

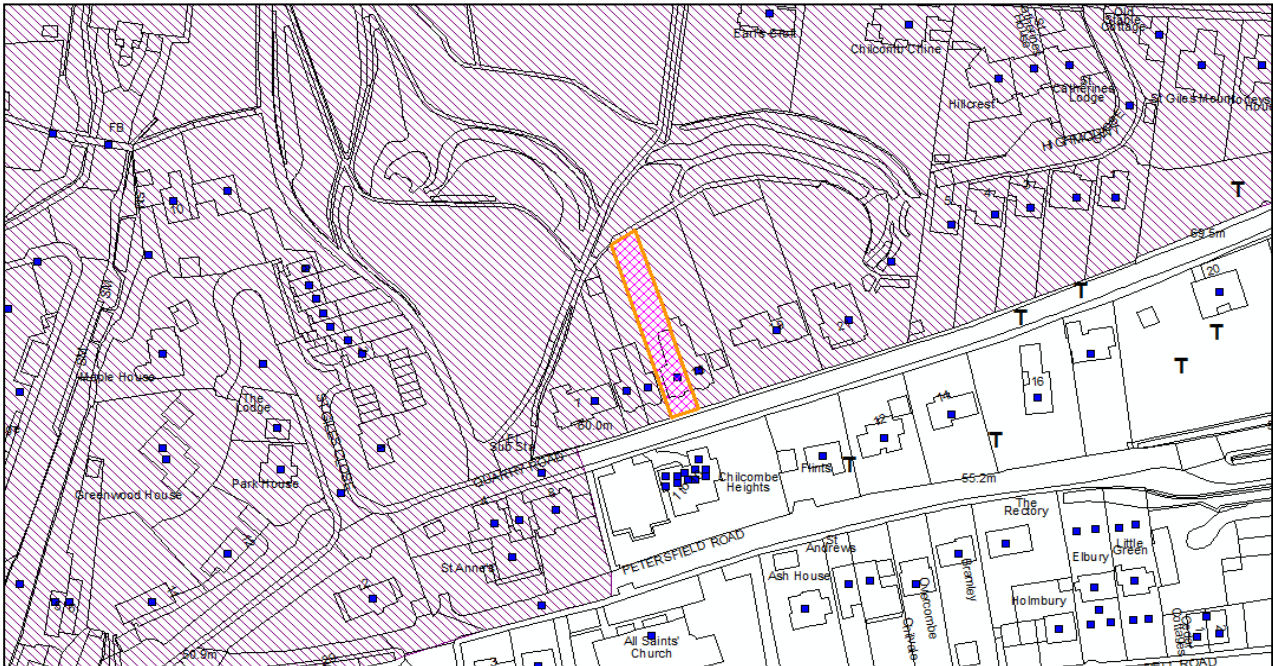
WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 24/00518/HOU
Proposal Description: Demolition of existing single storey lean-to rear addition and construction of new single storey rear extension; Alterations to windows at first floor level on rear/west elevation; New Velux type windows into front and rear roof slopes and small zinc clad roof extension on rear roof slope
Address: 13 Quarry Road, Winchester, Hampshire, SO23 0JF
Parish, or Ward if within Winchester City: St Michael Ward
Applicants Name: Mr William Brewin
Case Officer: Marge Ballinger
Date Valid: 5 March 2024
Recommendation: Permit
Pre Application Advice No

Link to Planning Documents

Link to page – enter in reference number **24/00518/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 will not impact upon the existing dwelling's design and have a neutral impact on the character of the Conservation Area in accordance with Policies DM15, DM16 and DM27 of the LLP2 and would not adversely harm neighbouring residential amenity in accordance with policy DM17 of the LPP2.

General Comments

The application is reported to Committee due to the number of objections received from addresses within the Winchester District which are contrary to the Officer's recommendation.

Amendments to Plans Negotiated

- Amended drawings were received on the 23rd April 2024 that removed a previous Cabrio window balcony within the 2nd floor rear elevation and amended to standard Velux window with a fixed glazed panel. The amended drawings also demonstrated the inclusion of pleached trees to the part of the west side boundary.
- An additional amended drawing was submitted on the 26th April 2024 that defined the land level changes after measurements were taken from the existing boundary fence between no.11 (neighbour) and no.13 (proposal site). The ground floor door to no.11 (neighbour) was also corrected from a previous version to demonstrate accuracy.

Neighbour notifications regarding the amended changes were sent out on the 23rd April and the 26th April 2024 and additional 21-day publicity periods were provided for further comments.

Site Description

No.13 Quarry Road is a semi-detached Edwardian dwelling which sits as part of four similar dwellings, set north of Quarry Road in the Winchester Conservation Area. The dwelling has existing front off-road parking, and a side access into the rear garden which abuts public open space of St Giles Hill Park, further north above an embankment. There are another pair of similar semi-detached dwellings built to the west that sit on lower ground (30cm approximately). Other dwellings in the area are designed with more modern features (on the opposite side of Quarry Road). As a result, the four dwellings are unique to this part of the area.

Proposal

The proposal is to demolish an existing lean-to rear extension and a side bay window and replace both with a rear extension that wraps into the partial side return. The extension will provide further kitchen, dining and living space to the dwelling. Other alterations include fenestration changes to the first floor with an adjustment and removal of existing side

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windows. Within the roof (2nd floor) there is an extension proposed to allow the stairs into the loft to be repositioned. This is to be clad in anthracite zinc to blend with the existing slate roof. An existing rear Velux window will be replaced with a new version that has a fixed bottom sash.

Two new Velux windows will be added, and one replaced along the front elevation. Pleached trees have been proposed along part of the side boundary to assist with softening and screening along the west side boundary.

Relevant Planning History

None.

Consultations

Service Lead – Sustainability and Natural Environment (Landscape) –

- No objection

Representations:

City of Winchester Trust

- Supports proposal; considers proposal to be impressive and sensitive extension to the dwelling. (No further comments received in regard to amendment notification.)

6 Objecting Representations received from different addresses within the Winchester district citing the following material planning reasons:

- Question to original drawings and its representation of ground level changes compared with no.11 (west)
- Overshadowing and overbearing upon neighbouring dwelling and garden (west); would result in the side garden's seating area (outside of its French doors) unusable or unable to grow plants; suggested a formal sunlight assessment obtained
- Loss of privacy with its side-facing windows and Cabrio balcony (from original drawings)
- Light pollution from glazed windows/doors in extension without potential for curtains/blinds
- Additional noise disturbance from use of the extension's side doors
- Visual harm of the amount of brick wall along the west side of extension
- Roof extension for stairwell not in-keeping with the row of 4 houses, would overshadow and is unsightly
- Windows would result in potential glare to passersby within St Giles Hill (north of site)
- Extension does not conform to general character of the area or Edwardian buildings; potential to see through the front windows toward the extension which is not in-keeping with Edwardian design

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- Potential damage to neighbouring garden west given land level changes
- Pleached trees may resolve artificial light problem, but would appear overbearing; potential not to thrive
- Land level changes difficult to understand overall impact upon neighbouring dwelling west
- Reduction to existing biodiversity within side gap
- Potential for wind tunnel within side gap
- Neighbour should be allowed time at planning committee to voice objections

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

- Extension will create (natural) light and attractiveness to the dwelling
- Extension is within scale of the property; enhancements can improve the area and make it more attractive

Relevant Government Planning Policy and Guidance

National Planning Policy Framework (December 2023)

- Para 7 – the proposal meets the needs of the present without compromising the ability of future generations to meet their own needs. The test of sustainable development includes the economic, social and environmental objectives.
- Para 39 – LPA to approach planning decisions in a positive and creative way and work pro-actively with applicants that will improve economic, social and environmental conditions of the area. Decision makers should seek to approve applications for sustainable development where possible.
- Para 47 – planning law requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise.
- Para 126 – the creation of high quality, beautiful and sustainable buildings and places is fundamental to the planning process.
- Para 174 (a-e) – planning decisions should contribute to and enhance the natural environment.
- Para 190 (a-d) – Plans should set out a positive strategy for the conservation and enjoyment of the historic environment.

National Planning Practice Guidance

- Public Consultation: Paragraph: 002 Reference ID: 15-002-20180615
- Determining a Planning Application and Extensions of Time: Paragraph: 003 Reference ID: 21b-003-20140306
- Historic Environment: Paragraph: 002 Reference ID: 18a-002-20190723

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

- DS1 – Development Strategy & Principles
- CP11 – Sustainable Low and Zero Carbon Built Development
- CP13 – High Quality Design
- CP16 – Biodiversity

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- CP20 – Heritage and Landscape Character

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

- DM1 – Location of Development
- DM15 – Local Distinctiveness
- DM16 – Site Design Criteria
- DM17 – Site Development Principles
- DM18 – Access and Parking
- DM27 – Development in Conservation Areas

Supplementary Planning Document

National Design Guide 2019

High Quality Places 2015

Air Quality SPD September 2021

Residential Parking Standards December 2009

Conservation Area Appraisal – St Giles Hill, The Eastern Suburb

Other relevant documents

Climate Emergency Declaration, Carbon Neutrality Action Plan 2020-2023

Nature Emergency Declaration (September 2023)

Statement of Community Involvement (January 2024)

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, 2023) 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 where the principle of development is acceptable subject to compliance with the Development Plan 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

No.13 Quarry Road has a north-facing rear garden with a brick wall and fence panels to its boundaries, and the ground slopes up from south to north. The land immediately

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adjacent to the dwelling along its rear and side elevation is level, then steps up into a sloped grassed portion of the garden. Further into the garden, north toward St Giles Hill Park, is a brick/stone retaining wall where existing trees, hedges and planting are segmented from the more primary use of the garden. The property is within the Winchester Conservation Area.

After removal of the existing rear extension and side bay window, the proposed extension is L-shaped, coming out from the original rear wall by approximately 3.5m, in line with the neighbour's extension to the east. The roof design is a flat roof with a parapet wall up to 3.5m in height. The extension is designed with red clay bricks which match the existing property, with window and door openings featuring brick reveals and metal frames. The extension will maintain an existing side French door access from a front snug room.

Modern extensions onto historic buildings are considered acceptable as it allows the character of the original building to be more discernible, as encouraged by the WCC High Quality Places SPD guideline E4. The extension proposed is considered to be of a high-quality design. The materials used are in keeping with the existing dwelling on the site which is an acceptable approach.

The side portion of the extension comes out from its original side wall by 1.7m approximately. A 2m gap toward the existing west boundary wall/fence is maintained, and pleached Photenia trees are proposed to be planted at the boundary for a length of approximately 11m between the side-facing windows and doors of the proposed extension back toward the rear garden. Although the WCC Landscape Officer had commented on the pleached trees' viability to thrive within an area that will be mostly shaded, Photenias are known to thrive in sun or partial shade.

The proposal also includes repositioning of a first-floor side-facing window in order to create a larger family bathroom.

The loft had already been converted to living space, but the current access arrangements for the staircase result in a reduction of useable space on the top floor of the property. The proposal is to build a small extension within the roof which results in a zinc-covered 1.5m x 2m dormer with a rooflight for the stairs to be reconfigured. This extension is positioned near the ridge and away from the roof's eaves, outside public views. A rear-facing Velux window will be replaced with a lower fixed glazed panel and an opening top panel version as the previous Velux was hinged in a way that was not suitable for use. (The original application included this Velux to be replaced with a Cabrio balcony, but this was amended to avoid a roof-top balcony use that resulted in potential increased overlooking issues to neighbouring amenities.) There are other rear extensions, dormers and rooflights within nearby dwellings. As the rear alterations are outside the more public views, the result is considered to preserve the character of the area.

There is a front-facing rooflight, and this will be replaced and a further 2 more rooflights inserted for additional south-facing light into a bedroom. The windows will be positioned linear and high into the roofline. The new and amended Velux arrangements can be built under permitted development. As there is evidence of other rooflights and other front-facing dormers visible within the public realm, the alterations within the roof are not considered to have a harmful impact to the area's character.

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Considering the impacts to the dwelling and the character of the area, the siting, size and design of the rear extension and the roof extension is within scale of the existing property. The rooflights along the front are above the more dominant Edwardian canted double-height bays, typical of other rooflights seen within the immediate area. Therefore, the proposal will not have a harmful impact on the wider context of the area to the detriment of its character. The proposal therefore complies with policies CP13 of the LPP1 and DM15, DM16 of the LPP2.

Development affecting the South Downs National Park

The application site is located 0.48 miles from the South Downs National Park boundary.

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, and the property's location within an urban environment, an adverse impact on the National Park and its statutory purposes is not identified.

Historic Environment

The development is within the Winchester Conservation Area. The following legislation and policies are taken into account in the assessment and determination of this planning and listed building application.

Relevant Legislation

The preservation or enhancement of the character or appearance of the conservation area (S.72 P(LBCA) Act 1990; Policies DM27 & DM28 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF (2023) Section 16.

Guidance

Where dealing with conservation areas, decision makers are required to pay special attention to the "desirability of preserving or enhancing the character or appearance of that area" under Section 72 of the Planning (Listed Buildings and Conservation Areas Act 1990).

Due regard has been given to these requirements.

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Some of the proposal may be visible within the front roadside (alterations of the rooflights) or glimpses may be visible from the St Giles Hill Park (public open space) during winter months.

The proposed alterations result in a modern addition to a historic dwelling. Modern extensions onto historic buildings are considered acceptable as it allows the character of the original building to be more discernible.

There is other evidence of roof alterations (such as loft conversions with rooflights and dormers) and extensions within the immediate area as well. Due to the high quality design of the proposal, its subservience and its visibility from the public realm, the proposal is considered to preserve the setting of the Winchester Conservation Area.

The proposal site does not have any nearby listed buildings within the immediate or distant area requiring further assessment toward impacts to heritage assets or their settings.

It is considered that the proposal will preserve the character or appearance of the conservation area. The proposals would accord with the requirements of Section 16 para 205 of the NPPF (2023), Policies CP20 of WDLPP1 and DM27 & DM28 of the WDLPP2; and the historic environment section of the Planning Practice Guidance.

Neighbouring amenity

No.11 Quarry Road is to the west of the application site. The gardens of both dwellings rise to the north and no.11 has had extensive landscaping work to accommodate the natural slope of the land from south to north. No.11 has a gated access from the front with additional door access into the side return from 2 rooms. The property has also maintained its side-facing bay window. Its side garden is paved and includes a potting bench and other installations for planting, a log store, and a small table for seating. The more primary outdoor amenity space to the site is considered to be within the landscaped portion along the north/rear where there has been a water feature installation, bespoke steps leading up toward the embankment with additional areas for seating that are well-screened by trees and other planting.

An additional site visit has been undertaken to assess the ground level change between the properties (30cm) and drawings were amended to note this correctly. The proposed 3.5m high extension maintains a 2m gap with the western boundary of the application site and has included pleached trees within the drawings. As the existing relationship between no.13 toward no.11 (west) has a ground level change and existing mutual overlooking in some portions of the dwelling, the pleached trees will help secure additional privacy to both dwellings while adding a softened landscape along an existing wall and fence.

The extension is built to maintain a 2m gap to the existing shared boundary from its side wall, and 2.2m from the rear-facing French doors of no.11. The extension will appear to be an additional 30cm higher (approximately 3.8m from no.11 ground level). As it will be set back away from the boundary by 2m, and due to the single storey scale, the extension does not prove to create further overbearing impacts upon the side garden or internal rooms of no.11. The pleached trees are also considered not to create further harmful overbearing impacts as they are considered a more lightweight solution to increase

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privacy. If the pleached trees were not planted, the extension and its side-facing windows and doors are not expected to create harmful overlooking issues toward no.11 as there are existing side facing windows and doors, and mutual views from no.11 and no.13's rear/side gardens from ground and first floor windows. Therefore, the proposal does not result with further harmful overbearing or overlooking impacts compared to the existing relationship.

A Cabrio Velux window within the original drawings has been removed, as these windows have the capability to transform into a balcony. Given the slope of the land within the rear, and the use of no.11's entire rear terraced garden, a balcony was considered to increase views into primary outdoor amenity space to no.11, so this was removed from the proposal. Replacement to the Cabrio version is a Velux which will have its lower pane fixed (non-opening). This will be controlled by Condition 4. Also, the additional roof extension for the stairwell does not dominate the rear elevation, so any harmful neighbouring impacts to no.11 is not expected as a result of this alteration.

No.11 and No.13 have north-facing gardens, so the side returns to both properties do not benefit from very much direct sunlight during particular times of the year. The extension will maintain a 2m gap to the boundary, so whilst some direct morning sunlight may be reduced in particular times of the year, the impact is not considered to be on a harmful level given the existing relationship of the dwellings and the mutual existing overshadowing occurrence. Due to the orientation and relationship as existing, alongside site visits to assess the situation, a sunlight assessment for this proposal was not justified given the existing relationship of the two dwellings.

The extension will maintain its use as part of a residential property, so there are no further harmful concerns to noise or light spill compared to the existing relationship of direct-facing bay windows or side access door use. The proposed extension does not exceed the side elevation wall, so it is not expected to create a harmful wind tunnel impact.

The landscaping works along the rear of no.11 start approximately where the shared boundary wall/fence panels start to follow the slope of the land and increase, and this is approximately in line with the rear elevation of the proposal. Given the 2m gap toward the boundary, the extension is not expected to create further harmful impacts to the growth, maintenance and usability of the landscaped garden of no.11.

The neighbour to the east is no.15 that has already benefited from a rear extension. The extension proposed within the rear of no.13 is to be in line with the no.15's extension, so no further overlooking, overshadowing or overbearing impacts are expected.

Both adjacent properties may require notification of a party wall agreement, and this will be added as an informative (Informative 8).

Due to the orientation of the site, size of the property, intervening distance to neighbours and scale of the proposed extension, it is not considered that the proposal will have a demonstrably harmful impact on overlooking, overbearing, overshadowing to the significant detriment of the neighbouring property or any other neighbouring amenity. Therefore, the proposal is considered to accord with policy DM17 of LPP2.

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Sustainable Transport

The proposal has existing off-road parking, and the roadside has designated parking areas for permit parking. The site is considered sustainable to amenities and public transportation given its location near city centre. There are no new or altered access proposed onto Quarry Road to consider within this application.

In accordance with Section 18 (1) (d) of the Order, Hampshire County Council has determined that it will discharge its consultee responsibilities as the LHA through the provision of Standing Advice for the residential development of 1 to 5 new dwellings, served by an access onto an unclassified road. The standing advice does not apply to household developments without a new or altered access.

The local planning authority is satisfied that the application is in accordance with the Standing Advice, is not likely to result in a material increase or change in the volume or character of traffic entering or leaving a highway. It is therefore concluded that there are no highway reasons to refuse the application and it is also considered to comply with policy DM18 of 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.

Research within the HCC biodiversity database resulted (at some historical point) that a Common Pipistrelle maternity bat roost was noted within the proposal site. A Phase One Bat Survey was undertaken in April 2024. The site was determined negligible for bats roosting, and no further surveys were required. Informative 9 is included for instruction if bats or other protected species are discovered during building works.

Therefore, the proposal complies with policy CP16 of the LPP1.

Sustainable Drainage

The proposal will have no impact on this because the site is an existing residential dwelling, and the extensions are a minor increase to the scale of the overall building following the removal of the existing extension. The proposal will be subject to a Building Control inspection (Informative 7). The proposal is expected to use the existing surface water and sewage as the existing dwelling.

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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 includes well-designed extensions and fenestration alterations that are within scale of an existing dwelling, while retaining the more period features that are prominent within the public realm along Quarry Road. The design and materials are considered high-quality, and the extension will add a modern alteration to an Edwardian dwelling. The proposal has been assessed against potential impacts upon neighbouring amenities of adjacent dwellings (both west and east), and potential impacts upon the Winchester Conservation Area. The application is therefore considered to be acceptable and in accordance with the development plan and material planning matters do not indicate an alternative approach should be taken.

Recommendation

Permit, 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 received: -

- Location Plan, drawing 2166/P01 received 5 March 2024
- Proposed Front Elevation within drawing 2166/P05.1 dated Feb 2024
- Proposed West (Side) Elevation within drawing 2166/P05.3 dated Feb 2024
- Proposed North (Rear) Elevation within drawing 2166/P05.2 rev B amended 24 April 2024
- Proposed Floor Plans, drawing 2166/P04 rev A amended 22 April 2024
- Proposed Site Plan, drawing 2166/P02 rev A amended 22 April 2024

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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 as indicated within the permitted drawings.

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

4. The replacement rear rooflight in drawing 2166/P05.2 rev B in the north (rear) elevation hereby permitted shall be remain top-opening only, with the bottom glazed panel remaining fixed. The rooflight window opening restrictions shall thereafter be retained in this condition at all times, unless otherwise agreed in writing by the Local Planning Authority.

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

Informative:

1. In accordance with paragraph 38 of the NPPF (2023), 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, CP16

Local Plan Part 2: DM1, DM15, DM16, DM17, DM18, DM24, DM27

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. 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.

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<https://www.gov.uk/government/publications/construction-working-hours-draft-guidance/draft-guidance-construction-site-hours-deemed-consent>

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 Considerate Practise <https://www.ccscheme.org.uk/resources/the-code-of-considerate-practise/>

7. 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>

8. 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.

9. Under the advice of Vesper Conservation & Ecology Limited survey taken on the 29th April 2024: As there were records of bats in the area, please note that in the unlikely event of bats being discovered during the approved works proposed, then all work must stop, and a suitably qualified ecologist should be contacted for further advice.