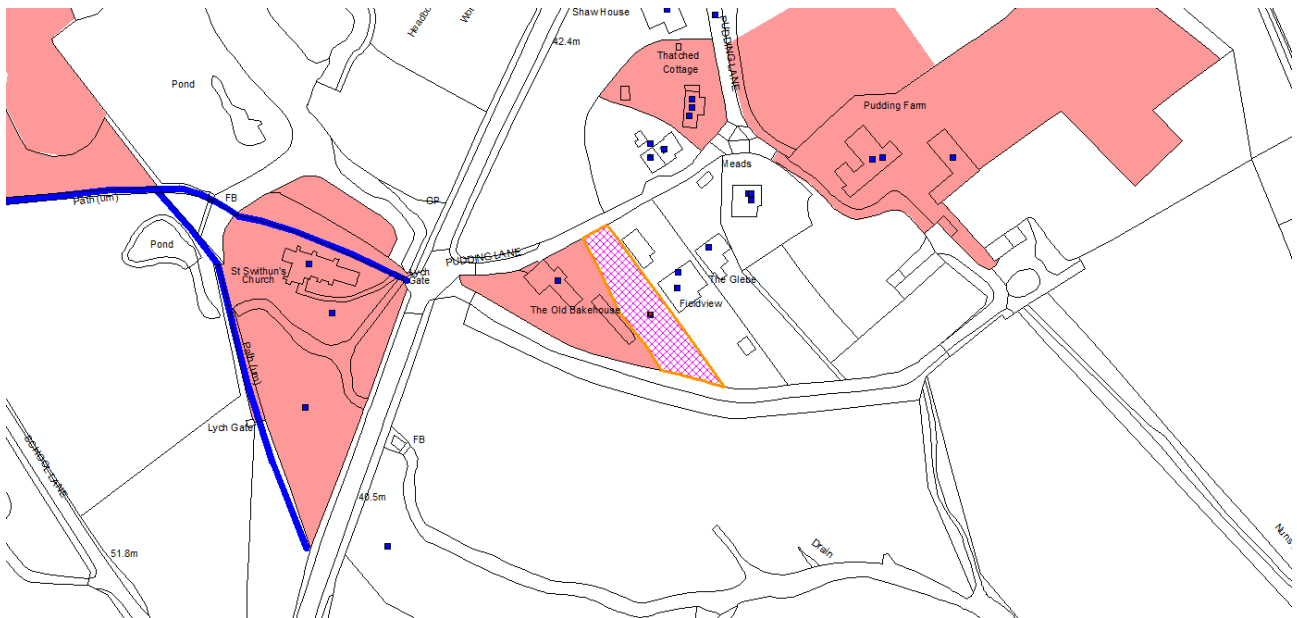


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Case No: 26/00240/VAR
Proposal Description: Variation of condition 4 (restriction on outbuilding use) and condition 3 (approved plans) to the approved application with reference number 20/01860/FUL, to allow ancillary domestic use of the outbuilding and to amend the outbuilding plans for fenestration changes and the creation of habitable rooms in the attic space. (revised proposal)
Address: Apple Crumble Pudding Lane Headbourne Worthy Winchester Hampshire
Parish: Headbourne Worthy
Applicants Name: Mr and Mrs Wells
Case Officer: Matthew Rutledge
Date Valid: 5 February 2026
Recommendation: Approve
Pre Application Advice No

Link to Planning Documents

[Link to page – enter in reference number: 26/00240/VAR](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 the proposals are not considered to have a harmful impact on the character of the application site or that of the surrounding area, are not considered to result in substantial harm to the residential amenity of

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neighbouring dwellings, and are not considered to have a material impact on the setting of the adjacent listed building.

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 submission sought to use the existing outbuilding as a Pilates studio for business purposes, providing an intended 10 sessions a week with up to 30 customers attending the site per week for this purpose.

Following a number of comments from neighbours, the applicant has decided to remove all aspects of business use from the proposal and the proposed use of the outbuilding is for ancillary living space to the main dwelling only.

Site Description

Apple Crumble is a detached residential dwelling on Pudding Lane, Headbourne Worthy, north of Winchester City Centre. Pudding Lane, a narrow single lane road, meets London Road in two places, forming a 'u' shape.

Apple Crumble itself is a modern detached dwelling built following permission in 2020 for the demolition of the original house on the site. The main house features a central glazed area flanked by two projecting gables. The dwelling is finished with brickwork to the ground floor and vertical cladding at first floor level, under slate roof tiles.

The permission for the replacement dwelling also included an outbuilding to the front of the site. The outbuilding has a rectangular form and pitched roof, with half of the structure being open sided to form a double carport. The remaining part of the outbuilding was intended for use as a garden office and store. The outbuilding is finished in materials to match the main house.

The adjacent neighbour to the east, Fieldview, has an outbuilding of similar design and proportion positioned adjacent to the outbuilding to Apple Crumble.

There are two Grade II listed buildings positioned on Pudding Lane. The Old Bakehouse is the immediately adjacent neighbour to the west, and Pudding Farm is situated further along the lane to the north east.

Proposal

It is proposed to amend condition numbers 3 and 4 of the approved planning application 20/01860/FUL, which granted permission for the replacement dwelling and outbuilding.

Condition 3 relates to the approved plans under the original decision. It is proposed to substitute a new site plan and outbuilding plans & elevations for those originally approved. The proposed changes relate to additional hardstanding for parking within the site and a number of alterations to the outbuilding as follows:

- Insert 1 window to front gable

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- Insert 4 rooflights to the east roof slope
- Creation of first floor living space
- Regularise internal layout on the ground floor
- Regularise minor fenestration change at ground floor level on the west elevation – change from 4 to 3 window panes.

Condition 4 relates to a restriction on the use of the outbuilding and reads as follows:

The garage hereby permitted, including the first floor space, shall only be used for the purpose of accommodating private motor vehicles or other ancillary/domestic storage purposes, and shall not at any time be used for living accommodation, business, commercial or industrial purposes.

In the interests of the amenities of the locality

It is now proposed to amend the condition to allow use of the outbuilding as ancillary living space to the main dwelling. The proposed amended condition would read as follows:

The outbuilding as shown on the proposed block plan with reference WIN-AD-2039.04 shall only be used for the purpose of accommodating private motor vehicles or other ancillary domestic purposes and shall not at any time be used as an independent unit of living accommodation or for business, commercial, or industrial purposes.

Reason: In the interests of the amenities of the locality.

Relevant Planning History

20/01860/FUL - Demolition of existing house and garage, and construction of replacement dwelling and outbuilding. PERMITTED 28th October 2020.

20/02634/DIC - Discharge of conditions 2, 5, 6, 10, 11 and 12 of planning application 20/01860/FUL. PERMITTED 10th December 2020.

22/01324/DIC - Application to discharge Condition 8 of permission 20/01860/FUL
1) SAP report 2] Water Efficiency Calculations. PERMITTED 25th July 2022.

Consultations

Hampshire County Council (Highway Authority) –

- The Highway Authority had concerns regarding the access to the site and limited passing places along Pudding Lane in the context of increased vehicle movements stemming from the previously proposed business use of the outbuilding. As this element of the proposal has since been removed, the Highway Authority comments are no longer relevant.

Representations:

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

- Increased traffic and highway issues due to previously proposed business use

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- Negative impact on neighbouring amenity arising from noise generated from the previously proposed business use
- Practicalities of enforcing against/limiting the previously proposed business use to the relatively low numbers of customers proposed
- Negative impact on the adjacent listed building

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

- Previously proposed business use would provide a local service
- The application with business use would have supported local business
- The scale of the previously proposed business use would have limited impact

Note that while the majority of the content of the public comments received is no longer relevant due to the removal of the previously proposed business use, no objecting comments were withdrawn and therefore the application still meets the requirements for determination by the Planning Committee.

Relevant Development Plan Documents and Policies

Section 70(2) of the Town and Country Planning Act 1990 and Section 38 (6) of the Planning and Compulsory Purchase Act 2004 require planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The current adopted development plans comprise:

Winchester Local Plan 2020-2040 (adopted March 2026)

- D1 – High Quality Well Designed and Inclusive Places
- D7 – Development Standards
- HE1 – Historic Environment
- HE2 – All Heritage Assets
- HE3 – Designated Heritage Assets
- HE5 – Protecting the Significance of Heritage Assets and Mitigating Unavoidable Harm
- HE8 – Applications Affecting Listed Buildings
- NE6 – Flooding, Flood Risk and the Water Environment
- SP3 – Development in the Countryside
- T1 – Sustainable and Active Transport and Travel

Other Relevant Planning Policy and Guidance

National Planning Policy Framework (NPPF) (2024)

- 4. Decision-making
- 12. Achieving well-designed places
- 16. Conserving and enhancing the historic environment

National Planning Practice Guidance (NPPG)

- Appeals
- Appropriate assessment

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- Before submitting an application
- Design: process and tools
- Determining a planning application
- Fees for planning applications
- Flood risk and coastal change
- Historic environment
- Making an application
- Noise
- Planning obligations
- When is permission required?

Supplementary Planning Document
High Quality Places (2015)

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.

Principle of development

The application site is outside of a defined settlement boundary. In this area, Local Plan policy SP3 will only permit specific types of development. In this case the proposal comprises minor alterations to an existing outbuilding within the residential curtilage of an existing dwelling and is therefore acceptable in principle. Local Plan policy SP3 sets out that proposed development should not increase flood risk, cause unacceptable harm to the character and landscape of the area or to neighbouring amenity, or result in unacceptable noise, light and traffic generation.

Section 73 of The Town and County Planning Act 1990 allows for the alteration or removal of conditions subject to which a previous planning permission was granted.

Part of the proposal includes the alteration to condition 4 of the original grant of planning permission for the replacement dwelling and new outbuilding, which restricted the use of the outbuilding to accommodating private motor vehicles or other ancillary/domestic storage purposes.

It is now proposed to reword the condition, the full proposed condition can be read above, to allow the outbuilding to be used for accommodating private motor vehicles or other ancillary domestic purposes. This would enable the internal parts of the outbuilding to be used as living space in association with the main dwelling.

The original permission, 20/01860/FUL, lists the approved plan P311/8 which indicates that part of the internal space of the outbuilding would be a garden office. It would appear, therefore, that the original intention for the outbuilding included some form of ancillary domestic use.

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Overall, it is not considered that relaxing the condition to include ancillary domestic use, rather than strictly ancillary domestic storage, would result in harmful uses of the space, particularly given that the condition goes on to restrict use as living accommodation or for business, commercial, or industrial purposes.

The proposed alteration to condition 4 is therefore considered acceptable and in accordance with policies D1, D7, and SP3 of the Local Plan 2020 – 2040.

Impact on character and appearance of area

The proposed window to the front gable of the outbuilding and the rooflights to the east roof slope will be visible from the public realm, albeit the rooflights will be largely obscured from view by the roof of the adjacent outbuilding within the curtilage of Field View.

These additional windows are not considered to fundamentally change the character or appearance of the outbuilding as previously approved.

The reduction in window panes on the west elevation at ground floor level would be partially visible from the public realm but again this alteration is not considered to fundamentally change the character or appearance of the outbuilding as previously approved.

The other amendments to the outbuilding as previously approved relate to internal rooms and layouts, which is not evident externally and would not impact on the character or appearance of the outbuilding. The small increase in block paving at the top of drive would also not be considered to materially alter the character of the site.

With the above in mind, it is not considered that the proposals have a negative impact on the character or appearance of the existing outbuilding, the application site, or the surrounding area. Therefore, the proposal complies with policy D1 of the Local Plan 2020-2040.

Development affecting 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 NPPF. 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.

The application site is located 345m from the South Downs National Park. Due to the nature of the proposed development, distance, and intervening features, an adverse impact on the National Park and its statutory purposes is not identified.

In conclusion 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.

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Historic Environment

The application site is not within a conservation area, however, the adjacent neighbour to the east is The Old Bakehouse, a Grade II listed building. Further north east is Pudding Farm, another Grade II listed building.

Consideration needs to be given as to whether the changes proposed through this Section 73 application would affect the setting of these statutory Listed buildings.

Section 66 of the Planning (Listed Buildings and Conservation Areas Act 1990) says that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Listed Building.

The preservation of the special architectural/historic interest of the listed building and its setting is addressed in Policies HE1, HE2, HE3 and HE8 of the Local Plan and the NPPF (2024) Section 16.

The NPPF requires local authorities to take account of all heritage assets in making planning decisions, with an aspiration to sustain or enhance their significance. Any harm to designated heritage assets must be justified or balanced by a wider public benefit.

In this case, the key consideration is the adjacent Grade II listed building to the east, The Old Bakehouse. The Old Bakehouse, listed under the name The Elms, dates back to the 16th century with several early and late 19th century additions. The original cottage is finished in brick and flint while the more modern additions are brick only. There is a modern timber framed and clad outbuilding/garage in the south east corner of its curtilage, which is adjacent to Apple Crumble.

The Old Bakehouse is prominent in the street scene, as it immediately adjoins Pudding Lane, while the other nearby properties including Apple Crumble are set substantially back from the roadside.

The proposed development at Apple Crumble includes some minor physical alterations to the existing outbuilding, as described above, and a small increase in hardstanding in the existing driveway. These alterations do not materially change the character or appearance of the application site and, therefore, are not considered to have any harmful impact on the setting of the listed building, The Old Bakehouse.

The Grade II listed building further north east, Pudding Farm, is approximately 80m away from the site with intervening dwellings between and therefore will also not be affected by the proposals.

Therefore, it is not considered that the proposals will result in any harm to these nearby heritage assets and the application complies with Local Plan policies HE1, HE2, HE3, HE5, and HE8 and the guidance in the NPPF and section 66 of the Planning (Listed Buildings and Conservation Areas Act 1990)

Neighbouring amenity

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The proposals do not include any alterations to the footprint, height or form of the existing outbuilding. As such, the proposed development does not result in harm to neighbouring amenity of an overbearing nature or from overdevelopment of the site.

The proposed development introduces several windows to the existing outbuilding and creates a new first floor level internally. As such, these windows have the potential to cause harmful overlooking to neighbouring residential amenity.

The proposed window to the front gable of the outbuilding will have views across Pudding Lane and towards what is currently an area of grassland that appears to be associated with the curtilage of Shaw House. Shaw House itself is positioned much further to the north, it is set in a substantial plot which extends south east and curves to meet Pudding Lane opposite The Old Bakehouse and Apple Crumble. This area is currently not enclosed by any boundary treatment. While the proposed front window to the outbuilding would look over this land, it would not create views that are not already obtainable from the first floor windows of The Old Bakehouse and Apple Crumble itself, and from users of the lane as they pass by. In addition, Shaw House itself is approximately 65m further north east from this piece of land, which is therefore not considered sensitive amenity space.

Having regard to this, the proposed window to the front gable of the outbuilding is not considered to result in harmful views to surrounding neighbours to a degree that would justify refusal of the application.

It is also proposed to add four rooflights in the north east roof slope of the existing outbuilding. These rooflights would be positioned along the boundary with the eastern neighbour, Field View.

Field View has its own outbuilding of a very similar form and appearance positioned directly adjacent to the outbuilding to Apple Crumble, on the opposite side of the shared boundary. Due to this, it is considered that views from the proposed rooflights are likely to be of only the pitched roof of the adjacent outbuilding, which does not feature any rooflights of its own on the elevation facing Apple Crumble. The most southerly proposed rooflight, i.e. the one that would be closest to Field View itself, is proposed to serve a shower room and is to be obscure glazed. Due to the positioning of this window, the adjacent outbuilding, and Field View, this window may have created views back towards the windows on the front elevation of Field View. The obscure glazing, which will be a condition of any permission granted, will ensure privacy for the occupants of Field View. The remaining rooflights are further northwards along the outbuilding and views back towards Field View would be obstructed by the roof line of the outbuilding to Field View as mentioned above.

As such, it is not considered that the proposed rooflights would cause unacceptable overlooking of any neighbouring residential amenity.

Therefore, the proposal complies with Local Plan policy D1 as it does not result in harmful impacts on neighbouring residential amenity at a scale that would justify refusal of the application.

Sustainable Transport

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The proposal does not result in a new use of the outbuilding other than for purposes ancillary to the main house, which is a use that in practicality exists at present. The proposal does not result in any alterations to the access to the site or in the loss of any vehicular parking. As such, the proposal will have no impact on highway safety, amenity, traffic generation, air quality, sustainable travel, or parking availability.

Therefore, the proposal complies with Local Plan policy T1.

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.

The proposals relate to alterations to the appearance, use and layout of an existing building and a small increase to hardstanding and will have no material impact upon biodiversity. Section 73 applications are exempt from Biodiversity Net gain.

As the proposal complies with policies NE1 and NE5 of the Local Plan.

Sustainability

Developments should achieve the lowest level of carbon emissions and water consumption which is practical and viable. Local Plan policies CN1 to CN8 expects new development to be designed in a way that adapts to climate change where relevant.

Given the nature of the development (a Section 73 application seeking alterations to an existing outbuilding) it is not considered that these policies can practically be applied to this application.

Sustainable Drainage

The proposal is not considered to have an impact on sustainable drainage because the small increase to hardstanding will be formed from permeable block paving to match the existing driveway. As such, surface water will continue to be able to drain within the site.

Therefore, the proposal complies with Local Plan policy NE6.

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

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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 proposed development is considered to result in negligible change to the character of the application site and existing outbuilding. As a result, it is not considered that there is any impact on the character or appearance of the surrounding area, including the setting of the adjacent listed building, The Old Bakehouse.

It is not considered that the proposal would result in negative impacts to the residential amenity of any neighbouring dwellings to a degree that would justify refusal of the application.

The proposed alteration to condition 4 retains the link with the existing house and continues to ensure that the outbuilding cannot be used as an independent unit of accommodation or for business, commercial, or industrial purposes. As such the alteration is considered acceptable.

In conclusion it is considered that the proposal accords with national planning policies, the Development Plan policies, and does not raise any material matters that weigh sufficiently against the granting of planning permission.

Recommendation

Approve, subject to the following conditions:

Conditions

1. This permission shall be carried out in accordance with the following approved plans and documents:

Proposed Block Plan WIN-AD-2039.04
Proposed Ground Floor Plan - P311/5
Proposed First Floor Plan - P311/6
Proposed Elevations - P311/7
Proposed Roof Plan - P311/9
Proposed Plans & Elevations WIN-AD-2039.05 Rev A

Reason: To clarify which plans have been approved as part of this application.

2. The outbuilding as shown on the proposed block plan with reference WIN-AD-2039.04 shall only be used for the purpose of accommodating private motor vehicles or other ancillary domestic purposes and shall not at any time be used as an independent unit of living accommodation or for business, commercial, or industrial purposes.

Reason: In the interests of the amenities of the locality.

3 The southernmost rooflight in the north east roof slope of the outbuilding, as indicated on the plan WIN-AD-2039.05 Rev A, shall be glazed with obscure glass which achieves an

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obscuration level at least equivalent to Pilkington Obscure Glass Privacy Level 4 and the glazing shall thereafter be retained in this condition at all times.

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

4. The arrangements for the disposal of foul and surface water shall be maintained in accordance with the details submitted and approved under the application with reference 20/02634/DIC.

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

5. No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include the following, as relevant:

- means of enclosure, including any retained structures;
- hard surfacing materials;
- planting plans including species, planting sizes and proposed numbers / densities where appropriate;
- implementation programme.

Reason: To improve the appearance of the site in the interests of visual amenity.

6. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before the use hereby permitted is commenced and prior to the completion of the development. If within a period of five years after planting any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

7. The development will continue to be occupied in accordance with the SAP 'as built' stage data and BRE water calculator submitted and approved under the application with reference 22/01324/DIC.

Reason: To ensure a sustainable form of development.

8. Development shall cease on site if, during any stage of the works, unexpected, ground conditions or materials which suggest potential contamination are encountered. Works shall not recommence before a site assessment has been undertaken and details of the findings along with details of any remedial action required (including timing provision for implementation), has been submitted to and approved in writing by the Local Planning Authority. The development shall not be completed other than in accordance with the approved details.

Reason: In order to secure satisfactory development and in the interests of the safety and amenity of future occupants.

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9. The hereby approved development will be undertaken in accordance with the details for the parking and turning of onsite operative and construction vehicles submitted and approved under the application with reference 20/02634/DIC.

Reason: In the interests of highway safety.

10. The hereby approved development will be undertaken in accordance with the details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway submitted and approved under the application with reference 20/02634/DIC.

Reason: In the interests of highway safety.

Informatives:

1. In accordance with paragraph 39 of the NPPF (December 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.

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

Local Plan 2020 – 2040: D1, D7, HE1, HE2, HE3, HE5, HE8, NE6, SP3, T1

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

NPPF Section 16

High Quality Places SPD

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

<https://www.considerateconstructors.com/resources/the-code-of-considerate-practice/>

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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 planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990.