

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 22 May 2003

WINCHESTER CITY COUNCIL	PDC 316
PLANNING DEVELOPMENT CONTROL COMMITTEE	
Development Control Applications	22.05.2003

THE AVAILABILITY OF BACKGROUND PAPERS

In deciding what recommendation to make on each of the following applications, the Director of Development Services has had regard to all documents contained in the application file. The following list specifies the categories of documents which may be found on such a file although in any particular case there may be no documents in that category.

1. Application form, required certificates, plans and drawings.
2. Correspondence between the Planning Department and the Applicant or the Applicant's agents.
3. Correspondence, including correspondence between the Planning Department and other Departments of the Council or other Authorities.
4. Notes of site visits, meetings and discussions.
5. Representations received from any party.
6. Amended plans and drawings.

Background papers may be inspected prior to the meeting to which this report is made and for 4 years thereafter beginning with the date of the meeting.

THE STATUS OF OFFICER RECOMMENDATIONS

Members of the public are reminded that, as will all reports submitted to Councillors for decision:

- The recommendations contained in a report are those made by the officers at the time the report was prepared. Circumstances may cause a different recommendation to be made at the meeting.
- The officers' recommendations may not be accepted by the Committee.
- A final decision is only made once Councillors have formally considered and determined each application.

THE REASONS FOR COMMITTEE CONSIDERATION

Applications are referred to Committee for any of the following reasons. The letter at the beginning of each recommendation indicates the reason for referrals.

- 'M' A Councillor registers a request that a planning application be referred to Committee.
- 'P' A Parish Council submits representations contrary to the Officer recommendation.
- 'C' The Case Officer or Team Manager considers the application to be controversial or potentially controversial or the application is for a major development..
- 'O' Four or more representations are received which are contrary to the Officer's recommendation.
- 'D' Any planning applications submitted by or on behalf of a Member or Officer of the Council which they have notified to the Director of Development Services.

THE CONDITIONS ATTACHED TO RECOMMENDATIONS

Many of these conditions are shown in code, This saves on costs. Details of the conditions are circulated to all Parish Councils and are held in the Planning Department

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Changes to the recommendation in the summary may have occurred you are advised to check
the recommendation in the attached main report

DEVELOPMENT CONTROL COMMITTEE SUMMARY

Item No: 01	Location: Enniskerry Sleepers Hill Winchester Hampshire SO22 4NE
	Case No: 03/00224/FUL
	Ref No: W16187/06
	Recommendation PER
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Item No: 02	Location: Meadowsweet School Lane Denmead Waterlooville Hampshire PO7 6LY
	Case No: 03/00612/FUL
	Ref No: W18001/02
	Recommendation REF
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Item No: 03	Location: Shearers Arms Owslebury Bottom Owslebury Winchester Hampshire SO21 1LY
	Case No: 03/00165/FUL
	Ref No: W03293/09
	Recommendation DEFE
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Item No: 04	Location: Harvest Home Southwick Road Denmead Waterlooville Hampshire PO7 6LB
	Case No: 03/00696/FUL
	Ref No: W07496/04
	Recommendation PER
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Item No: 05	Location: Barclays Bank Plc The Square Bishops Waltham Southampton Hampshire SO32 1GH
	Case No: 03/00799/FUL
	Ref No: W00879/17
	Recommendation PER
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Item No: 06	Location: 37 Brooklynn Close Waltham Chase Hampshire SO32 2RY
	Case No: 03/00616/FUL
	Ref No: W18092/01
	Recommendation PER
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Item No: 07	Location: Kiln Copse Vineyard Lodge Hill Newtown Fareham Hampshire PO17 6LG
	Case No: 03/00601/FUL
	Ref No: W03203/11
	Recommendation PER
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Item No: 08	Location: Rossella Grange Drive Otterbourne Hampshire SO21 2HZ
	Case No: 03/00254/FUL
	Ref No: W08717/01
	Recommendation DEFE
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Item No: 09	Location: Damson Hill House Dundridge Lane Bishops Waltham Southampton Hampshire SO32 1GB
	Case No: 03/00040/FUL
	Ref No: W03835/03
	Recommendation PER
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Item No: 10	Location: Case No: Ref No:	Willis Pianos 24 North Walls Winchester Hampshire SO23 8DB 03/00406/FUL W02900/10	Recommendation PER
Item No: 11	Location: Case No: Ref No:	10 Back Street Winchester Hants SO23 9SB 02/02367/FUL W02738/02	Recommendation REF
Item No: 12	Location: Case No: Ref No:	10 Back Street Winchester Hants SO23 9SB 02/02371/LIS W02738/03LB	Recommendation WDN
Item No: 13	Location: Case No: Ref No:	Residents Association Princess Court St Peter Street Winchester Hampshire SO23 8DN 03/00590/LIS W05084/09LB	Recommendation REF
Item No: 14	Location: Case No: Ref No:	Rosenheim 42 St Cross Road Winchester Hampshire SO23 9PS 03/00255/FUL W11275/03	Recommendation DMR
Item No: 15	Location: Case No: Ref No:	64 Edgar Road Winchester Hampshire SO23 9TN 03/00256/FUL W11275/04	Recommendation DMR
Item No: 16	Location: Case No: Ref No:	Rosenheim 42 St Cross Road Winchester Hampshire SO23 9PS 03/00258/FUL W11275/05	Recommendation DMR
Item No: 17	Location: Case No: Ref No:	Whiteley Farm Whiteley Lane Burridge Southampton Hampshire SO31 1BR 03/00694/FUL W11433/55	Recommendation PER
Item No: 18	Location: Case No: Ref No:	4 Penford Paddock Bishops Waltham Southampton Hampshire SO32 1EA 03/00653/FUL W11783/02	Recommendation PER
Item No: 19	Location: Case No: Ref No:	Land At Solent 2 Business Park Rookery Avenue Whiteley Hampshire 03/00837/FUL W12503/06	Recommendation PER

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Item No:
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Location: Land At Long Park Lane Crawley Hampshire

Case No: 03/00294/FUL

Ref No: W09728/03

Recommendation PER

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Item **Parish** Winchester Town
01 **Conservation Area:**
Case No: 03/00224/FUL
Ref No: W16187/06
Date Valid: 27 January 2003
Grid Ref: 446736 128888
Team: EAST **Case Officer:** Mr Dave Dimon
Applicant: Landseer Estates Ltd
Proposal: Redevelopment to provide three storey terrace of 3 No four-bedroom houses with basement garaging linked to semi detached pair of three-bedroom houses by 6 No. two-bedroom flats and detached three bedroom house, associated garages and landscaping
Location: Enniskerry Sleepers Hill Winchester Hampshire SO22 4NE
(As amended by plans received on 7 May 2003)

Representations
287

Officer Report
History

W16187/05 4 No. four bedroom, 4 No. three bedroom and 4 No. two bedroom dwellings with associated garages: Refused July 2002.
W16187/04 Approval of reserved matters and modification to W16187/04 Two storey extension and conservatory to residential home: Permitted 6-08-01.
W16187/03 Removal of condition 5 of Planning Permission W16187 (no more than 14 bedrooms shall be provided in total) to increase from 14 rooms to 16 rooms: Permitted 6-08-01.
W16187/02 Extensions to provide additional residential accommodation (OUTLINE). Permitted 14-02-01.
W16187/01 Three storey and single storey rear extension (OUTLINE) Refused 13-04-00. Appeal dismissed 07-08-00.
W16187 Change of use from nurses home to residential home. Permitted 14-02-00.
WIC2023 Change of use to Nurses Home: Permitted 1957.

Policies

Development plan

HCSP(R) UB3, H6, H7, E16, T4, T5, R2

WDLP H.1, H.7, EN.1, EN.4, EN.5, EN.8, T.8, T.9, W.1, RT.3,

Emerging Development Plan

WDLP Review Deposit and Revised Deposit H.2, H.5, H.7, DP.1, DP.3, DP.4, DP.5, DP.6, RT.3, T.4, W1

Other material considerations:-

Supplementary Planning Guidance "Achieving a Better Mix in New Housing Developments". PPG'S, 1, 3, 13 and "By Design"

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Consultations

Engineers:- I have previously raised concern about any increase in vehicular, pedestrian or cycle traffic as a result of the development due to the substandard nature of the highway junctions, and the lack of acceptable cycle or pedestrian facilities on Sleepers Hill, The applicant has still not addressed these issues, however I feel that I could not object to the proposal on these grounds given the previous usage of the site, and the potential traffic generation from the existing use based on the TRICS database figures.

The access gradient to the basement parking serving the four bed houses appears to be too steep and further information based on the topographical survey which shows the levels of the access, the access ramp and finished floor level of the basement should be submitted for consideration.

The parking provision of 15 spaces for 9 units includes 8 tandem spaces which will mean that they can only be used by 4 properties. There will therefore be 9 car parking spaces to be served by 7 properties, which will equate to a parking ratio of 1.3 spaces per unit. This is less than I feel is practical, as I feel that car ownership in this area will be high. It is therefore likely that cars will be parked in the turning head and the access road, and possibly on Sleepers Hill. As the road is not a public highway however, there is little I can say about potential parking problems.

Finally further details of cycle parking provisions should be submitted.

Landscape:- The proposed development occupies a site which is terraced into a slope with a south-east aspect, with access at the higher level. The area is well treed, which gives this part of the city a special character (EN1 applies) and contributes significantly to the setting of the city, being visible in distant views. (W1 applies)

This scheme is likely to have an adverse impact on tree cover and alterations to levels, with a significant amount of cut. I am not clear how it is intended to dispose of the surplus material and taking it off-site is unlikely to be a sustainable option.

There is a lack of basic information, which forms the basis for site analysis and allows proper assessment of the proposals. (EN4 asks for this) The drawings are very vague and also lack annotation and clarity of lines and symbols etc. The following information is required.

Levels and contours - existing and proposed; cut and fill.

Full Tree survey information and recommendations in line with BS5837.

Tree impact assessment; trees to be retained and removed; tree protection (no-go areas, fencing, matting, working areas, construction techniques etc) method statement and means of mitigation. Long term management proposals for trees

Mitigation and planting proposals.

The levels information is vitally important as changes to them could easily have a detrimental impact on tree roots and lead to the death of trees. These plans show development under tree canopies which is unacceptable. There are buildings far too close to trees & both roots and canopies will be affected. If they survive, residents will continually put pressure on the LA for their removal.

Small rear gardens under large tree canopies will be unusable and such trees should remain in common ownership and management.

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There are problems with parking and access. I do not understand how this is intended to work.

The plans submitted are not consistent and the quality of both leaves a lot to be desired.

Some of the information requested has not been submitted with the amended drawings - tree survey, including recommendations for individual trees, root protection zones and areas of cut and fill. The latter would show the areas of level change within tree canopies, which in one case cuts into the bank by over 2.0metres and at a point which is very close to the boundary, which may have repercussions beyond the site.

The landscape proposals, both hard and soft have not been properly considered, as part of the design and the earthworks and planting do not relate well to the built form. They are not designed competently and cannot be approved as shown.

I still come to the conclusion that the proposals threaten the future of some of the tree cover, either as a result of construction or later because of the close proximity to the trees, which are or will become oppressive to residents.

My original views that the proposals impact on tree cover, the character of the area and the setting of Winchester are unacceptable still apply

Arboriculture: In order to assess this properly a detailed tree impact assessment will need to be submitted showing protective fencing measures etc. The car parking to the north seems to be going right into the tree belt. The new build on the east is very close to neighbouring trees and there is no mention of the trees we recently TPO'd at the front. If trees are protected we need impact assessments with the application.

Environment Agency:- No objection subject to conditions.

Southern Water: The point and details of the proposed connection to the public sewer will require the formal approval of SWS Ltd. There are no public surface water sewers in the vicinity of this site. No surface water should be discharged to the public foul sewer as this could cause flooding to downstream properties.

Architects Panel:- This is a well-wooded area, which places the existing house in a secluded setting. It is proposed to demolish the existing house and replace with 3 town houses linked to a curved block which in turn links to a pair of houses, followed by a detached house to produce a group of buildings. A previous scheme was refused because of its adverse impact on the locality and traffic generation. This scheme offers more of a housing mix. The panel support the concept of the scheme and feel that architecturally this represents an improvement on the previous scheme, both in terms of site layout and house design.

Representations

City of Winchester Trust - This seems an intriguing layout that should avoid damage to the important trees on the site. However it is not possible to completely understand where the new buildings are to be positioned because no site plan of the proposed development is included in the documents being considered, information that is rather crucial because of the geometry of the buildings. While appreciating the concept of mixing design styles to make the components seem smaller so that a development of this density would be acceptable on a restricted site such as this, the Trust regrets that a more contemporary scheme has not been proposed.

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It is however wondered how a development with the same number of units as the previous application is acceptable, when one of the reasons for refusing the earlier scheme was that Sleepers Hill in its present condition is unsuitable for the amount of traffic that would be generated, as are the substandard junctions with Romsey Road and Airlie Road. These local conditions have not hanged.

Sleepers Hill Association. Object on the following grounds

- i) The development would have an over dominant impact in relation to the existing character of the locality.
- ii) The substandard junctions with Romsey Road and Airlie Road are inadequate to accommodate the additional traffic arising from the development.
- iii) Sleepers hill remains unsuitable in its present condition to take the type and amount of traffic likely to be generated by the proposal,
- iv) The form of development is still not sufficiently complementary to the retention and enhancement of the character of the site and its setting or the amenities presently enjoyed by neighbouring properties.
- v) The proposal represents a form of development that is not in sympathy with the appearance and character of the local environment and appropriate in scale, mass, layout and siting both in itself and in relation to adjoining buildings spaces and views.
- vi) The affordable units would not be affordable
- vii) The density conflicts with the Councils stated aim of limiting the density to 22 dph. The application contravenes planning guidelines and should be rejected.

Additionally some 22 individual representations have been received. These cover all aspects of the development but principally consider the proposal to represent over development of the site, to the detriment of the unique character of the area. The likely traffic generation to be unacceptable / dangerous given the unadopted nature of Sleepers Hill, which has no proper footpaths and substandard junctions. Site levels and vegetation not properly considered. Adverse impact on existing trees / vegetation and wildlife, adverse impact on amenities of existing residents, obstruct sunlight to adjoining properties, height, scale and design out of keeping with character of area, lack of mains drainage undesirable, precedent, contrary to EN.1 policy and undesirable urbanisation of an existing semi-rural character.

Assessment

Enniskerry is a large house set in a large mature plot on the northern side of Sleepers Hill adjacent to George Eyston Drive. The house is located in the north west part of the site and is set at an angle with its principal aspect to the south east over a tree enclosed large terraced garden. A two-storey wing projects towards the north west corner of the site which is generally contained within a perimeter of mature trees and hedges and falls west to east to its boundary with George Eyston Drive. The access sweeps into the site along the western boundary to a parking area and entrance on the north west side of the house where a modern detached double garage has been built. The house, which was formerly used as a nurses home, has red brick elevations and a plain clay tiled roof with dormers and sits on the highest part of the site facing over terraced lawns and has considerable tree cover to the south and west.

The proposal seeks to redevelop the .492 hectare site to provide 12 units comprising three x 4 bed houses, three x 3 bed houses and six x 2 bed houses which gives a gross site density of 24.35 dwellings per hectare and a housing mix of 50% smaller units. However, if allowance is made for the undevelopable areas that arise due to the tree cover, which is largely the subject of TPO's, a net developable area of .29 hectares is achieved according

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to the applicants supporting statement, which gives a density of 41 dwellings per hectare. The tree protection zone is indicated on the layout drawing 4047/P/30B. The site itself slopes approximately 6 metres from east to west with a 2 metre high grass bank across much of the centre part of the site. To the west of the site the incoming drive has been cut into the slope together with the area on which the existing building stands.

The new buildings take up a similar footprint to the existing house together with the approved but not implemented extension (W16187/04). The proposal is for a cohesive terrace surrounding the existing open lower garden area. The housing comprises of three four bed town houses in a three-storey block with basement parking linked by a three storey curved terrace of six two bed apartments to a pair of two-storey semi-detached three bed houses that are set at right angles to the main block. A further detached three-bed house adjoins the semi-detached pair and a curved car port block is cut into the bank in the north east corner of the site. The main block starts on the high ground and then steps down the site on the northern side. The three storey blocks are some 600mm lower than the existing ridgeline of Enniskerry so views from St Catherines Hill would not change.

The four bed houses are three storey plus basements, which contain tandem garages store and utility rooms. All the houses have elevations of red/blue stock brickwork sitting on a base of artificial stone. The parapet is to be rendered. All windows are aluminium powder coated or timber painted. Sills are of artificial stone, head features powder coated aluminium flat projecting 200mm. Entrance canopies are to have lead covered boarded roofs with tubular metal supports on to a dwarf wall. Garage doors will be of painted softwood with added grid pattern. The roofs are of natural slate with lead covered ridge.

The central curved terrace of 6 flats will be of rendered finish rather than brick and with a sandblasted glass canopy over the entrance flanked by a cedar boarded cycle store. The car ports are to have a dark green finished corrugated steel covered lean-to roof with trellis to accept trailing plants and boarded sides.

Both the four and three bedroom blocks have bold glass screen balcony features with glazed canopies over facing onto the terraced lawned area.

Following the refusal of a previous application and in response to concerns about detailed aspects of this application additional supporting information has recently been provided.

Firstly, it has been demonstrated to the satisfaction of the Engineers that the traffic generation arising from this proposal will not be so materially different to that which would have arisen for the permitted residential care home use as to warrant refusal of the application. Amended plans have now also addressed the parking, cycle storage and levels concerns that were raised by the Engineers in the comments shown above.

Secondly a detailed tree survey and Arboricultural impact assessment and method statement has been prepared in support of the proposals. This indicates that with appropriate measures and tree protection provisions the development can be undertaken without undue harm arising to the existing trees.

The proposal keeps the essential open part of the site by the virtue of the siting proposed but does involve raising the existing garden area due to the deposit of excavated material. This is to be carefully graded to avoid any detriment to the existing trees. The height of the 4 bed houses appears overdominant in elevation but is achieved by dropping the basement levels to take advantage of the site form and by way of excavation.

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The section shows that overall the building is lower than the existing house, however the parapet form is higher than the existing eaves line. The three bed houses 4, 5 & 6 are two-storey, although with the roof space providing second floor bedrooms served by dormer windows behind the parapets. These are set much lower to reduce the impact on the amenities of the adjoining houses Magna and Winter Wood in George Eyston Drive.

The proposals are now considered acceptable.

Recommendation

THAT PROVIDED THE APPLICANT:

(i) IS PREPARED TO MAKE APPROPRIATE PROVISION FOR PUBLIC OPEN SPACE THROUGH THE OPEN SPACE FUNDING SYSTEM;
(ii) ENTERS INTO A SECTION 106 AGREEMENT TO THE SATISFACTION OF THE CITY SECRETARY AND SOLICITOR IN RESPECT OF:
(a) THE PROVISION AND LONG TERM MAINTENANCE OF LANDSCAPED AREAS OF ALL COMMUNAL OPEN SPACE TO INCLUDE THE MANAGEMENT OF TREE COVER IN ACCORDANCE WITH AN APPROVED THE MANAGEMENT PLAN AND:

(iii) SUBMITS AMENDED PLANS TO INCORPORATE ANY REQUIREMENTS AS A RESULT OF CONSULTATIONS WITH THE CITY ENGINEERS, AND THE LANDSCAPE ARCHITECT,

THEN PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

Conditions/Reasons

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

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

02 Plans and particulars showing the detailed proposals for all the following aspects of the development (hereinafter called "the reserved and other matters") shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced. The approved details shall be carried out as approved and fully implemented before the building(s) is/are occupied.

Reserved and other Matters:

- The details of materials/treatment to be used for hard surfacing.
- The layout of foul sewers and surface water drains.
- The alignment, height and materials of all walls and fences and other means of enclosure.
- The provision to be made for the storage and disposal of refuse.
- The finished levels, above ordnance datum, of the ground floor of the proposed building(s), and their relationship to the levels of any existing adjoining buildings.

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- Access facilities for the disabled.

02 Reason: To comply with the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order).

03 Before development takes place 1:50 scale drawings of all plans (including roof plans), elevations, sections; and 1:20 scale drawings of typical detail for doors, windows, chimneys, eaves, rainwater goods, garage doors, balconies, ramps, street lighting, boundary walls, and other external furniture, shall be submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved details before the development is occupied unless otherwise agreed in writing by the Local Planning Authority.

03 Reason: In the interest of visual amenity.

04 Before the development hereby approved is commenced a schedule providing details of the type, colour, texture and finish of all facing and roofing materials shall be submitted and sample panels of all external finishes shall be provided on site and agreed in writing by the Local Planning Authority. The development hereby approved shall be carried out in accordance with the approved details.

04 Reason: In the interest of visual amenity.

05 Before the development hereby approved is commenced a schedule, including plans and details showing the type, colour and finish for all hard surfacing materials and the type, height and finish for all fencing or other means of enclosure, including as necessary sections for any retaining walls or structures, shall be submitted to and agreed in writing by the Local Planning Authority. The development hereby approved shall be carried out in accordance with the approved details.

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

06 Before the development hereby approved is commenced details of the areas to be used for the storage of construction materials, plant and equipment, contractors huts and vehicles, spoil storage and any other temporary use or works and the arrangements and timing for reinstatement of such areas shall be submitted to and approved in writing by the Local Planning Authority.

06 Reason: To ensure that the development is undertaken in a satisfactory manner and that such provision is sited so as to avoid any harm to retained trees and to minimise visual harm on the character of the area.

07 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.

07 Reason: In the interests of highway safety.

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08 The parking spaces/garages hereby approved shall not be used for any other purpose than the parking of cars.

08 Reason: To ensure the provision and retention of the n the interests of local amenity and highway safety.

09 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.

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

10 No development shall commence until detailed plans of all service trenches showing their positions relative to the tree survey have been submitted to and approved in writing by the Local Planning Authority.

10 Reason To ensure that satisfactory measures are taken to protect the existing trees on the site to be retained.

11 The existing trees shown as being retained on the approved plan shall not be lopped, topped, felled or uprooted without the prior written approval of the Local Planning Authority. These trees shall be protected during building operations by the erection of fencing at least 4 metres from the tree trunks in accordance with BS 5837.

11 Reason: To retain and protect the trees, which form an important part of the amenity of the area.

12 The developer shall afford access at all reasonable times to an Arboricultural Consultant nominated by the Local Planning Authority and shall allow them to observe the works being undertaken in the tree protection zones and to give advice where problems arise as a result of the development hereby approved. Notification of the commencement date and information as to who the consultant should contact on site shall be given to the Local Planning Authority in writing not less than 14 days before the commencement of any development or site preparation works.

12 Reason To ensure that satisfactory measures are taken to protect the existing trees on the site to be retained.

13 No development shall take place until full 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 proposed finished levels, boundary treatment, hard surfacing materials, a specification of tree and shrub planting, including species, density, planting size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the buildings 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 originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives written consent to any variation.

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13 Reason To ensure the development contributes to maintaining the character of the area and In the interests of improving the visual amenity of the locality.

14 Details of the siting and design of any external meter boxes/metal ducting/flues/burglar alarms/rainwater goods to be provided shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works. The works hereby permitted shall be carried out in accordance with the approved details.

14 Reason To ensure the development contributes to maintaining the character of the area and in the interests of the visual amenity of the locality.

15 The two bedroom dwellings hereby permitted shall be retained as two bedroom dwellings and at no time shall works be carried out to form three or more bedroom dwellings.

15 Reason: To ensure that the provision of smaller dwellings and the Councils policy on achieving a better housing mix in accordance with development plan housing policy, Supplementary Planning Guidance and PPG3 is not compromised by the formation of larger properties.

16 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 development permitted by Classes A, B, C, D, E of Parts 1 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

16 Reason: To protect the amenities of the locality and to maintain a good quality environment.

17 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 or dormer windows; other than those expressly authorised by this permission shall, at any time, be constructed in any elevation of buildings hereby permitted.

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

18 All surface water from roofs should be piped to an approved surface water system using sealed downpipes. Open gullies should not be used.

18 Reason: To prevent pollution of the water environment.

Informatives

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

Hampshire County Structure Plan Review UB3, H6, H7, E16, T4, T5, R2

Winchester District Local Plan Proposals: H.1, H.7, EN.1, EN.4, EN.5, EN.8, T.8, T.9, W.1, RT.3,

Emerging Development Plan

WDLP Review Deposit and Revised Deposit H.2, H.5, H.7, DP.1, DP.3, DP.4, DP.5, DP.6, RT.3, T.4, W1

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02. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800hrs 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.

03. 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.

04. Under the terms of the Water Resources Act 1991, written approval of the Environment Agency is required for any discharge of sewage or trade effluent into controlled waters, and may be required for any discharge of sewage or trade effluent from buildings or fixed plant into or onto the ground or into waters which are not controlled waters. Such approval may be withheld. (Controlled waters include rivers, streams, underground waters, reservoirs, estuaries and coastal waters). The applicant is advised to contact Hampshire and Isle of Wight Area Office (Environment Management Team Itchen) to discuss this matter further.

05. Under the terms of the Water Resources Act 1991, the prior agreement of the Environment Agency is required for discharging dewatering water from any excavation or development to a surface watercourse.

06. The applicant is advised that a licence will be required to carry out highway works. Please contact: The Engineering Services Manager, Engineering Department, Winchester City Council, Winchester, (Telephone: 01962 848326).

07. Any above ground oil storage tank should be bunded in accordance with the Environment Agency's Pollution Prevention Guideline No 2 - Above Ground Oil storage Tanks.

08. Any proposed soakaway must be so placed as to have no deleterious effect on neighbouring properties.

Item	Parish	Denmead
02	Conservation Area:	
	Case No:	03/00612/FUL
	Ref No:	W18001/02
	Date Valid:	6 March 2003
	Grid Ref:	464445 112345
	Team:	EAST
	Applicant:	Hampshire Homes
	Proposal:	Demolition of existing dwelling and construct 1 no. detached two bedroom dwelling with detached single garage, 1 no.detached four bedroom dwelling with integral double garage and new access
	Location:	Meadowsweet School Lane Denmead Waterlooville Hampshire PO7 6LY
	Case Officer:	Mr Peter Eggleton

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Representations

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Officer Report

This report is being presented to Committee at the request of Cllr Reid

History

W18001 Two 4 bed dwellings withdrawn 16 October 2002

W18001/01 Erection of one 4 bed dwelling on part plot refused 14 January 2003

Policy

Hampshire Structure Plan 1996-2011 Review. Policies UB3, T5, T6, H5, H7, H8 and R2
Winchester District Local Plan; proposals EN.5, EN.7, H.5, FS.3, T.9, T.12 and RT.3
Winchester District Local Plan Revised Deposit 2003; proposals DP.1, DP.3, DP.5, DP.6,
H.5, H.7, T.2 and RT.3
SPG 'Achieving a better mix in new housing developments'.

Consultations

Highways: No highway objections subject to conditions. Adequate car and cycle parking is provided. Some minor concerns that would be addressed by condition.

Environment Agency: Recommends condition.

Landscape Officer: Recommends approval with conditions for hard and soft landscape works and tree protection measures.

Representations

Parish Council. Raise no objection by majority vote.

19 letters of objection have been received raising the following concerns:

The proposed two storey dwelling can not be described as affordable as it has too much accommodation.

Retaining the access to the side would leave open the option of developing in the rear garden.

The new access would result in increased traffic movements close to the junction reducing road safety and increasing danger on this school bus run.

Do not consider this site to be brownfield.

Squeezing more dwellings onto this site will seriously effect the character and appearance of the area.

The proposal is an over intensive use and over development of the site which would interfere with the quiet enjoyment and amenity of near by properties. The scale, mass, density, layout and siting are inappropriate.

There is no need in the village for new housing of this nature.

Question the validity of the vote taken by the Parish Council.

The proposal would block light to the west facing kitchen window of Meadowlea and introduce loss of privacy due to first floor window to a new bedroom. The rear extension would be overbearing on the patio area of Meadowlea and reduce evening sunlight.

The properties are too closely spaced, out of character with the other properties in the street.

It would set a precedent for the other properties in the road resulting in the loss of the country village community.

The proposal may effect trees and effect stability to adjoining houses.

The existing property and its garden are important to the character of the area.

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Assessment

The proposal is for two dwellings to replace an existing dormer bungalow. The dwellings proposed are a 4 bed detached and a large 2 bed detached dwelling. The ground floor area of the 2 bed property is in excess of 80 metres square, providing a kitchen/dining room and 3 further reception rooms. The site lies within the development policy boundary for Denmead.

The property to the west is a dormer bungalow and the property to the east is a two-storey dwelling. The plot is 24 metres wide and 60 metres deep. The general pattern of development is linear frontage development with parking areas to the front of the properties. Given the edge of settlement location, in depth development would be uncharacteristic of this location.

Density. The site area measures 0.1413ha giving a proposed density of 14 dwellings per hectare. The site, including all the garden area, falls within the settlement policy boundary which bounds the site. As the site exceeds 24 metres in width it is considered that a higher density can be achieved providing it is of an appropriate form and design. The proposal is therefore contrary to PPG3 density requirements. 30 dwellings per hectare would represent 4.2 dwellings. Given the depth of the plots that can not be developed and site constraints such as a main drain along the edge of the site the minimum PPG3 density would be appropriate. Four dwellings could be accommodated on the site. The form proposed by this proposal could effectively be split into four flats, the ground floor area of the 4 bed house could be altered to form a two bed flat, the first floor a 2 or 3 bed flat. The 2 bed house could be split to provide 2 beds at ground floor and a one bed at first floor. Although it is not proposed as a solution, this demonstrates that four units can be accommodated on the site without detriment to the character of the area.

Mix. The proposal does not meet the Council's requirements for housing mix. Although a 2 and 4 bed property are proposed the two bed is not a small property. The form of the 2 bed could easily accommodate 4 bedrooms and still provide two upstairs bathrooms, a living room and a kitchen breakfast room. The downstairs of the property exceeds the size limit for small dwellings set out in the Local Plan Review. The SPG identifies a shortage of 1 and 2 bed properties and an over supply of 3 and 4 bed properties. This has not been addressed and does not meet the demand for 'the changing composition of households in the area in the light of the likely assessed need' as required by PPG3.

The proposal does not include a tree survey and impact study. The proposal includes new development within the canopy spread of large trees. It is not clear from the application that the proposal will not be to the detriment of trees adjacent to the site which are important visually.

Highways. The visibility, access points and parking are adequate.

Design and impact. The general appearance of the two properties is acceptable. The heights of the proposals match that of the property to the east but are much higher than the property to the west. Although a stepped effect from east to west would be more appropriate signifying the reduction in development towards the edge of the settlement, the proposal is considered acceptable given the gap between the building to the west.

The rear single storey element of the 4 bed property extends beyond the existing built form within 1 metre of the side boundary (2.4 metres from the Meadowlea itself) and over 4 metres beyond its rear building line.

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As the proposal is west of Meadowlea it could result in loss of evening sunlight to the rear elevation and patio area of that property and be overbearing in terms of its overall height. The roof however does slope away from the boundary, the eaves would be 2.4 metres high a metre from the boundary and the ridge would be 5 metres high 4 metres from the boundary. The hip would further reduce the impact. The plans show a north point which is off line and as such the evening summer sun in the west would be at more of an angle and the extension would reduce direct sunlight to the rear of Meadowlea. The proposal would therefore unnecessarily reduce the amenities enjoyed by occupant of the adjacent dwelling.

There is a proposed bedroom window in the side elevation of the four bed house which will look directly towards Meadowlea. The only first floor window in Meadowlea is a bathroom. The window would facilitate looking down into the side kitchen window and across the front of the dwelling. This is not considered to significantly reduce the amenities of the adjoining property owner to a level that would justify refusal. The kitchen window of Meadowlea is in the side of the property about a metre from the boundary. Although there is single storey development on the Meadowsweet site this would be replaced by a single storey side extension and a two storey dwelling which extends seven metres further forward than the existing structure. The two storey element will be just under 5 metres from the window and the eaves height would be 5 metres. Although there will be loss of outlook and light to this kitchen it is not considered to result in a loss of amenity that would justify refusal.

There is no possibility of on site open space provision so a contribution would be appropriate if permission were to be granted.

Conclusion

The general form of the proposal is considered acceptable except for the rear extension of the larger dwelling which would need to be reduced in depth. There are no highway objections to increasing the level of use on the site. The density proposed is not acceptable and it is clear that this could be doubled without significant changes to the form of development. The housing mix does not meet the Council or the Government's requirements. It is therefore concluded that the application should be refused due to the failure to make the most efficient use of land, an inappropriate housing mix which does not reflect the housing need of the area and because of the reduction of the amenities of Meadowlea.

Recommendation

O - THAT PLANNING PERMISSION BE REFUSED FOR THE FOLLOWING REASONS:-

Conditions/Reasons

01 The proposal fails to maximise the re-use of previously developed land resulting in a density of only 14 dwellings per hectare contrary to PPG3 and proposal H.2 and DP.3 of the Winchester District Local Plan Review Revised Deposit 2003.

02 The proposal fails to provide a mix of accommodation which reflects the changing composition and needs of household sizes in the area contrary to PPG3, policy H.7 of the Hampshire County Structure Plan Review 1996 - 2011, proposal H.7 of the Winchester District Local Plan, proposal H.7 of the Winchester District Local Plan Review Revised Deposit 2003 and supplementary planning guidance set out in 'Achieving a better mix in new housing developments 2000'.

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03 The proposal by virtue of the single storey rear extension close to and to the rear of Meadowlea results in a loss of amenity to the occupiers of that property contrary to proposal EN.5 of the Winchester District Local Plan and proposal DP.3 (vii) of the Winchester District Local Plan Review Revised Deposit 2003.

04 The Planning Authority are not satisfied on the information available, which lacks a tree survey and impact assessment, that the proposal will not result in damage to or loss of important trees on or adjacent to the site to the detriment of the character and visual amenity of the area contrary to proposal EN.5 of the Winchester District Local Plan and proposal DP.5 of the Winchester District Local Plan Review Revised Deposit 2003.

05 The proposal is contrary to the policies of the Hampshire County Structure Plan and the Winchester District Local Plan in that it fails to make adequate provision for public recreational open space to the required standard, and would therefore be detrimental to the amenities of the area. The proposal would also be likely to prejudice the Hampshire County Structure Plan (Review), the Winchester District Local Plan and the emerging Winchester District Local Plan (Review), in that it would undermine this Plan's Policies for recreational open space provision within the District.

Informatives

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

Hampshire Structure Plan 1996-2011 Review; policies UB3, T5, T6, H5, H7, H8 and R2
Winchester District Local Plan; proposals EN.5, EN.7, H.5, FS.3, T.9, T.12 and RT.3
Winchester District Local Plan Revised Deposit 2003; proposals DP.1, DP.3, DP.5, DP.6, H.5, H.7, T.2 and RT.3
SPG 'Achieving a better mix in new housing developments'.

Item	Parish	Owslebury
03	Conservation Area:	
	Case No:	03/00165/FUL
	Ref No:	W03293/09
	Date Valid:	16 January 2003
	Grid Ref:	451433 124233
	Team:	EAST
	Applicant:	Mr And Mrs Sutherden
	Proposal:	Change of use from Public House with residential accommodation to single dwelling house
	Location:	Shearers Arms Owslebury Bottom Owslebury Winchester Hampshire SO21 1LY
	Case Officer:	Mary Humphries

Representations

7

Recommendation

O - DEFER FOR FURTHER INVESTIGATION AND CONSULTATION.

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1 objection from Housing Association on behalf of local neighbour (tenants) - property is a supported housing scheme and home for 3 individuals with learning difficulties, and comment that tenants often wonder about their property in a state of undress which with potential for overlooking may cause embarrassment to tenants due to lack of privacy. Also concerned regarding the reaction from children using the play equipment.

Assessment

The proposal is for the retention of children's play equipment, which has been erected to the rear of the public house within the pub garden. The Harvest Home Public House occupies a large corner plot, which is accessed from Southwick Road.

The play equipment measures 6.5m x 7m, and extends at its highest point to 3.2m, although the majority of the equipment, and climbing area does not exceed 2.4m. The height of the platform from ground level is 1.1m

The letters of representation from local residents and the Parish Council relate to loss of amenity by virtue of the potential for overlooking and noise from children using the play equipment. There is also concern regarding the use of this pub garden as a children's play area.

The use of the garden to the rear of the public house has an authorised use, therefore the main issue is the potential for overlooking. With a maximum height of the platform at 1.1m, and the distance from the rear boundary of properties fronting Harvest Road, and Southwick Road of 20m, and with the boundary treatment comprising 1.8m fencing, it is not considered by officers that the potential for overlooking will affect the amenities of the rear gardens of these dwellings.

The objectors also comment on the design of the play equipment, however the only aspect of the play equipment visible is the yellow pitch roof of the higher part of the frame, which is visible in limited views from Harvest Road.

The west boundary of the pub garden comprises the rear boundary of the new dwellings under construction as part of the Bovis Homes scheme for 88 dwellings. The dwellings here are constructed, although not occupied, with the play equipment closer to this boundary. The boundary treatment here comprises 1.8m close boarded fencing, again officers do not consider that the potential for overlooking will affect the amenities of the occupiers of these dwellings.

Your officers therefore recommend approval for the retention of the children's play equipment.

Recommendation

O - THAT PLANNING PERMISSION BE GRANTED.

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Informatives

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

Hampshire County Structure Plan Review: UB3

Winchester District Local Plan Proposals: EN5, FS1

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP1, DP3, SF5

Item	Parish	Bishops Waltham	
05	Conservation Area:	Bishops Waltham Conservation Area	
	Case No:	03/00799/FUL	
	Ref No:	W00879/17	
	Date Valid:	26 March 2003	
	Grid Ref:	455355 117439	
	Team:	WEST	Case Officer: Mrs Angela Banham
	Applicant:	Barclays Bank	
	Proposal:	Change of use of bank outbuildings to museum (D1)	
	Location:	Barclays Bank Plc The Square Bishops Waltham Southampton Hampshire SO32 1GH	

Representations

1

Officer Report

History

W/00879/03 Change of use of outbuilding to museum. Permitted 1984

W/00879/16LB Internal alterations to provide archway between the kitchen and the scullery. Permitted 17.03.03

Other applications W/00879 - W/ 00879/15LB relate to Barclays Bank which occupies the front of the site.

Policy

Development plan

HCSP(R) UB3 E16

WDLP EN5 HG7 HG20

Emerging development plan

WDLP(R) DP3 HE5 HE14

Other material considerations

Consultations

None

Representations

Parish Council support

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Assessment

At the February Committee Members approved Listed Building application W/00879/16LB, which provided an archway between two of the rooms used by the museum. One of these rooms already has a permission for use as a museum under application W/00879/03, this application is the Planning application for the other room.

Your officers consider that the proposed use is acceptable.

Recommendation

O - THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:-

Conditions/Reasons

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

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

Informatives

01. In determining this application the local Planning Authority has taken account of the following Policies and Proposals;

HCSP(R) UB3
WDLP EN5 E1
WDLP(R) DP3 E1

Item	Parish	Shedfield
06	Conservation Area:	
	Case No:	03/00616/FUL
	Ref No:	W18092/01
	Date Valid:	6 March 2003
	Grid Ref:	456067 114838
	Team:	WEST
	Applicant:	Mr And Mrs Regan
	Proposal:	First floor side extension and alterations to existing conservatory at rear
	Location:	37 Brooklynn Close Waltham Chase Hampshire SO32 2RY
	Case Officer:	Mrs Angela Banham

Officer Report

History

W/18092 First floor side extension and alterations to existing Conservatory. Refused 19.12.2002

Policy

Development plan
HCSP (R) UB3
WDLP EN5 H1

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Emerging development plan
WDLP (R) DP3 H2

Other material considerations

Consultations

None

Representations

Parish Council object would be detrimental to the amenities of the neighbouring property and the street scene.

Assessment

This is a modern brick and tile detached house on a corner plot. It is located at a distance of 2metres from no 35 and at a slightly higher level. The proposal is to add a first floor extension over the existing garage and workshop and to replace the Conservatory with a single storey pitched roof extension. Discussions were held with the agent following an earlier refusal and the plans have been modified to reduce the impact on no 35 and the street scene. The bulk of the first floor extension has been reduced by the addition of a hipped roof and by the replacement of the gable end to the rear with a dormer window, which sets the built form away from no 35. Dormer windows are characteristic of the street scene. This proposal is now acceptable and the recommendation is to approve.

Recommendation

O - THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:-

Conditions/Reasons

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

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

02 The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

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

Informatives

01. In determining this application the Local Planning Authority has taken account of the following Policies and Proposals:-

Hampshire County Structure Plan (Review) UB3
Winchester District Local Plan EN5 H1
Winchester District Local Plan (Review) DP3 H2

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Item **Parish** Soberton
07 **Conservation Area:**
Case No: 03/00601/FUL
Ref No: W03203/11
Date Valid: 13 March 2003
Grid Ref: 460763 112839
Team: WEST **Case Officer:** Lisa Booth
Applicant: Mr And Mrs D Banks
Proposal: Two storey extension to side, single storey extension to rear, two storey link extension between house and garage, loft conversion of garage
Location: Kiln Copse Vineyard Lodge Hill Newtown Fareham Hampshire PO17 6LG

Representations

1

Officer Report

History

W03203/07 - Use of land as site for mobile home - Temporary planning permission 19/07/88
W03203/09 - Agricultural workers dwelling - Permitted 11/12/90
W03203/10 - Single storey side extension - Refusal 10/09/91
WLDC/320 - Removal of condition 2 of Planning Permission W03203/09 (The occupation of the dwelling shall be limited to a person solely or mainly employed in agriculture)
CERTIFICATE OF LAWFULNESS - Permitted 06/02/03

Policies

Development plan

HCSP(R) - UB3, C1, C2

WDLP - EN5,C1, C2, C19

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP3, C1, C22

Supplementary Planning Guidance

Village Design Statement - Adopted 2002

Consultations

None

Representations

Parish Council - Object - The Parish Council Planning Committee has considered the application to redevelop the house and garage on the above site and object to these proposals. The application has no planning justification with the local plan, which specifically notes that development and redevelopment will normally be refused. Any proposals made for this site should be limited to refurbishment of existing house, which would overcome our policy objection. In principle the Parish wishes to retain its smaller housing stock and specific policy for this site and all other sites in the Parish outside H2 frontage development support this. Moreover in the event of an appeal to the Secretary of State we believe this objection would be upheld on policy grounds alone.

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Assessment

The property is a two-storey detached dwelling situated towards the end of Lodge Hill with detached garage and store buildings either side of the dwelling. There is a parking and turning area to the front with a drive along the eastern boundary leading to land to the rear. The garden area extends some 80 metres to the rear of the property and there are fields bounding the site to the east and west.

The proposal is to provide a two-storey extension to the west elevation, a single storey extension to the rear and a single storey extension to link the existing garage to the property and convert the roof space of the garage to living accommodation.

The two storey side extension projects 4.2m from the existing dwelling and has a lower ridge line than the existing dwelling. It is felt that this extension remains subservient to the existing dwelling and is in scale and character. It is not felt that the proposal will have a detrimental impact on the character of the area.

The single storey link extension will fill in a gap between the existing dwelling and garage and the roof space will be utilised for living accommodation. Due to the angle of the link extension and the position of the garage away from the front boundary with the road, only minimal built form will be seen from the road or from within the site itself. It is felt that this element of the proposal is acceptable and in character with the existing dwelling.

The single storey extension to the rear is also in character and scale with the existing dwelling and is felt to be acceptable.

The overall scheme is felt to be subservient to the existing dwelling and has been well designed to respect the character of the existing dwelling, picking out the main features. The extensions do not affect any neighbouring properties and fit well within its countryside location.

The Parish Council has objected to the application for reason of the proposals not being in accordance with local plan policy. The property was originally an agricultural workers dwelling, but a Certificate of Lawful Development was granted for the removal of the agricultural occupancy condition. Therefore, the proposals do not have the same restrictions, as they would if the occupancy condition still applied. The proposal has been assessed against policies EN5 and C19 of the Winchester District Local Plan and it is felt that the extensions accord with policy criteria and does not result in increased intrusion in the countryside.

Your officers therefore recommend that the application be permitted.

Recommendation

O – THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:-

Conditions/Reasons

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

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

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02 The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.

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

Informatives

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

Hampshire County Structure Plan Review: UB3, C1, C2

Winchester District Local Plan Proposals: EN5, C1, C2, C19

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP3, C1, C22

Item 08	Parish	Otterbourne
	Conservation Area:	
	Case No:	03/00254/FUL
	Ref No:	W08717/01
	Date Valid:	5 February 2003
	Grid Ref:	445762 121830
	Team:	WEST
	Case Officer:	Lisa Booth
	Applicant:	Mr R Barker
	Proposal:	(AMENDED DESCRIPTION) First floor dormer window to front to provide additional rooms
	Location:	Rossella Grange Drive Otterbourne Hampshire SO21 2HZ

Representations

4

Recommendation

O - DEFER FOR NEGOTIATION.

Item 09	Parish	Bishops Waltham
	Conservation Area:	
	Case No:	03/00040/FUL
	Ref No:	W03835/03
	Date Valid:	14 March 2003
	Grid Ref:	457751 118290
	Team:	WEST
	Case Officer:	Mrs Anna Budge
	Applicant:	Mr S.A. Wilcox
	Proposal:	Exercise area for horses RETROSPECTIVE
	Location:	Damson Hill House Dundry Lane Bishops Waltham Southampton Hampshire SO32 1GB

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Officer Report

History

W03835 – Use of land as temporary site for caravan. Refused 21 June 1978.

W03835/01 – Erection of stable block comprising 3 no stables, tack room/feed store and hay store. Granted 27 June 2001.

Policy

Development plan

HCSP(R) – C1, C2.

WDLP – C1, C2, C7, EN5, RT8.

Emerging development plan

WDLP(R) – DP3, C1, C7, RT10.

Other material considerations

None

Consultations

None required.

Representations

Bishops Waltham Parish Council – objects stating that the proposal, as a result of its siting, would result in an unacceptable visual intrusion into an area of countryside detrimental to the character of the local environment. State that if WCC are minded to grant consent the Parish Council would wish for a limitation to personal use only.

Assessment

The site is located on the eastern side of Dundridge Lane, just within the East Hampshire AONB. The site is within an existing large field which is bounded by woodland on its eastern and southern boundaries. The western boundary of the field is defined by Dundridge Lane and the northern boundary is an adjoining farm. The proposal is for an exercise area for horses (Retrospective).

The exercise area is set back from Dundridge Lane behind the existing stables. The arena is 20m by 40m and has a sand finish with a post and rail fence around the perimeter. The ground level has been altered to create a flat surface, however this has not had an impact on the appearance or character of the surrounding countryside. The site is well screened from the surrounding area and therefore it is considered that there is no visual impact on either the countryside or AONB and that Policy C7 is fully complied with.

Policy RT8 has a presumption in favour of equestrian development, provided certain criteria are complied with. It is considered that this proposal complies with the criteria and that it is acceptable in this location. A personal condition has been added to the recommendation following the Parish Council's comments.

Overall, the proposal has minimal impact on the countryside and is considered in accordance with policy and consequently Officers recommend approval.

Recommendation

O - THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:-

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Conditions/Reasons

01 No floodlighting whether free standing or affixed to an existing structure, shall be provided on the site at any time.

01 Reason: In the interests of the amenities of the locality.

02 The all weather exercise area hereby permitted shall only be used for the schooling/exercising of those horses belonging to the applicant which are permanently stabled on site (which at any event shall not exceed 3 horses) and shall not at any time be used for commercial purposes, unless otherwise agreed in writing by the Local Planning Authority.

02 Reason: In the interest of the amenity of the adjoining residential uses and highway safety given the poor access to the site.

Informatives

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

Hampshire County Structure Plan Review: Policies C1, C2.

Winchester District Local Plan Proposals: C1, C2, C7, EN5, RT8.

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: Policies DP3, C1, C7, RT10.

Item	Parish	Winchester Town
10	Conservation Area:	Winchester Conservation Area
	Case No:	03/00406/FUL
	Ref No:	W02900/10
	Date Valid:	12 February 2003
	Grid Ref:	448331 129784
	Team:	WEST
	Applicant:	Mr B Stevens
	Proposal:	Erection of 2 no. three bedroom dwellings, extension and change of use of shop to provide 1 no. two bedroom flat, refurbishment of existing one bedroom flat and alterations to existing access
	Location:	Willis Pianos 24 North Walls Winchester Hampshire SO23 8DB
	Case Officer:	Mr Neil Mackintosh

Representations

5

Officer Report

History

Previous use of site as piano shop/workshop and for takeaway food sales

Policy

Development plan

HCSPR - H1, H5, UB3, E16, E17, T2

WDLP - H1, H7, EN5, RT3, HG7, T8, T9

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Emerging development plan

WDLPR- H2, H7, DP3, RT3, HE5, T1, T4

Other material considerations

PPG3, PPG13

Achieving a Better Mix in New Housing Development

Consultations

Landscape - imaginative design, needs further consideration of boundary and surface treatment

Conservation - a good scheme that should enhance the Conservation Area

Architects Panel - makes a positive contribution towards the car park but is intrusive to the East

Highway Engineer - refuse, inadequate parking/turning, should consider a no parking scheme

EA - no objection in principle, opportunity might be taken to de-culvert drainage channel

Southern Water - protection/diversion of public sewer will need to be agreed

Representations

CoWT - imaginative and innovative, could well be acceptable but may be too big?, do not approve of rear

extension to existing building.

Three letters of representation (one including a petition) from residents of North Walls - see below

Assessment

24, North Walls is an end-of terrace property, in brick and slate, of the late Victorian era. It has a shop window on its frontage and has, in recent years, been use as a Chinese Takeaway and a piano salesroom. A large timber building fills much of the rear of the site and was last used for piano storage. This outbuilding is unattractive and clearly visible from North Walls and the adjacent public car park. Conservation Area Consent has been granted for its demolition.

The proposal is to build two, three-bedroom houses on the site of the timber building and to convert the original frontage building to one two-bedroom and one one-bedroom flats. This would comply with the 'Better Mix' policy.

The new building is, as noted by CoWT, 'imaginative and innovative'. Although three storeys high, it makes use of an arched, zinc roof to accommodate the upper floor. The walls are a mixture of render, oak panelling and glass. The lack of garden space is made up for by providing decking and external stairs. To avoid overlooking of gardens to the East all windows in this elevation are well above head height.

This part of North Walls, although just within the Conservation Area, lacks the character and historic interest of much of rest of the City. This is exacerbated by the large area of surface car parking to the West and North of the site.

The terrace, of which No.24 forms a part, is numbered 24 to 36 and consists of 13 individual units. All are in residential use other than the application site. Individual letters of objection have been received from Nos. 30 and 33 and a petition from No.28 has been signed by Nos. 26-33 inclusive. They object to the design of the new building, loss of privacy in rear gardens, the setting of a precedent and the use of public land. No.30 objects specifically to the modern design and materials, whereas No.33 requests that the materials used on the North Walls frontage should be carefully controlled.

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Your officers consider the design and materials of the proposal are appropriate for this area. Overlooking and loss of privacy are not an issue, bearing in mind the configuration of the windows on the East elevation. No public land is being used and this will not set a precedent for the development of other rear gardens in North walls, as each site must be judged on its own merits and none of the others has a large wooden workshop.

The height of the proposed new building is greater than that which exists but, bearing in mind that it is to the North East of houses and gardens it is unlikely to have a deleterious effect on these.

Your officers conclude that this proposal would enhance the Conservation Area.

Recommendation

O - PROVIDED THAT THE APPLICANT IS PREPARED TO MAKE APPROPRIATE PROVISION FOR PUBLIC OPEN SPACE THROUGH THE OPEN SPACE FUNDING SYSTEM, THEN PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:-

Conditions/Reasons

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

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

02 No development shall take place until details of the following having been submitted to and approved in writing by, the Local Planning Authority. The approved details shall be carried out as approved and fully implemented before the buildings are occupied.

- (a) details, including samples, of all external facing and roofing materials;
- (b) large scale plans and particulars of alterations to the façade of the existing building;
- (c) landscaping, including hard surfacing, planting and the protection of existing trees;
- (d) the provision to be made for the parking and turning of cars;
- (e) details of secure and short stay cycle parking;
- (f) the proposed treatment of the existing culvert and protection/diversion of the existing public sewer;
- (g) provision to be made for the disposal of refuse.

02 Reason: In the interests of the amenities of the area and highway safety.

03 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.

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

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04 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 development permitted by Classes A, B, C, D, E of Parts 1 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

04 Reason: To protect the amenities of the locality and to maintain a good quality environment.

05 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 - 1800 Monday to Friday and 0800 - 1300 Saturdays and at no time on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

05 Reason: To protect the amenities of adjoining properties during the construction period.

06 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 east elevation(s) of the dwellings hereby permitted.

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

07 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.

07 Reason: In the interests of highway safety.

08 Before the development hereby approved is first brought into use, a turning space shall be provided within the site to enable vehicles using the site to enter and leave in a forward gear. The turning space shall be retained and kept available for such purposes at all times.

08 Reason: In the interests of highway safety.

09 Detailed proposals for the disposal of foul and surface water . shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved details shall be fully implemented before the buildings are occupied.

09 Reason: To ensure satisfactory provision of foul and surface water drainage.

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Informatives

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

Hampshire County Structure Plan Review: H1, H5, UB3, E16, E17, T20

Winchester District Local Plan Proposals: H1, H7, EN5, RT3, HG7, T8, T9

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: H2, H7, DP3, RT3, HE5, T1, T4

Item	Parish	St Michael	
11	Conservation Area:	Winchester	
	Case No:	02/02367/FUL	
	Ref No:	W02738/02	
	Date Valid:	3 October 2002	
	Grid Ref:	447651 127921	
	Team:	WEST	Case Officer: Mr Neil Mackintosh
	Applicant:	Mr And Mrs Hall	
	Proposal:	Erection of 1 No. detached three bedroom dwelling and boundary garden wall.	
	Location:	10 Back Street Winchester Hants SO23 9SB	
	(As amended by plans	received on 15 November 2002	

Representations

2

Officer Report

History

W2738LB - alterations and additions, permission 1977

W2738/01LB - demolition of timber sheds, erection of brick garage, permitted 1979

Policy

Development plan

HCSPR - UB1, UB5, H3, E16, R3

WDLP - HG5, HG6, HG7, HG11, HG23, EN1, EN4, EN5, EN7, RT3, T8, T9, W1

Emerging development plan

WDLPR - HE4, HE5, HE8, HE16, DP1, DP3, DP5, RT3, T2, W1

Other material considerations

PPG1, PPG3, PPG13, PPG15

Consultations

Conservation - object, will adversely affect setting of listed building and detract from the landscape setting of this part of the Conservation Area. It will obscure views of important landscape features such as the view of the open garden space, the northern boundary wall and the Masters House.

Highways - object, inadequate visibility at junction with highway to cater for additional traffic

Landscape - a small birch tree will be lost

Archaeology - it is likely that evidence of Saxon occupation will be found, a watching brief is appropriate

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Representations

City of Winchester Trust - object, unacceptable in this sensitive part of the Conservation Area, whilst design might be acceptable its location would adversely affect setting of listed building, might benefit from being set back on site.

One letter of support from a neighbour and two letters stating no objection

Assessment

Members are referred to the officers' report to the 9th January 2003 meeting (Item 18) and to the report of the Viewing Sub Committee held on 22 January and reported to the 30 January meeting (Supplementary Agenda).

The Viewing Sub Committee listened to the objections put forward by the Highways Engineer concerning the lack of visibility at the access, and his suggestion for an alternative location for the access. It was decided that the alternative was not acceptable, as it meant demolishing a section of boundary wall, and that, in view of the fact that Back Street is a lightly trafficked cul-de-sac, the proposed highway proposals were acceptable.

However, the Sub Committee was concerned by the effect of the proposed building on the setting of 10, Back Street. This is an early C19 house that faces North, ie. towards the site of the proposed house. The main public view of No.10 is as you approach in a southerly direction along Back Street. The setting of the house is enhanced by the large garden and views of the Masters House beyond. The Sub Committee agreed that the relationship of the proposed house with the listed building was not appropriate and that it should be moved back on the site. However, they were also conscious that, in doing so, this might have an adverse effect on the amenities of the bungalow to the North, No.14 Back Street. The Sub Committee recommended that further negotiations should take place between the applicant and officers.

As a result of further discussions, the applicant's agent has decided to move the front of the proposed house back by two metres and, in order not to affect No.14, he has compressed the building. The rear building line remains as before. In order to demonstrate his point that the development would not have the adverse effects that your officers fear, he has prepared a model and this will be on display at Committee.

Your officers have considered the minor amendment to the plans, together with the model, and confirm that their original recommendation to refuse this application still stands.

Recommendation

O - THAT PLANNING PERMISSION BE REFUSED FOR THE FOLLOWING REASONS:-

Conditions/Reasons

01 Development as proposed is contrary to the Urban Regeneration and Environment policies of the Hampshire County Structure Plan Review, the Heritage and Environment policies of the Winchester District Local Plan and is likely to prejudice the Heritage and Design/Development proposals of the emerging Winchester District Local Plan Review in that, by reason of its scale, mass, design, materials layout and siting it fails to:-

- (a) preserve or enhance the setting of the adjacent listed building;
- (b) preserve or enhance the character and appearance of the Winchester Conservation Area;
- (c) retain views of important landscape features.

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02 The proposal is contrary to the policies of the Hampshire County Structure Plan and the Winchester District Local Plan in that it fails to make adequate provision for public recreational open space to the required standard, and would therefore be detrimental to the amenities of the area. The proposal would also be likely to prejudice the Hampshire County Structure Plan (Review), the Winchester District Local Plan and the emerging Winchester District Local Plan (Review), in that it would undermine this Plan's Policies for recreational open space provision within the District.

Informatives

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

Hampshire County Structure Plan Review: UB1, UB5, H3, E16, R3

Winchester District Local Plan Proposals: HG5, HG6, HG7, HG11, HG23, EN1, EN4, EN5, EN7, RT3, T8, T9, W1

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: HE4, HE5, HE8, HE16, DP1, DP3, DP5, RT3, T2, W1

Item	Parish	St Michael
12	Conservation Area:	Winchester
	Case No:	02/02371/LIS
	Ref No:	W02738/03LB
	Date Valid:	26 September 2002
	Grid Ref:	447651 127921
	Team:	WEST
	Applicant:	Mr And Mrs Hall
	Proposal:	Alterations to provide 1 No. detached three bedroom dwelling (Within the Curtilage of a Listed Building)
	Location:	10 Back Street Winchester Hants SO23 9SB
		(As amended by plans received on 15 November 2002)

Representations

3

Recommendation

O - LISTED BUILDING CONSENT IS NOT REQUIRED.

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Item 13 **Parish:** Winchester Town
Conservation Area: Winchester Conservation Area
Case No: 03/00590/LIS
Ref No: W05084/09LB
Date Valid: 10 March 2003
Grid Ref: 448170 129811
Team: WEST **Case Officer:** Emma Norgate
Applicant: Princess Court Residents Group Ltd
Proposal: External alterations to replace roof level dormer windows with colour matched alluminium windows
Location: Residents Association Princess Court St Peter Street Winchester Hampshire SO23 8DN

Representations

5

Officer Report

History

W5084/1 - alterations including minor demolition to form conversion to 14 flats, construction of 7 garages and garage spaces and provision of screen walls following demolition of garage block - grant 18/2/82

W5084/2LB - demolition of garage block, alterations including minor demolition to form conversion to 14 flats, construction of 7 garages and 7 parking spaces and provision of screen walls - grant 2/4/82

W5084/8 - roof repairs and alterations/ repairs to chimney pots - grant 9/4/03

Policy

Development plan

HCSP(R) E16

WDLP EN5, HG7, HG20

Emerging Development Plan: WDLP Review Deposit and Revised Deposit: DP3, HE5, HE14

Supplementary Planning Guidance

None

Other material considerations

PPG15

Consultations

Conservation - largely agrees with the letter from the applicant that the windows are not original features and are unsightly, it is possible that permission may be given to change them to a more suitable design. The change to double glazed aluminium is not acceptable, considers that this application is contrary to PPG15 and HG20.

Representations

City of Winchester Trust - comments - sections of aluminium windows should have similar proportions to those existing, relies on Conservation Officer to ensure that the work is carried out satisfactorily.

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15 Princess Court - support - existing windows were fitted as part of the conversion in the 1980's not part of the original building and therefore will not change the original character, windows are not visible due to height, proposed will look similar to the existing, will require less maintenance and, higher standard of insulation and sound proofing, increasing quality of life. Would be better for the residents and future preservation if dispensation was granted.

10 Princess Court - support - existing windows were fitted as part of the conversion in the 1980's not part of the original building and therefore will not change the original character, windows are not visible due to height, proposed will look similar to the existing, will require less maintenance and, higher standard of insulation and sound proofing, increasing quality of life. Would be better for the residents and future preservation if dispensation was granted.

14 Princess Court - support - existing windows were fitted as part of the conversion in the 1980's not part of the original building and therefore will not change the original character, windows are not visible due to height, proposed will look similar to the existing, will require less maintenance and, higher standard of insulation and sound proofing, increasing quality of life. Would be better for the residents and future preservation if dispensation was granted.

Assessment

This is a listed building application for external alterations to replace roof level dormer windows with colour matched aluminum windows at Princess Court in Winchester. The site is a three-storey building with a basement and flat roof dormer windows in the roof. The property is a Grade 2 listed building, which falls within the Conservation Area. The building was converted into flats in the early 1980's. The application has been brought to Development Control Committee at a local Member's request.

The proposal is to replace the 7 wooden dormer windows with colour matched double-glazed aluminum windows. The size of the windows is to remain the same as the existing windows. The windows are visible when viewed from a number of points along North Walls. The purpose of replacing the windows is for maintenance purposes, access for maintenance of the windows causes damage to the surrounding roof and parapet gutters, by replacing the windows this would reduce the need for maintenance, and to improve the living environment within the flats.

The Conservation Officer has been consulted and whilst it is generally agreed that the windows are not original features, and are unsightly, it is possible that permission may be given to change these to a more suitable design. However, the change to double-glazed aluminum is not acceptable and is contrary to both PPG15 and HG20. PPG15 states that once lost listed buildings cannot be replaced and can be robbed of their special interest as surely by unsuitable alteration as by outright demolition. This advice is reflected in Policy HG20 of the WDLP, which states that permission should not be given for any alteration internal or external, which would adversely affect its architectural or historic character. Your Officers consider that replacing the windows with double glazed aluminum is not appropriate in this instance. The site is also located in the Winchester Conservation Area, Policy HG7 of the WDLP states that materials should be in harmony with the adjoining buildings and the area as a whole. The windows at a lower level on the building are timber sash windows, and therefore your Officers consider that the proposal would not preserve or enhance the Winchester Conservation Area.

Although, the existing windows are later additions to this listed building and it is possible that consent for windows in a suitable design could be granted, the proposed materials are unacceptable both in terms of the listed building and the wider Conservation Area and therefore the recommendation is for refusal.

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Recommendation

O - THAT PLANNING PERMISSION BE REFUSED FOR THE FOLLOWING REASONS:-

Conditions/Reasons

01 The proposal is contrary to Policy E16 of the Hampshire County Structure Plan (Review) and Policy HG7 and HG20 of the Winchester District Local Plan in that:-

- (i) by reason of the proposed materials, would have an adverse impact on the existing building, which is listed as being of historic or architectural interest.
- (ii) by reason of the proposed materials, would adversely affect the character of the Winchester Conservation Area.

Informatives

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

Hampshire County Structure Plan Review: E16

Winchester District Local Plan Proposals: EN5, HG7, HG20

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP3, HE5, HE14

Item	Parish	Winchester Town
14	Conservation Area:	Winchester Conservation Area
	Case No:	03/00255/FUL
	Ref No:	W11275/03
	Date Valid:	29 January 2003
	Grid Ref:	447697 128632
	Team:	WEST
	Applicant:	Mr M Culhane
	Proposal:	Detached double garage with studio flat over
	Location:	Rosenheim 42 St Cross Road Winchester Hampshire SO23 9PS

(As amended by plans received on 8 April 2003)

Constraints:

ADVERT

Representations

22

Recommendation

O - SEE REPORT OF VIEWING SUB-COMMITTEE.

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Item 15 **Parish:** Winchester Town
Conservation Area: Winchester Conservation Area
Case No: 03/00256/FUL
Ref No: W11275/04
Date Valid: 29 January 2003
Grid Ref: 447668 128618
Team: WEST **Case Officer:** Emma Norgate
Applicant: Mr M Culhane
Proposal: Two storey side extension
Location: 64 Edgar Road Winchester Hampshire SO23 9TN

Representations
22

Recommendation
O - SEE REPORT OF VIEWING SUB-COMMITTEE.

Item 16 **Parish:** Winchester Town
Conservation Area: Winchester Conservation Area
Case No: 03/00258/FUL
Ref No: W11275/05
Date Valid: 29 January 2003
Grid Ref: 447697 128632
Team: WEST **Case Officer:** Emma Norgate
Applicant: Mr M Culhane
Proposal: (AMENDED DESCRIPTION) Detached five bedroom dwelling with integral garage and new access
Location: Rosenheim 42 St Cross Road Winchester Hampshire SO23 9PS
(As amended by plans received on 8 April 2003)

Constraints:
ADVERT

Representations
24

Recommendation
O - SEE REPORT OF VIEWING SUB-COMMITTEE.

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As Members can see from the planning history, there have been two previous similar applications to extend the period for submission of reserved matters. The last application which was granted consent in 2000 extended the period of submission until June 2003.

The site is located at the northern end of Whiteley, to the north-west of the town centre and remains the last undeveloped residential part of the site. It is bounded to the north by completed residential development at Area L1 and N and to the west by Area K, which is currently under construction.

The Parish Council have objected that no further development should be permitted until the road infrastructure is complete. The completion of Whiteley Way is unlikely to occur in the foreseeable future and given that this site has had the time period for submission of reserved matters renewed on two previous occasions, your Officers do not consider that there is sufficient justification for either deferring or refusing the application on these grounds.

Your Officers therefore consider that it is acceptable to vary the period for submission of reserved matters for a further two years until 9th June 2005 and are therefore recommending approval of the application.

Recommendation

O - THAT RESERVED MATTERS BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:-

Conditions/Reasons

01 Condition 02 application for the approval of the reserved matters shall be made to the Local Planning Authority before 9th June 2005.

01 Reason: To comply with the provision of Section 92 of the Town and Country Planning Act 1990, as varied by the provisions of sub-section (4) of that Section.

Informatives

01. The remaining conditions as attached to outline permission W11433 continue to apply.

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

Hampshire County Structure Plan Review: UB3

Winchester District Local Plan Proposals: NC1, NC2, NC3, EN5

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: S18

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Item 18 **Parish** Bishops Waltham
Conservation Area:
Case No: 03/00653/FUL
Ref No: W11783/02
Date Valid: 10 March 2003
Grid Ref: 455696 117362
Team: WEST **Case Officer:** Emma Norgate
Applicant: Mr P.G. Sellwood
Proposal: (AMENDED DESCRIPTION) Change of use from garage to workshop B2 use gun restoration/repairs
Location: 4 Penford Paddock Bishops Waltham Southampton Hampshire SO32 1EA

Representations

2

Officer Report

History

W11783 - garage- grant 5/4/90

W11783/01 - change of use from garage to workshop for B2 use - withdrawn - 29/11/02

Development plan

HCSP(R) UB3

WDLP EN5

Emerging Development Plan: WDLP Review Deposit and Revised Deposit: DP3

Supplementary Planning Guidance

None

Consultations

Highway Engineers - no highway objection subject to conditions - small-scale operation not resulting in a material increase in traffic generation, a long driveway exists which means two vehicles can be parked in tandem. Should be a personal permission

Environmental Health - would not normally be allowed, but given the nature of the proposals would not object providing that the permission was personal. Recommends conditions.

Hampshire Police - The Police were consulted on the previous application which was withdrawn, they noted that the applicant is a registered firearms dealer, once there is a consent for change of use, he must apply to the Firearms department to register at the new address. At that time the Police will lay down security requirements.

Representations

Parish Council - object - objects to the B2 use in a residential area, this would establish a precedent, the nature of the business could change, nothing materially different from the previous application.

3 Penford Paddock - object - noise pollution, impact on enjoyment of property, nature of the business is not suitable in a residential property when there are children close by.

3 Penford Paddock - object - noise pollution, impact on enjoyment of property, nature of the business is not suitable in a residential property when there are children close by.

Cobbetts Mead - object - concerned that if the applicant moved, that future owners could use the site for a car repair business. There is poor visibility at the junction of Shore Lane and Little Shore Lane.

Assessment

This is a change of use application to change the existing garage building to a B2 use for gun restoration and repairs. The site is located at 4 Penford Paddock in Bishops Waltham and the dwelling fronts onto Little Shore Lane. The existing garage is a detached building, with a half-hipped gable roof with tiles and part render and part brick walls. It is located to the east of the dwelling and is set back from the house.

The proposal would change the use of the residential garage to gun restoration and repairs. The applicant has supplied detailed information with regard to the nature of the operation. The applicant repairs shotguns to the specialist gun trade and not to the general public. The majority of work is hand assembly with minimal machine work. Machine work involves turning and milling of small parts. The applicant states that the majority of machine work is sub-contracted. The applicant refinishes and French polishes stocks and makes them by hand. Small cartons are delivered two or three times a week and raw materials are collected by the applicant. The applicant does not employ anyone and would be the sole worker.

Concerns have been raised with regard to noise from the operation. Your Environmental Health Officers have been consulted and raise no objection to the proposal subject to conditions. They consider that it would be appropriate to ask for further details with regard to internally generated noise and therefore a condition is suggested to ensure this. They also suggest that no machines should be operated between 1800 and 0800 Monday to Friday and at no times on a Saturday, Sunday or Bank Holiday.

Concern has also been raised with regard to further potential uses on the site should the applicant move on. Your Officers consider that in this case a personal condition would be appropriate. This would ensure that should the applicant move on, the use would cease. Concerns have also been raised with regard to the nature of business. The applicant is a registered firearms dealer and security arrangements would be laid down and approved by Hampshire Police.

Concern has also been raised with regard to increased traffic, as such your Highway Engineers have been consulted. They consider that this is a small scale operation, which should not result in a material increase in traffic.

Your Officers have carefully considered the material considerations, consultation responses and representations and are on balance recommending approval of the application subject to conditions.

Recommendation

O - THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:-

Conditions/Reasons

01 The permission hereby granted shall be for a limited period expiring on 31 May 2004 on or before which date the use hereby permitted shall be discontinued and the land restored to its former condition in accordance with a scheme of work submitted to and approved by the Local Planning Authority.

01 Reason: To enable the Local Planning Authority to assess the impact of the proposed development.

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02 The use hereby permitted be for gun repairs and restoration only by Mr P.G Sellwood only and for no other purposes.

02 Reason: The site lies within an area where this use would not normally be permitted.

03 Details of a scheme for insulating the building hereby approved against internally generated noise shall be submitted to and approved in writing by the Local Planning Authority before the commencement of development and completed before the use permitted commences. Such noise insulation shall thereafter be maintained and operated in accordance with the approved scheme.

03 Reason: To secure the reduction in the level of noise emanating from the building and to protect the amenities of the occupiers of nearby premises.

04 No machinery shall be operated, no process carried out and no deliveries taken at or dispatched from the site between the hours of 0800 to 1800 hours Monday to Friday and at no time on Saturdays, Sundays or Bank Holidays.

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

05 The use of for the purpose(s) hereby permitted shall remain ancillary and subservient to the primary use of the site/premises and shall not become a separate or dominant use at any time.

05 Reason: To prevent uses arising which may be inappropriate or over-intensive for the site/premises and/or neighbouring properties.

Informatives

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

Hampshire County Structure Plan Review: UB3

Winchester District Local Plan Proposals: EN5

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP3

Item	Parish	Wickham
19	Conservation Area:	
	Case No:	03/00837/FUL
	Ref No:	W12503/06
	Date Valid:	28 March 2003
	Grid Ref:	452742 108991
	Team:	WEST
	Applicant:	J Sainsbury Developments
	Proposal:	Relief from condition 24 of previous Planning Permission W12503/05
	Location:	Land At Solent 2 Business Park Rookery Avenue Whiteley Hampshire
	Case Officer:	Mrs Sian Proudlock

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Officer Report

History

W12503 Construction of a Business Park (B1 Use) including development plots distributor road infrastructure landscape and greenway in accordance with the approved Whiteley Area 12 Development Brief (Outline) Area 12 Whiteley - PER - 26/07/1993

W12503/01 (Amended description) Variation of condition No 02 of Outline Planning Permission W12503 (time limit for submission of Reserved Matters) Area 12 Whiteley - PER - 29/07/1996

W12503/02 (AMENDED DESCRIPTION) Variation of condition 02 of Outline Planning Permission W12503 (Period of time to submit "Reserved Matters") Area 12 Whiteley Way Whiteley Fareham Hants - PER - 26/05/1999

W12503/03 (AMENDED DESCRIPTION) Variation of condition 02 of OUTLINE planning permission W12503 (Period of time to submit Reserved Matters) Area 12 Whiteley Way Whiteley Fareham Hants - PER - 04/10/2001

W12503/04A (AMENDED DESCRIPTION) 2 No. non-illuminated temporary sign boards Land At Rookery Avenue Whiteley Fareham Hants - PER - 14/10/2002

W 12503 / 05 Reserved matters application for the construction of 5 B1 office buildings, new access and Associated parking and landscaping. PER - 27/02/03

Policy

Development Plan

HCSP(R): UB3

WDLP: NC1, NC6, and EN5

Emerging Local Plan Deposit

S21

Consultations

Director of Environment, HCC- a revised section 106 Agreement has been received from the applicants solicitors which has been forwarded to the County's Legal Practice for their views. On receipt of their comments a recommendation will be forwarded.

Representations

Fareham Borough Council- no comment received

Wickham Parish council- no comment

Assessment

The proposal relates to land at Solent 2, Rookery Avenue Whiteley. A reserved matters application was permitted for the construction of 5 B1 office buildings, new access and associated parking and landscaping in February. The development will comprise 35, 656 sq. metres of office floor space and will occupy the whole site area of 9.05 hectares of Solent 2 which lies within the city council boundary.

The remaining part of Solent 2 falls within Fareham Borough Council. The applicant submitted an application to Fareham for a single B1 building, which would be accessed through the proposed business park. The application has been withdrawn to allow a full ecological survey to be undertaken on part of the site following objections raised by English Nature.

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Detailed consent was granted subject to conditions additional to the outline consent which included a condition requiring the variation of the legal agreement attached to the outline consent. The original legal agreement required a financial payment and certain off site works required by the County Surveyor. Upon submission of the reserved matters application the Director of Environment negotiated revisions to the Section 106 agreement to include an increased financial payment to a figure around £ 1 million for off-site highway works and release of land held by the owners of the land, Arlingtons, to secure the completion of Marjoram Way. The applicants, J. Sainsburys , voluntarily agreed to the revisions though there was no requirement for them to do so.

A condition was imposed on the reserved matters application which required the following: Before the development hereby approved commences the applicant shall enter into a variation of the Section 106 legal agreement attached to the outline application reference W 12503 / 03 with the County Highway Authority to secure the following:

- a) a financial contribution to off site highway works between the site and Segensworth roundabout
- b) to provide land to enable Marjoram Way to be connected to Rookery Avenue.

The signatories to the legal agreement are the applicant, J.Sainsbury, the landowner, Arlington Securities and Hampshire County Council. The City Council has no direct involvement. The applicants submitted a draft agreement to the other parties prior to the determination of the application in February. Little progress has been made towards completion of the agreement by the other parties involved. The applicants are consequently unable to implement their consent due to circumstances outside their control.

The applicant has stated that they have sympathy with Hampshire County Council's wish to implement different improvements from those originally agreed at the outline stage. In addition the applicant is continuing to negotiate with both the Hampshire County Council and Arlington Securities to complete the agreement. The current application has been submitted to lift the condition to allow the applicant to implement the consent. The applicant has suggested that the condition be replaced by an informative which to secure the additional requirements of the County Council.

The variation to the Section 106 legal agreement was negotiated entirely by Hampshire County Council during their consideration of the revised matters application. The applicant voluntarily agreed to the variation though there was no requirement to do so. The applicant would have been entirely within his rights to adhere to the requirements of the original agreement. A draft agreement was provided some two and half months ago by the applicant relating to the variation. For reasons which have not been made clear to the City Council no progress has been made towards completing the agreement. In the meantime the applicant is unable to proceed with the development.

Your officers consider that the applicant has been placed in an unreasonable position. The applicant has restated a willingness to proceed with the variation providing that that work can start on site. The City Council has been given no indication when the agreement may be expected to be finalised. There is an existing legal agreement attached to the outline consent which the applicant will be required to fulfil. The additional contributions and off site works would be desirable and have been agreed in principle by the applicant. However the procedure for securing the variation is incurring lengthy delays. Your officers consider that the condition should be lifted and replaced by an informative.

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Recommendation

M - THAT PLANNING PERMISSION BE GRANTED.

Informatives

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

Hampshire County Structure Plan Review:

Winchester District Local Plan Proposals:

Emerging Development Plan- WDLP Review Deposit and Revised Deposit:

02. In the interests of improving traffic flows and increasing highway safety, the applicants are urged as soon as possible to enter into a variation of the Section 106 legal agreement attached to the outline planning permission W12503/03 with the County Highway Authority to secure the following:-

(a) a financial contribution to off site highway works between the site and the Segensworth roundabout;

(b) to provide land to enable Marjuram Way to be connected to Rookery Avenue.

Item	Parish	Crawley
20	Conservation Area:	
	Case No:	03/00294/FUL
	Ref No:	W09728/03
	Date Valid:	3 February 2003
	Grid Ref:	444101 133378
	Team:	WEST
	Applicant:	Mrs F Yaldren
	Proposal:	Replacement buildings for use as stables and storage of building equipment and materials
	Location:	Land At Long Park Lane Crawley Hampshire
	Case Officer:	Mr Charlie Robson

Representations

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Officer Report

History

W09728	Erection of dwelling -Refused 1978
W09728/01	COU Poultry to breeding Rare Birds - Permission August 1980
W09728/02	CLD Storage of Building Materials [within buildings] Issued

Policy

WDLP - C2; EN5,

Consultations

None

Representations

Parish Council - Object. Countryside policies apply to the area and the proposal will adversely affect the amenity of the small rural community living adjacent to the site. The Council is concerned about increased traffic movements on the private road and at the junction with the public highway. The Council supports arguments from the recent appeal at the site and considers that they add justification for refusal of permission.

Neighbour and local objections - 5 objections received. Complain that submission is inadequate [plans not drawn to scale; no location plan; site area exaggerated; planning fee not paid; publicity not provided adequately; site notice not displayed in the right place; application form filled in ambiguously, or incorrectly; owners of adjacent land not informed]. It is not possible to make an informed evaluation of the proposed buildings. To do other than to refuse planning permission in these circumstances would amount to maladministration. Height of buildings and materials proposed detrimental to visual amenity of Long Park. Access is unsuitable for horseboxes and other heavy vehicles and the development will create a hazard to neighbouring property due to reversing of vehicles. Proposed fence [replacing existing hedge] will not adequately screen buildings/activities at the site, especially from riders on horseback causing loss of privacy. Scale and nature of use of Stable is not clear and could lead to a midden being formed. Intrusive activity already takes place at Long Park Farmyard, Additional similar activity closer to residential property would be unreasonable. It is alleged that the Lawful right to store building materials could be intensified by a multiple of 6 if permission is granted

Assessment

There is an enforcement history at Long Park Farm, but planning permission has been granted [on appeal] for use of adjacent land within the farm, as a Sawmill. Within the application site, a Certificate of Lawful Development [CLD] has been issued that gives immunity against enforcement action against storage of building materials within defined floor areas of existing buildings. Subsequent to the CLD, an enforcement notice has taken effect on the land, preventing outside storage of building materials. The time scale for complying with the Notice has not yet expired. Existing buildings on the application site are typical of outbuildings within a smallholding, They are functional, in relatively poor condition, but certainly still capable of beneficial use. The proposal is to replace those existing buildings, with similar structures of equivalent dimensions at the same position on the existing hard standings. The effect of the changes on the rural landscape will be minimal. Planning conditions would ensure, among other things that the storage of building materials remain confined to the same floor areas as identified in the CLD. Stabling horses for personal use by the landowner is an acceptable activity on agricultural land as is use of remaining floor area for small holding purposes.

With regard to the objections, the process of publicity is intended to allow interested parties to comment on how development proposals affect their interests in the locality. It is unusual for the competence of the application submission to be challenged. Officers are satisfied that the publicity procedures that have been carried out adequately meet the requirements of relevant legislation, and that other allegations about procedure are unfounded. It is accepted that the plans are sketchy and dimensioned, rather than drawn to metric scale. Nevertheless there is sufficient information, particularly taking account of the "replacement" nature of the proposals to allow the application to be assessed. Regarding the appeal decision referred to by the Parish Council the appeal was against an Enforcement Notice that dealt with issues of intensification of use of the land following provision of external storage facilities.

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It is considered that the proposals will provide some improvement to local amenity. Accordingly your Officers recommend that permission be granted subject to the following conditions

Recommendation

O - THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:-

Conditions/Reasons

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

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

02 No building materials shall be stored or kept on the land except within those parts of the replacement buildings coloured in blue on the approved block plan and in accordance with Certificate of Lawful Development Number 275.

02 Reason: To safeguard the amenity of the area.

03 Before any work is commenced on site details of all external materials to be used in construction works shall be submitted to and approved by the Local Planning Authority.

03 Reason: To safeguard visual amenities.

04 The enclosure fence to be erected shall be of an vertical close bowded design and before any work is commenced details of the design and specification for the fence shall be submitted to and approved by the Local Planning Authority.

04 Reason: To safeguard visual amenity.

Informatives

01. This application has been assessed having regard to Policy C2 and EN5 of the Winchester District Local Plan.

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

Hampshire County Structure Plan Review: None

Winchester District Local Plan Proposals: C2, EN5

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: None
