

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 20 December 2005

Item No: 08
Address: Land Between Sparkford Road and Airlie Road, Winchester,
Hampshire

Parish/Ward Winchester Town

Proposal Description: Demolition of 2 Airlie Road (Narnia); residential re-development comprising 3 no. four-bedroom dwellings and 4 no. two-bedroom flats in two blocks; associated garages/parking and new access (RESUBMISSION)

Applicants Name Danebury Homes Ltd

Case No: 05/02405/FUL

W No: W04579/12

Case Officer: Mrs Jill Lee

Date Valid: 4 October 2005

Delegated or Committee: Committee Decision

Reason for Committee: 4 or more representations contrary to the Officer's recommendations have been received

Site Factors:

Civil Aviation

Tree Preservation Order
Within 50m of Listed Building

Site Description

- The application site is located on the corner of Airlie Road and Sparkford Road.
- The site currently contains a single bungalow which has a substantial garden. There are some important trees and hedges within the site which are to be protected and retained.
- There are changes in levels both within the site and in relation to the adjoining residential development.
- The site is surrounded by residential properties.

Relevant Planning History

- W4579 – erection of 5 dwellings. Refused 1979.
- W4579/01 – erection of 3 dwellings. Refused 1979, allowed at appeal.
- W4579/03 – dwelling and garage, permitted 1980.
- W4579/04 – 2 dwellings refused 1980.
- W4579/05 – 3 dwellings permitted 1981.
- W4579/06 – 3 houses permitted 1981.
- W4579/09 – 10 dwellings refused 2003.
- W4579/10 – 7 dwellings, permitted subject to legal agreement.
- W4579/11 - 7 dwellings, withdrawn.

Proposal

- As per Proposal Description
- It is proposed to demolish the existing bungalow and redevelop the site by the erection of 3no four bedroom dwellings and 4no two – bedroom flats in two blocks, with associated garages, parking and new access.
- The scheme has been amended from the previously withdrawn one in that the windows in the west elevation of the flats have been omitted and the tree issues properly addressed.

Consultations

Engineers:Drainage:

- No objection subject to EA, SW and building regulations being met.

Engineers:Highways:

- No objection subject to conditions.

Environment Agency:

- No objection subject to conditions.

Environmental Health:

- no objection subject to conditions.

Landscape:

- Landscape – new plans with additional information relating to retained trees, hedgerows, and maintenance of landscape areas has been submitted and is acceptable to the landscape officer subject to conditions.
- Trees – the plan and fencing is acceptable.

Southern Water:

- no objections.

Representations:

City of Winchester Trust:

- Object to the application. Scheme gives impression of being overdeveloped. Large areas of hardstanding and lack of public space. Scheme is bland with no distinguishing features or architectural merit and will do nothing to improve the character of this site close to the conservation area.

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Letters of representations have been received from 12 neighbours who object to the application for the following reasons:

- Adverse impact of development on surrounding area.
- Traffic problems
- Overloading existing services such as sewage and water.
- Increased noise and disturbance from increase in number of residents.
- Not enough space for manoeuvring within the site.
- Backland development
- Loss of privacy to existing residents surrounding site.
- Density and layout of development out of character.
- Overlooking
- Road dangerous for additional cars and pedestrians.
- Road needs a lower speed restriction.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB3, T2, T4, T5, T12, H2, H7, R2, E6, E8, E16, E19.

Winchester District Local Plan

- EN1, EN4, EN5, EN7, EN9, EN13, H1, H7, RT3, T8, T9, T11, W1, W5.

Winchester District Local Plan Review Deposit and Revised Deposit:

- DP1, DP3, DP4, DP5, DP6, DP9, DP12, H2, H5, H7, RT3, T1, T2, T3, T4, T5, W1.

Supplementary Planning Guidance:

- Technical Paper: Open Space Provision and Funding
- Guide to the Open Space Funding System
- Parking Standards 2002

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG 3 Housing

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area/spatial characteristics/street scene
- Residential amenities
- Public open space provision
- Comments on representations

Principle of development

- The site is located within the settlement boundary of Winchester where the principle of residential redevelopment is acceptable subject to normal development control criteria.
- Planning permission was granted in 2004 for the erection of 2 four bedroom, 1 three bedroom and 2 two bedroom and 2 one bedroom flats in two blocks. The siting of the dwellings was largely the same as the current scheme. The main difference is that now there are to be 3 four bedroom dwellings and 4 two bedroom flats in two blocks. The siting of the building blocks are largely the same as is the access and parking area.
- The density of the site would be 30 dwellings per hectare and so would be acceptable in terms of the advice contained in PPG3.
- The principle of the development is therefore considered to be acceptable.

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Impact on character of area

- The presently submitted scheme is a different design to that which was previously approved. It is more traditional in terms of the external appearance and use of materials. In terms of building bulk it does not differ much from that which was previously approved. It allows for the retention of the important trees and hedgerows and so will not impact to any greater degree on surrounding properties of the character and appearance of the area generally.

Residential amenities.

- The windows in the west elevation of the blocks containing the flats have been omitted. The side windows of the bays are conditioned to be retained as obscure glazing so there will be no overlooking to the adjacent house. The location of the detached houses is largely the same as the permitted scheme the main difference being that house 2 has a garage where previously it had parking spaces.

Public open space provision.

- At the time of writing this report the open space has not been paid. The recommendation is therefore subject to a legal agreement requiring payment to be made.

Comments on representations.

- Many of the letters of objection are relating to the principle of allowing residential redevelopment of the site. It must be remembered that permission has already been granted for the redevelopment of the site for 3 detached dwellings and four flats on similar siting to that now proposed. The difference is that one of the three beds has been increased to four beds and two of the one bedroom flats increased to two bedrooms. The principle of development is therefore established and it is only if the difference between the approved scheme and that now proposed is sufficiently detrimental to warrant refusal that the current scheme could be recommended for refusal.
- The changes to the scheme are considered to be minor and acceptable. The scheme is therefore recommended for approval subject to a legal agreement and conditions.

Planning Obligations/Agreements

In seeking the planning obligation(s) and/or financial contributions for public open space, the Local Planning Authority has had regard to the tests laid down in Circular 05/2005 which requires the obligations to be necessary; relevant to planning; directly related to the proposed development; fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.

Recommendation

APPROVE – subject to a Section 106 Agreement for:

- 1. A financial contribution of £14,906 towards the provision of public open space through the open space funding system**

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

Conditions/Reasons

01 The development hereby permitted shall be begun before the expiration of three 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 (as amended).

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02 No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

03 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, specifically the woodland area to the front of the site, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the details hereby approved.

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

04 A detailed scheme for landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

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

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

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

06 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before buildings are occupied. Development shall be carried out in accordance with the approved details.

06 Reason: In the interests of the visual amenities of the area.

07 In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars, and paragraphs (a) and (b) below shall have effect until the expiration of from the date of the occupation of the building(s) for its permitted use.

a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

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b) If any tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.

c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with details to be submitted and approved in writing by the Local Planning Authority before any equipment, machinery, or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

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c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with details to be submitted and approved in writing by the Local Planning Authority before any equipment, machinery, or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

08 No development, or works of site preparation or clearance, shall take place until details, including plans and cross sections of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto, have been submitted to and approved in writing by the Local Planning Authority.

08 No development, or works of site preparation or clearance, shall take place until details, including plans and cross sections of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto, have been submitted to and approved in writing by the Local Planning Authority.

09 The hedgerow identified on the site plan 1050 A - 01B shall be retained and maintained at a minimum height of 4m metres in good condition and where necessary reinforced with appropriate species to be agreed in writing with the Local Planning Authority. The new planting shall be completed before the end of the first planting season following the completion of the development hereby permitted.

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09 The hedgerow identified on the site plan shall be retained and maintained at a minimum height of 4 metres in good condition and where necessary reinforced with appropriate species to be agreed in writing with the Local Planning Authority. The new planting shall be completed before the end of the first planting season following the completion of the development hereby permitted.

10 During construction any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage the compound should be at least equivalent to the capacity of the largest tank or the combined capacity of interconnected tanks plus 10%. All filling points, vents, gauges and sight glasses shall be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

10 To prevent pollution of the water environment.

11 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hard standing shall be passed through trapped gullies to BS 5911:1982 with an overall capacity compatible with the site being drained.

11 To prevent pollution of the water environment.

12 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.

12 Reason: In the interests of highway safety.

13 Before the development hereby approved is first brought into use, the access shall be constructed with a non-migratory surfacing material for a minimum distance of 15m metres from the highway boundary.

13 Reason: In the interests of highway safety.

14 The existing access to the site shall be stopped up and abandoned and the footway crossing shall be reinstated to the requirements of the Local Planning Authority, immediately after the completion of the new access hereby approved and before the new access is first brought into use.

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

15 Before the development hereby approved is first brought into use, the access shall be splayed back at an angle of 45 degrees.

15 Reason: In the interests of highway safety.

16 Nothing over 600mm metres in height above the level of the carriageway shall be erected or permitted to remain on the land hatched green on the approved plans.

16 Reason: In the interests of highway safety.

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17 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.

17 Reason: In the interests of highway safety.

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

18 Reason: To ensure the provision and retention of the parking and in the interests of local amenity and highway safety.

19 Details of the materials to be used for the hard surfacing within the site shall be submitted to and approved in writing by the local planning authority prior to the commencement of any development. The scheme shall be implemented in accordance with the approved details.

19 To ensure the development presents a satisfactory appearance.

20 details including plans and elevational drawings of the proposed acoustic fencing to no 1 Airlie Road and the 2m wall to Sleepers Acre shall be submitted to and approved in writing by the local planning authority prior to any work commencing on site. These works shall be implemented in accordance with the approved details.

20 To ensure the development presents a satisfactory appearance and in the interest of the amenity of the occupiers of adjoining residential properties.

21 In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars, and paragraphs (a) and (b) below shall have effect until the expiration of 5 from the date of the occupation of the building(s) for its permitted use.

a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

b) If any tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.

c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with details to be submitted and approved in writing by the Local Planning Authority before any equipment, machinery, or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

21 Reason: To ensure the protection of trees which are to be retained.

22 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 in accordance with the Method Statement submitted and as shown on drawing number 0503 L01B and with BS5837.

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22 To retain and protect the trees which form an important part of the amenity of the area.

23 The developer shall afford access at all reasonable times to an arboricultural consultant to be agreed in writing with the local planning authority prior to the commencement of development. The developer shall afford access to the arboricultural consultant and shall allow them to observe the installation and maintenance of protective fencing, the installation and maintenance of protective fencing, the installation of special surfaces and foundations of the building.

23 To ensure the protection of the trees that are retained.

24 No demolition or alteration to structures on the site shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological recording in accordance with a written scheme of investigation to be submitted to and approved by the local planning authority in writing.

24 To ensure that the archaeological and historical interest of the structures on the site is properly safeguarded and recorded.

25 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, F and G of Parts 1 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

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

26 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/dormer windows other than those expressly authorised by this permission shall, at any time, be constructed in the west elevation other than those expressly authorised by this permission.

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

27 The first floor windows in the west elevation of the flats shown to be obscure glazed on plan 1050/A – 12B and 1050/A – 09B shall be thereafter retained as obscure glazed.

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

Informatives

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

Hampshire County Structure Plan Review: UB3, T2, T4, T5, T12, H2, H7, R2, E6, E8, E16, E19
Winchester District Local Plan Proposals: EN1, EN4, EN5, EN7, EN9, EN13, H1, H7, RT3, T8, T9, T11, W1, W5

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP1, DP3, DP4, DP5, DO6, DP9, DP12, H2, H5, H7, RT3, T1, T2, T3, T4, T5, W1.