

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Case No:** 19/00577/FUL  
**Proposal Description:** Retrospective alterations/amendments connected to the approved scheme 16/00258/FUL;  
- additional living area formed within the roof space serving units 4 and 5  
- additional lightwell serving unit 2  
- small window infilled serving unit 3 on the west elevation  
- minor landscape alterations  
- revised bin/cycle storage  
**Address:** 7-9 Gordon Avenue Winchester SO23 0QE  
**Parish, or Ward if within Winchester City:** St Michael  
**Applicants Name:** Mr Talwar  
**Case Officer:** Mrs Megan Osborn  
**Date Valid:** 13 March 2019  
**Recommendation:** Permit



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**General Comments**

**Application is reported to Committee as the number of objections, received 6 objections.**

This is a retrospective application to the already converted building into 6 flats. The previous application was permitted and some of the flats are now in use. The previous application was seen at committee due to the number of objections received contrary to the officers recommendation.

**Site Description**

7-9 Gordon Avenue is located within the city of Winchester in the area of Highcliffe. This is a corner plot with no. 7 on the corner and no. 9 fronting onto Gordon Avenue. The building was used as a news agent and residential (mixed A1 and A3), however the use has ceased a number of years ago.

The side of the building fronts Nelson Road with a wall running along the side boundary and a garden to the rear. There is a walkway to the east of the building between no.9 and no.11 Gordon Avenue that provides access for bins for houses 11-19 Gordon Avenue.

The original dwelling has had permission, granted on the 2<sup>nd</sup> June 2016 (16/00258/FUL), to convert the original shop and dwelling into 6 one no. bedroom flats. This also included an extension to the rear and side of the property. This has now been carried out and this application is for amendments to that scheme.

**Proposal**

This application is for 6 one bedroom flats, the additional changes include 2 'lounge' areas to flats 4 and 5.

This proposal is a retrospective application for:

- Additional living area within the roof space of units 4 and 5.
- Additional lightwell serving unit 2.
- Small window infilled serving unit 3 on west elevation.
- Minor landscape alterations.
- Revised bin/cycle storage.

**Relevant Planning History**

16/00258/FUL - conversion of existing mixed A1 and C3 buildings with single and two storey rear and side extensions and adaptations to form 6No. One bedroom apartments. Permitted 2nd June 2016.

**Consultations**

Engineers: Highways:  
No objections

**Representations:**

City of Winchester Trust:

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This proposal has already been implemented and with the level of objection the COWT objects to this application.

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

- Parking – The proposal doesn't provide any parking and therefore puts pressure on the already exacerbated on street parking in this area.
- Over development of the site
- The space to the rear of the site is not used correctly.
- The 'lounge' areas will be used as bedrooms and therefore more parking is required.

**Relevant Planning Policy:**

Winchester Local Plan Part 1 – Joint Core Strategy  
MTRA1, DS1, CP2, CP3, CP10, and CP13

Winchester District Local Plan Part 2  
DM2, DM15, DM16, DM17, DM18

National Planning Policy Guidance/Statements:  
National Planning Policy Framework

Other Planning guidance  
Movement, Access, Streets and Spaces  
Parking Standards 2002

**Planning Considerations**

Principle of development

The principle of the flats was accepted under the previous application (16/00258/FUL) and the application that has been submitted as for the amendments to the already approved application for the 'Conversion of existing mixed A1 and C3 buildings with single and two storey rear and side extensions and adaptations to form 6No. One bedroom apartments'.

Impact on character of area and neighbouring property

The only external changes to the properties from the previously consented scheme are the changes to remove a window on the west elevation and add roof lights on the west and north elevations and some external change to the bin and cycle stores. It is considered that this amendments would not result in any further material harm on the character of the surrounding area or any material planning harm on the surrounding residential amenities.

Landscape/Trees

There is a small change to the landscaping of the proposed flats in that the landscaping to the west of the dwelling is to be thinner than the proposed landscaping. It is considered that these changes would not result in any significant planning harm in term of landscaping of the surrounding area.

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Highways/Parking

The previous application assessed the parking in relation to the number of flats proposed and it was concluded that the proposal for 6 one bedroom flats in this location was acceptable to not provide parking as this is a sustainable location. This application doesn't change the proposed number of bedrooms from the previous application.

With regard to secure and undercover cycle parking, this is being provided through way of lockable individual stores, which is in accordance with Policy. The application is therefore acceptable from a highway point of view.

Affordable housing

Since the previous application was determined in May 2018 the National Planning Policy (NPPF) has been. For housing development, major development is defined in the National Planning Policy Framework as development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. As this application is not for more than 10 dwellings and the site is not over 0.5 hectares then this site is not applicable.

**Recommendation**

Permit subject to the following condition(s):

**Conditions**

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).

02 The materials to be used in the construction of the external surfaces of the development 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.

03 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 windows or doors other than those expressly authorised by this permission shall, at any time, be constructed in the east elevation(s) of development hereby permitted.

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

04. The development hereby permitted shall be carried out in accordance with the plans listed below unless otherwise agreed in writing by the local planning authority:

Block and Location plan - 2019/02

As built plans and elevations - 2019/02

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04. Reason: For the avoidance of doubt, to ensure that the proposed development is carried out in accordance with the plans and documents from which the permission relates to comply with Section 91 of the Town and Country Planning Act 1990.

**Informatives:**

01. In accordance with paragraph 38 of the NPPF (July 2018) , 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 application was acceptable as submitted and no further assistance was required.

02. 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.

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

Local Plan Part 1 - Joint Core Strategy: MTRA1, DS1, CP2, CP3, CP10, and CP13

Local Plan Part 2 - Joint Core Strategy: Development Management and Site Allocations: DM2, DM15, DM16, DM17, DM18

04. 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.

05. 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.

06. Please be respectful to your neighbours and the environment when carrying out your development. Ensure that the site is well organised, clean and tidy and that facilities, stored materials, vehicles and plant are located to minimise disruption. Please consider the impact on your neighbours by informing them of the works and minimising air, light and noise pollution and minimising the impact of deliveries, parking and working on public or private roads. Any damage to these areas should be remediated as soon as is practically possible.

For further advice on this please refer the Construction Code of Practice

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<http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-considerate-practice>

08. The applicant is advised that one or more of the Conditions attached to this permission need to be formally discharged by the Local Planning Authority before works can commence on site. Details, plans or samples required by Conditions should be submitted to the Council at least 8 weeks in advance of the start date of works to give adequate time for these to be dealt with. If works commence on site before all of the pre-commencement conditions are discharged then this would constitute commencement of development without the benefit of planning permission and could result in Enforcement action being taken by the Council.

The submitted details should be clearly marked with the following information:

The name of the planning officer who dealt with application

The application case number

Your contact details

The appropriate fee.

Further information, application forms and guidance can be found on the Council's website

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[www.winchester.gov.uk](http://www.winchester.gov.uk).

09. Any modifications to the approved drawings, whether for Building Control or any other reason, or any departure on site from what is shown, may constitute a criminal offence under Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The applicant is required to draw this and other conditions on the Consent to the attention of any contractors or sub contractors working on site and furnish them with a copy of the consent and approved drawings.