

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Case No:** 20/01381/HOU  
**Proposal Description:** (Amended plans received 09.10.2020) GARAGE  
CONVERSION AND EXTENSION  
**Address:** 38 Harrow Down Badger Farm SO22 4LZ  
**Parish, or Ward if within  
Winchester City:** Badger Farm  
**Applicants Name:** MR M BOBROWSKI  
**Case Officer:** Jordan Wiseman  
**Date Valid:** 3 July 2020  
**Recommendation:** Permit

**Link to Planning Documents:** <https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple&searchType=Application>

**Pre Application Advice: No**



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**General Comments**

Application is reported to Committee due to the number of objections received contrary to the officer's recommendation.

Amended plans were submitted on 09.10.2020 to show an additional allocated parking space created on the existing front garden.

**Site Description**

38 Harrow Down comprises a small two storey detached dwelling with an attached garage in Badger Farm, within the settlement boundary of Winchester. The application site is bounded to the North, South and West by boundary treatments in the form of timber fencing and mature planting/shrubbery. To the front of the dwelling there is a single driveway along with a small area of turfed front garden. The property is accessed along Harrow Down which is via Plough Way. The dwelling was erected as part of a large 1980s residential development and all dwellings within this area are of a similar design and appearance, creating a uniformed character to the area.

**Proposal**

The proposal seeks a garage conversion to provide additional internal ancillary space to the main dwelling through creating two additional rooms at ground floor and one further room at mezzanine floor level. The proposal consists of a small extension to the roof of the garage to cater for this conversion. The proposal seeks to convert the roof of the garage from a pitched roof design to a mono-pitch allowing for an increase in height of approximately 2.7 meters at the rear of the garage.

**Relevant Planning History**

None.

**Consultations**

None.

**Representations:**

Badger Farm Parish Council

- Initial comments objected due to lack of parking arrangements and it was felt the property would become overdeveloped
- A 'No objection' was submitted further to consultation on amended plans.

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

- Insufficient Parking
- The property being turned into a business premises

There were no letters of support received.

**Relevant Planning Policy:**

Winchester Local Plan Part 1 – Joint Core Strategy

- DS1 - Development Strategy and Principles
- CP13 - High Quality Design

Winchester Local Plan Part 2 – Development Management and Site Allocations

- DM1 – Location of New Development
- DM15 – Local Distinctiveness
- DM16 – Site Design Criteria
- DM17 – Site Development Principles
- DM18 – Access and Parking

Supplementary Planning Document

- WCC High Quality Places

National Planning Policy Guidance/Statements:

National Planning Policy Framework  
National Planning Practice Guidance  
National Design Guide

**Planning Considerations**

Principle of development

Paragraph 47 of the National Planning Policy Framework requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The proposal is located within the settlement boundary of Winchester, where the principle of extending an existing dwelling is acceptable provided that the development is in accordance with the policies of the Development Plan and unless material planning reasons indicate otherwise.

Design/layout

As mentioned before the application site displays a small two storey detached dwelling with an attached garage in Badger Farm. The dwelling was erected as part of a large 1980s residential development and all dwellings within this area are of a similar design and appearance, creating a uniformed character to the area. The application seeks a

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garage conversion consisting of a small extension to the roof of the garage to cater for this conversion. The proposal seeks to convert the roof of the garage from a pitched roof design to a mono-pitch allowing for an increase in height of approximately 2.7 metres at the rear of the garage. The garage conversion will provide additional internal ancillary space to the main dwelling through creating two additional rooms at ground floor and one further room at mezzanine floor level. The proposal will be finished externally in cedar timber cladding and will incorporate timber framed windows and doors to match those on the existing dwelling. It is considered that the extension to the garage is proportionate in scale and subservient to the host dwelling and the proposed materials appear sympathetic to the existing property. It is therefore considered that the proposal complies with CP13 of LPP1, DM15 of LPP2 and the WCC High Quality Places SPD.

Impact on character of area and neighbouring property

The proposal is visible from the public realm on Harrow Down and as explained above there is a uniformed character to the area; the proposal seeks to clad the front elevation of the garage in cedar wood timber cladding which is of a similar appearance to the timber clad sections which can be seen on other parts of the dwelling and other dwellings within the surrounding area. The proposed windows and doors are to be timber framed to match the existing dwelling. Garage conversions are not uncommon within Harrow down with numerous examples being evident within the area; one garage conversion almost mirrors that of the proposed at no.23 Harrow Down. It is considered that based on the materials proposed and the common nature of the proposal within the local area, the proposal is in keeping with the character of the area. It is therefore considered that the proposal complies with CP13 of LPP2, DM16 of LPP2 and the WCC High Quality Places SPD.

Impact on Neighbouring Amenity

No.37 Harrow Down is adjacent to the south of the application site and is the only neighbour likely to be affected by the proposal. The application seeks a high level window at first floor on the rear elevation to allow light into the new room at first floor level. There is a large amount of mature planting along the southern boundary separating the two properties; given the proposed window is only incorporated for allowing light to enter the property, is at a high level and is largely screened through mature planting it is not considered any additional overlooking can be demonstrated. Whilst the proposal is converting the garage from single storey to one and a half storeys, it does not extend past the existing rear building line of the host dwelling or that of no.37 and as a result no adverse impact can be demonstrated through overbearing or overshadowing.

A number of objections have been received from local residents raising concern for the potential for the garage conversion to allow the occupants to work from home. However, there is nothing contained within this application to suggest that this is the intended use of the converted garage. In planning terms occupants are allowed to work from home without the benefit of planning permission. However, if this became the primary use of the property or had a level of adverse impact on neighbouring amenity or other material planning impacts as a result (for example through an increase in traffic visiting the property and noise) then this may constitute an operational change of use which would require separate planning permission.

It is therefore considered that the proposal complies with DM17 of WD Local Plan Part 2 (2017).

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Highways/Parking

The application proposes the conversion of a garage resulting in the loss of one parking space. The parking standards SPD states that 3 bedroom dwellings, which is the case with this application, require a minimum of 2 communal spaces or 2 allocated parking spaces. The application site comprises a driveway to the front (east) of the property large enough for the parking of one vehicle along with sufficient communal parking in the area for a further one more vehicle. Due to the level of concern raised by local residents and the parish council regarding parking, the applicant submitted a revised proposed site plan which incorporates the addition of two strips of block paving on the existing small front garden to allow for a second allocated parking space to the property. It is therefore considered that the application site retains a sufficient level of parking in accordance with the councils parking standards SPD. Based on this no adverse impact can be demonstrated on highways or parking. The application complies with DM18 of LPP2 and the Parking Standards SPD.

Other Matters

Equality

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 as statutory planning authority for the council.

Conclusion

In conclusion, the proposed development is considered to be in accordance with the development plan and national planning policy and is recommended for approval.

**Recommendation**

Application Permitted, 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.

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

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

Existing and Proposed Plans - MT / 1547 / 2 - Received 03.07.2020

Proposed Site Plan with Second Parking Space - DR.001 – Received 09.10.2020

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

03 The materials to be used in the construction of the external surfaces of the development hereby permitted shall be those as detailed in section 5 (materials) of the associated application forms.

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

**Informatives:**

1. 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 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, CP13

Local Plan Part 2 - Development Management and Site Allocations: DM1,DM15, DM16, DM17,DM18

High Quality Places SPD

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. Flexibility of hours may be acceptable due to the Covid-19 emergency in line with the Business and Planning Bill 2019-21 <https://services.parliament.uk/Bills/2019-21/businessandplanning.html>

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. Where construction site working hours are limited by a planning condition you can apply under Section 74B of the Town and Country Planning Act 1990 which provides a temporary fast track to vary existing conditions.

<https://www.gov.uk/government/publications/construction-working-hours-draft-guidance/draft-guidance-construction-site-hours-deemed-consent>

5. 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

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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>

6. 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.