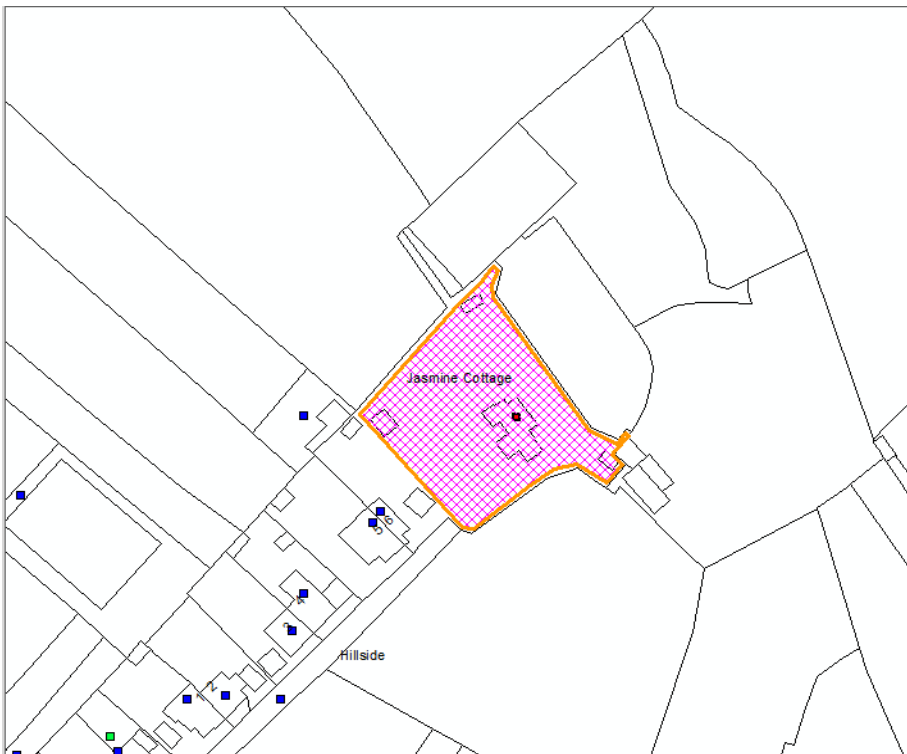


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**Case No:** 23/00841/HOU  
**Proposal Description:** The proposed extension and refurbishment of an existing early 21st century, detached, four-bedroom dwelling with a detached double garage to include the demolition of existing extensions on all sides, the internal reconfiguration of the main dwelling, the addition of both single-storey extension and two-storey extensions, and the addition of an annex to the existing double garage.  
**Address:** Jasmine Cottage, Hillside, Kitnocks Hill, Curdridge, Southampton  
**Parish, or Ward if within Winchester City:** Curdridge PC  
**Applicants Name:** Mr Chris Norman  
**Case Officer:** Cameron Finch  
**Date Valid:** 30 March 2023  
**Recommendation:** Permit  
**Pre Application Advice** Yes

**Link to Planning Documents**

Link to page – enter in reference number 23/00841/HOU  
<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



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## Reasons for Recommendation

The development is recommended for permission as it is considered that it is acceptable in terms of its impact on the character of the area and would not harm neighbouring residential amenity and complies with the policies of the adopted Development Plan.

## General Comments

The application is reported to Committee following a request by Councillor Sudhakar Achwal based upon material planning considerations as shown in Appendix 1.

## Amendments to Plans Negotiated

Amended plans were submitted 31.05.2023 to show additional planting along the South Western boundary adjacent to the garage. The amendments shown could be completed without the benefit of planning permission and a further period of formal consultation was not required, however it is noted that additional representation from neighbours was received on the amended plans.

## Site Description

Jasmine Cottage is a detached dwelling within a countryside location which sits at the end of a rural track. The dwelling is served by a large driveway. There are a small number of neighbouring dwellings to the South West of the proposal site, however the predominant character of the area is rural.

The proposal site is generously sized. The ground level slopes off gently from the North-Western end of the site off to the South and South East, The Eastern and Southern boundary looks out over open fields. The Northern boundary is defined by mature trees and hedges whilst a timber panel fence defines the Western boundary shared with 6 Hillside.

The host dwelling has been expanded extensively overtime with a variety of extensions. A garage has been constructed in the North Western corner of the site.

## Proposal

The proposal seeks to develop the property by demolishing the existing extensions and constructing two storey and single storey extensions to provide a consistent character across the dwelling. An intersecting gable roof is utilised at the first floor. At the single storey level flat roofs are utilised. The external walls of the dwelling are finished with a mixture of dark grey timber cladding, corten steel, clay tile hanging to match the host dwelling and facing red brick.

The existing double garage is extended to provide a residential annexe with one bedroom. The roof is raised with a ridge to sit at approximately 4.9 metres. The proposal utilises a gabled roof form. External walls of the garage and annexe are finished with dark grey timber cladding.

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**Relevant Planning History**

- (78/01680/OLD) (PERMITTED) Erection of garage
- (84/00589/OLD) (PERMITTED) Erection of 2 storey rear extension
- (89/01771/OLD) (PERMITTED) Two storey extension, single storey extension and bay window
- (89/01772/OLD) (PERMITTED) Two storey extension and detached garage
- (90/01305/OLD) (PERMITTED) Two sectional timber stables
- (91/01106/OLD) (PERMITTED) Single storey front and side extensions
- (17/00513/FUL) (PERMITTED) All Weather Riding Arena

**Representations:**

Curdrige Parish Council:

Resolved to notify WCC that Council's objection to this application is that the 4m gable end will be extremely close to the neighbour's property and will cause the loss of light; it is felt that an alternative design such as a hip roof would alleviate this problem. If minded to permit this application Curdrige Parish Council would request that WCC ensures a condition is attached to any permission granted to ensure that the annexe cannot be converted into a separate domestic dwelling/living accommodation in future"

Councillor Sudhakar Achwal – Whiteley and Shedfield Ward

– Comments attached as an appendix received 23.06.2023.

4 Objecting Representations received from 2 different addresses citing the following material planning reasons:

- The height of the garage is overdevelopment. It is overbearing on neighbouring dwelling.
- The garage overshadows a summerhouse at a neighbouring dwelling.
- The proposed external materials are out of character with the surrounding area.

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

- The proposed development enhances the character and appearance of the dwelling.
- The proposal is mindful of the character and appearance of the surrounding area.

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**Relevant Government Planning Policy and Guidance**

National Planning Policy Framework

Section 12 of the National Planning Policy Framework 2021

National Planning Practice Guidance

Design process and tools

Determining a planning application

Winchester Local Plan Part 1 – Joint Core Strategy (LPP1).

- DS1 – Development Strategy and Principles
- CP13 – High Quality Design
- CP16 - Biodiversity
- MTRA4 – Development in the Countryside

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

- DM3 – Small Dwellings in the Countryside
- DM15 – Local Distinctiveness
- DM16 – Site Design Criteria
- DM17 – Site Development Principles
- DM18 – Access and Parking
- DM23 – Rural Character
- DM24 – Special Trees, Important Hedgerows and Ancient Woodlands

Supplementary Planning Document

National Design Guide 2019

Car Parking Standards 2009

High Quality Places 2015

Other relevant documents

CLIMATE EMERGENCY DECLARATION CARBON NEUTRALITY ACTION PLAN 2020 – 2030

Statement of Community Involvement 2018 and 2020

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## **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 application site is outside of a defined settlement boundary. In this area, policy DM3 seeks to protect small dwellings in the countryside. The property has an existing floor space above 120sqm and is therefore not bound by the size limitations within this policy.

The principle of development is therefore acceptable subject to compliance with the Development Plan as a whole 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**

The proposed extensions to the host dwelling are considered to be in proportion with existing development. The use of consistent roof form ensures that there is a cohesive appearance to the dwelling. The proposed development enhances the external appearance of the house. The development utilises contrasting materials, however they relate to the more contemporary character of the scheme and are considered acceptable. There is some reference to the established context of the site which ensures a relationship to the character. The development is not widely visible within the landscape due to long range screening provided by mature trees at the site boundary and beyond. It is not visible from within the street scene. Overall the extensions to the house are considered acceptable.

The proposed garage is located close to the boundary with 6 Hillside. It is considered the side of the roof is visible from the access road to the house, however it is not considered to have a significant impact on the wider area. The use of a darker timber settles the structure against a backdrop of trees. Reference is made to established character through the use of a familiar roof form. Whilst the extension is large, it is not considered to cause over development within the generously sized site. A small number of trees require felling to accommodate the development. As there are a significant number of trees on site as existing, it is not considered this would cause significant harm to the character and appearance of the surrounding area. The proposed living space is in close enough proximity that there is considered to be sufficient connectivity with the host dwelling. It is considered subservient to the host dwelling. A condition is recommended to confirm the use of the annexe and to prevent severing from the host dwelling [Condition 04].

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Overall, it is not considered that the proposed development is highly visible within the context of the wider rural landscape. It is not considered that the overall character and appearance of the surrounding area is harmed by the proposed development. There are no public rights of way within the immediate surrounding area.

There is sufficient space to accommodate more than three vehicles within the site in accordance with adopted car parking standards.

The proposal complies with policies DM15 – Local Distinctiveness, DM16 – Site Design Criteria, DM17 – Site Development Principles and DM23 – Rural Character.

### **Development affecting the South Downs National Park**

The application site is located 4.05km from the South Downs National Park

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.

Due to the intervening features and distance there is no adverse impact on the National Park or its statutory purposes.

In conclusion therefore the development will not 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**

The proposed works do not affect a statutory listed building or structure including setting; it is not sited within a Conservation Area, and does not impact upon Archaeology or Non-designated Heritage Assets including setting.

### **Neighbouring amenity**

6 Hillside is the neighbouring dwelling to the South West of the proposal site. The boundary is defined by a timber panel fence with a mature hedge atop part of the fence towards the front of the site. A shallow gradient slopes from the North West to the South East.

The host dwelling is sited a sufficient distance from the boundary that it is not considered that the proposed extensions to the dwelling causes harm by overbearing, overlooking and overshadowing.

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The proposed extension to the garage sits approximately a metre off the boundary with this dwelling.

The development sits adjacent to a summerhouse sited at the rear of this dwelling. The proposed garage is visible from the rear of this dwelling as it sits well above the fence line. Whilst the increase in built form is of significance, the garage is sited away from the key amenity space of the dwelling and the immediate rear patio. It is considered that there is some limited overshadowing in this corner of the garden in the early morning, however a vast majority of the garden is not impacted by the overshadowing impact and this is not sustained throughout the day; evening sun is not impacted. It is considered that the harm is not at a level that a refusal would be justified and key amenity space is not impacted.

The proposed extensions to the garage are visible from within the rear garden. The height of the eaves are low which is considered to provide a reduced sense of scale. Whilst the garage is visible from the immediate rear of the dwelling it is not considered to be overbearing on key amenity space.

It is not considered the proposed development causes a harmful overbearing impact. As the structure is single storey it is not considered there is an overlooking impact.

An amended plan has been submitted to show screening provided on the boundary by tall bamboo. This is a response to neighbouring comments by the applicant.

The installation of the bamboo would not require planning permission in itself and is not considered necessary as a mitigation measure; the proposal is considered by officers to be acceptable without the need for planting mitigation such as a bamboo screen. As a result, whilst the bamboo is shown on the plans to provide flexibility for the neighbouring property and applicant, a condition is not included to enforce its installation or maintenance.

There are no further dwellings within the immediate surroundings of the dwelling.

The proposal complies with policy DM17 – Site Development Principles of WDLPP2.

### **Sustainable Transport**

The proposal will increase the size of the existing dwelling but retains sufficient parking on site to comply with the recommendations of the WCC Parking Standards and vehicles can continue to move within and exit the site in a safe manner. Therefore the proposal is in compliance with CP10 of the LPP1 and DM18 of the LPP2.

### **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) and is not overnight accommodation affecting Nitrates.

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.

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A survey submitted to support the application shows that the roof of the dwelling showed no evidence of the presence of bats. In this case, due to the rural location of the proposal site, it is considered reasonably likely there would be bats within the surrounding area. To prevent any harm caused by the development to foraging bats, a condition to control external lighting is recommended.

Therefore the proposal complies with policy CP16 – Biodiversity of LPP1.

### **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**

It is considered that this design is acceptable in relation to the dwelling and would not result in a detrimental feature in the street scene.

This proposal does not result in any material planning harm on surrounding residential amenities.

Therefore this is acceptable in relation to relevant planning policy.

### **Recommendation**

Application Permitted subject to the following condition(s):

#### **Conditions**

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

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

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

Location Plan received 30 March 2023

Block/Site Plan received 30 March 2023

Proposed Site Plan received 31 May 2023 drawing no. 0407-150 REV P2

Proposed Ground Floor Plan received 30 March 2023 drawing no. 0407-250

Proposed First Floor Plan received 30 March 2023 drawing no. 0407-251

Proposed Roof Plan received 30 March 2023 drawing no. 0407-252

Proposed Annex Plan received 31 May 2023 drawing no. 0407-253 REV P3

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Proposed Annex Plan received 30 March 2023 drawing no. 0407-254  
Proposed Elevations received 30 March 2023 drawing no. 0407-450  
Proposed Elevations received 30 March 2023 drawing no. 0407-452  
Proposed Elevations received 31 May 2023 drawing no. 0407-452 REV P2

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

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

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

04 The annex hereby permitted shall be occupied in association with the dwelling house or shall be used for the purposes ancillary to the dwelling house. At no time shall the annex be occupied as an independent unit of accommodation.

Reason: To accord with the terms of the application and to prevent the creation of inappropriate units of accommodation, possibly leading to over intensive use of the site.

05 Prior to the installation of any external lighting, details of locations and specifications must be submitted to and approved in writing by the Local Planning Authority.

Reason: The site is in a sensitive location and lighting may impact upon surrounding habitats and species.

**Informative:**

In accordance with the NPPF, 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.

The Local Planning Authority has taken account of the following development plan policies and proposals:-

Local Plan Part 1 - Joint Core Strategy: DS1, CP13, MTRA4,

Local Plan Part 2 - Development Management and Site Allocations: DM3, DM15, DM16, DM17, DM18, DM23, DM24

Car Parking Standards Supplementary Planning Document (2009)

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

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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.

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.

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.

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>

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))

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**Appendix 1**

<b>Request from Councillor:</b> Sudhakar Achwal
<b>Case Number:</b> <a href="#">23/00841/HOU</a>
<b>Site Address:</b> Jasmin cottage, Curdridge
<b>Proposal Description:</b>  The proposed extension and refurbishment of an existing early 21st century, detached, four-bedroom dwelling with a detached double garage.
<b>Requests that the item be considered by the Planning Committee for the following material planning reasons:</b>  The Curdridge parish council have objected on the grounds of significant loss of light from the gable end of the garage to the neighbouring property.