

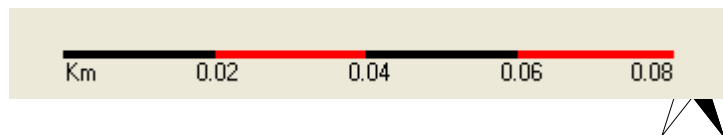
# 20 Sparkford Close, Winchester

09/01554/FUL



**Legend**

Scale:



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<b>Organisation</b>	Winchester City Council
<b>Department</b>	Development Services
<b>Comments</b>	
<b>Date</b>	15 October 2009
<b>SLA Number</b>	00018301

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DEVELOPMENT CONTROL COMMITTEE AGENDA 29 October 2009

**Item No:** 1  
**Case No:** 09/01554/FUL / W21480/01  
**Proposal Description:** Erection of 2 no. three storey terraced houses for student accommodation (Resubmission)  
**Address:** 20 Sparkford Close Winchester Hampshire SO22 4NH  
**Parish/Ward:** St Michaels Ward, Winchester Town  
**Applicants Name:** Snow Taylor Limited  
**Case Officer:** Andrea Swain  
**Date Valid:** 3 August 2009  
**Site Factors:** Within a settlement  
**Recommendation:** Application Permitted

### General Comments

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

This application is a resubmission following the withdrawal of planning application ref: 09/01071/FUL, which related to the provision of student accommodation. That application was withdrawn as the officers were concerned about the number of bedrooms being proposed, given the size of the shared kitchen and living room area and the garden. The new application shows the number of bedrooms reduced from 8 to 6.

### Site Description

The site lies close to the centre of Winchester and the University, in an established residential area, adjacent to the Winchester Conservation Area which lies to the east. The site is rectangular in shape and has an area of 330 square metres.

Sparkford Close was developed in the 1960's and consists of blocks of two and three storey terraced houses set around a cul-de-sac. The development site is in the corner of the original development and its south and west boundaries are formed by the flank walls of two terraces. The east boundary adjoins a footpath, which itself is parallel with the railway embankment; the rail tracks are some 18 metres from the site itself and at a higher level. A similar site, adjacent to Nos. 15 and 16 Sparkford Close, was recently developed with a three storey block of flats (application ref: 03/01812/FUL). There are semi-mature sycamore trees on the land to the north (the garden of Medecroft) and the east (the railway land).

### Proposal

The proposals seek to infill an area of land to the eastern side of No. 20 Sparkford Close, and attached to its flank wall, with 2 no. three storey houses. Each three storey house will have an open plan kitchen and living area and a toilet on the ground floor. There will be bedrooms with en-suite facilities on the first and second floors. Each unit will have an open garden area to the front and an enclosed rear garden. An existing store will be used for the storage of cycles, and bin storage will be behind a screen fence on the eastern boundary. There will be only pedestrian access to the houses. The

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accommodation is intended to be occupied by students, which is reflected in the layout of the houses. Both units have 6 single bedrooms at the first and second floor levels, with en-suite facilities.

### **Relevant Planning History**

**03/01812/FUL** - Erection of 6 No. one bedroom flats, 15 Sparkford Close, Winchester - Applicant appealed against non determination - Appeal allowed - 02/02/2004.

**09/01071/FUL** - Erection of three storey student block, extension to existing student accommodation, 20 Sparkford Close, Winchester - Application Withdrawn - 23/07/2009.

### **Consultations**

Engineers: Drainage:

No objection on drainage grounds.

Engineers: Highways:

Sparkford Close has an existing Traffic Regulation Order controlling the car parking during the day, and residents of this development will be unable to obtain parking permits. With regard to the cycle parking, this should be integral to the buildings it serves rather than a separate block in the rear garden. The applicant will need to provide further details showing 16 individual cages or cupboards, to ensure that they are only accessible to each individual user. In accordance with the HCC transport contribution policy, a development of this nature would require a total contribution of £10,914.00 (2 x £5457.00) and this money will be used to pay for improvements to the public transport system and public footpaths, as identified in the recent list of schemes which has been approved by Cabinet.

Environmental Protection:

No objection to the application, provided conditions are applied to ensure that the windows and doors are double glazed and will protect future occupants against noise from the nearby mainline railway (Conditions 10 and 11).

Landscape:

The landscape proposals are generally acceptable. However, the following amendments should be made: the shrub planting (A) along the north boundary should be continued round to the western boundary to soften the close board timber fence and provide screening and privacy from the garden of No. 20; the low planting (C) along the southern boundary with No. 21 does not take into account the existing side gate access for the property, which should be amended to incorporate it; the shrub planting (A) in the south east corner should be extended along to the west, replacing the low planting (C) and the hedge planting (B), to provide better screening and to make maintenance simpler; the low planting (C) along the block paved footpath access into the site to the west should be removed as it would be much easier to maintain if it were all grass, rather than grass and low planting; a robust planting scheme should be submitted, where the species are low maintenance and evergreen, where possible; planting in front of the properties should take into account Secure by Design principles; a 5 year maintenance plan should be submitted and it should be clearly stated who is to maintain the planting scheme.

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Trees:

Protective measures, including fencing and ground protection, in accordance with the Arboricultural Impact Appraisal and Method Statement ref: CBA 6885adsApr2008sV1, written by Graham Sear of CBA Trees and submitted to the Local Planning Authority, shall be installed prior to any demolition, construction or groundwork commencing on the site.

**Representations**

City of Winchester Trust:

Concerned about the lack of provision for parking cars and the effect this could have on neighbourhood amenities. It is also very much hoped that the new block will have a high level of sustainability, for both energy and water use: for instance, could not solar panels or photo-voltaic tiles be installed on the south-facing slope of the roof?

9 letters received objecting to the application, for the following reasons:

- Poor design of buildings;
- Out of character;
- Insufficient amenity space;
- No access for refuse collection;
- Noise and disturbance from students;
- Pavements too narrow for pedestrians;
- No vehicular access;
- No parking;
- Concern with regard to access for construction vehicles and materials storage;
- No need for student accommodation in this area;
- Does not comply with Winchester's policy for small units;
- Area becoming dominated by student accommodation on an incremental basis;
- Application should be considered with another application to develop the north side of Sparkford Close for student accommodation.

**Relevant Planning Policy**

South East Plan 2009:

CC.6 and H.5

Winchester District Local Plan Review

DP1, DP3, DP4, DP5, DP9, H3, H7, T2, and RT4.

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPS3 Housing

**Planning Considerations**

Principle of development

The site is within the settlement boundary of Winchester, where there is a presumption in favour of residential development, subject to proposals satisfying the relevant Development Plan policies and Government guidance, as set out above. Of particular relevance to the consideration of this planning application is the development of the site at No. 15 Sparkford Close for 6 No. one bedroom flats (application ref:03/01812/FUL). This was also a corner site, at the end of the terrace on the western part of Sparkford

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Close, and has now been completed. That application was the subject of an appeal against non-determination. However, the Planning Committee, at its meeting on 27 October, 2003, provided two deemed reasons for refusal, which the Planning Inspector considered when he allowed the appeal on 2 February, 2004. In respect of the first deemed refusal reason, there were four objections, of which three related to an alleged adverse impact on the living conditions of the existing occupiers of Sparkford Close and the fourth referred to the loss of the gap in the corner between Nos. 15 and 16 having a detrimental impact on the spatial characteristics of the area. The second reason for refusal was with regard to the provision of public open space, for which the appellants made a commuted sum prior to the determination of the appeal. In allowing the appeal, the Inspector acknowledged the high density of the development but considered that the proposal would not significantly harm the character and appearance of Sparkford Close, or the living conditions of existing occupiers. Whilst he noted the contentious issue of parking, he was satisfied that any additional cars generated by the one bedroom flats would be subject to the regulations governing the controlled parking zone in the area.

Policy H7 requires sites capable of accommodating 2 or more dwellings to include a range of dwelling types and sizes, with at least 50% of the properties provided to be small 1 or 2 bedroom units suitable for small households (Criterion i). The policy also requires types of dwellings known to be in short supply to be included (Criterion ii) and for the density of the development to achieve a net density of 30 - 50 dwellings per hectare, with potential for higher densities on sites close to town centres or public transport corridors (Criterion iii). This application seeks 2 No. six bedroom dwellings. However, the dwellings have been designed specifically for single persons living together as a single household. The rooms are only big enough for a single bed, and all have en-suite shower rooms. The internal layout could not be easily changed to create dwellings which would appeal to families. It is considered that the new dwellings can be regarded as providing low cost accommodation for single people (in this case, the end users are likely to be students, given the close proximity to the University). This type of accommodation is known to be in short supply in the area. The proposed density of the development is 66 dwellings per hectare, which is considered to be acceptable given the close proximity of the University, Winchester city centre and the regular bus service along Sparkford Road. As such, the proposal is in accordance with Criteria ii) and iii) of Policy H7. The proposal is contrary to Criterion i) of Policy H7 in that it is not providing small units of 1 or 2 bedroom accommodation. However, it is nonetheless intended to provide low cost rented accommodation for single persons, which is required in the area, and therefore it is considered reasonable to make an exception to policy in these circumstances.

#### Design/layout

The building has been designed with a low pitched roof and gable end to reflect, but not repeat, the appearance of the adjoining three storey terrace. The existing 'square' elevational proportions have been reflected in the design of the new building and, to add further interest and continue this theme, a square panel of cedar cladding is proposed for the front wall. The proposed facing materials will be similar to those used on the adjacent building. In order to give some visual separation, the new building has been set back behind the front elevation of No. 20 and the eaves dropped slightly. The proposed enclosed garden area to the rear is of a similar size to the adjoining houses and the garden area of the new building of 6 flats at No.15 Sparkford Close. The proposed design and layout are considered to be in accordance with Policies DP3 and DP5.

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Impact on character of area and neighbouring property

The proposed new building will close up the existing gap between Nos. 20 and 21 Sparkford Close. However, because of the backdrop of the railway embankment to the east, there will still be views through to the trees on the embankment. The loss of spacing between the buildings was considered by the Planning Inspector when he allowed the development adjacent to No. 15. In considering this impact, he concluded that the discreet corner location of the proposed block, and the slight set-back from the existing terrace, meant that the building would not be obtrusive in the street scene and would not cause significant harm to the amenities of the area. It is considered that the impact of the new building adjacent to No. 20 will have a similar impact to the new building at No.15 and will not have a detrimental impact on the character of the locality, in accordance with Policy DP3.

There will be oblique views from the upper floor windows of the new building into the garden area of No. 20. However, there are existing oblique views from the upper floor windows of No. 19 into the garden of No. 20, and the new building is not considered to cause materially harmful loss of privacy. The upper floor windows of the new building described as No. 20A will look onto the gable wall of No. 21 Sparkford Close. The upper floor windows of the new building described as No. 20B will serve en-suite bathrooms and the windows will thus be obscure glazed. As such, this will prevent any overlooking to the garden area of No. 21. The upper floor bedroom windows of No. 20A will look towards the railway embankment and contribute to the surveillance of the footpath running along the eastern boundary. The new building is to the north of No. 21 and will not cause any significant overshadowing to the garden area of this property. As such, the proposal will not cause material harm to the amenities of the existing residents, in accordance with Policy DP3.

Landscape/Trees

The Landscape Officer is satisfied with the proposed landscaping scheme, subject to some amendments which can be secured by way of planning conditions (Conditions 3 and 4). The Tree Officer is confident that there will be no impact on the boundary trees, subject to planning conditions (Conditions 5 and 6). As such, the proposal is in accordance with Policy DP4.

Highways/Parking

The Highways Officer is satisfied that the residents of the new development will not be able to park in the vicinity, given the existing Traffic Regulation Order controlling the car parking during the day. The residents of the development will be unable to obtain parking permits. The Planning Inspector, in allowing the appeal at No. 15, was also satisfied that the building did not need to provide additional parking spaces.

The Highways Officer has requested that the cycle storage should be integral to the existing building. However, it is considered that the existing shed at the property is an appropriate facility for the secure storage of cycles and no amendment has been sought. A contribution of £10,914.00 has been requested towards improvements to the public transport system and public footpaths, in accordance with Policy DP9. These monies will be secured by way of a Section 106 Legal Agreement.

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Public Open Space

Contributions of £6,072.00 are required towards the provision of public open space and sport in the area, which will be secured by way of a Section 106 Agreement.

Other Matters

The following matters have been raised in the letters of objection, which have not been dealt with above: no access for refuse collection; pavements too narrow for pedestrians; no vehicular access; concern with regard to access for construction vehicles and materials storage; noise and disturbance from students; no need for student accommodation in this area; area becoming dominated by student accommodation on an incremental basis; application should be considered with another application to develop the north side of Sparkford Close for student accommodation.

The access to the site for refuse collection is the same as for the other properties in Sparkford Close. Adequate space has been provided for the storage of refuse. The proposed footpath access to the site is 1.1 metres wide, which is considered to be acceptable. There is no vehicular access to any of the existing properties in Sparkford Close. A planning condition is proposed with regard to the parking and turning of construction traffic (Condition 9). The materials should only be stored on land within the ownership of the applicant. The issue of noise from students occupying these two houses would not provide reasonable grounds to refuse permission, and problems associated with noise are dealt with under separate noise legislation enforced by the Environmental Protection Team. The site is very close to, and within walking distance of, the University, and the design of the units reflects the fact that they are intended to be used to accommodate students. The University has confirmed that it would manage these properties. This application should be considered on its merits, and the Council does not have a special policy in the Local Plan relating to the control of student accommodation. It should be noted that, in many cases, the occupation of houses by students does not require planning permission. Any other applications for student accommodation in the area from other developers will be considered separately and on their individual merits.

Conclusions

The proposed development is in accordance with Development Plan policy and Government guidance and is recommended for approval.

Planning Obligations/Agreements

In seeking the planning obligation(s) and/or financial contributions for highway improvements and public open space and sport in the area, 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**

**APPROVE – Subject to a Section 106 Agreement for:**

- 1. A financial contribution of £10,914.00 towards highway improvements**
- 2. A financial contribution of £6,072.00 towards the provision of public open space and sports provision through the open space funding system**

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

**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. 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.

4. No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Landscape maintenance shall be carried out in accordance with the approved schedule.

Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal, public, nature conservation and historic significance.

5. The Arboricultural Officer shall be informed once protective measures have been installed, so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with CBA 6885adsApr2008sV1. The Arboricultural Officer shall be informed prior to the commencement of construction of special surfacing under tree canopies, so that a pre commencement site visit can be carried out. Telephone 01962 848403. No arboricultural works shall be carried out to trees other than those specified and in accordance with Method Statement CBA 6885adsApr2008sV1 . Any deviation from works prescribed or methods agreed in accordance with Method Statement



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CBA 6885adsApr2008sV1 shall be submitted to and agreed in writing by the Local Planning Authority.

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

6. No development, or site preparation prior to operations which has any effect on compacting, disturbing or altering the levels of the site, shall take place until a person suitably qualified in arboriculture, and approved as suitable by the Local Planning Authority, has been appointed to supervise construction activity occurring on the site. The arboricultural supervisor will be responsible for the implementation of protective measures, special surfacing and all works deemed necessary by the approved arboricultural method statement. Where ground measures are deemed necessary to protect root protection areas, the arboricultural supervisor shall ensure that these are installed prior to any vehicle movement, earth moving or construction activity occurring on the site and that all such measures to protect trees are inspected by the Local Planning Authority Arboricultural Officer prior to commencement of development work.

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

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 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.

8. The first and second floor window(s) in the south elevation of No. 20B hereby permitted shall be glazed in obscure glass and thereafter retained.

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

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. All windows and glazed external doors installed in the development shall be double glazed, comprising of a 10mm glass, 12mm airspace, and 8mm glass configuration. These units shall be fitted in the building envelope to ensure the required acoustic seal so as to achieve the standards contained within BS 8233:1999.

Reason: To protect the amenity of the internal living environment.

11. All windows in habitable rooms shall be fitted with passive trickle ventilators which shall achieve a sound attenuation performance of not less than 42 dB  $D_{new}$

Reason: To protect the amenity of the internal living environment.

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**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:-

South East Plan: CC.6 and H.5

Winchester District Local Plan Review 2006: DP1, DP3, DP4, DP5, DP9, H3, H7, T2, and RT4.