

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 22 May 2008

Winchester City
Council
Planning Department
Development Control

TEAM MANAGER
SIGN OFF SHEET

Committee Decision

Case No:	08/00208/FUL	Valid Date	30 January 2008
W No:	17114/04	Recommendation Date	1 May 2008
Case Officer:	Mrs Jill Lee	8 Week Date	26 March 2008
		Committee date	22 May 2008
Recommendation:	Application Permitted	Decision:	Committee Decision

Proposal:	Redevelopment of existing site to include; dental surgery and 6 no. one bedroom flats with associated landscaping and parking (THIS APPLICATION MAY AFFECT THE SETTING OF A PUBLIC RIGHT OF WAY)(RESUBMISSION)
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Site:	Shipyards Motor Co Hambledon Road Denmead Waterlooville Hampshire
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Open Space Y/N	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
YES	No	No	Yes	No	No	Yes

Committee item.		
APPROVE Subject to the condition(s) listed		
	Signature	Date
CASE OFFICER		1 May 2008
TEAM MANAGER		

AMENDED PLANS DATE:- Not applicable.

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Item No: 2
Case No: 08/00208/FUL / W17114/04
Proposal Description: Redevelopment of existing site to include; dental surgery and 6 no. one bedroom flats with associated landscaping and parking (THIS APPLICATION MAY AFFECT THE SETTING OF A PUBLIC RIGHT OF WAY)(RESUBMISSION)
Address: Shipyard Motor Co Hambledon Road Denmead Waterlooville Hampshire
Parish/Ward: Denmead
Applicants Name: Shipyard Motor Co.
Case Officer: Mrs Jill Lee
Date Valid: 30 January 2008
Site Factors: None identified.
Recommendation: Application Permitted

General Comments

This application was presented to Members at 24th April PDC where the Committee agreed to defer determination to provide officers with an opportunity to re-present the application to a future meeting with further information regarding the issues related to the refused application, change of use from the proposed shop units to a dentist's consulting rooms, the density of the development and the amenity and size of the proposed flats.

The previously refused application (ref: 07/02603/FUL / W17114/03).

The application was refused on 20th December 2007 for the following reasons;

- 1 The proposed development would result in a height and bulk of building which would be unduly prominent on this corner position and which would be out of character with the scale and nature of the surrounding development detrimental to the character and amenities of the area.
- 2 The proposed development fails to make adequate provision for refuse and recyclable materials and secure undercover cycle storage to the required standard and would therefore be contrary to policies DP3 and T4 of the Winchester District Local Plan Review.
- 3 The proposal is contrary to Policy RT4 of the Winchester District Local Plan Revised 2006 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.

This application increased the number of flats from 4 to 6 one bedroom flats by incorporating 2 additional flats at second floor. The previously proposed shop units at ground floor level were replaced by dentist's consulting rooms. In order to provide additional floor space at second floor level, the application proposed a front gable feature which was 9.3m high, 6.5m wide and projected forward of the slope of the main roof by 3m. It also incorporated a window which had the effect of making the building appear to be three storeys. A copy of the refused plans is appended to this report.

The current scheme has reverted back to the built form previously approved, with the 2 additional flats contained within the roof space. The previous consent is a material consideration as it is still capable of being implemented. Reason for refusal No. 1 has therefore been overcome.

The current scheme has now made the necessary provision for refuse, recyclables and cycle storage and so reason for refusal No. 2 has been overcome.

The applicant has paid the required contribution towards funding public open space therefore

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reason for refusal No. 3 has been overcome.

Change of use from shop units to dentist's consulting rooms.

The site currently operates as a car showroom and sales office. The planning permission granted consent to demolish the building and replace it with a two storey building which had two retail shop units on the ground floor and residential over. Under the current scheme it is proposed to substitute the two retail shop units for dentist's consulting rooms with residential over. The site is not within the primary shopping area and therefore there is no policy objection to the loss of the retail shop units. There would, however, be an objection to the change of use of the ground floor to residential as it would result in the loss of a facility and service. The provision of dentist's consulting rooms is acceptable in terms of being a facility and service. It is intended that one of the dentists currently operating out of the village health centre on the other site of the Hambledon Road opposite the site, will take up the rooms. There is therefore no objection to the proposed use of the ground floor of the premises for dentist's consulting rooms.

The density of the proposed development.

The density of the proposed development is high, being over 100dph. The previously approved scheme was 75dph. High density alone is not sufficient reason to refuse a planning application; a Local Planning Authority has to be able to demonstrate that harm would be caused. The scheme provides adequate parking, refuse facilities and cycle storage and so the additional residential accommodation does not cause any harm in these respects. In terms of provision of amenity space the previous consent did not have garden areas and so it would be difficult to sustain an objection to not providing garden areas for the two additional flats. The density, although high, is not considered to have resulted in a built form that would be out of character or detract from the amenity of neighbours or the street scene.

Amenity and size of the proposed flats.

All of the flats proposed are 1 bedroom and have a kitchen living room and bathroom. The internal floor areas of the first floor flats are approximately 48 square metres. The second floor flat to the front of the proposed building has a floor area of approximately 72 square metres and the one to the rear approximately 60 square metres. The flats are small and therefore affordable for those wishing to get on the property ladder. With the exception of the kitchen to the rear second floor flat, all of the rooms are served by roof lights, however, these are shown with the same sill height as the dormer window and therefore there will be views out from these. The previous scheme included standard windows to the second floor in the front gable and side gable. This was considered to be unacceptable as it made the building appear three storey and out of scale and character with its context. If the roof space is to be utilised then the only realistic option is to provide light and ventilation by way of roof lights. There are no requirements under either planning or building regulations that would preclude flats being served by roof lights and there is no minimum ceiling height requirement under building regulations. The flats are small but the applicant has identified a market need for such accommodation. The Winchester Housing Needs Survey published in 1999 identified an over-provision of 3 and 4 bedroom houses in Denmead and a shortfall of 1 and 2 bedroom accommodation. The provision of smaller units also accords with Policy H7 of WDLPR which requires 50% of all new residential development to be smaller units with either 1 or 2 bedrooms. It is not considered that there are sustainable reasons to refuse the additional flats because they are served by roof lights with the exception of the kitchens, or because they are too small.

Site Description

The site comprises 0.05 hectares and has a two storey brick and flint building which is used for car sales, and incorporates a large parking area to the front. The building has single storey flat

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roofed front and rear extensions.

The site is on the corner of Ashling Park Road and Hambledon Road and forms the end of a row of mixed commercial and residential properties, all two storey and with varying designs.

There are two significant evergreen trees which are outside the site on the corner of the two roads and which partially screen views of the site. These trees are of particular importance given the dominance of hard landscaping in the vicinity.

To the rear of the site in Ashling Park Road are residential properties, many of which are 1.5 storey and fairly low key.

On the opposite side of Hambledon Road is the health centre.

The site is flat with no particular features of importance other than the existing flint wall to the Hambledon Road frontage, which it is proposed to retain and extend. The retention of the wall is considered to be important to the character of the area and this has been conditioned (Condition 4).

Proposal

It is proposed to redevelop the site by the demolition of the existing building and the erection of a two storey building which would incorporate a dentist's practice to the ground floor, with four 1 bedroom flats on the first floor and two 1 bedroom flats utilising the roof space. There is parking to the front and to the rear of the proposed building. The bin and cycle stores are also to the rear of the building. The previously approved scheme had two shop units to the ground floor and four 1 bedroom flats to the first floor. Due to a lack of demand for shop units in Denmead, the ground floor use has been amended to a dentist's surgery, for which there is a demand, and a user has already been identified. The building footprint is the same as that already approved, with the additional units being incorporated within the roof space. The overall height of the building is also the same as that previously approved, although roof lights have been added to the front elevation and small pitched dormers to the side and rear elevations. It is proposed to use traditional materials, brick, tile hanging and plain clay tiles to the roof. The submission of samples has been conditioned (Condition 2).

The density of the previously approved scheme was 74 dwellings per hectare (dph) which rises to 111 dph with the two additional 1 bedroom flats.

The access and parking arrangements are acceptable for the increased number of flats.

Relevant Planning History

W17114 - First floor side and rear extension to provide 3 no: one bedroom flats and office - Application Refused - 25/05/2001.

It should be noted that this application was for extensions to the existing building, with the commercial garage use being retained. The reasons for refusal for this application were concerned with lack of car parking for the commercial use and flats and therefore potential conflict between the two; overlooking to the rear garden of the neighbour from first floor habitable room windows resulting in loss of privacy, and no provision was made for contributions towards public open space.

W17114/01 - Erection of first floor rear extension to provide 3 no. one bedroom flats and office - Application Refused - 22/03/2002.

This application was largely the same as the first application. It was refused for the same reasons and the refusal was appealed by the applicant. The appeal was dismissed with the only reason being the shortfall in car parking. The Planning Inspector made no mention of overlooking or any other issues in his one-page decision notice dated 8 October 2002.

W17114/02 - Redevelopment of site comprising erection of one block consisting of 2 no. shop units and 4 no. one bedroom dwellings with alteration to existing and new vehicle access (THIS APPLICATION MAY AFFECT THE SETTING OF A PUBLIC RIGHT OF WAY) - Application Permitted - 02/04/2004.

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This application was for the demolition of the existing building and creation of 2 shop units with 4 no. one bedroom flats at first floor level. The approved plans are appended to this committee report.

W17114/03 - Redevelopment of existing site to include dental surgery and 6 no. one bedroom flats with associated landscaping and parking (THIS APPLICATION MAY AFFECT THE SETTING OF A PUBLIC RIGHT OF WAY) - Application Refused - 20/12/2007.

This application was for a larger development than the current application. The reasons for refusal were as follows;

1. The proposed development would result in a height and bulk of building which would be unduly prominent on this corner position and which would be out of character with the scale and nature of the surrounding development detrimental to the character and amenities of the area.
2. The proposed development fails to make adequate provision for refuse and recyclable materials and secure undercover cycle storage to the required standard and would therefore be contrary to policies DP3 and T4 of the Winchester District Local Plan Review.
3. The proposal is contrary to Policy RT4 of the Winchester District Local Plan Revised 2006 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.

This application increased the number of flats to 6 one bedroom flats by incorporating 2 additional flats at second floor. The previously proposed shop units at ground floor level were replaced by dentist's consulting rooms. In order to provide additional floor space at second floor level the application proposed a front gable feature which was 9.3m high, 6.5m wide and projected forward of the slope of the main roof by 3m. The gable incorporated a window at second storey which had the effect of accentuating the height of the building. A copy of these refused plans is appended to this report.

W17114/14 – Current application. The submitted plans are appended to this report.

Consultations

Engineers: Drainage:

No objection to the application.

Engineers: Highways:

No objection to the application, subject to Conditions 6, 7 and 8.

Environmental Health:

No objection to the application, subject to conditions to deal with contaminated land, Conditions 9 to 13.

Portsmouth Water:

No response received.

Representations:

Denmead Parish Council

Strongly objects to the application. The proposed development would not respond positively to the character, appearance and variety of the local environment and would therefore be contrary to policy. The proposal would have an adverse effect on adjoining land, uses and property. The loss of the building is to be deplored. Over-intensive use of the site. Likely to lead to the parking of cars on the highway. Continuation of dentists practice is supported. Doesn't acknowledge demand for one bedroom houses. Will place social strain on area. Will detract from village centre.

1 letter received objecting to the application for the following reasons:

- Insufficient car parking

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- One bedroom dwellings not needed.
- Dentist should remain in health centre.
- Loss of building regretted.
- Building too high
- Insufficient public transport.

Relevant Planning Policy:

Winchester District Local Plan Review

DP3, H3, H7, SF1, SF2, SF4, SF6, RT4, T4

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPGS 3 Housing

Supplementary Planning Guidance

Denmead Village Design Statement.

Planning Considerations

Principle of development

The application site is located within the settlement boundary of Denmead where mixed use redevelopment is generally acceptable in principle. The site would be developed at a high density but is making use of roof space to provide two additional flats without adding to the approved footprint. The development would provide accommodation for a facility and service and so is acceptable. The proposed flats concur with the housing mix Policy H7 in that they are all one bedroom. The parking provision is acceptable. There is no amenity space, but this was the case in the previously approved scheme. The principle of development has already been accepted and the previous consent is still valid. The only difference between this new scheme and the previously approved one is the additional two one bedroom flats in the roof space, which will result in roof lights to the front, side and rear and the provision of two pitched dormers, one to the rear and one to the side. The principle of the development is therefore acceptable.

Design/layout

The design of the building is the same as that previously approved, apart from the additional roof lights and dormer windows. The proposed materials are the same and the ground and first floor windows are in the same position. The relationship with existing surrounding residential properties is considered to be acceptable and the design appropriate for the setting. The roof will help to obscure views of the flat roofed building next door to the application site. The submission of details of the materials has been conditioned, as it is important to achieve good quality materials to help improve the character and appearance of the village centre.

The existing flint wall has always been identified as being important to the character of the area and has always been retained in previous schemes. The wall is to be retained and extended around the corner to Ashling Park Road in the current scheme.

The existing building will not be retained and is not worthy of being listed. The principle of its redevelopment has already been established.

Impact on character of area and neighbouring property

The relationship of the new building with existing surrounding buildings is considered to be acceptable. Condition 5 will prohibit the insertion of additional windows but those already proposed are considered to be acceptable. The property to the rear of the site is set back and any potential overlooking would be to the front garden area only. The property on the other side of Ashling Park Road is at a sufficient distance to avoid direct overlooking to private amenity areas.

Landscape/Trees

There are two significant trees which are not within the site but which contribute to the character and appearance of the area. The trees will be retained and will not be affected by the redevelopment. They will help to screen views of the new development from the west. There is

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limited planting proposed within the site but this is indicative of the general hard landscaped character of the area and will not detract from the village centre. Condition 3 requires a landscape plan to be submitted, as there is some potential for planting which will help soften this corner development.

Highways/Parking

The Highways Officer has raised no objection to the application. There is a total of 10 car parking spaces provided for the flats and the dentist's surgery and it is likely that some sharing of spaces will occur, with the residential use of the spaces when the surgery is closed. There are also public car parks in the vicinity where potential visitors to the dentist's surgery could park.

Recommendation

Application Permitted subject to the following conditions:

Conditions and reasons;

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

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

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

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

3 A detailed scheme for landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall specify species, density, 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.

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

4 The existing flint wall to Hambledon Road shall be retained and maintained in its current form in accordance with the approved plans.

4 Reason: In the interests of the amenities of the character and appearance of the area.

5 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 any of the external walls or roof of the development hereby permitted.

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

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6 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.

6 Reason: In the interests of highway safety.

7 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.

7 Reason: In the interests of highway safety.

8 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.

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

9 Prior to the commencement of the development approved by this planning permission, a scheme to deal with contamination shall be submitted to and approved in writing by the local planning authority. The scheme must include the following;

- a) a desk top study and conceptual model documenting all the previous and existing land uses of the site and adjacent land.
- b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study.
- c) a remedial strategy detailing the measures to be undertaken to avoid risk from contaminants and or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.
- d) Prior to the occupation of the development written verification by the competent person shall be submitted to and approved in writing by the local planning authority. The report must demonstrate that the remedial strategy approved has been implemented fully unless varied with the written agreement of the local planning authority in advance of implementation.

9 Reason: In order to secure satisfactory development and in the interests of the safety and amenity of future occupants.

10 Prior to the occupation of the development written verification by the competent person regarding the scheme to deal with contamination, shall be submitted to and approved in writing by the local planning authority. The report must demonstrate that the remedial strategy approved has been implemented fully unless varied with the written agreement of the local planning authority in advance of implementation.

10 Reason: In order to secure satisfactory development and in the interests of the safety and amenity of future occupants.

11 If during any stage of the development, unexpected contamination is identified then no further development shall be carried out until an assessment has been completed and a scheme to deal with any additional contamination is submitted and approved in writing by the local planning authority.

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11 Reason: In order to secure satisfactory development and in the interests of the safety and amenity of future occupants.

12 Details of a scheme for protecting the proposed domestic dwellings from noise from the proposed ground floor commercial unit shall be submitted to and approved by the local planning authority in writing before development commences. Any works which form part of the approved scheme shall be completed before any dwelling is occupied unless an alternative period is agreed in writing by the local planning authority. Such noise protection measures shall thereafter be maintained and operated in accordance with the approved scheme.

12 Reason: To ensure that acceptable noise levels within the dwellings and the curtilage of the dwellings are not exceeded.

13 The use of the ground floor for commercial purposes shall be limited to 0800 to 2200 hours Monday to Saturdays and at no time on Sundays or recognised public holidays.

13 Reason: To protect the amenities of the occupiers of adjacent residential properties.

Informatives:

This permission is granted for the following reasons:

The development is in accordance with the policies and proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

The Local Planning Authority has taken account of the following Development Plan policies and proposals:-

Winchester District Local Plan Review 2006: DP3, H3, H7, SF6, RT4, T4