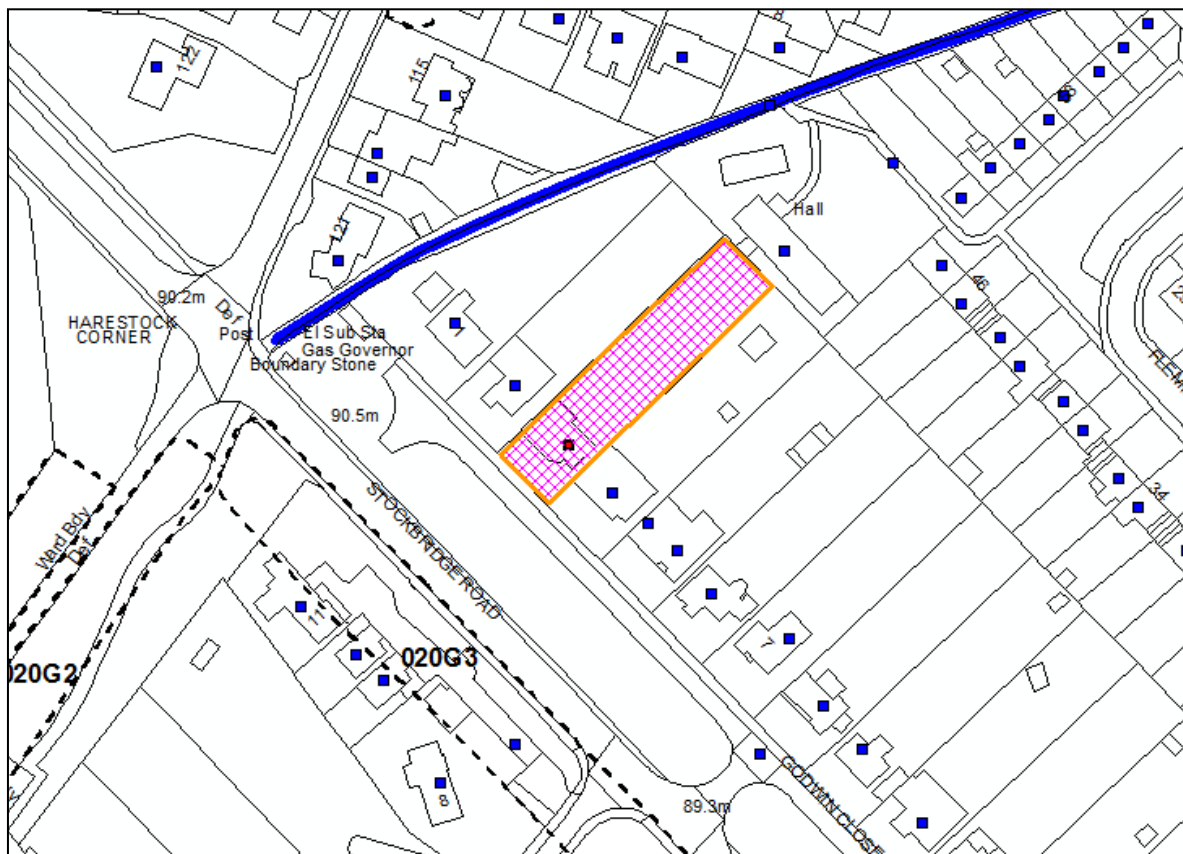


WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Case No:** 22/00231/HOU  
**Proposal Description:** Demolition of existing front porch and rear storage structures; erection of new integrated front porch, single storey rear extension with raised patio and first floor side extension over existing garage (amended plans, amended proposal).  
**Address:** 3 Godwin Close Winchester Hampshire SO22 5JN  
**Ward (Winchester):** St Barnabas  
**Applicants Name:** Mr Lewington  
**Case Officer:** Marge Ballinger  
**Date Valid:** 3 February 2022  
**Recommendation:** Permitted  
**Pre Application Advice** No

**Link to Planning Documents**

<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



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**Case No: 22/00231/HOU**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

### **Reasons for Recommendation**

The development is recommended for permission as it is an area identified in the Local Plan where proposals for redevelopment will be supported, and it will not have a significant detrimental impact on the character of the area or the amenities of the neighbouring properties. The proposal is in accordance with the Local Plan Part 1 Policies DS1, CP10, CP11, CP13, CP14, CP16; and the Local Plan Part 2 Policies DM1, DM15, DM16, DM17, DM18, DM19, the High Quality Places Supplementary Planning Document (2015), National Design Guide (2021), and WCC Residential Parking Standards (2009)

### **General Comments**

The application is reported to Committee because of the number of objections received contrary to the Officer's recommendations.

### **Amendments to Plans Negotiated**

The following drawings were amended to reduce the first floor building works along the northwest (side) elevation by moving it back by 0.5m approximately, and altering the roof to a hipped version. The drawings were subject to a further 21-day publicity period, and letters were mailed out on the 25<sup>th</sup> of April 2022.

- Proposed First Floor & Roof Plans, drawing 03-251 rev A (amended 25 April 2022)
- Proposed Front & Rear Elevations, drawing 03-450 rev B (amended 25 April 2022)
- Proposed Side Elevations, drawing 03-451 rev A (amended 25 April 2022)

The Proposed Block Plan, drawing 03-150 rev A was amended 1 June 2022 to include the alterations from the amended drawings above for clarification.

### **Site Description**

No.3 Godwin Close is a 2-storey detached dwelling located on a small close off the B3049 (Stockbridge Road), northwest of the city centre. Godwin Close is within a residential area with its dwellings built more toward the front of the road with larger long rear gardens. Most of the dwellings have had alterations through the years, with varied materials (red or buff brick, hanging tile, light render, and timber cladding), but the majority of the close has hipped or gabled rooflines. The dwellings have parking spaces within their front gardens, and some have maintained low brick walls and piers with hedge planting. Forward of the dwellings between the close and Stockbridge Road is greenspace with trees and planting. There is a public ROW north of the site (over 40m from the proposal site).

No. 3 has a dual-pitched roof with a large side integral flat-roofed double garage within its side garden. It is built of red brick with white fascia and window/door frames. The front elevation includes hanging tile to first floor level with an open porch built over the front entrance. The front garden includes off-road parking and turning areas for up to 2-3 vehicles. There is a through-access to the rear garden from the southeast side garden. The rear elevation has had a storeroom built behind the garage building and a shallow canopy over part of the rear elevation wall, and remnants of a small coal store (to be demolished). There is a large tree built near the boundary but this is noted to be retained

**Case No: 22/00231/HOU**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

(and there are no TPO'd trees near the site). The rear boundaries have wood fencing with some planting. Central to the rear garden is a timber-built summer house set parallel close to the northwest boundary. The majority of the rear garden is grassed, with a gentle slope down and away from the dwelling (southwest to northeast).

### **Proposal**

The proposal is to demolish the existing front porch and rear storage structures and replace with a new integrated front porch, single storey rear extension with raised patio area and a first floor side extension over existing garage – while upgrading the materials to a more modern palette. The front porch extension will have a flat roof and be built of painted white brick, with all other existing brick painted to match. The first floor hanging tile will be removed and replaced with a narrow natural-stained vertical timber cladding. The pitched portions of the roof will be replaced with slate. The first floor side extension will be set back from the ground floor garage wall by 0.64m and have a hipped roof to front, back and side elevations. The rear ground floor extension will be flat-roofed, and include a patio area built out from ground level that extends along the rear elevation. Parking will be retained along the front of the property with new hardstanding to replace the existing gravel.

### **Relevant Planning History**

None.

### **Consultations**

#### Service Lead for Environment: Drainage Engineer

No objection, but noted that Southern Water must be contacted due to the extension proposal to be built over a public sewer as an informative (no.1).

### **Representations:**

City of Winchester Trust – no comment.

Six Objecting Representations received from different addresses citing the following material planning reasons:

- Overbearing and overshadowing to adjacent property no.2.
- Overlooking from the rear Juliette balcony toward no.2's garden.
- Views from no.2's side-facing study/bedroom window along the horizontal plane will be obstructed.
- Scale of the proposal does not reflect the area's character as most side extensions are ground floor level.
- The proposal will dominate the views from the road.

One Supporting Representations received from different addresses citing the following material planning reasons:

- Proposed design is within a similar scale of the adjacent renovations (no.4); gable compliments the house; considered a 'tasteful modern addition' to the area.

**Case No: 22/00231/HOU**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

Other comments received that are not material to the planning decision as these are considered private matters between neighbours:

- Access for scaffolding, etc. within no.2's property may be required for building works.
- Continued ongoing access to no.2's property for construction and maintenance.

**Relevant Government Planning Policy and Guidance**

National Planning Policy Framework

- Para 7 - the proposal meets the test of sustainable development including the economic, social and environmental objectives.
- Para 47 - planning law requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise.
- Para 119 - planning decisions should promote the effective use of land in meeting the need for homes and other uses while safeguarding and improving the environment and ensuring safe and healthy conditions.

Winchester Local Plan Part 1 – Joint Core Strategy (LPP1). DS1 – Development Strategy and Principles

- DS1 – Development Strategy & Principles
- CP10 – Transport
- CP11 – Sustainable Low and Zero Carbon Built Development
- CP13 – High Quality Design
- CP14 – Effective Use of Land
- CP16 – Biodiversity

Winchester District Local Plan Part 2 – Development Management and Site Allocations

- DM1 – Location of Development
- DM10 – Essential Facilities & Services in the Countryside
- DM15 – Local Distinctiveness
- DM16 – Site Design Criteria
- DM17 – Site Development Principles
- DM18 – Access and Parking
- DM19 – Development and Pollution

Supplementary Planning Document

- National Design Guide 2019
- High Quality Places 2015
- Air Quality SPD September 2021
- Residential Parking Standards December 2009

Other relevant documents

- Climate Emergency Declaration Carbon Neutrality Action Plan 2020-2030
- Statement of Community Involvement 2018 and 2020
- Landscape Character Assessment March 2004 and emerging LCA December 2021
- Biodiversity Action Plan 2021

**Case No: 22/00231/HOU**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Planning Considerations.**

**Principle of development**

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 47 of the National Planning Policy Framework (NPPF, 2021) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The proposal is inside the settlement boundary of Winchester (St Barnabas Ward) and the principle of development is acceptable providing it complies with the relevant policies and material planning considerations.

**Assessment under 2017 EIA Regulations.**

The development does not fall under Schedule I or Schedule II of the 2017 Environmental Impact Assessment Regulations, therefore an Environmental Impact Assessment is not required.

**Impact on Character and Appearance of Area**

Policy DM15 of the Local Plan Part 2 (LPP2) would allow development that respects the qualities, features and characteristics that contribute to the local distinctiveness of the area. Policy DM16 of LPP2 allows development that responds positively to the character and appearance of the area in terms of design, scale and layout. What is considered significant to the public views of Godwin Close is a consistent front building line of the dwellings and no privacy enclosures to front gardens with fencing, walls or gates. The buildings are primarily of a traditional design with a varied roofscape of front-facing gables and hipped rooflines. Some dwellings have built first floor above single garages (no.5, no.7, no.12 Godwin Close), or built along first floor level near to the full width of the site (no.11 and no.13), and one dwelling has amended facing materials to include light render and timber cladding (no.11).

The proposal will provide further living space for a single-family dwelling within two floor levels, to include two further bedrooms and open-plan living space. The proposal includes an infill of the existing front open porch with a flat roof extension over part of the front elevation. The first floor will be extended out from its side over the existing double garage, but stepped back slightly, and retains a traditional hipped/gable roofline similar to the other dwellings along the road. The council's High Quality Places SPD supports the use of contrasting, modern materials in some traditional settings in order to add vitality to the existing setting. Although the materials will be altered to a more modern palette of light painted brick, timber cladding and a slate roof, the materials are considered high-quality and will add interest to the streetscene (similar to no.11). The front boundary hedge is to be retained (and controlled by Condition 4), which will maintain the consistent open views toward front elevations seen along the close.

The design and position of the proposed extensions with its high-quality facing materials is considered to be within scale of the existing site, and to not have a harmful impact on the existing area's character as it preserves more important visual features within the

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

public views along Godwin Close (its linear and uninterrupted building lines along the front, low wall or hedges along front boundaries, traditional building designs), and therefore complies with DM15 and DM16 of the LPP2.

### **Historic Environment**

No Impact, the works do not affect a statutory Listed building or structure including setting; Conservation Areas, Archaeology or Non-designated Heritage Assets including setting.

### **Neighbouring Amenity**

Policy DM17 of the LPP2 lists Site Development Principles that must be followed, including that the proposal must not have an unacceptable adverse impact on adjoining land or neighbouring amenities by reasons of overlooking, overshadowing or overbearing, or any other adverse impact to primary amenity spaces.

The adjacent neighbour northwest (no.2) will have built form at first floor level that extends out over an existing double garage built near the boundary. No.2 is a 2-storey dwelling with a front-facing gabled roof, and a gap to its side boundary toward the proposal site of approximately 3m. The side garden to no.2 has planting and a pathway that leads back toward the rear garden's sitting area. The ground floor of no.2 has side-facing windows, with one of the internal ground floor rooms used as a bedroom/study. Building to full-height as the original drawings proposed would have been considered to have an overshadowing impact to that window, as it was the only natural light source to that room. Therefore, amendments were submitted that moved the first floor back away from the boundary and amended the roof from gable to hip in order to slope away from the neighbour's dwelling. The result has demonstrated that the building lines will be below the rule-of-thumb 45-degree line (shown in the front elevation drawing). Although there was a secondary concern of overbearing to the side garden, the use of the side garden is for access and not considered to be primary outdoor amenity space to no.2, so it would be difficult to refuse the application based upon that concern alone. The amendments, however, reduce some of the building line toward no.2, so no further harmful impact is expected in terms of overbearing or overshadowing to the side garden or bedroom/study window of no.2.

The rear ground floor extension will move 3m out from the rear storeroom behind the garage or 4m out from the original rear elevation of the dwelling. The first floor will be out along the side by 5.1m approximately and extend out from the original dwelling's rear wall by only 1.4m. There are no side-facing windows on this extension facing toward no.2, but just 2 high-level strip windows that are above head height within its ground floor extension. (Permitted development rights will be removed for any further first floor windows, Condition 5).

The rear bedroom in the side extension proposes a Juliet balcony with side lights. No.2 has had a rear ground floor extension, so its primary outdoor amenity space is considered to be immediately behind that extension. However, there are large mature trees to the boundary between no.2-3 that are to be retained, so views up and over the rear extension of no.2 would be restricted, even at first floor level (and at its distance of over 6m away). Although there may be some longer-distance views out toward the rear of the gardens

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

from the Juliette balcony, the impact is not considered to be detrimental as the more primary amenity spaces are nearer the rear elevation.

Beyond the rear ground floor extension is proposed a patio that will wrap around a portion of the rear elevation. With its sloping gardens, a portion of the patio will come approximately 0.85m above existing ground levels. A condition will be added (Condition 6) to include higher fence panels along the boundary to no.2 in order to prevent any potential harmful overlooking issues. (Fence to a height 1.8m higher at least, above the rear patio, or 2.5m above ground level for a length of 7m approximately).

An assessment was done to the potential impacts to the adjacent dwelling southeast (no.4). The majority of the alterations are along its northwest portion of the site, so no further impacts are expected to no.4. Considering all neighbouring dwellings adjacent the proposal site's alterations, no adverse impact is expected in terms of overbearing, overshadowing, loss of privacy or any other amenity issues. Therefore the proposal is in compliance with DM17 of the LPP2.

### **Sustainable Transport**

The proposal will remove one of the garage parking spaces with the internal alterations, but retains parking within an existing parking area for at least 3+ off-road vehicle spaces. The site is also considered sustainable given its location to nearby bus stops and pedestrian access to amenities (shops approximately 1/3 mile walking distance). Therefore the proposal is in compliance with CP10 of the LPP1; and DM18 and DM20 of the LPP2; as well as in compliance with Residential Parking Standards.

### **Ecology and Biodiversity**

In regards to environmental nutrient levels, while the proposed development is within Winchester District where foul water is distributed into the European designated areas Solent SPAs/Ramsar sites via water treatment plants, the proposal is not for additional separate overnight accommodation and so does not trigger an assessment of increased nitrate levels.

The Hampshire Biodiversity Information Centre databases and our own WCC internal ecology databases were reviewed and there are no protected species noted near or within the proposal site. The existing front hedgerow and rear tree will be retained and will be controlled by Condition 4 in order to maintain potential for nesting birds near the site.

It is considered that the proposal therefore complies with LPP1 Policy CP16 (Biodiversity).

### **Sustainable Drainage**

The proposal is within a site that has low risk of pluvial flooding. The drainage engineer was consulted, and no objections were raised. The front hard-standing materials and rear patio materials have not been defined within the application, but a condition will be added to define these materials for clarity (Condition 7) order to prevent any potential water run-off onto neighbouring properties or onto public pathways. Therefore the proposal complies with policy DM17(iii) of the LPP2 (Drainage).

**Case No: 22/00231/HOU**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

## Other Topics

- Access onto adjoining properties was raised within public comments during potential construction works or maintenance as the existing building and proposed extensions are built close to a shared boundary. Planning permission does not automatically give access rights to neighbouring properties. Although the extensions proposed are not building onto any party walls or directly onto shared boundaries, the adjacent neighbouring dwellings are protected by the Party Wall Act 1996. Boundary and property access is considered a private matter between neighbours but guidance will be included as an informative (no.3) within the decision notice.
- The site falls within an area within central Winchester that requires information to address air quality issues in order to comply with WCC Air Quality SPD (September 2021). There is a fireplace within the ground floor of the proposed extension that has been confirmed to either be an electric or gas unit. This is considered acceptable to the proposal as solid fuel (wood or coal) is considered to have a harmful impact to an area that is currently identified as an Air Quality Management Area. Condition 8 was added in order to comply with the SPD and DM19 of the LPP2.

## 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.

## Planning Balance and Conclusion

The extensions proposed are a well-balanced design to extend living space to a single family dwelling. The modern materials proposed are considered acceptable and will add further interest to the streetscene. Consideration has been given to its relationship to the character of the area, residential amenities, and to the host dwelling in terms of size, scale and design. The proposed extensions will not result in adverse overlooking, overbearing or overshadowing impacts to the adjacent dwellings. The application is therefore considered to be acceptable and in accordance with the development plan.

## Recommendation

APPROVE subject to the following conditions:

### Conditions:

Case No: 22/00231/HOU



WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

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

- Location Plan dated 22 Apr 2021
- Proposed Site Plan, drawing 03-150 rev A amended 1 June 2022
- Proposed Ground Floor Plan, drawing 03-250 dated Jan 2022
- Proposed First & Roof Plans, drawing 03-251 rev A amended 22 Apr 2022
- Proposed Front & Rear Elevations, drawing 03-450 rev B amended 22 Apr 2022
- Proposed Side Elevations, drawing 03-451 rev A amended 22 Apr

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be those as detailed in the Materials section of the associated application forms and also noted within the permitted drawings.

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

4. Existing hedgerows and boundary trees shall be protected during construction activity, maintained and retained. If within a period of five years after the proposal is built, the front hedgerow becomes seriously damaged, defective or diseased the hedge should be enhanced or replanted of the same species and size within the next planting season, unless otherwise approved by the Local Planning Authority.

Reason: To maintain the tree/vegetation cover and the contribution that trees/vegetation make to the character and amenity of the area.

5. 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 within the first floor on the northwest or southeast (side) elevations of the extensions approved.

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

6. Before the rear raised patio is brought into use, the wooden fence panels directly adjacent the patio and planters along the northwest boundary shall be raised or rebuilt up to 1.8 above the immediate ground level of the patio, and remain in place for the life of the proposal, unless otherwise agreed in writing by the LPA.

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

**Case No: 22/00231/HOU**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

7. Notwithstanding Condition 3 (Materials), details of the front hardstanding and rear raised patio materials shall be submitted to and approved in writing by the LPA prior to its installation and use.

Reason: To ensure satisfactory provision of surface water drainage.

8. The fireplace installation and use within the approved Ground Floor Plan 03-250 shall be either gas or electric equipment. Any fuel (wood or coal) burners or an open fireplace is not to be installed within the approved extensions unless otherwise agreed in writing by the LPA.

Reason: In order to comply with the WCC Air Quality SPD September 2021 and DM19 of the LPP2.

9. The Juliette balcony within the approved first floor plan (drawing 03-251 rev A) and rear elevation (drawing 03-450 rev B) shall be for door openings only with a fixed balustrade, and not for access, use or creation of a rooftop balcony over the permitted ground floor extension.

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

**Informatives:**

1. Due to the nature of the proposal building over a public sewer, the applicant will need to contact Southern Water. For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119). Website: [southernwater.co.uk](http://southernwater.co.uk) or by email at: [SouthernWaterPlanning@southernwater.co.uk](mailto:SouthernWaterPlanning@southernwater.co.uk)
2. The applicant is advised that one or more of the Conditions attached to this permission need to be formally discharged by the Local Planning Authority before works can commence on site. Details, plans or samples required by Conditions should be submitted to the Council at least 8 weeks in advance of the start date of works to give adequate time for these to be dealt with. If works commence on site before all of the pre-commencement Conditions are discharged then this would constitute commencement of development without the benefit of planning permission and could result in Enforcement action being taken by the Council. The submitted details should be clearly marked with the following information:
  - The name of the planning officer who dealt with application
  - The application case number
  - Your contact details
  - The appropriate feeFurther information, application forms and guidance can be found on the Council's website - [www.winchester.gov.uk](http://www.winchester.gov.uk).
3. 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.

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

4. In accordance with paragraph 38 of the NPPF (2021), 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.
5. The Local Planning Authority has taken account of the following development plan policies and proposals:-  
Local Plan Part 1 Joint Core Strategy: DS1, CP10, CP11, CP13, CP14, CP16  
Local Plan Part 2: DM1, DM15, DM16, DM17, DM18, DM19
6. 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.
7. 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>
8. 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.
9. 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.

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

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>

10. 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>