

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Case No:** 22/00921/HOU  
**Proposal Description:** First floor side extension  
**Address:** 2 Imber Road Winchester Hampshire SO23 0NQ  
**Parish, or Ward if within Winchester City:** St Bartholomew  
**Applicants Name:** Coleman  
**Case Officer:** Cameron Taylor  
**Date Valid:** 29 April 2022  
**Recommendation:** Approve  
**Pre Application Advice** No

**Link to Planning Documents**

22/00921/HOU

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



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**Case No: 22/00921/HOU**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

### **Reasons for Recommendation**

The development is recommended for permission as it is considered that it will not have a significant adverse impact on the character of the area and would not cause significant adverse harm to neighbouring residential amenity in accordance with Local Plan Part 1 Policies DS1, CP13 and CP20; and the Local Plan Part 2 Policies DM1, DM17 and DM18 and the High Quality Places Supplementary Planning Document (2015).

### **General Comments**

Paula Ferguson Ward Councillor, has requested for the application to be determined by Planning Committee, based upon material planning considerations is shown in Appendix 1

### **Site Description**

The property is a two-storey semi-detached dwelling located to the north west of the junction between Imber Road and Winnall Manor Road, with the principal elevation fronting Imber Road along with the driveway feeding into Imber Road. The property is already a licenced 6 bed House of Multiple Occupancy (HMO).

The area is characterised by two-storey semi-detached dwellings which typically are finished in facing brick, with examples of single and two-storey extensions along Imber Road. The site has properties adjoining the northern and western boundary of the site.

### **Proposal**

The proposal is for a first floor extension over an existing single-storey element off the west elevation of the dwelling. The scheme has a gap of around 2.6 metres to the northern boundary and over 2 metres to the western boundary.

### **Relevant Planning History**

No previous planning history

### **Consultations**

#### Consultee:

#### WCC Private Sector Housing

No Objection: "The property is currently a licenced HMO for up to 6 occupants (a student shared house). There are some bedrooms which no longer meet the minimum size requirement. Therefore the landlord will be obliged to carry out works to remedy this, or reduce the number of occupants. The plans proposed should meet required standards for the HMO licence."

### **Representations:**

Councillors – Paula Ferguson

- Objects to the proposal and requested for the application to go to committee, see appendix 1 for comments.

**Case No: 22/00921/HOU**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

City of Winchester Trust:

- No Objection but concerns regarding intensification of the HMO.

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

- Residential amenity
  - Overshadowing
  - Noise and disturbance impacts
- Highways
  - Not ample parking available
- Use as a HMO
  - Disturbance created by tenants
- Not material
  - Maintenance and upkeep of the property
  - Structural stability of the existing foundations

### **Relevant Government Planning Policy and Guidance**

#### National Planning Policy Framework

- Paragraph 47

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

- MTRA1 - Other Settlements in Market Towns and Rural Area
- CP13 - High Quality Design

#### Winchester District 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

National Design Guide 2019

High Quality Places 2015

Air Quality SPD September 2021

#### Other relevant documents

Climate Emergency Declaration Carbon Neutrality Action Plan 2020 – 2030

Statement of Community Involvement 2018 and 2020

### **Planning Considerations**

#### **Principle of development**

**Case No: 22/00921/HOU**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

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 site is located within the settlement boundary of Winchester where the principle of development is acceptable, provided it is in accordance with the policies of the development plans. The proposal retains the same number of bedrooms as it is licenced for. The property has a licence as a 6 bed HMO and this is not being affected which was completed under permitted development prior to the Article 4 Direction removing the permitted development rights for a change of use for a HMO and has been a licenced HMO ever since then. The main consideration of the application is therefore to assess the built form and impact of the extension.

**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**

The site is located within an area of two-storey semi-detached dwellings, being a corner plot at the junction of Imber Road and Winnall Manor Road.

The proposed first floor extension is located over the top of an existing ground floor element off the west elevation. The proposed extension will be readily visible from the public realm and retains a gap to the western boundary.

The extension will have a similar footprint to the ground floor element with a small overhang to the rear, with a simple flat roof approach and with it being cedar clad. This will distinguish the proposal from the host dwelling, with its scale and appearance creating a distinguished subservient extension which is not considered to cause significant adverse harm to the character and appearance of the property and surrounding area.

Therefore the proposal complies with policy DM15 and DM16 of the LPP2.

**Development affecting the South Downs National Park**

The application site is located over 0.3km from the South Downs National Park located to the west of the site across the opposite side of the M3.

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) updated 2021. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

Due to its distance from the park and the relatively modest scale of development within a built up settlement, it is not considered that the development will affect any land within the National Park and is in accordance with Section 11a of the National Parks and Access to the Countryside Act 1949.

### **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**

The property has 2 adjoining neighbouring properties, one to the north of the site and the second to the west.

The proposal includes 2 additional glazing elements at a first floor level to the extension, with the glazing to the principal elevation being full height glazing looking onto the public realm. The second element of glazing is a high level obscure glazing off the west elevation. Therefore given the location and glazing units proposed, it is considered that the proposal will not cause significant adverse overlooking impacts.

The proposed extension is of a modest scale with a flat roof, retaining a gap of over 2.6 metres to the northern boundary, with the use of cedar cladding to soften the appearance of the proposal. Therefore given the location and orientation of the site and neighbouring properties in relation to the extension along with scale and appearance of the proposal, it is considered that the proposal will not cause significant adverse overbearing or overshadowing impacts.

Noise and disturbance to this property will not be affected as the proposal retains the same number of bedrooms as it is licenced. The property has a licence as a 6 bed HMO and this is not being affected, the works will simply provide more suitable sized rooms for the occupants, therefore the scheme will not cause disturbance greater than existing as the site has the same level of use.

Therefore the proposal is considered to not have a significant adverse impact on surrounding residential amenity, therefore complying with policy DM17 of the LPP2.

### **Sustainable Transport**

The site has a driveway which can accommodate at least 1 allocated space with good access to public transport and services. The site currently is a 6 bed HMO and the number of bedroom will not be increased by the proposed development. Therefore the proposal will have no impact on highway safety or parking greater than what is existing on the site. Therefore the proposal complies with policy DM18.

### **Ecology and Biodiversity**

The proposal will have no impact as it is not Development within, bordering or in close proximity to a European Protected Site (I.e. River Itchen SAC, The Solent SAC, SPAs, Ramsar Sites) or is not overnight accommodation affecting Nitrates.

**Case No: 22/00921/HOU**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

Due to the nature of the development and the distance between the application site and the European Protected Site of the Solent SAC and SPA and the River Itchen SAC, an Appropriate Assessment under the Conservation of Habitats & Species (Amendment) Regulations 2011 is not required.

### **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 proposed extension to the property is acceptable in terms of its impact on the character of the area and would not cause significant adverse harm to the surrounding residential amenity and complies with the policies of the adopted Development Plan.

### **Recommendation**

Application Permitted subject to the following conditions:

#### **Conditions**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

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

- Proposed Plans0 Dwg No. 754/04/103 - Received
- Proposed Elevations- Dwg No. 754/04/104 – Received

Reason: For the avoidance of doubt, to ensure that the proposed development is carried out in accordance with the plans and documents from which the permission relates to comply with Section 91 of the Town and Country Planning Act 1990.

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

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

#### **Informative:**

**Case No: 22/00921/HOU**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

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, MTRA1

Local Plan Part 2 - Development Management and Site Allocations: 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. Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

5. During Construction, no materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Protection Team, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.

6. Please be respectful to your neighbours and the environment when carrying out your development. Ensure that the site is well organised, clean and tidy and that facilities, stored materials, vehicles and plant are located to minimise disruption. Please consider the impact on your neighbours by informing them of the works and minimising air, light and noise pollution and minimising the impact of deliveries, parking and working on public or private roads. Any damage to these areas should be remediated as soon as is practically possible.

For further advice, please refer to the Construction Code of Practise

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

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

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Appendix 1- Councillor Referral letter and comments**

City Councillor's request that a Planning Application be considered by  
the Planning Committee

<b>Request from Councillor:</b> Cllr. Paula Ferguson, St Bartholomew Ward
<b>Case Number:</b> 22/00921/HOU2
<b>Site Address:</b>  2 <del>Imber</del> Rd, Winnall. Winchester
<b>Proposal Description:</b> 2 <sup>nd</sup> storey extension to create an additional bedroom.
<b>Requests that the item be considered by the Planning Committee for the following material planning reasons:</b>  A number of residents, including the long-term residents of the attached property at no 67 Winnall Manor Rd, have contacted us about this planning application, raising their concerns/objections about the further extension of what was a 2 bedroom home to a large HMO that will accommodate up to 6 students.  The exterior of 2 <del>Imber</del> Rd is not well maintained and the neighbours report some anti-social behaviour. They are particularly concerned that if another bedroom is added this will lead to further pressure on parking, more noise, disturbance, and other anti-social behaviour. While 5 written objections have been lodged, we are aware that some residents feel unable/uncomfortable voicing their concerns in writing. They are therefore looking to me and my fellow Ward Councillors, Cllr Becker and Cllr Tippet-Cooper to represent them.  Under the council constitution I am therefore requesting that this application be determined by the planning committee so they can carefully consider the impact it will have on the immediate neighbours at 67 Winnall Manor Rd and the wider neighbourhood amenity.  I would ask the committee to note that the plans provided do not show that this is a semi-detached property, and the proposed extension will have a material impact on the attached property at No 67 Winnall Manor Rd. Given the shape of these two properties, the extension will cause an imbalance between the two halves of the building. The garden of the long-term residents at no 67 will feel more enclosed and there will be a loss of amenity with some loss of sunlight and a loss of privacy. It is also important to note this property has already been extended when the outside coal shed was incorporated into the main body of the building to create a shower block.  We would also ask the planning committee to consider whether allowing the extension of this existing HMO will set a precedent for other HMOs in the

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

Winnall area. There has already been another application for a 2-storey extension of an existing HMO in Baigent Close where a significant number of residents also raised their concerns,

Residents are legitimately concerned that larger HMOs have a negative impact on neighbouring properties and the wider community. Their gardens are often poorly maintained, bins are left on the streets, ~~there~~ can be increased noise and anti-social behaviour, and increased pressure on parking. All of this affects the long-term, full-time residents. As the ward councillors, we are concerned that much needed two/three-bedroom family homes are being permanently lost where a landlord purchases a property anticipating they will be able to successfully apply to extend that home to one that can accommodate 6 or more students.

- Whilst requests will be accepted up to the determination of the application, Members should make their request as quickly as possible and preferably within the publicity period of the application. Otherwise the case may be determined under delegated powers soon after the expiry of the publicity period. The committee date for the application will depend upon when the request is received in relation to the committee cycle.
- It would be helpful if Members can indicate their preferred outcome to avoid it going to the committee unnecessarily
- Members should note that referral of an item to the Committee will require consideration as to whether a declaration of interests and / or pre-determination and bias may be necessary. If you require advice, please contact the appropriate Democratic Services Officer, prior to the meeting. *Councillors are reminded of their obligations to declare disclosable pecuniary interests, personal and/or prejudicial interests, and on Predetermination or Bias in accordance with legislation and the Council's Code of Conduct.*

**Once completed, please email this form to the relevant Planning Case Officer and the Service Lead: Built Environment**