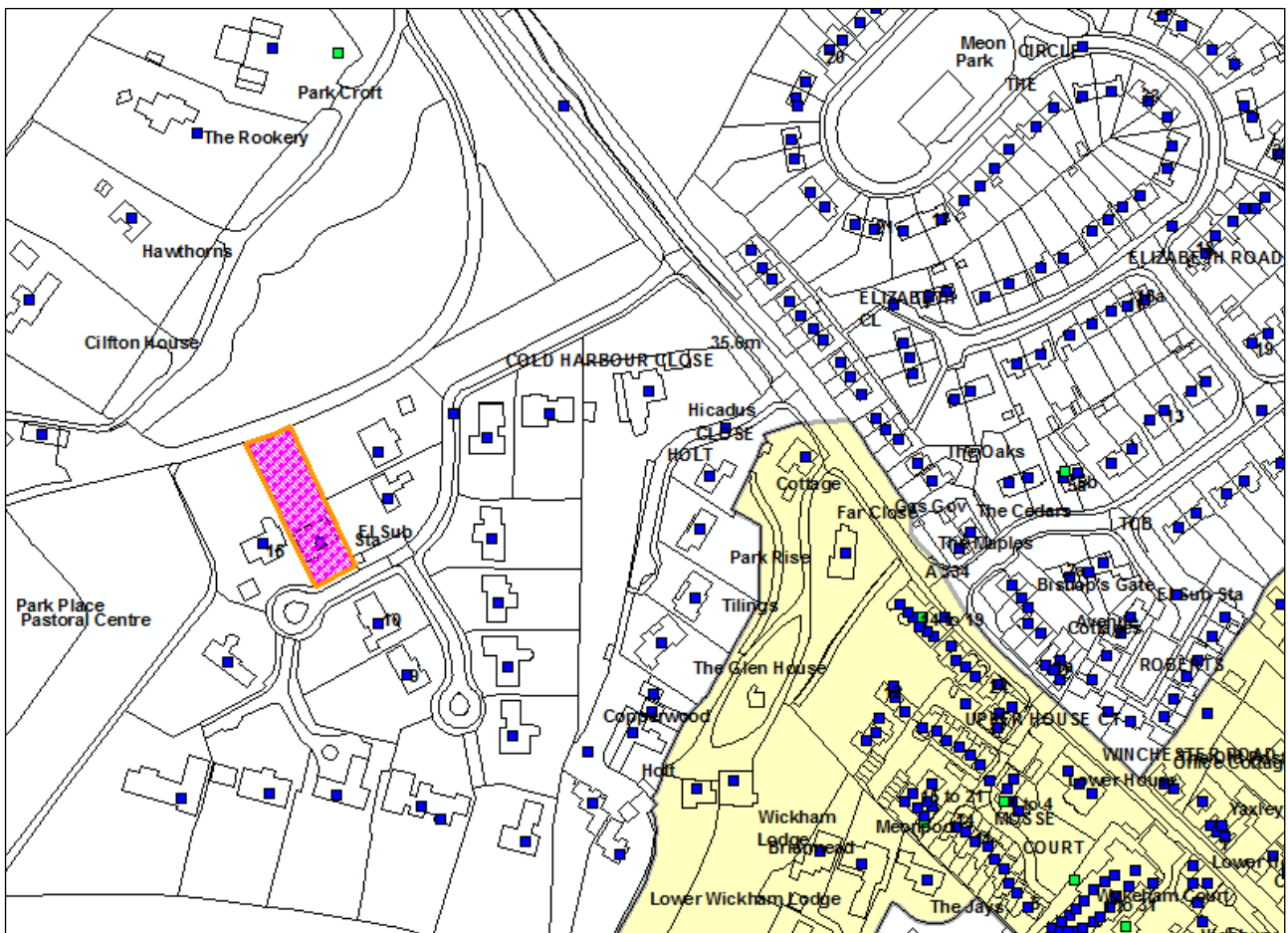


WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Case No:** 20/02156/HOU  
**Proposal Description:** First floor rear extension  
**Address:** 16 Cold Harbour Close Wickham PO17 5PT  
**Parish, or Ward if within Winchester City:** Wickham  
**Applicants Name:** Mr C Duffy  
**Case Officer:** Marge Ballinger  
**Date Valid:** 29 October 2020  
**Recommendation:** Application permitted

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

**Pre Application Advice:** Yes



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## General Comments

The application is reported to Committee due to the number of comments received contrary to the officer recommendation.

The proposed first floor extension has been amended to alter the east-side facing first floor windows to obscure-glazed and fixed with top-opening only.

## Site Description

No.16 Cold Harbour Close is a 5-bedroom, detached dwelling located with a close west of the A334 as it travels towards Wickham Square. The close is outside the Conservation Area, and within the settlement boundary. Cold Harbour Close was developed in the early 90s with eighteen large detached dwellings with trees and grassed verges throughout.

The dwelling sits within a site of approximately 1300m<sup>2</sup> (20m wide x 66m depth) with its front garden blocked paved for parking/turning. The land slopes up and away from the roadside, putting the dwelling along higher ground than the road. The land continues to slope up into the rear garden, where there has been terracing and steps that lead into garden seating areas. The boundaries are screened with planting and trees, along with a high wooden fence.

The property has been extended along the front elevation with a ground floor front infill extension to enlarge the entrance, study and garage. The rear ground floor has been altered with a rear breakfast room approximately 6.2m in depth from the rear elevation wall and approximately 6.2m wide with a hipped flat roof and a central lantern.

The property is built of mixed brick to ground floor level with decorative hanging tile to first floor. The concrete tiled roof is hipped with a steep pitch, similar to other dwellings within the road.

## Proposal

The proposal is to build at first floor over the existing rear extension. The extension will match similar eaves height as the existing first floor of the host dwelling (up to 5m approximately), with a dual-pitched roof that is clipped toward the rear elevation wall. The ridge will come to 8m in height.

The extension is stepped in from the external wall of the dwelling and approximately 3.75-4m from the eastern boundary.

The room will be an extension to an existing bedroom to be used as a study.

## Relevant Planning History

13/01776/PNHOU - Single storey rear extension (length of extension: 6.2m, height of extension: 3.4m and height at eaves: 2.3m) – permitted 19.09.2013

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**Consultations**

- None

**Representations:**

Wickham Parish Council

- Objection as it was considered detrimental to the street scene with the loss of 'green' visual gaps; overlooking from the first floor windows.

Twelve letters received objecting to the application (5 from Cold Harbour Close; 7 elsewhere) for the following material planning reasons:

- Overlooking
- Overshadowing
- Overbearing
- House had previously been extended
- Lack of architectural drawings
- Proposal will set a precedent for other development in the Close
- Loss of skyline views from front and back neighbouring gardens

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

- Application is vague with the pre-application advice
- Potential construction disruption
- Potential devaluation of house values
- Private matters regarding rear boundary access not related to a planning application.

**Relevant Planning Policy:**

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

DS1 – Development Strategy & Principles

CP13 – High Quality Design

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

DM1 – Location of Development

DM15 – Local Distinctiveness

DM16 – Site Design Criteria

DM17 – Site Development Principles

National Planning Policy Guidance/Statements:

National Planning Policy Framework (2018)

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Supplementary Planning Guidance  
Wickham Village Design Statement (2001)

Other Planning guidance  
High Quality Places SPD (2015)  
Parking Standards 2002 (2009)

## **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 inside the settlement boundary of Wickham and the principle of development 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 proposal seeks to extend above the existing footprint of the ground floor sunroom (6.2m x 6.2m approximately) within the rear garden. The east side elevation has been amended to alter the two side-facing windows to be obscure-glazed and top opening only. (There is an existing side-facing window that has also been obscure-glazed as it serves an existing en-suite shower room.) There are 2 rear-facing windows proposed that align with the ground floor windows, and a further single west-facing window that aligns with the ground floor doors.

The proposal was designed to be subservient to the host dwelling as the ridgeline will be set below the highest point by 2.15m, and will pitch away from the closest shared boundary. The materials are proposed to match the existing with hanging tile to the first floor level, concrete roof tiles to match, and similar white fascia and window frames. The proposal therefore complies with the advice from the High Quality Places SPD (Guidelines E1-E3, page 91).

### Impact on the Character of Area

Cold Harbour Close was designed to retain much of the existing trees and woodland along the north boundary (past the rear residential gardens) that crosses into countryside land. The grassed verges along Cold Harbour Close are wide and display landscaping and planting throughout. Some of the properties have built brick walls along the roadside, and there is a brick sub-station that sits forward of no.16/no.17's boundary. The proposal is into the rear garden of no.16 and will not exceed the side walls of the existing dwelling. Although there may be glimpses of the proposal viewed through the rear garden of no.17 when standing roadside, this would not be obvious due to the existing sub-station, and the distance of approximately 35-40m away from a more exposed corner of the road. Therefore, no further impact is expected to the area's character, and complies with Policy DM16 of the LPP2.

It is worth noting that while most of the street scene has been retained throughout the years, there have been a number of properties that have had extensions and alterations

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built, including a first floor extension to no.15. As each proposal is assessed on its own merit, the proposal is not considered to set a harmful precedent to the area.

Impact on Neighbouring Amenities

The nearest dwelling east (no.17) shares part of the boundary with the proposal's site: The rear elevation of no.17 is approximately 24.5m away from the proposal, with its more sensitive amenity space nearer the rear elevation of the dwelling. Due to the existing gap between the two dwellings, harmful impacts of overshadowing and overbearing are not expected to residential amenities of no.17. The proposal's east-side facing windows were amended to be obscure-glazed and top opening only due to the potential overlooking impact toward the adjacent dwelling no.17 and a further condition is proposed to prevent further windows in this elevation (secured through conditions 02 and 03).

The existing views from no.17 were assessed from inside the house, along the rear terrace and other outdoor seating areas of no.17 which extend beyond the length of the house (25m approximately). While there is no right to a view, the potential impact was assessed as mature trees in the land surrounding the dwellings do contribute to the area's character. The existing views from no.17 include the side elevation of no.16, then a gap of trees, through to no.15 as the dwellings no.15-16 were built as staggered within their gardens. The addition of a first floor extension will remove some of the views of the woodland and views toward no.15, but not to a level that is considered detrimental. There will still be woodland visible beyond as the land slopes up and away from the proposal.

The dwelling northeast (no.18) shares part of the boundary with the proposal's rear garden: The proposal will bring built former closer to the boundary with no.18 (approximately 5m from the corner of no.18). Due to the level of planting and screening within both sides of the boundary, and the distance between the proposal and rear elevation to no.18 (over 30m approximately), no further impact of overshadowing or overbearing is expected. The two rear-facing windows to the proposal will face out toward the north woodland, so overlooking toward the rear garden of no.18 is not considered detrimental due to the screening and distance to the more sensitive amenity spaces of no.18 near the rear elevation.

The dwelling west (no.15) shares a side boundary with no.16: Due to the existing 10m gap toward a side elevation of no.15, no further harmful impact is expected to residential amenities as the boundary is well-planted and densely-screened along both sides.

In terms of neighbouring amenities, the proposal is considered to comply with Policy DM17 (vii) of the LPP2 as the proposal does not have an unacceptable adverse impact on adjoining land.

Landscape/Trees

There are no significant or protected trees that would be affected by this proposal.

Highways/Parking

The proposal will not impact the access and parking arrangements to the dwelling.

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Other Matters

The sketched drawings submitted have been compared and measured to existing (approved drawings) and are considered to scale. The information submitted with this proposal is considered acceptable for understanding the proposed development. The NPPF Section 4 'Decision-making' states that that 'local planning authorities should only request supporting information that is relevant, necessary and material to the application in question.' Therefore, requiring that drawings are professionally drawn is considered unreasonable in relation to the detail of this application.

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.

**Recommendation** – Application Permitted, subject to the following conditions:

**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 2 no. first floor windows in the east elevation of the first floor extension hereby permitted shall be glazed with obscure glass which achieves an obscuration level at least equivalent to Pilkington Obscure Glass Privacy Level 4, and top-opening only. The window glazing and opening restrictions shall thereafter be retained in this condition at all times.

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

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 further windows, other than those expressly authorised by this permission shall, at any time, be constructed on the first floor on the east elevation.

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

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

- Location & Block Plan dated 29 Oct 2020
- Proposed First Floor Plan received 5 Oct 2020
- Proposed Rear Elevation received 5 Oct 2020

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- Proposed West (Side) Elevation received 5 Oct 2020
- Proposed East (Side) Elevation, amended 22 Dec 2020
- Duration Window specs, drawing R8032 dated 7 Dec 2020

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

05 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.

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, CP13

Local Plan Part 2: DM1, DM15, 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. 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. During Construction, no materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Protection Team, an Abatement Notice

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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  
<https://www.winchester.gov.uk/building-control>