



Meeting	Planning Committee – Additional meeting
Date and Time	Monday, 23rd September, 2019 at 10.00 am.
Venue	Walton Suite, Guildhall, Winchester

AGENDA

PROCEDURAL ITEMS

1. **Apologies and Deputy Members**

To record the names of apologies given and Deputy Members who are attending the meeting in place of appointed Members.

2. **Disclosures of Interests**

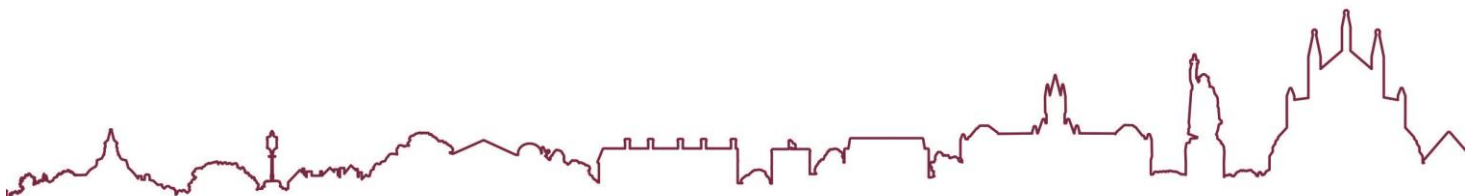
To receive any disclosure of interests from Members and Officers in matters to be discussed.

Note: Councillors are reminded of their obligations to declare disclosable pecuniary interests, personal and/or prejudicial interests, and on Predetermination or Bias in accordance with legislation and the Council's Code of Conduct.

If you require advice, please contact the appropriate Democratic Services Officer, prior to the meeting.

3. **Membership of Sub-Committees etc**

To give consideration to the approval of alternative arrangements for appointments to bodies set up by the Committee or the making or terminating of such appointments.



BUSINESS ITEMS

	Report Number	Ward
4. Where appropriate, to accept the Update Sheet as an addendum to the Report.		
5. Walcote Place, High Street, Winchester (Case no. 19/01205/HOU) - Deferred Application from 15 August 2019 meeting and following Site Visit on 10 September 2019 (Pages 7 - 16)	PDC1142	St Bartholomew

Lisa Kirkman
Strategic Director: Resources and Monitoring Officer

Members of the public are able to easily access all of the papers for this meeting by opening the QR Code reader on your phone or tablet. Hold your device over the QR Code below so that it's clearly visible within your screen and you will be redirected to the agenda pack.



13 September 2019

Agenda Contact: Dave Shaw, Principal Democratic Service Officer
Tel: 01962 848 221 Email: dshaw@winchester.gov.uk

**With the exception of exempt items, Agenda, reports and previous minutes are available on the Council's Website www.winchester.gov.uk*

MEMBERSHIP

Chair for the meeting:
Rutter (Liberal Democrats)

Vice-Chair for the meeting:
Clear (Liberal Democrats)

Conservatives
Cunningham
McLean
Read
Ruffell

Liberal Democrats
Bronk

Deputy Member

Gottlieb

Quorum = 3 members



Working in Partnership



THE HUMAN RIGHTS ACT 1998:

Please note that the Human Rights Act 1998 makes it unlawful for the Council to act in a way incompatible with any of the Convention rights protected by the Act unless it could not have acted otherwise.

In arriving at the recommendations to grant or refuse permission, careful consideration has been given to the rights set out in the European Convention on Human Rights including Article 6 (right to a fair trial), Article 8 (right to respect for private and family life), Article 14 (prohibition of discrimination in enjoyment of convention rights) and Article 1 of the first Protocol (the right to peaceful enjoyment of possessions).

The Council is of the opinion that either no such rights have been interfered with or where there is an interference with the rights of an applicant or objector, such interference is considered necessary for any of the following reasons:-

- ◆ The protection of rights and freedoms of others
- ◆ Public safety
- ◆ The protection of health or morals
- ◆ The prevention of crime or disorder
- ◆ The economic well being of the country.

It is also considered that such action is proportional to the legitimate aim and in the public interest.

GENERAL GUIDANCE ON THE WORK OF THE COMMITTEE:

Background

The Planning Committee meets on average once every four weeks. The membership of the Committee is drawn from elected City Councillors.

The Council's Constitution states that the vast majority of applications will be determined by the Planning officers (which are sometimes known as "delegated decisions"). However, if certain criteria are met from the Constitution, some applications (about 5%) are referred to Committee for determination, rather than officers.

As part of the Winchester District includes the South Downs National Park (SDNP), the Committee can also determine applications from this area on behalf of the National Park Authority.

At the meeting

At the start of the Committee meeting, the Chair will introduce the Councillors and officers at the table. Any Councillor's declarations of interest will also be announced at this point. If the interest is considered by the Councillor to be significant, he/she will leave the meeting when it reaches that item on the agenda.

The Officer's presentation

On each item, the planning case officer will introduce the application to the Committee. They will concentrate on showing details of the proposals with the aid of projected visual material, including photographs of the site and plans. The length and details of the presentation at the meeting will be proportionate to the nature and scale of the proposal. The officer will make a recommendation to the Committee to either approve or refuse the application and, in the latter case, will state the reasons for this.

The officer is required to make a recommendation and the presentation will include material to explain why the scheme is being recommended for permission or refusal. However, officers will not restate the information set out in the report which relates to the assessment of the planning merits of the case. Specialist officers dealing with issues such as landscape, design and historic environment may also be available at Committee to provide advice on such matters and a legal representative will attend all Planning Committee meetings.

Members' Questions

After the officers' presentation there will be an opportunity for the Councillors on the Committee to ask questions of the officers and clarification, if necessary, of public speakers.

The Councillors' Debate

The Councillors will then debate the application and may pick up any issues raised during public participation before a vote is taken to either;

- permit,
- refuse or
- defer (usually for a site visit or for further information). If a site visit is required then the item will usually be deferred to the next meeting of the Committee to allow it to be reconsidered after the site visit has been held.

If the Committee votes against the officer's recommendation, the reasons for this will be discussed and explained. Usually the precise wording for the reasons for refusal

will be delegated to the Development Manager in consultation with the Chair. A summary of the Committee's reasons will be included in the minutes.

Voting

Every Member has one vote when a matter before the meeting requires a decision. In the event of an equality of votes, the Chair may exercise a casting vote and that vote may be cast in any way they wish.

A Member may abstain from voting, or vote differently from how they may have indicated during the debate, without further explanation. The way each Member voted will not be recorded in the minutes, unless a motion to have a Recorded Vote has been passed.

After the meeting

After the meeting, the minutes will be available from the Council's website and a decision notice will be sent to the applicant/agent. Applicants have a right of appeal against a Committee decision to refuse planning permission, or any conditions imposed on permission, and any appeal will be considered by an Inspector appointed by the Secretary of State. Where an application has been permitted, there is no opportunity for objectors to appeal, other than to the Court by way of judicial review on a point of law.

FILMING AND BROADCAST NOTIFICATION

This meeting may be recorded and broadcast live on the Council's website. The meeting may also be recorded and broadcast by the press and members of the public – please see the Access to Information Procedure Rules within the Council's Constitution for further information, which is available to view on the [Council's website](#).

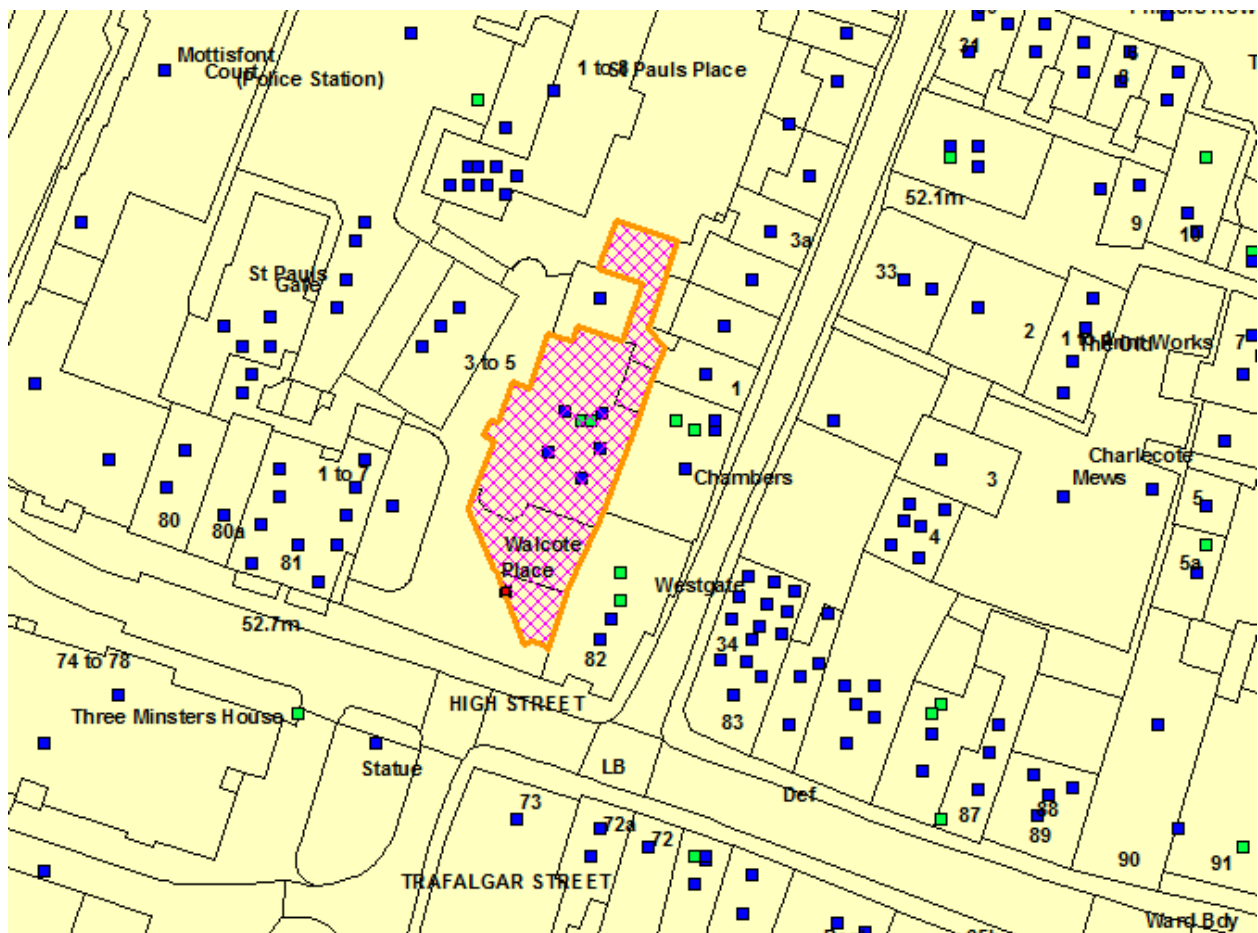
DISABLED ACCESS:

Disabled access is normally available, but please phone Democratic Services on 01962 848 264 or email democracy@winchester.gov.uk to ensure that the necessary arrangements are in place.

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WINCHESTER CITY COUNCIL PLANNING COMMITTEE

Case No: 19/01205/HOU
Proposal Description: Single storey side extension to existing residential property.
Address: Walcote Place High Street Winchester SO23 9AP
Parish, or Ward if within Winchester City: St Bartholomew
Applicants Name: Mr Josh Mathias
Case Officer: Curtis Badley
Date Valid: 4 June 2019
Recommendation: Application Permitted



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WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

General Comments

Application is reported to Committee due to the number of comments contrary to the Officer's recommendation.

An application for listed building consent with reference: 19/01206/LIS is currently also under consideration in conjunction with this householder application.

Site Description

Walcote Place is a Grade II Listed building located within the Central Winchester Conservation Area, set back from the High Street. The building was originally a dwelling built in the mid 18th Century that was converted into office use and has since been converted back into residential with 3 apartments.

The proposed development is sited within the rear courtyard which serves number 1 Walcote Chambers. The front of the house is accessed from Walcote Place, a pedestrian passageway which links Cross Street with High Street and rear access is made from a staircase which passes to the North of the adjoining retail unit, 6 Walcote Place into the side courtyard.

The property has two en-suite bedrooms which are located on the first floor and within the ground floor exists a lounge, kitchen and WC. Whilst the site lies relatively level, the property and adjoining side courtyard, which forms the sole private amenity space for this property, is set at a lower elevation in comparison to Cross Street with levels in the surrounding area rising to the North West.

Proposal

The proposal seeks to replace the existing lean to timber structure which exists within the side courtyard with a brick built single storey side extension, continuing to serve the private residential property, Walcote Place.

The proposal is of a similar scale and positioning in comparison to the existing timber lean to structure and is separated from the existing neighbouring apartment to the South by a narrow passageway accessed by a rear door (retained as a maintenance gap).

The proposed extension would be brick built with a mono pitch lead roof and roof lights placed alongside the existing side elevation. The extension includes Crital style windows and doors within the North elevation facing the courtyard.

Relevant Planning History

13/02730/FUL (PER – 23.06.2014) Conversion of existing building into 1no. house and 3no. apartments with 4no. parking spaces (AFFECTS THE SETTING OF A LISTED BUILDING) (RESUBMISSION)

13/02794/LIS (PER – 23.06.2014) Conversion of existing building into 1no. house and 3no. apartments with 4no. parking spaces

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Consultations

WCC Historic Environment: No objection

Pre-application advice was given and has been taken on board as part of the current proposals through the reduction of the eaves height and by providing a simpler detail to the northern elevation. The proposed extension is modest in scale, subservient to the existing building and would not result in the loss of historic fabric. The proposals are concluded not to harm the character or appearance of the conservation area and no objection is raised subject to a detailed material condition (attached).

Representations:

City of Winchester Trust:
No Comment

7 letters received objecting to the application for the following material planning reasons:

- Not in keeping with grade II listed building and surrounding conservation area
- Overbearing, overshadowing and overlooking upon neighbouring properties within Staple Gardens
- Reduce amount of light and outlook of neighbouring properties
- Overdevelopment of existing small open area
- Produce additional light spill at night
- Non compliance with guidance set out in the High Quality Places Supplementary Planning Document and the National Planning Policy Framework

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy (2013)

DS1 – Design Strategy and Principles
CP13 – High Quality Design
CP20 – Heritage and Landscape Character

Winchester Local Plan Part 2 – Development Management and Site Allocations (2017)

DM15 – Local Distinctiveness
DM16 – Site Design Criteria
DM17 – Site Development Principles
DM27 – Development in Conservation Areas
DM28 – Demolition in Conservation Areas
DM29 – Heritage Assets

National Planning Policy Guidance/Statements:

National Planning Policy Framework

Supplementary Planning Guidance

High Quality Spaces (2015)

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Planning Considerations

Principle of development:

The development falls in land designated in the settlement boundary of Winchester, where the principle of residential development is generally acceptable, where it can be carried out in accordance with national and local planning policy and without harm to the character and appearance with the surrounding area or the amenities of neighbouring properties.

Design/layout:

The proposal seeks to construct a simple, modern lean to extension which is designed to largely match the existing position, scale and roof pitch of the existing lightweight timber structure with a glazed lean to roof. The proposal is separated from the existing neighbouring apartment to the South by a narrow maintenance gap and is built adjacent to the property boundary with Westgate Chambers and 1 Staple Gardens to the East.

The extension is subservient to the existing dwelling house and enables a sufficient extent of external amenity space to be retained to the North, leaving the external access unaffected. The extension by virtue of its simple form and use of high quality materials is considered to be in keeping with the existing property and surrounding historic context.

The proposal is therefore considered to comply with policies CP13 (LPP1) and DM16 (LPP2) which seek, among other objectives, to ensure that development responds positively to the local environment in terms of its design, scale and layout and use high quality materials which are attractive, durable and appropriate in their context.

Impact on character of area:

The built form of the existing and adjacent buildings and the relative increase in surrounding site levels is considered to effectively obscure the proposal from being widely visible from the surrounding conservation area. The proposal would not be visible until within the vicinity of the immediate site and as a result, the proposed development is considered to respect the qualities and character of the conservation area, in compliance with policies DM15 and DM27 of the WD Local Plan Part 2.

Impact on neighbouring amenity:

As a result of the conversion back into residential units, a large rear window of an apartment within this building (indicated to be Plot 2) is in close proximity to the proposed extension. This window is currently used as an en-suite bathroom and has been internally screened to remove any overlooking impact from the existing patio area of Walcote Place. As a result of the proposed alteration and ancillary use of this room, the provision of a maintenance gap (0.9m) is considered to be sufficient to allow some light to pass through if necessary and for the window to be retained.

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The proposal is sited adjacent to the West of neighbouring residential property, 1 Staple Gardens, a three storey town house which has a small rear terrace at ground floor and a small balcony at first floor which form the exclusive outdoor residential amenity space for this property. The proposed extension projects adjacent to the rear wall of this property at ground floor level which does not feature any windows. Whilst the proposed extension will alter the outlook from the adjoining ground floor terrace, it is considered due to the existing relationship and the proposed design this will not amount to a demonstrable loss of amenity to justify refusing the application.

The existing lean to roof form and timber structure is located adjacent to the balcony positioned at the first floor of this neighbouring property. The lead roof form is proposed to replace this clear glazed roof within a near identical position to the existing roof form. Whilst the proposed lead roofing material is darker in colour and texture to the existing roof form, the outlook from this property and external amenity space is not considered to be adversely darkened as a result of the relative position of this roof form below the natural outlook from this window and raised terrace. Furthermore, the positioning of rooflights away from this property is considered to allow both natural light to reach the existing dwelling house, Walcote Place, and reduces the current overlooking impact experienced from this neighbouring property, 1 Staple Gardens.

The proposal is located adjacent to the single storey extension to the rear of Walcote Chambers which is occupied by offices. This neighbouring flat roof form features a number of convex roof lanterns and are positioned at a lower level in comparison to the proposal. The resultant relationship with this property is considered to not be significantly adversely effected by the proposed extension as a result of the modest roof form proposed and existing setting within built form. Furthermore, it is considered that due to the scale of the proposal and distance maintained from number 2 and 3 Staple Gardens that no additional impact upon the residential amenity of these neighbours should arise.

It has been confirmed by the agent that the proposal will be positioned in its entirety within the application site as outlined in red and a additional informative is attached to any planning permission granted to remind the applicant that other permissions/agreements may be required to carry out the works e.g. party wall agreement.

Highways/Parking

The considered application is for a ground floor extension where the house maintains two bedrooms. As such, the proposal is not considered to result in a material change in the amount of parking associated with the dwelling. Therefore, there is no justifiable need for conditions or refusal based on highways grounds related to the continued use of the dwelling.

Recommendation

Application Approved subject to the following condition(s):

Conditions:

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

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

2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be those as detailed in Materials Schedule provided by CFW Architects on 31st May 2019.

Reason: To ensure a satisfactory visual relationship between the new development and its surroundings.

3. The development hereby approved shall be constructed in accordance with the following plans:

Site and Location Plan (Drawing Number: AP005 Revision A) Received: 04.06.2019

Block Plan (Drawing Number: AP080 Revision E) Received: 31.05.2019

Proposed Plans and Elevations (Drawing Number: AP080 Revision E) Received: 31.05.2019

Proposed Details (Drawing Number: AD505) Received: 31.05.2019

Reason: In the interests of proper planning and for the avoidance of doubt.

Informatives:

01. In accordance with paragraph 38 of the National Planning Policy Framework (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 a site meeting was carried out with the agent following an on site pre-application advice meeting and written advice.

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

The Local Plan Part 1 (2013) DS1, CP13, CP20

The Local Plan Part 2 (2017): DM15, DM16, DM17, DM27, DM28, DM29

National Planning Policy Framework

High Quality Spaces (2015) Supplementary Planning Guidance

03. 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.

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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. 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, please refer to the Construction Code of Practice
<http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-considerate-practice>

06. Please be advised that Building Regulations may be required for this development. Please contact WCC Building Control Department for more information (T: 01962 848176, E: buildingcontrol@winchester.gov.uk)

07. The applicant should note that this permission does not give any property rights to building on or encroach over or under the adjoining property. The applicant may be required to serve notice under the Party Wall etc Act 1996.

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Minute Extract – Planning Committee 15 August 2019

Item 8: Single storey side extension to existing residential property.
Walcote Place, High Street, Winchester.
Case number: 19/01205/HOU.

During public participation Geraldine Rothman and Rebecca Rothman spoke in objection to the application and answered Members' questions thereon.

During public participation, Councillor Hiscock spoke on this item as Ward Member.

In summary, Councillor Hiscock stated that:

- The Planning Policies to take into account were under DM17 relating to light and also the overbearing nature of the proposed development resulting in an unacceptable impact on the adjacent property.
- The lighting would be visually intrusive as the present lean-to was not a lit room and the proposed extension would be a room (including a glass wall) that would be internally lit all year round. There had been no assessment of the impact of light and this should be undertaken.
- External lighting would also be in a sensitive position next to a domestic property and would affect rooms in that property in terms of light glare.
- The proposal would affect the visual amenity of the neighbour due to its very close proximity.
- A site visit was recommended to assess the potential impact on the neighbouring domestic property.

At the conclusion of debate, the Committee agreed to defer determination to the Committee's next meeting in order to allow for a site visit to view the proposed application in the context of its setting and the relationship with the neighbouring properties and to assess the potential impact of light spillage.

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