Case No: 18/01161/HOU

Proposal Description: (Amended Plans and Description) Proposed construction of

single storey front and side extensions and two storey rear extension to include external alterations. Alterations to existing driveway and creation of new access. Conversion of existing

garage and existing loft into habitable accommodation.

Address: 46 Harrow Down Badger Farm SO22 4LZ

Parish, or Ward if within Badger Farm

Winchester City:

Applicants Name: Mr Richard Tapper Case Officer: Curtis Badley 10 May 2018

Recommendation: Application Permitted



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General Comments

The application is reported to Committee due to the number of comments received contrary to the officer recommendation, as requested by the Parish Council (See Appendix 1) and as requested by Councillor Bell (See Appendix 2) and Councillor Laming (See Appendix 3).

Amended plans were received on 26th June 2018. The principle alterations are:

- Removal of proposed rear dormer window
- Construction of a two storey rear extension
- Insertion of rooflights within both the front and rear elevation
- Planting of boundary hedgerow
- Addition of plain render to the proposed extensions

Amended plans were received on 13th July 2018. The principle alterations are:

- Removal of rear access and parking area
- Widening of existing front driveway
- Retention of existing garage

Amended plans were received on 31st July 2018. The principle alterations are:

- Alteration of the proposed porch

Site Description

The existing property, number 46 Harrow Down is a three bedroom link detached dwelling within a modest sized plot (0.03ha) which gently slopes from North to South. The property is situated within a Cul-de-Sac with a parking area to the front of the dwelling house accessing a garage.

The dwelling is seen within the context of the immediate neighbouring properties due to its location adjacent to the highway. The surrounding area is characterised by detached properties with good sized gardens. Surrounding properties are of a similar size and design and feature materials which match the existing property, number 46.

The existing dwelling is built of buff brick, timber windows and doors and brown concrete pan tiles. Hedgerow spans the length of the Eastern property boundary which is interspersed by a couple of ash trees and no formal boundary treatment exists to the Southern property boundary. Close boarded fences run along the boundaries of the property to the West (45 Harrow Down) and a buff brick wall encloses the property from the parking areas, electric substation and neighbouring property to the south (47 Harrow Down). Provision for parking consists of a single attached garage and a private driveway to the front of the property.

The existing dwelling, whilst in keeping with the surrounding properties, does not significantly contribute to the character of the area. The property has been poorly maintained and this has resulted in deterioration in the quality and density of the boundary hedgerow.

Proposal

The proposal is for the construction of a single storey front and side extension and a two storey rear extension. The proposals also include alterations to existing driveway and the conversion of the existing loft into habitable accommodation. The proposals seek to render part of the façade and the rear and side extensions.

The development proposes to create an additional parking space through the widening of the existing driveway to the front of the property. The proposed use of the site is to remain as a single private residential unit and as a result of the works, the property will have five bedrooms and utilise three floors of living accommodation.

Relevant Planning History

None

Consultations

WCC Engineers Highways: Original comments

(Plans Received: 26/06/2018)

The Highways Engineer is unable to support the application from a highways point of view. The parking provision is not considered to meet highways policy and cannot be achieved in a satisfactory manner.

It is noted that Hampshire County Council as a highway authority would be unlikely to support this application. The number of site entrances is generally restricted to one 'unless it can be demonstrated that a second means of access would have a direct benefit to road safety.'

WCC Engineers Highways: Final comments

(Plans Received: 13/07/2018)

The Highways Engineer under assessment of the revised plans, considers that the proposals are acceptable from a highway point of view subject to conditions which seek to provide the additional parking prior to development use and retention of the garage and parking areas hereafter.

Representations:

Badger Farm Parish Council Response: Objection

(Plans Received: 26/06/2018)

Objection raised on the grounds that the application is:

- Out of proportion with the surrounding area
- Proposes dormer windows which have been refused on appeal in a nearby residence
- Inadequacy of parking provision
- Removal of hedgerow and trees

20 letters from 19 households were received in response to the original plans objecting to the application on the following grounds:

- Overdevelopment of plot
- Out of keeping and character with surrounding area
- Overshadowing and overbearing impact of rear extension
- Disproportionate resultant garden size
- Loss of hedgerow and trees
- Impact on parking and inadequacy of proposed parking
- Highway Safety

A response was received to the original plans from Councillor J Warwick objecting to the application on the following grounds:

- Proposal size will be out of character with properties in the surrounding area
- Proposed dormer window increases height of building and has overlooking potential
- Increase in noise
- Increase in traffic pressures
- Disproportionately small garden relative to property footprint
- Highway safety

A response was received to the original plans from Councillor B Laming objecting to the application on the following grounds:

- Inappropriate design
- Disproportionate increase in floor area
- Unacceptable impact on character of the area
- Suitability of parking arrangements
- · Overdevelopment of site
- Unacceptable loss of trees
- Highway Safety

In response to the first amendment, 15 letters were received objecting to the revised application from 15 households (4 of which had not previously commented).

A response was received to the first amendment from Councillor E Bell objecting to the application on the following grounds:

- Out of keeping with character of the surrounding area
- Inappropriate form of development with concern to scale and massing
- Disproportionately small garden relative to property footprint
- Highway safety

A response was received to the first amendment from Councillor B Laming objecting to the application on the following grounds:

- Overdevelopment of site
- Overlooking of adjacent properties
- Suitability of proposed access

In response to the second amendment, 8 letters were received objecting to the revised application from 7 households (1 of which had not previously commented).

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

- Financial Benefits of development
- Matters controlled under building control regulations fire precautions
- Potential for future use as a house of multiple occupation
- Problems arising from the construction period of any works e.g. noise, construction vehicles, hours of working (covered by Control of Pollution Act)
- Applicants personal circumstances

Relevant Planning Policy:

Winchester District Local Plan Part 1- Joint Core Strategy (2013)

MTRA 1: Development Strategy Market Towns and Rural Area

DS1: Development Strategy and Principles;

CP13: High Quality Design;

<u>Winchester District Local Plan Part 2 - Development Management and Site Allocations Development Plan Document (2017)</u>

DM1: Location of New Development;

DM15: Local Distinctiveness; DM16: Site Design Criteria;

DM17: Site Development Principles:

DM18: Access and Parking

Supplementary Planning Documents

Residential Parking Standards (2009)
Winchester District High Quality Places (2015)

National Planning Policy Guidance/Statements:

National Planning Policy Framework 2018

Planning Considerations

Principle of development:

The development falls on 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 the occupants of neighbouring properties.

The existing dwelling house is to be remodelled and extended to facilitate the conversion of the existing loft space and allow for additional living accommodation.

The principle of the proposed development is therefore considered acceptable.

Impact upon the character of the existing property:

46 Harrow Down is a detached property located in the residential area of Badger Farm among houses comprising of predominantly light brown brick with dark wooden weatherboarding sections. The property is situated in a prominent location in front of adjacent neighbouring properties on the corner leading into a residential cul-de-sac. The extended dwelling would therefore will be visible from the public realm.

The proposed oak framed porch and single storey front extension would clearly define the entrance of the dwelling and are of an appropriate design, scale and massing which ensures that there is not an excessive level of projection from the front elevation. The introduction of a traditional oak frame will benefit from natural weathering over time and is considered to hold a complementary relationship with both exposed brickwork and the adjoining rendered finish.

The proposed rear extensions are subservient to the existing dwelling. This is achieved through setting the proposal down from the existing the ridge line and the use of visually contrasting render. Whilst introducing a significant increase in proposed floor space, the proposals do not lead to a cramped form of development due to the retention of an appropriate level of amenity and residential garden space surrounding the property. Despite the prominence of the site from the street, the proposal is lower and set back from the main dwelling and the impact the extensions and proposals when viewed as a whole will remain in keeping.

The proposed use of roof lights within the conversion of the existing loft has a significantly lesser impact on the character and appearance of the roof than the previously proposed dormer window extension. The two proposed roof lights within the rear elevation and single roof light within the front elevation are considered to have a minimal impact upon the form and appearance of the existing dwelling.

As a result of the proposals, adequate provision of private amenity space surrounding the property has been retained. The proposals present a coherent and modern design solution

that, whilst increasing the size and mass of the building, will appear acceptable in its immediate environment. The proposal is therefore compliant with policies DM16 of the WD Local Plan Part 2 (2017) and accords with the best practice design guidance as contained in the Winchester District High Quality Places (2015) SPD.

Impact on character of area:

Light facing brick and dark stained timber weatherboarding are considered to define the first floor facade of the majority of dwellings in this area. It is considered that although the proposed changes represent a change in material from the surrounding properties, the indicated mixture of brick and render in this case would improve the houses appearance into a more modern and contemporary style. Whilst this change is considered different it is not considered to harm the character of the surrounding area as it would add a quality design and interest to the area. Whilst other properties have not removed or replaced the existing hanging tiles, the chosen render material suitably contrasts the surrounding area whilst still retaining a suitable relationship and common features of nearby houses. The proposed render material will be controlled by condition in order to ensure a high quality appearance.

The proposed landscaping will enable the property to enhance its green aspect and improves the properties relationship with the public realm. The retention and introduction of planting along the property boundary has the potential to further screen and soften views of the proposal and this will also be secured through condition.

Based upon the above assessment the proposed development is considered to result in an extended dwelling that is in keeping with the character and appearance of its surrounding area and complies with policy CP13 of the WD Local Plan Part 1 (2013), policies DM15, DM16 and DM17 of the WD Local Plan Part 2 (2017) and the advice provided in the High Quality Places Supplementary Planning Document (2015).

Impact upon Neighbouring Properties:

45 Harrow Down is the adjoining semi-detached property located to the rear (North East) of the site. The resulting relationship between the two properties mean that the front elevation of no. 45 is positioned adjacent the side and rear of the application site. The proposal extends 6.9 metres along the front boundary shared with this neighbouring property. The two dwellings are divided by a close boarded wooden fence and moderate shrubbery. The proposed extensions would be adjacent to the frontage of this property.

The ground floor roof windows are situated at high level and would not result in a significant overlooking impact. No additional doors or windows are proposed to face this property.

In reference to impact on sunlight, the proposal sits to the South East of the front elevation of 45 Harrow Down which carries the potential for impact on the amount of

sunlight which reaches the frontage of the neighbouring property. The amount of light received by the frontage of this property is currently restricted by the existing built form of number 46. As a result of the proposed rear extensions, daylight and sunlight levels are unlikely to be significantly adversely affected by the proposals due to the location of the proposals within existing built form. Additions at first floor level feature a reduced ridge height and gabled roof form which will not create an adverse overshadowing impact significant enough to justify refusal on this matter.

47 Harrow Down is the neighbouring property situated approximately 20 metres to the North of the proposed rear extension. The two dwelling houses are divided by a high level brick wall and a parking forecourt. Number 47 Harrow Down does not have any windows facing the direction of the proposal. Due to the distance maintained and scale of the proposals orientation, it is not considered that the development would have an unacceptable overshadowing impact or result in an unacceptable overbearing impact to this property to warrant refusal.

A number of windows at both ground floor and first floor already exist facing this property and the distance maintained between the proposed windows and neighbouring property is acceptable within this context. The first floor roof windows are situated at high level and a significant overlooking impact cannot be demonstrated.

Based on the above assessment, the development is not considered to adversely affect the residential amenities of neighbouring properties and accords with policy DM17 of the WD Local Plan Part 2 (2017).

Landscape/Trees:

As a result of the omission of the rear access and parking provision, development will be at a sufficient distance from the boundary hedgerow and trees situated along East boundary of the site to facilitate their retention. As a result of the development, there is no impact on trees that requires addressing and the tree officer has no objections to the proposal.

A landscaping plan to detail the specification and schedule of planting has been ensured by condition. A planting plan is requested in order to further enhance the green setting of the locality of Harrow Down and maintain a good quality environment.

Highways/Parking:

As a result of the works, the number of bedrooms the property has will increase from three to five. As such, the proposal is considered to result in a material change in the amount of parking required associated with the continued use of the extended dwelling house.

The development proposes to create an additional parking space through the widening of the existing driveway to the front of the property. The existing garage parking facility

is to be retained as part of the proposals and this is ensured by condition. An additional highways condition has been attached to ensure that the dropped kerb and extended parking area shall be provided before the extension is brought into use and retained perpetuity, in order to ensure the permanent availability of parking for the property as recommended within the highways engineer consultation response.

Other Matters:

Whilst concern has been raised that the proposal will set a precedent for other similar developments in the area, it is necessary to assess each application on its own merits and therefore the potential for precedent cannot be a standalone reason to justify refusal in this case. The proposals would not result in a material planning harm and therefore are considered acceptable in this case as set out in the report.

Several objection comments of objection have been submitted with reference to the potential of the property to become a house of multiple occupation (HMO). The conversion of this residential dwelling house (Use Class: C3) into a HMO (Use Class: C4) would require a change of use application. Any formal planning application submitted will be assessed on its own merits and subject to a period of consultation and publicity.

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.
- 1 Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).
- 2 Notwithstanding condition number 3, no development shall take place until details and samples of the proposed plain render to be used in the construction of the external surfaces of the extension and existing property hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 2 Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.
- 3 Notwithstanding the proposed oak porch, the materials to be used in the construction of the external surfaces of the proposed development; hereby permitted shall match those used in the existing building.
- 3 Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

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

Existing and Proposed Floor Plans and Elevations (Drawing Number: TAP - 528 -01 -01

Revision B) Received: 13/07/2018

Existing and Proposed Block and Location Plans (Drawing Number: TAP - 528 -01 -02

Revision B) Received: 13/07/2018

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

5 Details of the enhancement of boundary hedge planting shall be submitted and approved in writing by the Local Planning Authority prior to occupation. The scheme approved shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

5 Reason: To protect the amenities of the locality and to maintain a good quality environment.

6 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 development permitted by Class B of Part 1; of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

6 Reason: To ensure that the development is proportionate to the site in order to protect the amenities of the locality and to maintain a good quality environment.

7 The garages hereby approved shall not be used for any other purpose than the parking of cars.

7 Reason: To ensure the provision and retention of the garages/parking spaces in the interests of local amenity and highway safety.

8 The additional parking space and associated dropped kerb shall be implemented before the proposed development is first brought into use. The parking spaces hereby approved shall thereafter be retained in this condition at all times.

8 Reason: To ensure the provision and retention of the garages/parking spaces in the interests of local amenity and highway safety.

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:

The Local Plan Part 1 (2013) DS1, CP13, MTRA1

The Local Plan Part 2 (2017) DM1, DM15, DM16, DM17, DM18.

Residential Parking Standards (2009)

High Quality Places Supplementary Planning Document (2015)

- 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 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-ofconsiderate-practice

6 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)

7 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.

8 Should bats be discovered on the site during demolition or construction works all activities should stop and the Local Planning Authority notified. No works will recommence

until further surveys and construction method plan by a licenced professional have been submitted to and approved by the Local Planning Authority.

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.

Appendices

The application is reported to be determined by the Planning Committee as requested by the Parish Council (See Appendix 1). The application is reported to be determined by the Planning Committee as requested by Councillor Bell (See Appendix 2) and Councillor Laming (See Appendix 3).

Appendix 1

Comments for Planning Application 18/01161/HOU

Application Summary

Application Number: 18/01161/HOU

Address: 46 Harrow Down Badger Farm SO22 4LZ

Proposal: (Amended Plans and Description) Proposed construction of single storey front and side extensions and two storey rear extension to include external alterations. Alterations to existing driveway and creation of new access. Conversion of existing garage and existing loft into habitable

accommodation.

Case Officer: Curtis Badley



Comment Details

Commenter Type: Parish Council

Stance: Customer objects to the Planning Application

Comment Reasons:

- Noise
- Residential Amenity
- Traffic or Highways

Comment:After consultation with local residents the Parish Council would like to strongly object to the application on the following grounds

- This application is totally out of proportion for the surrounding area, it is obviously being set up as an HMO for student accommodation something which not in keeping with the family residences that surround it.
- The application shows dormer windows that have already been refused on appeal for another a residence on Badger Farm.
- With the possibility of the house having up to six bedrooms the parking is completely inadequate, and further on street parking would impede emergency vehicle access.
- The application would require the wholesale destruction of hedges and established trees, the loss of which would change the ambience of the area.

We would like this application to be referred to the Planning Committee when we can further expand on our strong objections.

Appendix 2

Comments for Planning Application 18/01161/HOU

Application Summary

Application Number: 18/01161/HOU

Address: 46 Harrow Down Badger Farm SO22 4LZ

Proposal: (Amended Plans and Description) Proposed construction of single storey front and side extensions and two storey rear extension to include external alterations. Alterations to existing driveway and creation of new access. Conversion of existing garage and existing loft into habitable

accommodation.

Case Officer: Curtis Badley

Customer Details

Name: Cllr Eleanor Bell

Address: 6 Heathcote Place Hursley Winchester

Comment Details

Commenter Type: District Councillor

Stance: Customer objects to the Planning Application

Comment Reasons: - Residential Amenity

- Traffic or Highways

Comment:In respect of residential amenity, the proposal is out of keeping with the character of the area and surrounding properties. The rear extension is large in mass and scale and would create an inappropriate form of development, contrary to Local Plan policy DP.3 and the NPPF (paragraph 56).

The proposal would cause significant harm to the neighbouring properties.

As District Councillor, I have followed the considerable effort put in by WCC officers to bring this previously empty property back into residential occupancy. It is disappointing, after years of neglect, that the applicant has instead decided to extend the property to an unreasonable extent. The proposed extensions are out of scale with the original property and surrounding properties and lead us to be concerned about the ultimate use envisaged, ie. multiple occupancy. The garden will be exceptionally small relative to the footprint of the house and I am concerned about the safety of access for the proposed number of cars on this site.

In view of the number of objections to this application, I believe it is imperative for it to be considered by Committee.

Cllr Eleanor Bell

District Councillor, Badger Farm and Olivers Battery ward

Appendix 3

Comments for Planning Application 18/01161/HOU

Application Summary

Application Number: 18/01161/HOU

Address: 46 Harrow Down Badger Farm SO22 4LZ

Proposal: Proposed construction of single storey front, side and rear extensions. Alterations to

driveway and access. Conversion of existing garage and existing loft into habitable accommodation including the construction of a rear dormer window extension.

Case Officer: Curtis Badley

Customer Details

Name: Cllr Brian Laming

Address: 18 Wheatland Close Badger Farm Winchester

Comment Details

Commenter Type: Councillor

Stance: Customer objects to the Planning Application

Comment Reasons:

- Noise
- Residential Amenity
- Traffic or Highways

Comment: I wish to object to this application for the following reason: -

- 1. Design and Layout. Harrow Down is made up of two and three-bedroom houses. This application has a major impact due to the doubling in size of the floor area. The home increases from 80 to 160 sq. metre in round terms. This makes it considerably the largest house in the road. The design means that it can be a 5 or 6-bedroom house as the washroom facilities seemed to be designed for this use, making it ideal student letting. Indeed, the owner has stated that his daughter wishes to use it whilst at college. Hence to question of student accommodation. The Dormer Window design is in inappropriate for the estate. This type of Dormer has been turned down by WCC before and would refer you to the appeal on a Dormer window at 11 Rooks Down Road. The inspector upheld the planning committee's decision to refuse it. It is totally out of place on this estate. The garage which is proposed to make into a study/ 6th bedroom has a common roof with the garages of the neighbours has the fire safety been incorporated into the design? The neighbours have strong views on this.
- 2. As it is difficult to see on the plans but it looks like to building will go up to the boundary. Can it be ensured that no part of the build etc hangs over the neighbour's property.
- 3. Impact on the character of the area and neighbouring properties. Harrow Down does have very limited parking as shown on the map. Conform to the planning requirements part of the rear garden has been designated for two car parking spaces. This will require Hampshire County Council to drop the curb on this narrow part of the road? The entrance to this area will also mean that the street light will need to be moved will Hampshire agree to do this work. There is also a

cable TV road side cabinet next to the street light that will be required to moved. Has permission been sort? Also, if the cars are driven in they have to be reversed out counter to policy. Is there sufficient room for the parking as it boarders the electric substation? Has a risk analysis be carried out for this arrangement?

- 4. This application is a massive over development of this site. It is also in an area where there is pressure on the parking spaces and will result in the neighbours having reduced access to there drives and parking for their visitors.
- Landscape and trees. There are two near mature trees on the site if the parking is allowed would need to be removed. To lose them would change the whole nature and charcter on the area and therefore need to be retained.
- 6. Because to the terrible state of the grounds a full landscape plan needs to be in place. At present the hedge needs to be replaced with appropriate planting as not to change the nature of the landscape. It is an important hedge for the biodiversity of the area. Since this road is close to Whiteshute ridge there are many different birds, mammals, insects etc. if the hedge was replaced with a close boarded fence it would severely impled the travels of endangered hedgehogs etc.
- 7. Conditions, any scaffolding needed in building this development does not require to be erected on the neighbour's land or hang over it.

I would ask that work and tradesman's vehicles are restricted to parking on the site. Without this condition it would make it very difficult for emergency vehicles to get into the area. Unfortunately, there was a house fire so it is a relevant point.

Finally, if the officer is minded to permit this application I would like it referred to the planning committee for a decision

Cllr Brian Laming
Councillor for Badger Farm and Oliver's Battery Ward