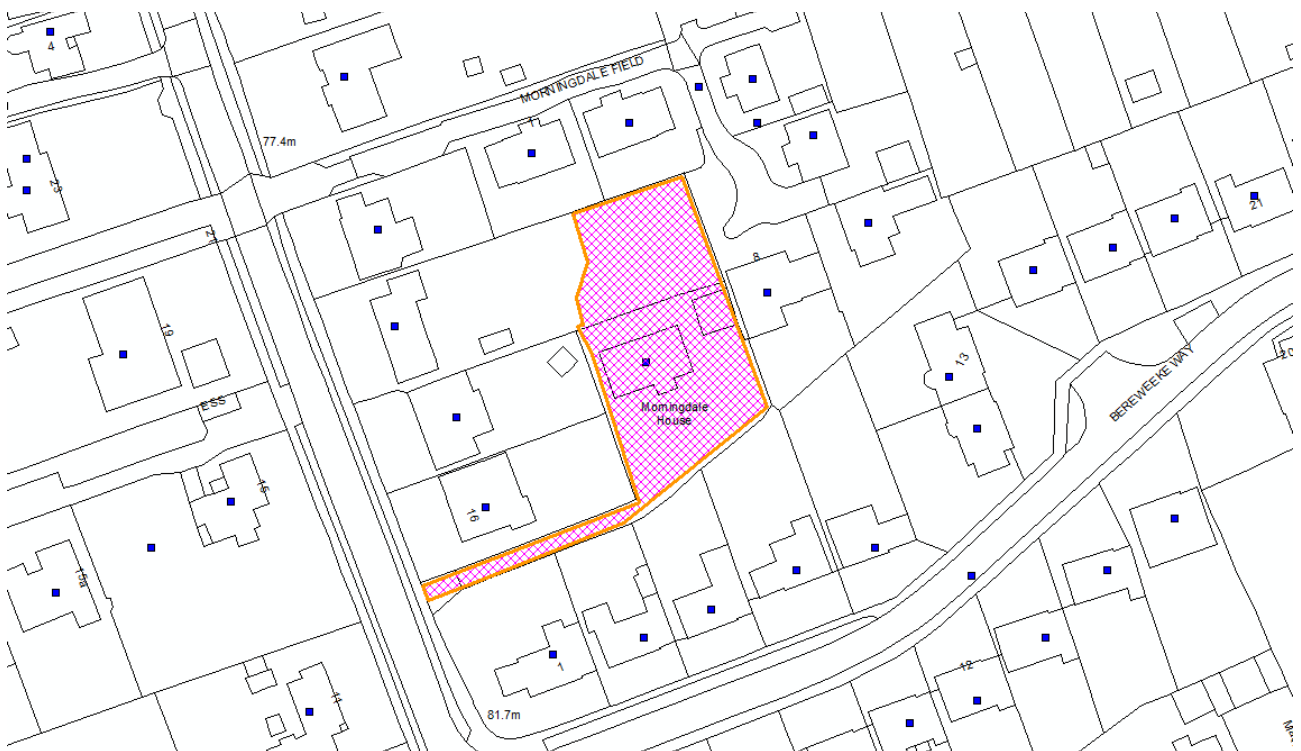


WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 23/02814/HOU
Proposal Description: Proposed 2.5-storey extension to existing dwellinghouse with internal refurbishments, new dormer windows, and portico.
Address: Morningdale House Berewecke Avenue Winchester Hampshire SO22 6FF
Parish, or Ward if within Winchester City: St Barnabas
Applicants Name: Mr David Miles
Case Officer: Mrs Megan Osborn
Date Valid: 1 December 2023
Recommendation: Application Permitted
Pre Application Advice No

Link to Planning Documents

[Link to page – enter in reference number 23/02814/HOU](https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple)
<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 the proposed extension would not result in a harmful impact on the character of the existing house or surrounding area and will therefore be in accordance with Policies DM15 and DM16 of the LLP2 and would not harm neighbouring residential amenity in accordance with policy DM17 of the LPP2.

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General Comments

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

Amendments to Plans Negotiated

None

Site Description

Morningdale House is a detached, two and a half storey house constructed in 2016 as part of a 9 plot developer scheme. The house is accessed through a private drive of Bereweke Avenue between houses 1 Bereweke Way and 16 Bereweke Avenue.

The house has a large front garden and driveway area with a double garage to the side of the house. There is a large TPO'd tree in the front garden.

The site is surrounded by other residential properties and their gardens.

Proposal

The application is for a two and a half storey side extension with a pitched roof and new dormer windows to the front and rear. The application also proposes other works to add new windows, doors, the reconfiguration of internal spaces and landscaping works, all of which don't require planning permission.

Relevant Planning History

13/01073/FUL - Demolition of existing house and erection of 2 no. two bedroom, 5 no. three bedroom, 1 no. four bedroom and 1 no. five bedroom, with associated car parking, access and landscaping. Permitted 31st January 2014.

Consultations

Service Lead – Sustainability and Natural Environment (Trees) –

- No objection, subject to conditions

Representations:

City of Winchester Trust – objection

- Impact in terms of overlooking towards the front of the dwelling.
- The proposed scale would impact the character of the neighbouring dwellings.

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

- Overlooking
- Overbearing

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- Impact on TPO tree
- Not proportionate to the size of the plot
- Impact on character and appearance of local area

Relevant Government Planning Policy and Guidance

National Planning Policy Framework (December 2023)

Section 2 Achieving Sustainable development

Section 4 Decision Making

Section 8 Promoting healthy and safe communities

Section 12 Achieving well designed places

Section 14 Meeting the challenge of climate change, flooding and coastal change

National Planning Practice Guidance

Climate Change

Consultation and pre-decision matters

Design: process and tools

Flood risk and coastal change

Planning Obligations

Use of planning conditions

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

DS1 – Development Strategy and Principles

CP13 – High Quality Design

CP16 – Biodiversity

CP17 – Flooding, Flood Risk and the Water Environment

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 Supplementary Planning Document 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) require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

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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.

The principle of development is therefore acceptable.

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 proposal is for a two and a half storey side and rear extension located on the north eastern corner of the existing dwelling. The application also includes accommodation in the roof and four new dormers to facilitate this.

Although this is a large extension, it is considered that this would not appear out of place in this spacious plot and on this large house. The scale, mass and bulk of the proposed extension would not appear incongruous in relation to its surroundings and existing dwelling. The dormers are small in scale and would not appear out of proportion on this roof.

The design and materials of the proposed extension and dormers would match that of the existing dwelling.

The dwelling cannot be viewed from the public road but is viewed from neighbouring amenities. It is not however considered to be a detrimental development in relation the existing dwelling or the character of the surrounding area and therefore is in accordance with policies DM15, DM16 and DM17 of the LPP2.

Development affecting the South Downs National Park

The application site is located 121km 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 2023. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 182 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 distance and intervening features, an adverse impact on the National Park and its statutory purposes is not identified.

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.

Neighbouring amenity

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The proposed two storey extension has a window in the south elevation on the first floor and the application also proposes dormers on the second floor. The first floor window is set back and is for a dressing room, the second floor dormers are for a bedroom and a bathroom. The bathroom will be obscurely glazed. There is a distance of approximately 18m to the boundary with the neighbouring properties to the south on Berewecke Way and then a distance of over 20m to the nearest house. It is therefore considered that the proposed additional windows, although they would provide an element of overlooking, would not result in an unacceptable level of overlooking beyond that which would be expected in a suburban area such as this: The distance from windows to neighbouring amenities is sufficient to would avoid any material planning harm and would therefore not warrant the refusal of this application.

There are windows on the northern elevation of the extension and a further two windows in the roof on the northern elevation of this dwelling. The windows on the first floor are for bathrooms and a bedroom and the dormers are both for bedrooms. There is a distance of over 20m to the boundary with the dwellings on Morningdale Field and approximately 29m to the nearest house. Therefore, due to these distances, this proposal would not result in any unacceptable levels of overlooking towards these amenities.

Due to the distance of the development away from neighbouring amenities an overshadowing and overbearing impact will be avoided.

Therefore the proposal complies with policy DM17 of the LPP2 in that it would not result in any material planning harm towards to amenities of neighbouring properties.

Trees

There are trees in the front garden with a TPO on them. An arboriculture impact assessment and method statement has been submitted and it is concluded that the development would not result in any harm on these trees. Conditions 4 to 9 are included to ensure that works are undertaken in accordance with the submitted method statement.

Therefore the proposal complies with policy DM15 of the LPP2.

Sustainable Transport

The proposal has no changes to the current access into the site and although there is an increase in bedrooms there is plenty of parking on the site, sufficient for a dwelling of this size.

Therefore the proposal complies with policy 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) or 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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The proposed works consist of an extension to a modern house in an urban setting and will not affect any protected species on or around the site.

Therefore the proposal complies with policy CP16 of the LPP1.

Sustainability

Policy CP11 does not apply to extensions, however the development would need to comply with building regulations.

Sustainable Drainage

The proposal will have no impact on this because this is for an extension to an existing dwelling house.

Therefore the proposal complies with policy DM17 of 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 proposal is of an appropriate scale and design and is not considered to have a significant adverse impact upon the character and appearance of the site and would not result in any material planning harm on the neighbouring residential amenities. The extension would not result in any impact on the TPO tree adjacent to the proposed extension in line with the submitted reports.

The proposal therefore complies with policies DS1, CP13 and CP16 of the Local Plan Part 1 (2013) DM1, DM15, DM16, DM17 and DM18 of the Local Plan Part 2 (2017) and the High Quality Place SPD and Car Parking SPD.

Recommendation

Application Permitted subject to the following conditions:

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).

2. 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.

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

3. The development hereby permitted shall be carried out in accordance with the plans listed below unless otherwise agreed in writing by the local planning authority:

W1754 Design Statement

W1754 P01 - Proposed Location & Proposed Block Plan

W1754 P02 - Existing Site Plan

W1754 P03 - Existing Ground Floor Plan

W1754 P04 - Existing First Floor Plan

W1754 P05 - Existing Second Floor Plan

W1754 P06 - Existing South and East Elevations

W1754 P07 - Existing North and West Elevations

W1754 P10 - Proposed Site Plan

W1754 P11 - Proposed Ground Floor Plan

W1754 P12 - Proposed First Floor Plan

W1754 P13 - Proposed Second Floor Plan

W1754 P20 - Proposed South & East Elevations

W1754 P21 - Proposed North & West Elevations

W1754 P22 - Proposed Rendered Elevations

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.

4. Protective measures, including fencing and ground protection, in accordance with the Arboricultural Implications Assessment and Method Statement ref:- RMT990 written by Robert Toll of RMTTree Consultancy Ltd and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

5. The Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with the Arboricultural Implications Assessment and Method statement Ref:- RMT990 and Tree Protection Plan, Ref:- RMT990-TPP
Telephone – Tree Officer. 01962 848360

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

6. No arboricultural works shall be carried out to trees other than those specified and in accordance with the Arboricultural Implications Assessment and Method Statement, Ref:- RMT990

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

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7. Any deviation from works prescribed or methods agreed in accordance with the Arboricultural Implications Assessment Appraisal and Method Statement, Ref:- RMT990 shall be agreed in writing to the Local Planning Authority.

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

8. No development, or site preparation prior to operations which has any effect on compacting, disturbing or altering the levels of the site, shall take place until a person suitably qualified in arboriculture, and approved as suitable by the Local Planning Authority, has been appointed to supervise construction activity occurring on the site. The arboricultural supervisor will be responsible for the implementation of protective measures, special surfacing and all works deemed necessary by the approved arboricultural method statement. Where ground measures are deemed necessary to protect root protection areas, the arboricultural supervisor shall ensure that these are installed prior to any vehicle movement, earth moving or construction activity occurring on the site and that all such measures to protect trees are inspected by the Local Planning Authority Arboricultural Officer prior to commencement of development work.

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

9. A pre-commencement meeting will be held on site before any of the site clearance and construction works begins. This will be attended by the site manager, the Arboricultural consultant and the LPA tree officer.

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

Informatives:

01. In accordance with paragraph 38 of the NPPF (July 2019) , 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 the application was acceptable as submitted and no further assistance was required.

02. This permission is granted for the following reasons:
The development is in accordance with the Policies and Proposals of the Development Plan set out below, 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.

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

Local Plan Part 1 - Joint Core Strategy: DS1, CP13, CP16

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Local Plan Part 2 - Joint Core Strategy: Development Management and Site Allocations:
and DM15, DM16, DM17 and DM18

04. 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.

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>

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

06. 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 on this please refer the Construction Code of Practice

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