development even more cramped;
- Detrimental impact on the outlook from surrounding properties;
- Proposal would undermine the landscaped area.

Relevant Planning Policy

South East Plan 2009:

BE6

Winchester District Local Plan Review

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DP3, DP4, HE1, HE5

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPG 3 Housing

PPG 15 Planning and the Historic Environment

Planning Considerations

Principle of development

The site of the proposed development is located within the defined settlement boundary and the Winchester Conservation Area, within which the principle of extensions to residential properties is acceptable, subject to compliance with the detailed provisions of the Winchester District Local Plan Review 2006.

Design, scale and impact on the character of the area

It is considered that, in this regard, the proposal is in accordance with the requirements of Policies DP3 and HE5 of the Winchester District Local Plan Review 2006, and Planning Policy Guidance Note 15. More specifically, the design, fenestration and proportions of the extension reflect that of the host dwelling when viewed from the public realm. Furthermore, it should not be difficult to match the bricks used on the original proposal, which will further ensure that the extension blends in satisfactorily with the rest of the row of properties in this corner of the development. As a result, it is considered that the proposal would preserve the character and appearance of the conservation area.

Impact on the landscaped area

It appears, from the documentation submitted with the application for Belgarum Place (ref: 03/01533/FUL), that the land to the side of No. 70 Belgarum Place, up to the flint retaining wall, was intended to be a landscaped area (which would probably have then been transferred to the landscape management company which also manages other areas of the site). However, during the details and compliance stage, a retaining wall was introduced and the amount of soft landscaping reduced to an area behind the retaining wall. In addition, the landscaped area was not transferred to the landscape management company, but was instead transferred to the ownership of the applicant. Even though the landscaped area is in the ownership of the applicant, it is considered that its impact on the public realm and adjoining residents still needs to be considered. This principle seems to be borne out in an appeal decision on a similar topic at No. 12 Thistledown Close, Winchester (ref: 07/03008/FUL), where the loss of a small area of landscaping to allow for a car parking space was refused and dismissed at appeal.

The original proposal involved the proposed addition extending into the landscaped area. The principle of eroding the landscaping scheme is not something which the Local Planning Authority would support. In addition, the landscaping also benefits the residential amenities of the residents of Tower Street, and eroding this area would have represented an undesirable reduction of such amenity. In response to these concerns, the applicant has moved the building back to the edge of the retaining wall.

The extension will still, to some extent, reduce the benefits to the public realm derived from the landscaping scheme, when viewed from the courtyard in front of No. 70 Belgarum Place. However, given the additional planting which the applicant has provided (namely

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three flowering cherry trees), the retention of which can be secured by a landscaping condition, it is considered that this would not give rise to sufficient grounds to refuse the application, as the enhancement of the landscaping scheme will compensate adequately for the detrimental impact of the proposal.

Impact on trees

The proposal does not result in any significant groundworks which could have a detrimental impact on the trees, as the first floor of the extension will rest on top of the retaining wall as opposed to requiring additional foundations. In addition, given the nature of this species of tree it is unlikely to grow substantially larger and as such there should be no significant conflict between the trees and the extension. Therefore, it is considered that the proposal complies with Policy DP4 of the Winchester District Local Plan Review 2006.

Impact on the residential amenity of neighbouring properties

It is considered that the proposal does not have a significant detrimental impact on the residential amenity of neighbouring properties and, as such, is in accordance with the requirements of Policy DP3 of the Winchester District Local Plan Review 2006. More specifically, there is clearly no overbearing impact, as the extension will be below the main living space of the neighbouring properties along Tower Street (Nos. 50-52). In addition, it is considered that there will also be no material reduction in the amount of privacy enjoyed by neighbouring properties, as the only place where there could be loss of privacy is on the balconies of Nos. 50-52 Tower Street, where currently no privacy is enjoyed, as their balconies look out onto a public courtyard and parking area and there are also several other balconies in close proximity. In terms of overshadowing, it is considered that as a result of the distances involved, the change of levels and the existing situation, there will be no unacceptable impact in this regard as a result of permitting the proposal.

With regard to the concerns about light emanating from the proposal, it is considered that the potential for any light emissions are within reasonable tolerance levels in a town location and would not give sufficient grounds to refuse the application.

A condition has been suggested that the rooflights be obscure glazed, in order to ensure that the occupants of the side extension will not be overlooked by the properties on Tower Street, and also to prevent any potential for the occupants of No. 70 Belgarum Place looking up towards the properties on Tower Street (Condition 2).

Archaeology

It is considered that, in terms of its impact on archaeological sites, the proposal is in accordance with the requirements of Policy HE1 of the Winchester District Local Plan Review 2006.

More specifically, although archaeological remains may survive within the area of the proposed extension, given the extensive archive of information and finds recovered from the previous excavations undertaken for this development (which are currently undergoing detailed analysis in preparation for publication), it is not considered that further archaeological recording of partially surviving individual features would add to the understanding of this area.

However, archaeological remains are preserved within the area of the raised garden to the west. The submitted plans suggest that ground investigations will be required in this area prior to construction, which may help to inform the foundation design. In order to avoid

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unnecessarily impacting on preserved archaeological remains in this area, the Council's Historic Environment Officer has requested that conditions be attached in order to ensure that the requirements of Policy HE1 are met (Conditions 4 & 5).

Parking issues

There is no loss of allocated parking spaces, although the development would result in the loss of an area currently used as such. The number of parking spaces would not meet the draft parking standards (which require that two spaces are provided for a three bedroom unit) but, given the extremely sustainable location of the site, it would not be reasonable to object to the proposal on the grounds of insufficient parking.

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).

2. The rooflights shown in the western elevation of the extension hereby permitted shall be glazed in obscure glass and thereafter retained as such in perpetuity.

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

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 approved scheme 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 those 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. Before any works hereby permitted are begun, details of any below-ground works within the raised garden area shall be submitted to and approved by the Local Planning Authority. The development hereby approved shall only take place in accordance with the detailed scheme approved pursuant to this condition.

Reason: To ensure the satisfactory preservation of archaeological remains within the raised garden area of No. 70 Belgarum Place.

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5. No development shall take place until a detailed foundation design has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only take place in accordance with the detailed scheme approved pursuant to this condition.

Reason: To ensure the satisfactory preservation of archaeological remains within the raised garden area of No. 70 Belgarum Place.

Informatives

1. This permission is granted for the following reason:

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: DP3, DP4, HE1 HE5
Planning Policy Statement 1
Planning Policy Statement 3
Planning Policy Guidance Note 15