

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 24/02249/HOU
Proposal Description: Two storey rear extension; Single-storey rear extension; removal of existing ground floor and first floor extension; conservation style rooflights; external and internal repairs and alterations (Amended Plans and Description)
Address: 8 Culverwell Gardens, Winchester, Hampshire, SO23 9JG
Parish, or Ward if within Winchester City: St Michael Ward
Applicants Name: Mrs Daniela Salgado Silva Wyatt
Case Officer: Ethan Townsend
Date Valid: 16 October 2024
Recommendation: Permit
Pre Application Advice: No

Link to Planning Documents

[Link to page – enter in reference number 24/02249/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 the proposal will not result in harm to the character and appearance of the area and conserves the conservation area in accordance with Policies DM15, DM16 and DM27 of the LPP2 and would not cause adverse harm to 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 contrary to the Officer's recommendation.

Amendments to Plans Negotiated

The original proposal included a two-storey flat-roofed extension that extended the full-width of the plot and extended 1.4 metres beyond the existing first-floor rear element.

Amended plans were received on 27 November 2024. These amended plans reduced the depth and width of the first-floor extension. A single-storey pitched roof extension is proposed which will extend beyond the depth of the two-storey flat-roof extension. These plans were advertised with a new site notice and neighbour notifications.

A revised Planning Statement was received on 23 December 2024 and the publicity period was extended to take account of this submission.

A Shadow Study was received on 17 January 2025, during the extended publicity period. This complemented the revised plans and the assessment made by the case officer during site visits and a further extension to the publicity period was not considered necessary.

Site Description

The property is a Victorian mid-terraced property located on Culverwell Gardens, accessed off Culver Road. The terrace is set back from Culver Road, with the principal elevation of the property being visible from the road. The properties on the terrace are constructed with red brick with decorative black accents. Other properties within the terrace have extended to the rear at ground-floor level, mostly being undertaken using permitted development rights, which are intact for this row of properties.

The site lies within the Winchester Conservation Area. This part of the conservation area is dominated by narrow fronted, two storey, terraced dwellings. Most houses in the immediate area are constructed in brick, with simple ridge roofs clad in slate or in pantiles, and with ridges set parallel to the streets.

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Proposal

The proposal seeks to extend the dwellinghouse to the rear by virtue of a two-storey extension which would match the depth of the existing first-floor element. At ground-floor level, a single-storey pitched roof extension would extend a further depth of 2.9 metres. The two-storey flat-roofed rear extension would be clad in a black ribbed metal cladding. The proposal also involves a loft conversion which would be achieved through the insertion of conservation style rooflights on the front and rear elevation.

Relevant Planning History

No relevant planning history.

Consultations

Service Lead – Engineering (Drainage) -

- No objection to the development on flood risk grounds.
- Recommend pre-commencement condition for surface water drainage.

Representations:

City of Winchester Trust (1st Comment – Original Proposal - Objects):

- Out of character with locality.
- Proposed material is not in keeping with area.
- Oppressive, overbearing and loss of light

(2nd Comment – Amended Proposal – Objects):

- Unclear from plans whether amendments address previous concerns.

(3rd Comment – Amended Proposal – Objects):

- Form and materials out of keeping with the mid-Victorian terrace.

25 Objecting Representations received from 10 individuals from 7 different addresses within the Winchester District citing the following material planning reasons:

Character/Appearance of the area

- Concern that the extension (by virtue of its size and design) would be out of keeping with this terrace and the wider character of the area.
- Overdevelopment of the site.
- Harm to the character and appearance of the Conservation Area
- Compliance with Conservation Area policies
- Inappropriate material contrary to the character of the area.
- Concern over the proposed front rooflight being out of keeping with the terrace.

Neighbour Amenity

- Loss of daylight
- Overbearing impact by virtue of height and proposed material

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1 Supporting Representation received from one address within the Winchester district citing the following material planning reasons:

- Proposal enhances the locality.

Relevant Government Planning Policy and Guidance

National Planning Policy Framework (December 2024)

- Section 2 – Achieving Sustainable Development
- Section 4 – Decision Making
- Section 12 – Achieving Well-designed Places
- Section 16 – Conserving and Enhancing 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
- Use of Planning Conditions: Paragraph: 001 Reference ID: 21a-001-20140306

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

- DS1 – Development Strategy & Principles
- CP13 – High Quality Design
- CP16 – Biodiversity
- 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
- DM24 – Special Trees, Important Hedgerows and Ancient Woodlands
- DM27 – Development in Conservation Areas
- DM28 Demolition in Conservation Areas

Supplementary Planning Document

- National Design Guide 2019
- High Quality Places 2015
- Air Quality Supplementary Planning Document 2021
- Residential Parking Standards 2009
- Winchester Conservation Area Appraisal 2003

Other relevant documents

- Climate Emergency Declaration, Carbon Neutrality Action Plan 2020-2023.
- Nature Emergency Declaration.
- Statement of Community Involvement 2018 and 2020

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Planning Considerations

Principle of development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 48 of the National Planning Policy Framework (NPPF, 2024) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The application site is located 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.

The Emerging Local Plan, as now agreed by Full Council, has been submitted to the Secretary of State for examination and can be given appropriate and increasing weight in the assessment of development proposals in advance of examination and adoption.

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 application site comprises a traditional terraced dwelling. The dwellings along this terrace all maintain a traditional appearance on their principal facades, although there has been a variety of extensions to the rear (at ground-floor level). The proposed two-storey extension would be contemporary in appearance and design by virtue of its materiality and flat roof form. The single-storey element incorporates more traditional features such as a pitched roof and would be faced in matching brick material.

The proposed two-storey rear extension would match the depth of the existing two-storey rear element, extending above the current sloped roof. Whilst the proposed two-storey extension, would be 0.9 metres wider than the existing two-storey rear element, it still maintains a gap between its flank elevation and the neighbouring boundary (1 metre). The existing two-storey element has a pitched roof, whereas the proposal would have a flat roof. The ridge height of the extension is clearly set below the overall ridge height of the existing dwelling which would provide a degree of subservience. The two-storey extension is considered to be proportionate in size to the host dwelling.

Comments have been raised regarding the contemporary nature of the proposed two-storey extension, owing to its form, design and materials. The proposed design purposefully does not attempt to imitate the traditional character and form of the dwelling. However, modern extensions can complement traditional buildings. The High-Quality Spaces SPD (2015) sets out that contrasting extensions can be an effective approach to extending properties. Similarly, modern materials can be very effective when used as part of contemporary design solutions, utilising either traditional or contemporary building forms. Furthermore, the High-Quality Spaces SPD notes that by setting the extension

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back, ensuring it is subservient to the existing building in terms of scale, and by employing a refined approach to the architectural language, materials and detailing, a contrasting extension may be effective.

The extension is sited to the rear of the dwellinghouse, where it would not be visible from the street scene. Therefore, a harmful impact upon the wider character and appearance of the area is not anticipated. However, it is acknowledged that the extension would be visible from private viewpoints from surrounding properties. In this instance, it is considered that the contrast between this traditional property and the extension would provide visual interest. When seen from surrounding properties, it would be read as a modern extension to the building. It would distinctively denote the contemporary element and the traditional core dwelling. The proposed extension, as noted above, would be proportionate in scale to the host dwelling. It would not compete in scale with the dwellinghouse. The existing dwelling will retain its primacy. The contemporary design and materials would ensure that this extension would have a subservient appearance to the existing dwelling.

With regards to the proposed material, it is noted that no other dwellings within the terrace utilise black metal cladding. However, examples have been provided by the applicant of this cladding being successfully used in the wider conservation area (i.e. on 77 Canon Street). Each application must be determined on its own merits; however, it is noted that this material has been effectively used elsewhere in the conservation area. It is considered, in this instance, that the proposed material would help provide a distinct contrast between the new and old. A condition has been attached which requires samples of materials prior to the commencement of development. This provides the Authority with the opportunity to ensure that a high-quality, sustainable material will be used.

The proposed ground-floor extension would extend a considerable extent to the rear of the dwellinghouse. The proposal would leave a 1.5 metre gap between the extension and the rear boundary. Whilst the Authority does not have specific external space standards for householder extensions, and it is largely a matter for individual choice, nevertheless overdevelopment of a site is a material planning consideration. During the site visit, it was noted that there are a variety of ground-floor rear extensions to properties along this terrace. The depth of the ground-floor extension would be slightly larger than that of the neighbouring property. Other properties have also extended a considerable depth. Therefore, it is not considered that the proposal by virtue of its plot coverage is so harmfully out of character that it would warrant a reason for refusal.

The proposal involves a loft conversion through the insertion of two rooflights, on the front and rear roof slope. The front elevation, whilst set back from Culver Road, is still visible from the street. Comments have been received in objection to the inclusion of the front rooflight raising concern that the installation would have an impact on the harmony of the roofscape/appearance of the terrace. It is acknowledged that there are no other rooflights on the terrace visible from the street scene. There are other properties along the terrace which are not publicly visible that do have rooflights. Permitted Development rights are in place for this property and the rooflights meet Permitted Development requirements. The installation of roof lights is therefore not secured by this planning application as the works will be undertaken in accordance with Permitted Development regulations. The applicant has however highlighted in the proposal description that conservation roof windows will be installed, which sit flush with the roof.

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In conclusion, it is noted that there has been concern expressed locally about the design and scale of the proposal and whether it is appropriate to the host dwelling and wider area. Whilst the two-storey extension is of a modern design, the extension due to its scale and positioning, would not be visible from the street scene. The extensions when taken together, are not of a scale that would be disproportionate to the dwellinghouse. With the recommended conditions securing a sample of materials, it is considered that any harm to character can be mitigated, and it would not, on balance, be harmful to an extent that would justify a reason for refusal on design and character grounds. The proposal therefore complies with policies CP13 of the LPP1 and DM15, DM16 and DM23 of the LPP2.

Development affecting the South Downs National Park

The application site is located circa 385 metres from the boundary of 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 2024. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 189 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 the intervening built development, 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

The site is located in the Winchester conservation area and, under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act special attention should be paid to the desirability of preserving or enhancing the character or appearance of that area and this is reflected in Policies DM27 and DM28 of the LPP2 and Section 16 of the NPPF (2024). Terraced dwellings are a common feature within this part of the Winchester conservation area.

The proposed rear extensions would not be visible from public streets or footpaths within the conservation area. As set out in the *character and appearance* section of the report, the two-storey extension would be subservient in design and appearance. It is acknowledged that the extension would differ in appearance to other extensions to properties to the rear. However, there is some variety in the design and size of rear extensions along this terrace. The extension's contemporary design and materials provide an effective contrast between the traditional historic dwelling and the modern extension.

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In conclusion, it is considered that the proposal will have a neutral impact, therefore preserving the character or appearance of the conservation area. The proposal would therefore accord with the requirements of Section 16 para 205 of the NPPF (2024), Policies CP20 of WDLPP1 and DM27 & DM28 of the WDLPP 2.

Neighbouring amenity

Policy DM17 of the LPP2 seeks to ensure that new development does not have an unacceptable adverse impact upon neighbouring properties. Considerable concern has been expressed about the impact of the proposals on the amenity of neighbouring properties, due to the height, length, and form of the rear extension and its proposed materials. The fact that a building would be more visible than the existing property does not, in itself, result in such a detrimental impact to residential amenity, unless it can be demonstrated that undue harm is caused through loss of light, privacy, or outlook.

Overlooking

The site is in residential surrounds with a close relationship to neighbouring properties. Number 7 and 9 are located to the north and south of the site respectively. In this case, there is a high degree of mutual overlooking present between the application dwelling and adjacent neighbours. Considering the existing relationship, a harmful loss of privacy through overlooking is not expected.

Overshadowing

The High-Quality Spaces SPD (2015) sets out that overshadowing and loss of light is an important amenity consideration. "For example, where a two-storey structure is placed immediately to the south of a neighbouring patio area".

Number 7 is located to the north of the application site and as such, the two-storey rear extension would be sited to the south of number 7. The two-storey extension would match the depth of the existing rear two-storey element at the property. The extension would be attached to the two-storey rear element of this neighbouring property. Whilst the extension would have an increased height, in light of the existing relationship and the fact that it is sited behind this neighbouring property's rear element, it is not considered to result in an adverse overshadowing impact. The ground floor extension has a pitched sloping roof. The eaves are closest to the boundary with number 7. Given that the roof slopes away from the boundary, and it has a low pitch, it is not considered that an adverse overshadowing impact would occur.

For the reasons set out above, and the increased distance it is not foreseen that the neighbours further to the north (i.e. 6 and 5) would experience an adversely harmful overshadowing impact.

With regards to number 9, given that it is to the south of the application site and considering the direction of sun travel, a harmful overshadowing impact is not anticipated. It is reasonable to suggest that the proposed two-storey extension will impact upon the level of diffuse light received by the ground-floor windows (serving the kitchen and living room). The proposed two-storey extension would be built closer to the boundary shared with this neighbour. During the course of the application, the case officer visited both sites and identified that there is a close relationship between the two properties. When

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considering the existing relationship between the two buildings, the impact upon diffuse daylight received by these rooms would not be adversely harmful.

During the course of the application a shadow study (ref. 084002) was submitted. This study was carried out during the winter solstice, where any overshadowing impact would be at its peak. This report sets out that the neighbouring properties will not experience an adverse overshadowing impact.

Overbearing

With regards to number 7, the two-storey rear extension, whilst likely more visible from this property's conservatory and amenity space due to the proposed materials, would not extend any further than the existing two-storey rear element. As such, an adverse overbearing impact cannot be expected. The ground-floor extension would have a pitched roof, and the orientation of the outbuilding would ensure that the eaves are closest to the boundary with the neighbour. The proposed ground-floor extension has a similar eaves height (albeit slightly higher) than that of this neighbouring property's conservatory. Given that the roof slopes away from the boundary, this would mitigate any potential overbearing impact of the extension.

The proposed two-storey extension would be sited 0.9 metres closer to number 9, with a 1 metre set back from the boundary. The application dwelling already has a close relationship, in terms of proximity, to this neighbouring property. The proposal would result in the two-storey rear extension being closer to the ground floor kitchen windows and outdoor amenity space. It is noted that this type of relationship is common along the terrace with windows on side elevations facing the flank elevation of neighbours. In this instance, it is considered that given the existing relationship and the setback, an unduly harmful overbearing impact is not demonstrated. The proposed cladding, particularly due to its colour, has the potential to draw more visual attention. As such, it is considered that the condition on material samples can also ensure that a finish and exact specification is selected that does not exacerbate any overbearing impact.

When weighing the above factors into consideration, it is not considered that the impact upon neighbouring amenity is unduly adverse that a reason for refusal could be sustained on this basis. The neighbouring objections and relationship between properties has been carefully considered and it is not considered that the proposal would be significantly detrimental to amenities of the occupants of these properties. As such, the proposal would comply with Policy DM17 of the LPP2.

Sustainable Transport

This application does not alter the access or parking arrangements at the site. The property would have space for a vehicle to park in the front garden. The proposal would result in an increase in habitable rooms at the site to three. The Residential Parking Standards require 2 parking spaces for a property of this size. Whilst the property would not strictly comply with the residential parking standards, given that the site lies within a sustainable location, near the centre of Winchester, it is not considered that an objection on parking grounds would be reasonable.

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
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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

Due to the nature of the development and the distance between the application site and the Nationally 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.

HBIC and WCC ecological databases have been reviewed and no ecological/biodiversity concerns have been identified. An informative is however included to remind the applicant of their responsibilities in the event a protected species is discovered during works.

Policy CP16 of the LPP1 seeks for development to provide biodiversity enhancements. As such, a pre-commencement condition has been attached to secure appropriate biodiversity enhancements. This condition would ensure that the development complies with Policy CP16.

Sustainable Drainage

The site lies within Flood Zone 1 (an area with a low probability of fluvial flooding). The Authority's drainage engineer has been consulted and they have no objections on flood risk grounds. A pre-commencement condition has been added with regards to the disposal of surface water. This condition ensures that development cannot commence before WCC drainage specialists are content that the proposal will not adversely impact upon surface water drainage.

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. There are no trees within the rear garden of the property. Due to the distance from surrounding trees, an adverse impact is not anticipated. The proposal will therefore comply with policy DM24.

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

This application proposes a contemporary extension to the dwelling. However, the proposed extensions have been designed to provide an interesting contrast with the
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traditional host dwelling. The principal, street facing elevation, will still retain important characteristics that contribute to the character of the area. Whilst the proposal would be visible from surrounding properties, adverse harm is not identified to warrant a reason for refusal on neighbouring amenity grounds.

The proposal complies with policies DM1, DM15, DM16, DM17, DM18, DM23, DM24, DM27 and DM28 of the Local Plan Part 2 (2017) and DS1, CP13, CP16, CP19 and CP20 of the Local Plan Part 1 (2013) and the 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 which would weigh against the granting of planning permission.

Recommendation

Permit subject to the following condition(s):

Conditions

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

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

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

- Block Site Plan Proposed, drawing number 080002 REVA, received 27/11/2024
- Proposed Plans and Elevations, drawing number 082001 REV A, received 27/11/2024

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

03 No development shall take place until a Materials Schedule (and samples if requested) demonstrating the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority.

Development must be carried out in accordance with the approved details.

Reason: To ensure that the development presents a satisfactory and high-quality appearance in the interests of the amenities of the area.

04 Details of biodiversity enhancement features shall be submitted to and approved in writing by the Local Planning Authority prior to development above slab level. This shall include the type and location of bat boxes and bird boxes.

These biodiversity enhancements shall be sited prior to the development coming into its intended use and retained thereafter.

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Reason: To ensure a net gain in biodiversity.

05 Detailed proposals for the disposal surface water shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted.

The approved details shall be fully implemented before development commences.

Reason: To ensure satisfactory provision of foul and surface water drainage.

Informatives

1. In accordance with paragraph 39 of the NPPF (2024), 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 and the applicant was updated with progress of the application.

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

- o Local Plan Part 1 Joint Core Strategy: DS1, CP13, CP16, CP17, CP20
- o Local Plan Part 2: DM1, DM15, DM16, DM17, DM18, DM23, DM24, DM27, DM28
- o Section 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990
- o High Quality Places SPD
- o Car Parking Standards SPD
- o National Planning Policy Framework

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. <https://www.winchester.gov.uk/environment/pollution/construction-sites>

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
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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 Practice <https://www.considerateconstructors.com/resources/the-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)
<https://www.winchester.gov.uk/building-control>

8. 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

9. All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 41 of the Conservation of Habitats and Species Regulations 2010. Should any bats or evidence of bats be found prior to or during development, work must stop immediately, and Natural England contacted for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given the relevant contact number for Natural England, which is 0300 060 3900.

10 The applicant is advised that one or more of the Conditions attached to this permission need to be formally discharged by the Local Planning Authority before works can commence on site. Details, plans or samples required by Conditions should be submitted to the Council at least 8 weeks in advance of the start date of works to give adequate time for these to be dealt with. If works commence on site before all of the pre-commencement Conditions are discharged, then this would constitute commencement of development without the benefit of planning permission and could result in Enforcement action being taken by the Council.

The submitted details should be clearly marked with the following information:

- The name of the planning officer who dealt with application
- The application case number
- Your contact details
- The appropriate fee.

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Further information, application forms and guidance can be found on the Council's website - www.winchester.gov.uk.

11 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.