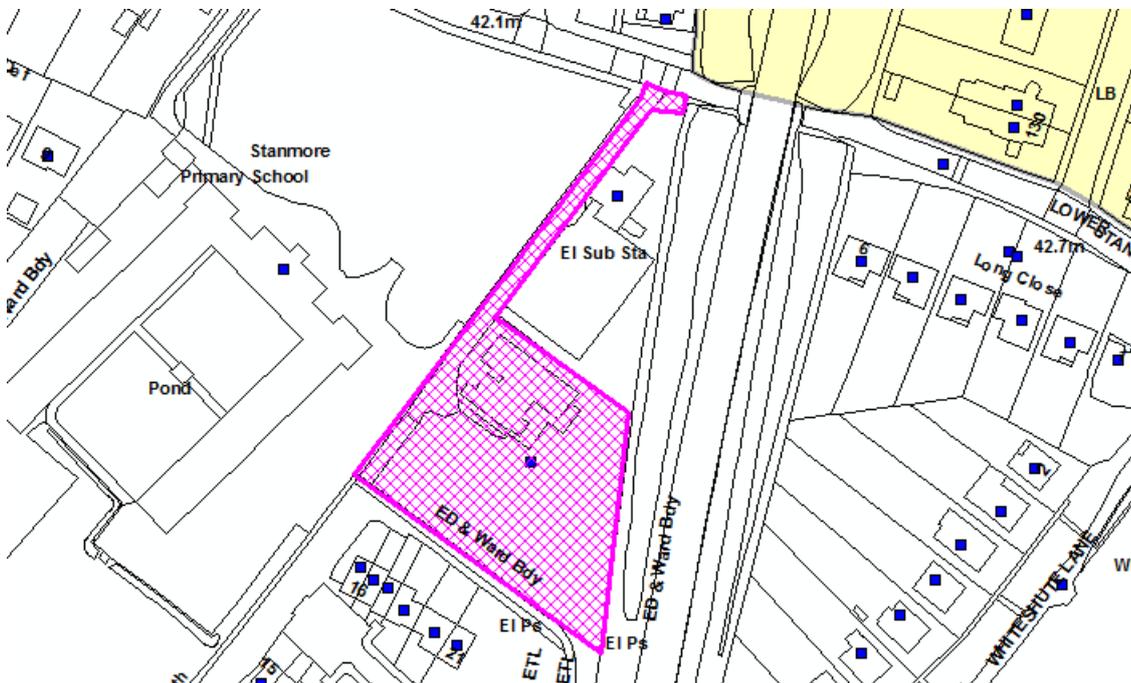


Case No: 18/00646/OUT
Proposal Description: Redevelopment of the site: Construct 5 No. detached houses (1 x 4 bed, 2 x 3 bed [each with detached single garage] and 2 x 2 bed) and 4 x 2 bed apartments, associated means of enclosure, surface car parking and new access spur. Resurfacing of access from Stanmore Lane to new access spur, including construction of passing bay and adjustment of eastern boundary to Stanmore Primary School. Erection of 3m high acoustic fence to part of common boundary with adjoining electricity sub-station (All matters for consideration except landscaping).
Address: Land Adjacent To Stanmore Primary School Stanmore Lane Winchester Hampshire
Parish, or Ward if within Winchester City: St Luke
Applicants Name: Mr Bikram Banarjee
Case Officer: Liz Marsden
Date Valid: 12 March 2018

Recommendation: Permission



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Case No: 18/00646/OUT

General Comments

Application is reported to Committee due to the number of representations received contrary to officer recommendation

Amended Plans have been received which result in:

- Altered layout to show adequate turning for delivery vehicles and fire appliances
- Relocation of house on plot 9 further from the access track

Site Description

The site, excluding the access road, is around 0.25ha in size and is a predominantly grassed area with a section of hardstanding separated from the remainder of the site by a chain link fence. There is a very slight gradient, with the highest part of the site being to the south, from where it slopes down to the northern boundary.

The land is the former site of the dining hall associated with Stanmore Primary School, located to the west and currently unused except for the hardstanding which is used occasionally for parking and turning of vehicles delivering to the school. Immediately to the north of the site there is a large electricity sub-station and to the east the site is bounded by the railway embankment. To the south there is a line of trees along a footpath which runs along the southern boundary, beyond which are residential properties.

Access to the site is a narrow road, lined with mature trees within the school grounds, leading from Stanmore Lane to the north, the junction of which is close to a railway bridge. The access road is also a public right of way (PROW), which continues southwards as a footpath. There is also a footpath along the southern boundary of the site to the rear of properties in Ivy Close.

Proposal

The application seeks to redevelop the land for residential use, comprising a two-storey block of 4 flats and 5 two-storey houses, together with access and parking, the overall density of which would be 36 dwellings per hectare. Despite being an outline application full details have been submitted of the layout and design of the proposed buildings, with the only reserved matter being landscaping. Insufficient information has been provided about the materials to be used, but this can be made the subject of a condition. It is, however, possible to assess the impact of the development on the character and appearance of the surrounding area and the amenities of neighbouring properties. In addition, given the constraints of the site it is necessary to assess the potential impact on the occupants of the proposed dwellings.

Access to the site is along an unadopted road, which is also used as a footpath, leading from Stanmore Road. A layby is to be provided at a halfway point along the access road. Amended plans have been received which demonstrate that the turning space is adequate for the largest vehicles that it would be necessary to use it and the parking provision for the dwellings is in accordance with the adopted standards.

The nearest residential properties are located to the south of the site with their rear gardens backing onto the footpath that runs along the southern boundary, at a minimum distance of 23m between the rear elevations of the existing and proposed houses.

Relevant Planning History

There is no relevant planning history on the site.

Consultations

WCC Engineers: Drainage:

No objection, subject to assurance that there is appropriate management of surface water disposal to ensure that it is maintained/replaced as required.

WCC Engineers: Highways:

To be updated

WCC Head of Environmental Protection:

Proposed layout makes the best use of the site given the constraints from the railway and the substation. Important that the proposed measures for noise mitigation are implemented. No objection subject to conditions.

WCC Head of Landscape – Trees

No objection subject to compliance with the submitted arboricultural report and appropriate landscaping plan. Details of soakaways will also need to be provided in order to ensure that they will not encroach into the tree protection areas of trees to be retained or the proposed planting.

Southern Water:

Exact position of the existing public sewers should be determined and no new tree planting should be located within 3m of the external edge of the sewer, or soakaways within 5m.

Representations:

6 letters received objecting to the application for the following reasons:

- Access too close to the railway bridge and would cause congestion, especially on school days. Already a bad situation.
- Access is along a footpath and proposal will be hazardous to the pedestrians that
- Too close to substation which is known to be a source of cancer.
- Poor design of buildings, which are unimaginative and do not constitute high quality design and will have an adverse impact on the character of the area.
- Layout cramped and will result in the loss of a number of trees, with little space for any significant tree planting.
- Green spaces should be retained for the well-being of everybody.
- Housing adjacent to the footpath and development will be out of character with the surrounding area where a verdant edge has been retained along the edge of the PROW.
- No information about biodiversity, which could be adversely affected as a result of loss of hedgerows.
- Constant noise from the substation will be detrimental to those living in such close proximity.
- Parking around the area becoming more congested and if inadequate parking this will exacerbate the situation.

- Increased pressure on facilities such as schools and doctors
- Overlooking and loss of privacy to houses in Ivy Close
- Too close to railway line.
- Statement that trees and shrubs are to be removed.
- No alternative provision for staff parking and deliveries for school

1 letter of support received.

- Proposal will release funds for improvements to the school. Only concern is over the accessibilities for deliveries to the school kitchen.

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy

MTRA1, CP2, CP3, CP11, CP13, CP14

Winchester Local Plan Part 2 – Development Management and Site Allocations

DM1, DM2, DM15, DM16, DM17, DM18

National Planning Policy Guidance/Statements:

National Planning Policy Framework

Supplementary Planning Guidance

High Quality Places SPD

Planning Considerations

Principle of development

The site is located within the settlement boundary of Winchester and therefore there is a presumption in favour of additional housing development, subject to an assessment with other policies of the Local Plan.

Policy CP2 of the Local Plan Part 1 considers housing mix requires that there should be a majority of 2 and 3 bedroom dwellings, unless local circumstances indicate an alternative approach should be taken. In this case, it is proposed that there should be 6 x 2 bedroom units, 2 x 3 bedroom units and a single 4 bedroom house and the development is therefore compliant with this policy. The density of the development is 36 dwellings per hectare.

The requirement for affordable housing contributions has been altered so that in schemes of 10 houses or fewer, where the floor area of the development is less than 1,000 square metres (measured internally), there is no requirement for a contribution. The development is for 9 residential units with a total floor area of around 700 square metres falls under the threshold where contributions would be required.

The Government announced (March 2015) updates to its policy on housing standards and zero carbon homes. These affect the Council's implementation of Policy CP11 of the adopted Local Plan Part 1. While policy CP11 remains part of the Development Plan and the Council still aspires to achieve its standards for residential development, (Code for Sustainable Homes Level 5 for energy and Level 4 for water), Government advice now sets a maximum standard of 110litres/day for water efficiency and the equivalent of Code

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Level 4 for energy. Therefore, Local Plan policy CP11 will be applied in compliance with the maximum standards set out in Government advice.

Policy CP14 of LPP1 states that the development potential of all sites should be maximised and that higher densities will be supported on sites which have good access to facilities and public transport. The primary determinant will be how well the design responds to the general character of the area. In this case there are public transport links within a short walking distance from the site, along Stanmore Lane. It is considered that the form of the development does not detract from the general character of the area.

Design/layout

The layout and design of the development has been determined to a large extent by trying to maximise the potential of the site whilst taking into account the constraints posed by its proximity to the electricity substation to the north and the railway line to the east. Of these, the substation has had the most influence due to the continuous low-frequency noise of the substation, which can be extremely disturbing and result in a significant loss of residential amenity.

The buildings have been designed to mitigate the impact of this noise, in particular the flats, which has only 1 ground floor window in the northern elevation of the block facing the substation, are also laid out so that the less noise sensitive uses, such as hall and bathrooms, are set along the rear of the building. The linear nature of the building will also serve as a protective barrier to the proposed houses which are located to the south of the site and will further reduce the noise experienced by the occupants of the existing houses in Ivy Close.

The houses have been orientated facing a road leading from the access track and backing onto the footpath, so that their rear elevations are parallel with the houses in Ivy Close to the south at a distance of not less than 23m. The easternmost house is set approximately 28m from the railway line. Although this is closer than the houses in Ivy Close, it is not uncommon for houses to be set even closer and it is not considered that the intermittent noise and disturbance from passing trains would be so detrimental to the amenities of the occupants of these properties so as to justify a refusal on this basis.

The detached houses are of a traditional pitched roof design, not dissimilar to the properties in Ivy Close, though those houses are predominantly semi-detached or in short terraces. Tile hanging has been introduced to the frontages of a couple of the houses, which serve to add interest and variety to the appearance of the overall development. The building containing the flats has, of necessity a featureless northern elevation, though some effort has been made to break up this aspect through a slight variation in levels and the introduction of a projecting element. There is also a single window at ground floor level, nearest to views from the adjacent footpath.

The houses all have south facing private garden areas, long enough not to be entirely overshadowed by the trees on the boundary, while the flats benefit from small areas of open space adjacent to the building and there is potential for a further community amenity space adjacent to the railway line. All properties are provided with adequate parking, in accordance with standards with bin and bike stores being provided for those without garages.

Impact on character of area

The site, with the exception of views from the footpath, has limited visual impact in the surrounding area, where it is seen primarily in the context of the adjacent substation to the north rather than the more residential character of the area to the south. The railway line to the east has mature trees along the bank, which will restrict views from that direction and it is set sufficiently far from Stanmore Lane to have little impact in views from the main road. The blank rear elevation of the flats is an uncharacteristic feature of building in the area and will be visible to users of the footpath travelling south. However, this will be substantially obscured by the substation, which is set closer to the footpath, so that only the upper part and roof would be seen and it is not considered that the development would be so harmful to the visual amenities and character of the area as to be able to sustain a reason for refusal on this basis.

The primary visual impact will therefore be in the immediate vicinity of the site, from the section of the footpaths that run alongside the western and southern boundaries. The site layout has been amended to set the nearest house to the western footpath (plot 9), further back into the site, with car parking spaces to alongside it, ensuring that it will not be overbearing to users of the footpath. To the south, the gardens of the houses back onto the footpath and the majority of the existing trees along this boundary are to be retained.

Impact on neighbouring property

The nearest residential properties are located to the south of the site in Ivy Close and will therefore be affected by any shading as a result of building to the north. The distance between the rear of the existing and proposed houses is over 20m and accords with acceptable standards for new urban development. Whilst there are windows at first floor level that will look towards Ivy Close, the distance between the houses, together with the trees along the intervening footpath, will ensure that there is no undue loss of privacy or residential amenity due to overlooking. These trees will also serve to provide some screening of the new development, limiting the impact on the outlook from the existing houses.

Landscape/Trees

There are a number of trees around the site and along the access road, with the latter being covered by a tree protection order (TPO). The landscaping of the site is a reserved matter which is to be dealt with by means of a further application, though details have been provided in the submitted Tree Survey and protection plan of some measures to be taken to protect existing trees and plant additional trees to compensate for any that may be lost. Concern has been expressed that the proposal will result in the loss of the trees along the southern boundary, adjacent to the footpath and the rear of gardens in Ivy Close. This was due to an error on the originally submitted layout plan, which suggested that the majority of the trees were to be lost. This is not in fact the case and an amended plan has been submitted clearly indicating that the trees are to be retained, though some pruning will be carried out in accordance with the tree survey and protection plan.

The layby to be created along the access road has the potential to damage the mature trees along the boundary of the school grounds and this has been addressed in the Arboricultural Assessment and Method Statement submitted with the application. This sets out the mitigation measures that are required to ensure the retention and long term well being of the trees.

Highways/Parking

Adequate car parking spaces have been provided to serve the development and amended layout plans submitted to illustrate the turning area for delivery and service vehicles. The final comments of the highways officer are awaited to ensure that these are adequate.

A Transport Assessment, prepared by Hampshire County Council to facilitate the development potential and sale of the site, has been submitted with the application and sets out the measures that are required to ensure highways safety. The access from Stanmore Lane is to be widened by removal of the hedgerow to a minimum width of 4.3m, allowing two small vehicles to pass each other and a layby is to be created halfway along the access road, to provide a passing place for a larger vehicles and a car. This will ensure that it will not be necessary for vehicles to reverse for any distance or to wait at the entrance to the road from Stanmore Lane where they could cause congestion. The junction with Stanmore Lane is to be re-orientated so that is dog legged and connects in a perpendicular fashion, allowing vehicles to exit in a westbound direction and wait for any eastbound vehicles coming through the bridge.

Concern has been expressed over the potential conflict between increased vehicular use of the access road and pedestrians on the footpath. The transport assessment states that, as the access will lead to a cul-de-sac and cater for vehicle volumes of considerable less than 100 vehicles per hour, a shared surface is suitable. It is suggested that block paving is used to provide a greater awareness of combined pedestrian movements and to reduce speeds and the application confirms that this will be carried out.

Other Matters

Ecology – Concern has been expressed that the loss of the open space and trees will have an adverse impact on the ecology of the area. The site itself is a relatively featureless grassed area and, with the exception of the trees along the access road and around the boundary of the site, no features of ecological importance have been identified. The trees are to be retained and it is not therefore considered that the proposal will adversely affect the ecology of the area.

Recommendation

Outline permission be granted subject to the following condition(s):

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall begin before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the provision of Section 92(2) of the Town and Country Planning Act 1990 (as amended).

2. 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 colour and texture of external materials to be used together with samples of all external facing and roofing materials.
- Landscape considerations including:
 - (i) a landscape scheme showing:
 - means of enclosure, including hedgerow planting:
 - hard surfacing areas and hard surfacing materials:
 - landscape areas:
 - Retention of existing trees and hedgerows
 - planting plans
 - written specifications (including cultivation and other operations associated with plant and grass establishment:
 - schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate:
 - schedule of plants for the reinforcement of the existing hedgerow and new hedgerow planting:
 - manner and treatment of watercourses, ditches and banks
 - finished levels in relation to existing levels;
 - (ii) the arrangements to be made for the future maintenance of landscaped and other open areas.
- Details of the surface water disposal measures, including plans showing size and location of all soakaways.

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

- 3 i). Protective measures, including fencing and ground protection, in accordance with the submitted Arboricultural impact and method statement (17151-AA-CA) dated 27.07.17 and Tree Protection plan (ref. 17157-BT1) prepared by Barrel Tree Consultancy, shall be installed prior to any demolition, construction or groundwork commencing on the site.
 - ii) The Arboricultural Officer shall be informed once protective measures have been installed so that the construction exclusion zone can be inspected and deemed appropriate and in accordance with the approved Method Statement. Contact telephone - 01962 848210.
 - iii) No arboricultural works shall be carried out to trees other than those specified and in accordance with the Arboricultural impact and method statement – 17151-AA-CA, 27.07.17 prepared by Barrel Tree Consultancy . Any deviation from the works prescribed or methods agreed in accordance with the Method Statement shall be agreed in writing by the Local Planning Authority.
 - iv) No development or site preparation prior to operations which has any effect on compacting, disturbing or altering the levels of the site, shall take place until a person suitably qualified in arboriculture, and approved as suitable by the Local Planning Authority, has been appointed to supervise construction activity occurring

on the site. The arboricultural supervisor will be responsible for the implementation of protective measures, special surfacing and all works deemed necessary by the approved arboricultural method statement. Where ground measures are deemed necessary to protect root protection areas, the arboricultural supervisor shall ensure that these are installed prior to any vehicle movement, earth moving or constructions activity occurring on the sites and that all such measures to protect trees are inspected by the Local Planning Authority Arboricultural Officer prior to commencement of development work.

- v) A pre-commencement meeting will be held on site before any of the site clearance and construction works begins. This will be attended by the site manager, the Arboricultural consultant and the LPA tree officer.

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

4. Prior to any work commencing on site, details of a scheme for protecting the proposed dwelling from external noise shall be submitted, and approved in writing by the Local Planning Authority. Such a scheme shall ensure that, upon completion of the development, the following noise criteria (as recommended in BS8233:2014) shall be met:
- i. all bedrooms shall achieve an 8-hour LAeq (23:00 to 07:00) of 30dB(A)
 - ii. all living rooms and bedrooms shall achieve a 16-hour LAeq (07:00 to 23:00) of 35dB(A)
 - iii. all private amenity spaces shall achieve a 16-hour LAeq (07:00 to 23:00) of 55dB(A)

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

5. A noise validation report, demonstrating compliance with these noise criteria, shall be submitted to and approved by the Local Planning Authority before any dwelling is occupied. This assessment shall be conducted with windows open for ventilation, unless mechanical ventilation has been provided, in which case these tests shall be performed with such mechanical ventilation running. Such noise protection measures shall thereafter be maintained and operated in accordance with the approved scheme.

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

6. Prior to work commencing on the site, including demolition, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include the following details:
- Development contacts, roles and responsibilities
 - Public communication strategy, including a complaints procedure.
 - Dust suppression, mitigation and avoidance measures.
 - Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.

- Use of fences and barriers to protect adjacent land, footpaths and highways.
- Details of parking and traffic management measures.
- Avoidance of light spill and glare from any floodlighting and security lighting installed.
- Pest Control

Note to applicant: Further information and guidance for developers on the bullet points above can be found on the Winchester City Council website:
<http://www.winchester.gov.uk/environment/pollution/construction-sites/>

Reason: To ensure that all demolition and construction work in relation to the application does not cause materially harmful effects on nearby land, properties and businesses.

7. Prior to the commencement of the development hereby permitted detailed information (in the form of SAP design stage data and a BRE water calculator) demonstrating that the dwelling shall meet the Code 4 standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these findings.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2012 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

8. Prior to the occupation of the dwelling hereby permitted detailed information (in the form of SAP "as built" stage data and a BRE water calculator) demonstrating that the dwelling meets the Code 4 standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be occupied in accordance with these findings.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2012 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 2015, (or any order revoking and re-enacting that order, with or without modification), no development permitted by Classes A,B,C,D and E of Part 1 and Class A of Part 2 of Schedule 2 of the order, shall be carried out without the prior written consent of the Local Planning Authority.

Reason: To protect the amenities of the locality, to maintain a good quality environment and to retain the satisfactory appearance of the development.

10. The development shall be carried out in accordance with the following approved plans:

16/590 01.E - Proposed site layout (1:500);

- 16/590 10.A – Floor plans to 2 bed houses (1:100);
- 16/590 11.A – Elevations to 2 bed houses (1:100);
- 16/590 12 – Floor plans to 3 bed houses (1:100);
- 16/590 13 – Elevations to 3 bed house (Plot 6) (1:100);
- 16/590 14 – Floor plans to 4 bed house (1:100);
- 16/590 15 – Elevations to 4 bed house (1:100);
- 16/590 16 – Floor plans to apartments; Street scene 1:200 (houses)
- 16/590 17 – South and west elevations to apartments (1:100);
- 16/590 18 – North and east elevations to apartments (1:100);
- 16/590 19.B – Street scene (Houses) (1:200);
- 16/590 20 – Elevations to apartments' bin and bike store (1:100);
- 16/590 21 – Site location plan (1:1250);
- 16/590 22.B – Site layout fire engine tracking (1:500);
- 16/590 23.A – Drainage solution (1:500);
- 16/590 24 – Elevational details of fencing (1:50);
- 16/590 25.A – Elevations to 3 bed house (Plot 7) (1:100)

Reasons: For the avoidance of doubt and in the interests of proper planning

Informatives:

1. In accordance with paragraphs 186 and 187 of the NPPF, Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:
 - offer a pre-application advice service and,
 - update applicants/agents of any issues that may arise in the processing of their application, where possible suggesting alternative solutions.
 In this instance the site was visited unaccompanied following a discussion with the agent.

2. The Local Planning Authority has taken account of the following development plan policies and proposals:-
 - Local Plan Part 1 - Joint Core Strategy: MTRA1,
 - Local Plan Part 2 - Development Management and Site Allocations: DM1, DM16, DM17

3. This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out above, 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.

4. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or recognised public holidays. Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

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5. During Construction, no materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Protection Team, 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.
6. A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link.
<https://beta.southernwater.co.uk/infrastructurecharges>