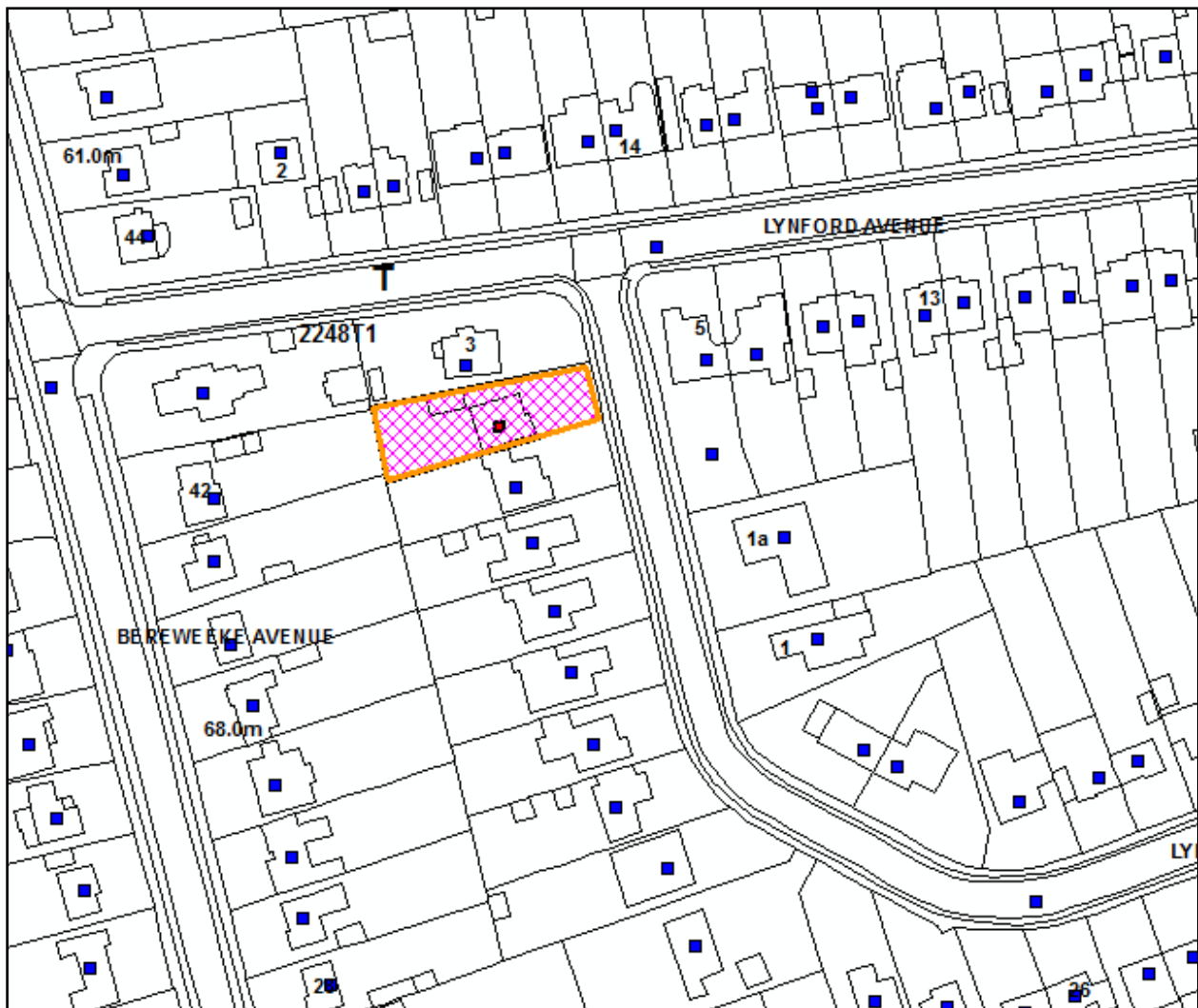


WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 19/02806/HOU
Proposal Description: New side, rear and roof extensions for first floor accommodation and integrated garage. Demolish existing garage.
Address: 2 Lynford Way (Merrymead) Winchester SO22 6BW
Parish, or Ward if within Winchester City: St Barnabas
Applicants Name: Ms Kate King
Case Officer: Marge Ballinger
Date Valid: 17 December 2019
Recommendation: Application Permitted

Link to Planning Documents : <https://planningapps.winchester.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q2NALCBPIBX00>

Pre Application Advice: No



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General Comments

Application is reported to Committee as 16 objections were received from 13 different households contrary to the officers recommendation. Although original plans were amended, there was no retraction of any original objections.

Site Description

No.2 Lynford Way, also known as Merrymead, is a 3-bedroom bungalow of red brick and concrete tiled roof that sits central within a 470m² approximate site along the west side of the road. Lynford Way and the surrounding land decreases in slope from south to north, and the other 6 dwellings nearby along the west side the road are linear and similar in design, size and scale. A feature of the dwellings is the similar but staggered hipped rooflines and red brick/tiled roof materials.

No.2 has a detached garage along the north side boundary back from the rear elevation. The front garden has been converted previously to include parking with the drive continuing to the side garage. The garage is 6m x 2.9m with a height of 2.6m at eaves and up to 3.45m at ridge (approximately) and is built of brick and pitched/hipped roof that is similar to the dwelling. Due to the sharp slope of the land, views of the existing garage can be seen from Lynford Avenue as it runs perpendicular to Lynford Way.

The rear garden has a 1.8m high wooden fence to the side boundaries and a small greenhouse set behind the garage. Both the greenhouse and the garage are to be removed with this proposal. The land to the garden is also sloped, but has a levelled patio out from the rear of the dwelling for seating. Due to the land slope, the side fence north comes slightly higher to the eaves of the bungalow north on the corner (no.3 Lynford Avenue). A similar situation is the fence height south to no.4 is slightly higher with the eaves of no.2.

Proposal

The proposed alterations to the dwelling is to convert the loft space by raising the roof 80cm and extending the first floor out to the side, and a partial-width first floor extension to the rear, with a further rear ground floor extension, after the removal of the existing garage and greenhouse. Rooflights are proposed to the front and side elevations and an additional dormer window will be located in the rear roof elevation.

The proposal will allow for rooms to ground floor to be reconfigured to retain 2 bedrooms and include a bathroom, utility room, an open-planned living area, and an integral garage. The rooms created to the second floor will include 2 additional bedrooms with an ensuite and a shower room.

The original drawings were amended in order for the proposal to maintain the area's character of dwellings of a similar roof design of a ground floor front projection and symmetrically-balanced roof slopes (slopes altering from 35° to 45° approximately).

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Relevant Planning History

None

Consultations

None

Representations:

City of Winchester Trust: neutral stand to the original drawings but acknowledged the substantial extensions and noted that the 'character of the locality is changing'. Comments after the amended plans still remained neutral but concluded that the 'proposal would change the character of the property and thus of the neighbourhood'.

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

- Proposal is out of scale to the property
- The alterations will change the uniform appearance of dwellings in the road as viewed from above and below Lynford Way; the existing visual gaps to adjacent dwellings will be lost.
- Proposal will result with a loss of natural light and privacy, and create an overbearing impact to adjacent no.3 Lynford Avenue (north).
- The raised roof and extensions will change the outlook and impact natural light to other houses along the adjacent road Lynford Avenue.
- Side windows to kitchen and dining room will overlook no.3; proposal overall with extensions will overlook other nearby gardens to Lynford Avenue and Berewecke Avenue.
- The roof height is higher than the original.
- Front skylights are out of character to the area and will set a precedent.
- Fenestration and door asymmetry is unattractive.
- The proposed garage is not defined within the floor plan as such, so potential to create a 5th bedroom under permitted development.
- Parking has not been indicated on drawings as parking is already an issue within the road/area; garage too small for parking.
- The amount of glazing will impact residential amenities.
- Development will set a precedent for other similar development.

Reasons aside not material to planning and therefore not addressed in this report

- Excavation details are not included to build to the boundary; building to the boundary is likely to cause damage to no.3 Lynford Avenue.
- Access to the no.3 Lynford Avenue land would not be granted to complete the extension toward the boundary so therefore the proposal could not be implemented.
- No structural details have been provided; instances of builds in nearby Berewecke Avenue have caused structural challenges.

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- The plan does not include where the boiler is to be positioned, nor does it include fire regulation details.
- Development does not include any energy saving details such as rain water collection or solar panels.
- The deeds to these dwellings do not permit loft extensions; historically other roof extensions have been refused in this area.
- No details provided to demonstrate the site would be not be used for commercial purposes; potential for an HMO property.
- Extending this dwelling will remove affordable housing from our local stock.
- Construction work hours should be restricted if permitted.

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy – DS1

Winchester Local Plan Part 2 – DM16, DM17, DM18

National Planning Policy Guidance/Statements
National Planning Policy Framework (2018)

Supplementary Local Planning Guidance
High Quality Places
Parking SPD

Planning Considerations

Principle of development

Paragraph 47 of the NPPF requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. The proposal is within the settlement boundary of Winchester (St Barnabas Ward) where the principle of extending an existing dwelling is acceptable providing it complies with the relevant policies.

Design/layout

The NPPF Section 12, in part, states planning decisions should ensure that proposals function well (for the long term) and are sympathetic to the local character. The original proposal was amended to remove a larger front roof extension and a 2-storey side extension as the overall size, scale and design was considered out of keeping with the character of the area.

Front (East) Elevation:

The amended drawings include an increase to the overall roof height by 80cm to allow sufficient head height for rooms in the roof, and retains similar roof hips/pitch angles as the original, but with an element of a flat roof at apex. The side is to be extended further toward the boundary to no.3 Lynford Avenue while maintaining the original eaves height. The raised roof into the original roofspace along the front will allow for a master bedroom. Although the rooflights along the front appear to add clutter the appearance and the windows are not aligned with the lower ground windows and doors, the impact

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is not considered detrimental.

Side (North) Elevations:

The existing dwelling has a side drive revealing a 2.7m gap from the boundary fence that widens slightly in width further back before it reaches the existing garage built 1m away from the boundary. The proposal from this elevation has two distinctive built forms: This part of the side elevation proposes to build toward the boundary fully, and up to the existing eaves height (2.7m) with a hipped roof to ridge for approximately 5.8m from the front for a landing area at first floor and an integral garage at ground floor.

The second form of the side extension moves the proposed extension away from the boundary by 1.5m to create a rear projection for its 2 floors (along 6m approximately) before stepping down to a ground floor extension. This part of the extension will allow a 2nd first floor bedroom in the roof space. The depth of side elevation will finish within the existing garage footprint, but retaining a slightly wider gap from the fence as compared to the existing garage.

Rear (West) Elevation:

The existing rear elevation and garden has 2 rear door exists out toward a block-paved patio that fills a levelled gap out toward the side of the garage. The proposal includes a staggered rear elevation, and maintains the existing eaves line and similar symmetrical roof angles as the existing dwelling. The rear ground floor extension toward the boundary is flat-roofed and has glazed doors to its rear and inside elevations, while the rear French door remains in the existing rear bedroom. A dormer is proposed in the main part of the dwelling's roof that sits central to the roof pitch, below the ridgeline, and clipped along its side to blend in with the original slope. The dormer will allow space for the ensuite proposed to the master bedroom. The materials proposed are hanging tile to first floor and dormer walls to blend in with the original roof tiles proposed.

Side (South) Elevation:

The existing dwelling's south side elevation will have a varied outlook, but other than the roof raising and two rooflights, the majority of the development is toward the north side and the rear elevations.

Careful consideration was given to the original dwelling's eaves lines and roof pitches and development in the primary front elevation was minimised to ensure that the original dwelling is discernible within the alterations. The proposal introduces second-floor living into the existing dominant roof, but the use of similar materials and design features ensures that the extensions blend within the site and its surroundings, and therefore complies with Site Design Criteria within Policies DS1 and DM16.

Impact on character of area and neighbouring property

It was necessary to consider the area's character in relation to not just the front elevation, but also with the side and rear elevations – the slopped street and land level changes put glimpses of the side and rear elevations in view from the adjacent street perpendicular (Lynford Avenue). The dwellings along this part of Lynford Way incrementally step down from one another, so some form of overlooking and overshadowing exist with the ground level changes decreasing from south to north. The original drawings included light render to rear and side elevations, but materials were altered to be more in-keeping with the

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area's character, and the materials changed to brick and hanging tile.

Further consideration was given to the impact on the neighbouring property north of the proposal, no.3 Lynford Avenue. No.3 is a corner property with a primary elevation facing Lynford Avenue and its rear elevation is built approximately 1m from the boundary line to no.2, leaving a passageway. No.3's side elevation is almost linear compared to no.2, but at a slight angle, so the passageway at the boundary does widen slightly as you move into the larger of the two side gardens. Two existing windows are along the rear elevation, but sit beneath the boundary fence due to the ground level changes (a drop of 50cm approximately). These two rear windows serve a bedroom (front) and a lounge (rear) and are secondary to the other windows and doors into these rooms. The side (west) garden is the primary outdoor living space to no.3 with an external patio area and a small rear conservatory.

The side extension proposed for the integral garage does enclose the existing gap, but this part of the proposal is toward the physical dwelling structure of no.3 and away from usable outdoor living space. There is an existing reduction of light to the 2 rear windows and side window due to the land slope and the positioning of the buildings, so the proposal does not impact the primary windows (front and back) to these rooms. The eaves line of the existing dwelling will be maintained throughout the proposal with the side extension's roof pitching on 3 sides up and away from the boundary toward no.3.

The proposal includes removing the garage built near the boundary of no.3 to replace it with another structure slightly further away from the boundary at an angle. The existing eaves line will be maintained with a sharp pitch of roof up and away from the boundary. The remaining 3m of extension will be flat-roofed, reducing the impact perception as per the existing garage structure. Therefore, the side and rear extension proposed does not prove to have a detrimental overbearing impact to the external primary living space of no.3 (rear patio/garden). The side windows of the extension, however, may have a potential for the loss of privacy to the primary garden space to no.3 so a condition will be added to amend the side windows to obscure-glazed, top-opening only (condition 02).

The rear extension and dormer at first floor level are positioned central to the rear elevation and property of no.2. Although there may be views into neighbouring rear gardens, the rooms in the roof are considered secondary, so this is not considered a harmful relationship to justify a refusal based upon loss of privacy.

To conclude the impact to neighbouring dwellings (bearing in mind the unique existing relationships due to the ground level changes) is not considered to cause an adverse impact in regards to overbearing or overshadowing to justify a refusal, and conditions can control the potential overlooking impact (conditions 02 and 03).

Parking standards for the proposed dwelling will require 3 off-road parking spaces, inclusive of the garage use. Therefore, the proposal will not impact parking, but the garage can be conditioned to be used for vehicles/storage only, therefore complying with DM18 Access and Parking (condition 04).

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Landscape/Trees

There are no significant or protected trees that would be affected by this proposal. There is a row of tall trees along the rear boundary (west) but these are outside the site ownership for consideration within a neighbouring garden. The proposal is over 8m away from the boundary and trees.

Other Matters

There was concern raised with the amount of glazing proposed overall. However, it is not considered that the windows and doors or rooflights will have an unacceptable impact in regards to light spill or reflection as this is within a residential road within a built-up area. The windows identified as potentially harmful (overlooking) along the north elevation can be controlled by a condition (condition 02-03).

Another concern was raised that the proposal will set a development precedent. However, each application is assessed on an individual basis, so the proposal would not guarantee approvals to future proposals nearby. Although there have been previous loft conversions refused among nearby properties, these decisions were determined 1990s-early 2000s, so the current proposal is assessed on the existing policies.

Due regard should be given to the Equality Act 2010: Public Sector Equality Duty. Public bodies need to consciously think about the three aims of the Equality Duty as part of the process of decision-making. The weight given to the Equality Duty, compared to the other factors, will depend on how much that function affects discrimination, equality of opportunity and good relations and the extent of any disadvantage that needs to be addressed. The Local Planning Authority has given due regard to this duty and the considerations do not outweigh any matters in the exercise of our duty.

Recommendation

Application Permitted subject to the following condition(s):

Conditions

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 two windows in the dining room and kitchen of the rear extension along the north elevation hereby approved shall be glazed with obscure glass which achieves an obscuration level at least equivalent to Pilkington Obscure Glass Privacy Level 4, and remain top-opening only. The window glazing and opening restrictions shall thereafter be retained in this condition at all times, unless otherwise agreed in writing by the local planning authority.

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

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3. 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, other than those expressly authorised by this permission shall, at any time, be constructed on the north elevations, nor in the roof slope.

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

4. The garage hereby approved shall not be used for any other primary purpose other than for the parking of cars.

Reason: To ensure adequate car parking provision within the site in accordance with the standards of the Local Planning Authority.

5. The development hereby approved shall be constructed in accordance with the following plans received: -

- Location & Block Plan, drawing BMA256/PL01A submitted 16.12.2019)
- Proposed Ground Floor Plan, drawing BMA256/PL05C (amended 11.02.2020)
- Proposed First Floor & Roof Plan, drawing BMA256/PL06C (amended 11.02.2020)
- Proposed Elevations, drawing BMA256/PL07C (amended 11.02.2020)

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

6. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building. This includes matching brick to ground floor level; garage door/window frames/fascia to ground floor front elevation in white UPVC; matching interlocking tile and dark grey hanging tile to first floor level and roof; frames/fascia to windows in the roof to be dark grey UPVC or aluminium; windows and doors to ground level rear extension to be either white or dark grey UPVC or aluminium.

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

Informatives:

1. In accordance with paragraph 38 of the NPPF (Feb 2019), 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 applicant.

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

Local Plan Part 1 Joint Core Strategy: DS1

Local Plan Part 2: DM1, DM15, DM16, DM17, DM18

High Quality Places SPD

Parking SPD

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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.

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

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