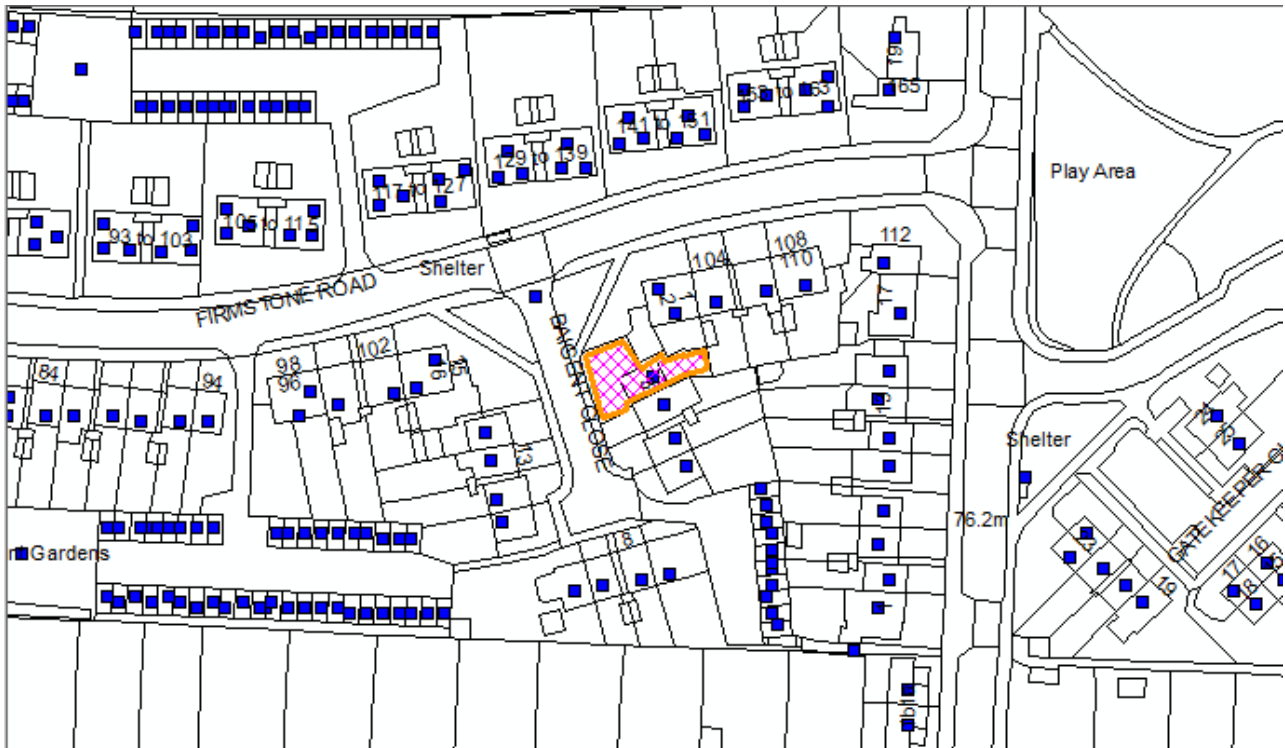


WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 22/00185/FUL
Proposal Description: Construction of 2-storey side extension to existing 4-bedroom small HMO (Use Class C4) to provide 2 additional bedrooms.
Address: 3 Baigent Close, Winchester, SO23 0PE
Parish, or Ward if within Winchester City: St Bartholomew
Applicants Name: Mr & Mrs J Cooper
Case Officer: Cameron Finch
Date Valid: 9 February 2022
Recommendation: Permit
Pre Application Advice Yes

Link to Planning Documents

[Link to page – enter in reference number 22/00185/FUL](https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple)
<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



© Crown Copyright and database rights Winchester City Council Licence 100019531

Case No: 22/00185/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

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 due to the number of objections received contrary to the Officer's recommendation.

The host dwelling is currently in use as a House of Multiple Occupation (HMO) (Use Class C4). This application is only related to the proposed extension to the property

The property would remain a Class C4 HMO if the application is approved. If the applicant wishes to increase the number of residents within the property above 6 persons, an application would be required for a 'Large HMO' Use Class.

Amendments to Plans Negotiated

Revised plans were initially submitted in November 2022 which made minor changes to the elevations of the proposed extension. A shadowing survey was also submitted alongside these plans to support the application.

Further amendments to the scheme were requested and received 15th June 2023. The amendments further alter the proposed built form of the extension. The extension is reduced in width with a step in between the ground and first floor elements. Both amended schemes were readvertised to neighbours and interested parties to allow further comment.

Site Description

The host dwelling is sited within Winnall. It forms an end of terrace on the corner of Baigent Close and Firmstone Road. Dwellings within this row and the surrounding street scene are relatively uniform in character and appearance. The dwelling is set at an elevated position in relation to the street scene. A small area of informal green space abuts the boundary to the North which is defined by a close boarded timber fence. This also defines the Western boundary with the street on Baigent Close. Neighbouring dwellings are sited to the North East of the proposal site, however the layout of rear garden means that the amenity of one neighbouring dwelling sits directly adjacent to the side garden area of three Baigent Close to the East. This boundary is defined by a tall brick wall. Parking in the surrounding area is currently provided by a permit scheme on the street.

Case No: 22/00185/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Proposal

The proposal seeks to construct a two storey side extension to provide additional living space. The extension sits off the northern (side) elevation and addresses both Baigent Close and Firmstone Road. The two storey element utilises a gable end with the ridge height set below that of the host dwelling. At the ground floor the proposal extends slightly past the principle elevation with the resultant roof finished with a shallow slope. The rear elevation sits adjacent to the boundary with the garden of 2 Baigent Close. Windows are inserted at the ground and first floors on the Western and Northern elevation. A first floor Eastern facing window is proposed to serve a hallway. The extension utilises materials to match the host dwelling, with external walls finished in facing brick and the roof finished with clay tile. Fenestration is finished with white UPVC frames to match the host dwelling.

The proposal also seeks to remove part of the boundary hedge to accommodate two parking spaces to the front of the dwelling. Replacement planting is proposed within the front and side garden to mitigate this.

Relevant Planning History

None.

Consultations

None

Representations:

City of Winchester

Comment:

November 2022 - The revisions to the original 2022 proposal are barely perceptible and no effort has been made to explain how they are meant to resolve the substantial objections. The Trust objects to this application to expand an HMO in this way thereby detracting even further from the original scale and purpose of the local area. The extension would have a negative impact on the amenity of neighbouring properties through increased noise, overlooking, overshadowing, late night activities and parking problems.

June 2023 – No Comment Received

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

- Development overshadows neighbouring dwellings, 1 and 2 Baigent Close.
- Potential noise pollution from residents of the dwelling.
- Extension is overbearing on neighbouring dwellings and overdevelops its surroundings.
- Development causes further pressures on local parking.

Case No: 22/00185/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

0 Supporting Representations received

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
- DS1 – Development Strategy and Principles
- CP13 – High Quality Design

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

- 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

Car Parking Standards 2009

Other relevant documents

CLIMATE EMERGENCY DECLARATION CARBON NEUTRALITY ACTION PLAN 2020 – 2030

Statement of Community Involvement 2018 and 2020

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 within the defined settlement boundary of Winchester where the principle of expanding existing residential properties is acceptable subject to compliance with the Development Plan and material planning considerations.

Case No: 22/00185/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

The principle of development is therefore acceptable subject to compliance with the Development Plan as a whole and Material Planning Considerations.

The host dwelling is already operating with a C4 use (HMO) and does not require a change of use. This application considers the extension to the dwelling/HMO only.

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 development is a subservient addition to the host dwelling. The extension represents a visible increase in the extent of built form within the surrounding area, however it is not considered that it causes overdevelopment. The scale, massing and design form is in proportion with the host dwelling and surrounding buildings with clear definition between the host and the extension. The extension has been set back away from the Northern and Western boundaries which are the most visible within the street scene. This ensures that the proposal does not appear harmful by way of its elevated position within the street scene by keeping the extent of development away from the publically visible boundaries. This also ensures the retention of important greenspace which is characterful of this part of the street scene and maintains a buffer between the highway and the built form. It is not considered that the proposed extension is of a size or scale that it causes harm to the character and appearance of the surrounding area.

The design form and material proposed is considered to relate to the established context of the surrounding area. Whilst the development does break the symmetry with dwellings on the other side of Baigent Close, its setting back away from the highway and the retention of natural screening largely ensures that this is not a harmful impact. This also mitigates the potential visual prominence caused by the change in levels. There is limited low level screening at the Northern boundary which will soften the appearance of the extension within the street scene. Materials are to match the host dwelling which ensures a consistent visual relationship with the host and neighbours and further helps to settle the extension within its surroundings. The removal of part of the hedge to accommodate the proposed driveway is not considered to cause significant harm to the character of the dwelling or street scene as there is variation in the appearance of front boundaries within the surrounding area.

Overall it is not considered that the proposal has a harmful visual impact upon the character and appearance of the surrounding area. The proposal complies with policies DM15 – Local Distinctiveness, DM16 – Site Design Criteria and DM17 – Site Development Principles of the Local Plan Part 2.

Development affecting the South Downs National Park

The application site is located 0.48km from the South Downs National Park

Government policy relating to National Parks is set out in English National Parks and the
Case No: 22/00185/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

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.

The proposal is sited within an existing urbanised area and is not considered to have an impact on the park. 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 their setting; it is not sited within a Conservation Area, and does not impact upon Archaeology or non-designated Heritage Assets including their setting.

Neighbouring amenity

The proposed extension sits up against the boundary wall with 2 Baigent Close to the East of the proposals. The rear garden of this dwelling sits at a lower ground level to the proposal site. The applicants have provided shadow analysis which shows that there will not be a sustained overshadowing impact on this dwelling as a result of the proposed extension. The extension does not directly impact light into Western facing windows of this dwelling; an overshadowing impact has already been observed in the morning due to the layout of development and the change in ground levels and the proposed extension is not considered to impact upon light from midday onwards. There is potential for a limited impact upon evening sunlight to the rear of the garden directly adjacent to the extension, however it is not considered that this impacts upon the key amenity space of the dwelling. Whilst there are limited impacts caused by the proposed extension, it is not considered that a refusal based on overshadowing is justified. It is considered sufficient light is afforded to the amenity space of this neighbour from midday onwards.

The extension represents a visible increase in built form on the boundary, however it is not considered to completely enclose the garden of this dwelling. The built form of the amended plans has reduced the amount of brick wall on the boundary with this neighbour with clear views out still available to the South and the North West. The proposed extension does not reach the full height of the host and it is considered that this subservience is sufficient to prevent a harmful overbearing impact upon this neighbour. The existing shed on the Northern boundary with this garden is to be demolished to reduce some of the existing visible built form.

An Eastern facing first floor window is proposed to serve a hallway. It is not considered that this causes a sustained overlooking impact, however to remove the possibility for overlooking on gardens to the East, a condition is recommended to ensure it is obscure glazed and non-opening.

Case No: 22/00185/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

The proposed extension is visible from the rear gardens of dwellings to the East. It is considered the extension is sited a sufficient distance from the amenity of these neighbours to prevent harm by overshadowing. The layout of development and the topography of the surrounding area has created an existing overshadowing impact which is not aggravated by this proposal. It is not considered that the proposed extension is of a size or scale that causes an overbearing impact on this dwelling.

The proposed extension is not highly visible from the attached neighbouring dwellings to the South and does not cause harm by overbearing, overlooking or overshadowing. It is not considered that dwellings sited further away to the West and North are impacted by the proposed extension.

The dwelling is already used as an HMO; general domestic noise is produced by using the HMO residentially but it is not considered that the proposed extension would materially increase the impact or harm from a larger HMO from increased activity. It is considered unreasonable and without evidence to refuse the application based on the generation of domestic noise.

Therefore the proposal complies with policy DM17 – Site Development Principles.

Sustainable Transport

The proposal site falls within the Winchester air quality control area covered by the Air Quality Supplementary Planning Document (SPD) (2021), however in accordance with the Impact Screening Thresholds of the SPD the development does not fall within the parameters that require an air quality assessment.

The proposed development adds to allocated parking spaces on site for this property. It is not considered that the proposed parking spaces would be to the detriment of users of the highway. This provision is in addition to the permit scheme within the surrounding area is considered sufficient to meet the requirements of adopted car parking standards. The site is also highly accessible with bus routes into the city centre and to the train station within a five minute walk of the site. It is considered that the proposal is compliant with adopted car parking standards and policy DM18 – Access and Parking.

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 an additional unit of 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.

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

Case No: 22/00185/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

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

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 permitted shall be constructed in accordance with the following plans:

Location Plan received 13 June 2023

Block Plan received 13 June 2023

Proposed Floor Plans received 13 June 2023 drawing no. 827/2B

Proposed Elevations received 13 June 2023 drawing no. 827/3B

Site Plan received 13 June 2023 drawing no. 827/4A

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 extension hereby permitted shall match those used in the existing building.

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

Case No: 22/00185/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

4 - The first floor window(s) serving the hallway in the east elevation of the first floor extension hereby permitted shall be glazed with obscure glass which achieves an obscuration level at least equivalent to Pilkington Obscure Glass Privacy Level 4 and non-opening, unless otherwise agreed in writing by the local planning authority, and the glazing shall thereafter be retained in this condition at all times.

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

Informative:

1.

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.

2.

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

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

Local Plan Part 2 – Development Management and Site Allocations: DM15, DM16, DM17, DM18

Car Parking Standards Supplementary Planning Document (2009)

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

Case No: 22/00185/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

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)