

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 24/00990/HOU
Proposal Description: 3m Rear extension flat roof with black aluminium Capping Black Aluminium sliders and window. Garage Conversion. Side extension in front of the garage with window matching existing white upvc. Infill porch. Internal alterations. Retaining wall left side on a new driveway to allow for 2 parking bays. (Amended plans)
Address: 23 Rances Way Badger Farm Winchester Hampshire SO22 4PN
Parish: Badger Farm
Applicants Name: Mr & Mrs Lucy & Jason Gray
Case Officer: Matthew Rutledge
Date Valid: 8 May 2024
Recommendation: Permit
Pre Application Advice No

Link to Planning Documents

[Link to page – enter in reference number 24/00990/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 conserve the character of the area in accordance with Policies DM15 and DM16 of the LLP2 and

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would not harm neighbouring residential amenity in accordance with policy DM17 of the LPP2.

General Comments

Ward Councillor Adrian Brophy has requested for the application to be determined by Planning Committee, based upon material planning considerations shown in Appendix 1.

Amendments to Plans Negotiated

Following correspondence with the applicant/agent, revised plans were submitted on 27 August 2024 and these were re-advertised to neighbours on 28 August 2024.

On 29 August 2024 a further set of revised plans were submitted showing the removal of a low retaining wall in the front garden of the property, separating the driveways of the application site and the neighbouring property 24 Rances Way. This revision was minor and therefore neighbours were not reconsulted.

The amendments negotiated were:

- Garage extension to be set further back from principal elevation
- Improvement to roofscape of garage extension to better fit the street scene
- Alterations to the proposed parking arrangement.

Site Description

Rances Way is a residential road characterised by link detached properties. There are several areas of hardstanding utilised for parking and turning, with pockets of planting, predominantly in the small front gardens of some of the properties.

23 Rances Way is one property in a row of four link detached dwellings. The properties feature timber cladding at first floor level and an open sided porch on the principal elevation. Each has a concrete drive, small front garden area, and are linked to the neighbouring dwellings on either side by single garages. The garages are set back approximately 4.5m from the principal elevation of the properties.

25 Rances Way, which sits on the southern end of the row of four link detached dwellings, presents a slightly different appearance to the other three properties. Number 25 has a larger plot, being on the end of the row, and presents as a wider but more shallow property than numbers 22-24. Number 25 appears to have previously undertaken a garage conversion, although being on the end of the row of four, its garage does not link to another dwelling.

Proposal

The proposal introduces a full width, single storey, rear extension with depth of 3m and a flat roof.

The open sides of the porch are to be enclosed.

A side extension is proposed which converts the garage into living accommodation and

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will bring the front of the existing garage forward approximately 3.5m. The majority of the existing garage roof will be retained, and the extension will have a similar double pitched roof with the roof slope facing the road. An internal gutter system is proposed in the valley created where the original garage roof meets the roof of the proposed extension. The street facing elevation of the converted garage will have a brickwork finish to match the existing property and will feature two windows. The roof tiles will also match the existing.

Relevant Planning History

None.

Consultations

None.

Representations:

Councillors – Adrian Brophy. Ward: Badger Farm & Oliver’s Battery

Cllr Brophy has requested the application is determined at planning committee. See Appendix 1 for the full reasons for this, however, in summary:

- Increase in density of development
- Impact on street scene
- Noise disturbance

Badger Farm Parish Council – Objection due to:

Overdevelopment of site, inadequate parking, impact on neighbours, impact on street scene.

4 Objecting Representations received from different addresses citing the following material planning reasons, which all appear to relate specifically to the side/garage extension part of the proposal:

- Impact on character of the area
- Overdevelopment
- Overbearing
- Increased noise from use of converted rooms

Relevant Government Planning Policy and Guidance

National Planning Policy Framework (December 2023)

Chapter 2 – Achieving Sustainable Development

Chapter 4 – Decision Making

Chapter 12 – Achieving Well Designed and Beautiful Places

Chapter 15 – Conserving and Enhancing the Natural Environment

National Planning Practice Guidance

Natural Environment 2019

Climate Change

Consultation and pre-decision matters

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Design: process and tools
Environmental Impact Assessment
Flood risk and coastal change
Planning Obligations
Use of planning conditions

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

Policy DS1 – Development Strategy and Principles
Policy CP13 – High Quality Design
Policy CP16 – Biodiversity Policy

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

Policy DM1 – Location of New Development
Policy DM15 – Local Distinctiveness
Policy DM16 – Site Design Criteria
Policy DM17 – Site Development Principles
Policy DM18 – Access and Parking
Policy DM24 – Trees

Supplementary Planning Document

National Design Guide 2019
High Quality Places 2015
Air Quality Supplementary Planning Document 2021
Residential Parking Standards 2009

Other relevant documents

Winchester District Local Plan 2020-2040: Regulation 19 Consultation
Climate Emergency Declaration, Carbon Neutrality Action Plan 2020-2023.
Nature Emergency Declaration.
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, 2023) require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The proposed changes to the NPPF that are currently being consulted on identify an anticipated approach on Government policy. However, as this is only a public consultation document at this stage, it does not yet hold substantial material weight.

The Regulation 19 Local Plan as now agreed by Full Council can be given appropriate and increasing weight in the assessment of development proposals in advance of Examination and Adoption.

The application site is within the defined settlement boundary of Winchester where the principle of development is acceptable subject to compliance with the Development Plan and material planning considerations.

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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 rear extension is not visible from the public realm and is therefore not considered to impact on the character of the host property or that of the surrounding area.

The proposed alterations to the porch are minimal and are not considered to fundamentally alter the appearance of the property. It therefore does not impact on the character of the area.

Following the requested alterations to the original design, the amended plans present a roofscape for the side extension that, when viewed from the road, would appear the same as that of the existing garage. In addition, the proposed side extension is now set back approximately 1m from the principal elevation (not including the porch), of the host property and that of the adjoining neighbour. These changes reduce the impact on the street scene and helps to retain the rhythm of this row of four properties.

Under the original grant of planning permission for the construction of these properties, there was no condition requiring the garage is retained for the parking of motor vehicles. Where this is the case, the Council's view generally across the district is that a garage conversion on the existing footprint, consisting of bricking up the garage door and inserting a window, does not constitute development. The existing garage is therefore capable of being converted to living space without the need for planning permission. The change from garage door to brick wall and windows is not considered to impact negatively on the character of the property or the surrounding area.

The materials proposed are to match the existing dwelling.

Whilst the proposals add a substantial amount of built form to the site, it is felt that the site can satisfactorily accommodate the proposed development.

Overall, therefore, the change in appearance to the host property under these proposals will be minimal, and the impact on the character of the area is not substantially negative to the extent that would warrant the refusal of this application.

The objections received from members of the public, and the reason provided by Cllr Brophy for bringing this application to planning committee, centre around the side extension.

Both reference that the proposal will change the nature of the property from link detached to semi detached (with the neighbour to the south, 24 Rances Way). This is not a planning consideration. Also referenced in the objections is the potential for the proposed side extension to de-value number 24. Again, this is not a planning consideration.

The objections reference the proposal's impact on the character of the area, however, as described above the impact is considered to be minor when viewed from the street.

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Based on the above assessment it is therefore considered that the proposal complies with policies CP13 of the LPP1 and DM15 and DM16 of the LPP2.

Development affecting the South Downs National Park

The application site is located approximately 760m 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.

Historic Environment

No impact, the works do not affect a statutory Listed building or structure including setting; Conservation Areas, Archaeology or Non-designated Heritage Assets including setting.

Neighbouring amenity

The adjoining neighbours, numbers 22 & 24 Rances Way, are most likely to be impacted by the proposals.

The proposed side extension sits between the south elevation of the host property and the north elevation of 24 Rances Way. Being set back approximately 1m from the principal elevation of both properties, it is not considered to impact on the residential amenity of any neighbouring property.

The proposed rear extension is single storey with a roof light and windows in the rear elevation. It is not considered that such an extension can be substantially overbearing or cause overshadowing to a degree that would warrant the refusal of this application. The extension does not impact on the privacy of any neighbours by way of overlooking.

To the rear of the application site, the garden shares boundaries with 44 Stanmore Lane and 30 Rances Way. The shared boundaries are some distance from the properties themselves and the parts of the gardens that are likely to have the highest amenity value. A single storey rear extension is therefore not considered to impact on the residential amenity of 44 Stanmore Lane or 30 Rances Way.

Based on the above assessment, therefore, due to the orientation of the site, positioning of the proposed extensions, size of the property, and intervening distance to neighbours it is not considered that the proposal will have a demonstrably harmful impact on overlooking, overbearing, or overshadowing to the significant detriment of the neighbouring property or any other neighbouring amenity.

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Four comments of objection have been received in relation to these proposals.

These objections reference the impact on the character of the property and area as already discussed in this report.

The objections also state that the proposals would be overbearing and result in overdevelopment of the site. For the reasons described above, it is not considered that these objections hold sufficient weight to warrant the refusal of this application.

Concerns have been raised regarding increased noise disturbance emanating from the living accommodation created in the converted garage/side extension and travelling through the shared walls with number 24. Limited weight is given to this argument as it is not considered that typical noise levels generated from normal use of a habitable room would cause a substantial disturbance.

Objections have also included comments on the market value of properties, changing the nature of 23 & 24 Rances Way from link detached to semi detached, building regulations concerns including fire risk and structural stability, and the fact that at the date of writing an objection a party wall notice had not been received. None of these issues are planning matters and therefore cannot form a reason for refusal of this application.

Therefore, the proposal is considered to accord with policy DM17 of LPP2.

Transport

The access to the site is fundamentally unchanged under this proposal and it will therefore have no impact on highway safety. The applicant may wish to extend the existing dropped kerb in order to achieve more convenient access to the newly created parking space. It should be noted that a licence from Hampshire County Council would be required in order to undertake this work.

It is considered that the site has sufficient space to park two vehicles following the proposed development. The property has three bedrooms upstairs with a downstairs guest bedroom, effectively creating a four bed dwelling. Based on the Council's Car Parking Standards Supplementary Planning Document, a 4+ bedroom dwelling should have parking provision for three vehicles.

Whilst the proposal would be short by one parking space, given the possibility for on street parking, along with the property being within a five minute walk to a bus stop with regular services to the city centre, it is not considered that this would be sufficient reason to refuse the application.

Therefore, the proposal complies with policy DM18 of WDLPP2

Trees

Policy DM24 of the LPP2 allows development which does not result in the loss or deterioration of ancient woodlands, important hedgerows, special trees, ground flora and the space required to support them in the long term.

The application site and surrounding area does not contain any trees.

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The proposal will therefore comply with policy DM24.

Biodiversity Net Gain

This application is for householder development and is therefore exempt from the Biodiversity Net Gain requirements.

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 application site is within a defined settlement boundary and therefore the principle of development is acceptable, so long as it accords with the Development Plan and material planning considerations.

As assessed above, the proposal is not considered to have a detrimental impact on the character of the property or surrounding area. Similarly, it will not have a negative impact on the residential amenity of neighbouring properties.

In conclusion, the proposal has been assessed in consideration of the following planning policies: CP13 and CP16 of LPP1 and DM1, DM15, DM16, DM17, DM18 and DM24 of LPP2 and High Quality Places SPD.

The proposal accords with the NPPF and Development Plan policies of the Local Plan Part 1 and 2, and does not raise any material matters of sufficient weight to outweigh it or that would weigh against the granting of planning permission.

Recommendation

Permit, 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).

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

Location Plan – Design 5A 02.10.24
Proposed GF Plan – Design 5A 02.10.24
Proposed FF Plan – Design 5A 02.10.24
Proposed Elevations – Design 5A 02.10.24

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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 on the associated application form.

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

Informatives:

1. In accordance with paragraph 38 of the NPPF (July 2018), Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:

- offer a pre-application advice service and,
- update applicants/agents of any issues that may arise in the processing of their application, where possible suggesting alternative solutions.

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, CP20, MTRA1, MTRA2, MTRA3, MTRA4

Local Plan Part 2 - Development Management and Site Allocations: DM1, DM3, DM15, DM16, DM17, DM18, DM23, DM27, DM28, DM29

High Quality Places SPD

Section 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Parking Standards SPD

NPPF Section 16

3. This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out above, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

4. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or recognised public holidays.

Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

5. 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 Practice

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

6. Any modifications to the approved drawings, whether for Building Control or any other reason, or any departure on site from what is shown, may constitute a criminal offence under Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The applicant is required to draw this and other conditions on the Consent to the attention of any contractors or sub-contractors working on site and furnish them with a copy of the consent and approved drawings.

7. Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements (as set out in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024) are considered to apply as follows:

- The Development is for a householder application.

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Appendix 1

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

Request from Councillor: Adrian Brophy
Case Number: 24/00990/HOU
Site Address: 23 Rances Way Badger Farm Winchester Hampshire SO22 4PN
Proposal Description: 3m Rear extension / Garage Conversion / Side extension in front of the garage
Requests that the item be considered by the Planning Committee for the following material planning reasons: I am submitting an objection to the proposals due to the likely increase in density of development. While the proposed rear extension and garage conversion appear entirely reasonable, the development of the side extension in front of the existing garage risks changing the nature of the property - and adjacent property into semi-attached rather than link-detached homes. This could potentially create a greater risk of noise to the neighbouring property via the newly shared wall. In addition, bringing the side of the property forward would have a visual impact that would change the overall street scene to create a more crowded appearance that merits closer examination by the planning committee to determine if this is acceptable in terms of impacts and future precedent.