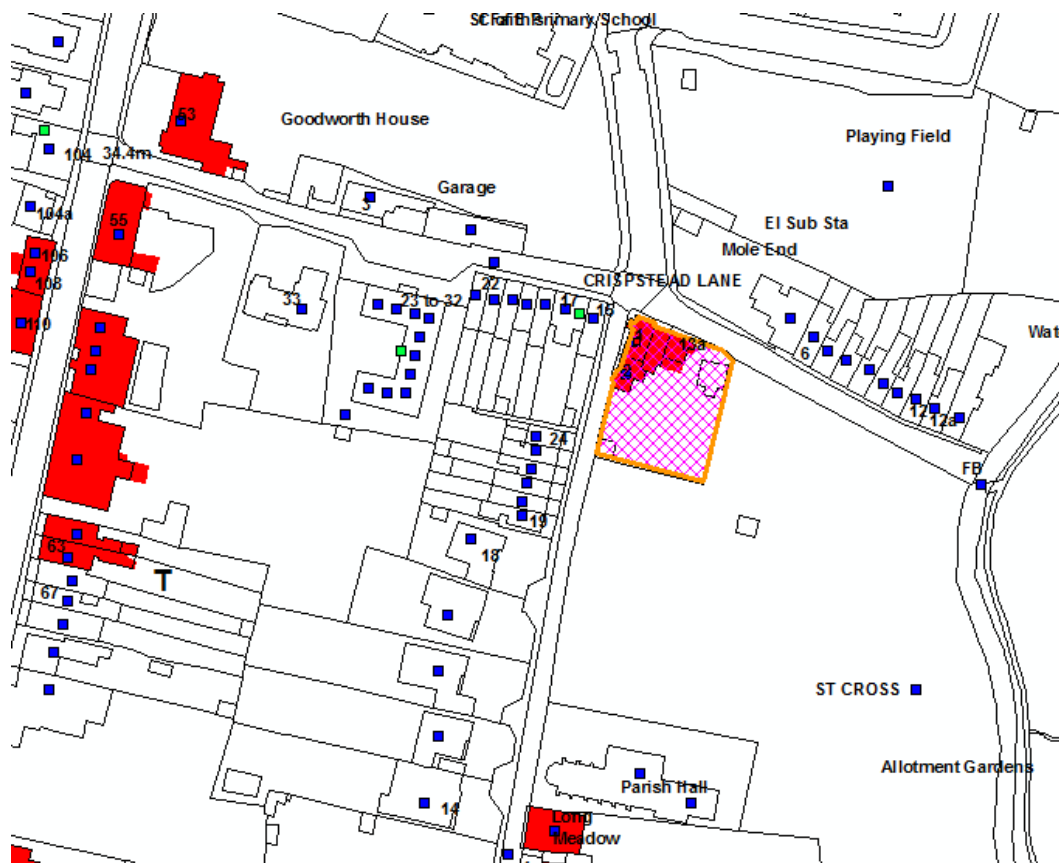


WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Case No:** 19/01751/HOU  
**Proposal Description:** Internal and external alterations to dwelling, including demolition and enlargement of rear extension; replace rear doorway to ground floor; enlarge 1no.rooflight; remove and replace stairs to basement; lowering basement floor and garden levels to create a second basement access. Demolition of existing garage to rebuild with parking and ancillary studio above; partial demolition and rebuilding of outbuilding; removal of 2no. apple trees and pruning of 1no. silver birch.  
**Address:** The Old Farmhouse Cripstead Lane Winchester SO23 9SE  
**Parish, or Ward if within Winchester City:** St Michael  
**Applicants Name:** Mrs Erin & Mr Jamie Brookes  
**Case Officer:** Marge Ballinger  
**Date Valid:** 14 August 2019  
**Recommendation:** Application Permitted

**Pre Application Advice:** yes



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## General Comments

The application is reported to Committee due to the number of objections received (10) in relation to 19/01751/HOU and 19/01752/LIS which are contrary to the Officer recommendation for approval.

## Site Description

The application site is approximately 750m<sup>2</sup> within the St Cross Conservation Area of Winchester, and sits along the southeast corner of Cripstead Lane and Back Street.

The dwelling is a Grade II listed building (approximately 165m<sup>2</sup> footprint), sits close to the road and has a brick-and-flint wall built along the north boundary with a wooden gate, drive and access to a double garage (built late 70s-early 80s) that sits toward the north-east corner of the site. Along the west boundary is the dwelling's entrance (principle elevation), and includes a brick wall built along Back Street from the dwelling and incorporating another outbuilding sited in the southwest corner of the site. To the east and south of the site of approximately 50 metres are the St Cross Allotments.

The dwelling's history estimates it being built in the 15<sup>th</sup> century for the St Cross Hospital steward. The cross-wing along Back Street and large chimney were estimated to be added in the 16<sup>th</sup> century. By the mid-19<sup>th</sup> century the building was shown to have been divided into 5 cottages described in a 'dilapidated' condition. By the late 19<sup>th</sup> century, the dwelling was known as a collection of 4 cottages and additions included a lean-to toward the back of the Back Street range and a flat-roof extension along the eastern end of the Cripstead Lane range.

In 1977 the property owners decided to combine the cottages into a single dwelling home and strip the later additions back and remove the additional doors and extra staircases, and build a new double-garage.

The internal garden of the site contains low-level landscaping and planting, and a cluster of trees including a mature silver birch and 2 apple trees are located near the southwest corner.

## Proposal

The application has been submitted for the internal and external alterations to The Old Farmhouse (dwelling), including:

- the demolition and enlargement of the rear extension;
- replace the rear doorway to ground floor;
- enlarge 1 no. rooflight;
- remove and replace stairs to basement;
- lowering basement floor and garden levels to create a second basement access.

Other works include:

- the demolition of the existing garage to rebuild with parking on the ground floor

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and ancillary living above;

- the partial demolition and extension of the brick outbuilding along the southwest corner to create a gym (or other ancillary use).
- the proposal also includes the removal of 2no. apple trees and the pruning of 1no. silver birch tree.

The drive and other access to the site will remain unchanged. No alterations are proposed on boundary walls or fences, other than rebuilding or repairs where necessary.

### **Relevant Planning History**

77/01066/OLD (W3179/LB) - Conversion of 4 cottages into one dwelling demolition of existing lavatories and washroom and provision of pedestrian access – permitted 01.09.1977

78/00590/OLD (W3179/01/LB) - Erection of vehicle access and erection of double garage; planning permission sought. Part demolition of existing boundary wall; listed building permission sought – permitted 29.11.1978.

07/00223/TPC - Silver Birch - Crown lift Silver Birch by removing 2-3 lowest limbs – permitted 13.03.2007

15/02722/TPC - 1 no. Birch tree 3m Crown reduction – withdrawn 06.01.2016

### **Consultations**

WCC Historic Environment - no objection, subject to conditions

WCC Historic Environment: Archaeology - no objection, subject to conditions

WCC Landscape: Ecology - no objection, subject to conditions

WCC Landscape: Tree officer - no objection, subject to conditions

### **Representations:**

City of Winchester Trust: no comments in support or objection, but had commented on 'inconsistencies and errors in some of the drawings and headings.' (The Trust had not clarified the original comment.) The Trust felt that not enough information was supplied for materials and finishes, especially in the garage and gym structures.

10 letters received objecting to the application for the following material planning reasons:

Opposition to the garage/ancillary accommodation:

- Replacement structure is larger than the original.
- Replacement structure will be prominent in the streetscene and out of character with the area (based upon size and design).

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- The structure will obscure views toward the Old Farmhouse upon approach from the east, as well as dominate from other longer views along the west and from Back Street.
- The replacement structure will have overlooking and overbearing impacts to adjacent allotments and Keats' Walk (path adjacent the allotments) from its doorway and its access (small landing).
- The replacement structure will create overshadowing and overbearing, and result in the loss of privacy to nearby dwellings along Cripstead Lane.
- The structure's roof light will add to light pollution. (The light pollution objection also referred to the 4-sides of glazing panels – which is a misinterpretation of the materials and drawing.)
- The structure will create a precedent for other applications to pursue roof extensions with balconies.
- Ancillary accommodation creates a potential for Airbnb use; would impact parking, bring additional noise and disruption to neighbouring dwellings.
- Ancillary accommodation will establish the change of use for a separate dwelling.
- The first floor balcony will over-hang the fence to the allotments.
- Wire fencing along adjacent the allotments is not along the correct boundary line; building up to the fence is outside the applicant's ownership.
- There is a history of other applications with balconies refused in the area (no.6 Cripstead Lane).

Opposition to shed conversion/extension to gym/other ancillary accommodation:

- The conversion will be larger than the original structure; out of character as compared to the other dwellings along Back Street.
- The Heritage Statement appears to overlook its value – hearsay has it that the structure provided privies to the original old cottages.
- Removal of apple trees and crowning of Silver Birch will make the proposal more visible along the road.
- Rooflight and side glazing panels would have potential for light pollution.

Opposition to alterations of the listed dwelling:

- Lowering the basement will invite flooding.

Opposition to Proposal (inclusive):

- Overdevelopment of the site overall.

Reasons aside not material to planning and therefore not addressed in this report

- The structure will negatively impact on a local property value.
- The development will restrict views from dwellings along Cripstead Lane.
- Neighbours were not consulted prior to application submitted.

11 letters of support received for the following material planning reasons:

- Extension and alterations are minimal in terms of scale and sensitive and respectful of building and its context; minimal intervention to the main house.
- Alterations protect the key characteristics of the building while making it more suitable for a modern family.

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- Changes proposed are acceptable to locality.
- The existing garage has no architectural merit; the proposed replacement outbuildings are in scale, form and materiality.
- Garage structure maintains its subservience to main dwelling.
- The design of the outbuildings will compliment the dwelling and local environment.

**Relevant Planning Policy**

Winchester Local Plan Part 1 – Joint Core Strategy  
DS1, CP16, CP19, CP20

Winchester Local Plan Part 2  
DM2, DM15, DM16, DM17, DM24, DM26, DM27, DM28, DM29

National Planning Policy Guidance/Statements:  
National Planning Policy Framework Section 16

Other Planning guidance  
High Quality Places

**Planning Considerations**

Principle of development

The principle of development to this property is acceptable due to its location within the settlement boundary of Winchester. Structures that contain ancillary accommodation, such as the proposal, are considered appropriate within domestic curtilages as their use remains associated with the host dwelling. The ancillary nature of the accommodation can be controlled through condition to prevent the formation of a separate dwelling house to retain appropriate control.

Impact on the historic environment

Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act, special regard should be given to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Policy DM29 of the LPP2 seeks to protect the special interest of a heritage asset.

The proposed internal alterations to the dwelling are considered by the Council's Historic Environment Officer as a 'light touch' and while they would result in some minor loss of historic fabric of low significance they would allow the significance of the listed building to remain clearly appreciable.

The proposed extension to the dwelling would replace a 1930's lean-to of no architectural or historic interest and its form and detail has been well considered, would relate well to the host building, and would be an honest modern addition of high visual quality.

Based upon the above assessment it is considered that the proposed works to the listed building amount to less than substantial harm to its historic integrity and setting and the

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improvements to the building are therefore acceptable and comply with Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990. The proposed works also comply with policy DM29 of the LPP2 and para 16 of the NPPF.

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. Policies DM27 and 28 of the LPP2 require development to preserve or enhance the character, appearance or special architectural or historic interest of the area.

The garden room and garage at best make a neutral contribution to the setting of the listed building and the character and appearance of the conservation area. The replacement garden room and garage would add visual interest to the street scene in a subtle, modern but appropriate manner, and would not harm the heritage assets or their setting.

Based upon the above assessment it considered that the proposed extensions and rebuilding of the garage and garden room would have a neutral/positive impact on the character of the area and thus preserves the setting of the conservation area in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in compliance with DM27 and DM28 of the LPP2 and para 16 of the NPPF.

Impact on neighbouring property

Dwelling Alterations

The alterations proposed externally to the dwelling are sited within the property's rear garden out of public view. Therefore, no further impact to the character of the area or neighbouring amenities is expected with the replacement extension and rear door alterations.

Garage/Ancillary Accommodation and the Extended Shed

Criteria vii of policy DM17 of the LPP2 requires development not to adversely affect adjoining land, uses or property by reason of overlooking, overshadowing or by overbearing. In this case, the overall height of the replacement garage/ancillary structure is 90cm higher than the original garage (up to 4.23m) with a slight increase to the ground floor footprint (an additional 3m<sup>2</sup> total).

The extended shed will be 60cm higher than the original (up to 4m) and will add a further 1.65m in length to the original structure.

The design and siting of the garage/ancillary structure does not prove to have any overbearing or overlooking impacts on neighbouring properties. The nearest dwelling is sited northeast across Cripstead Road from the proposed structure. Mole End sits on the corner of Cripstead Lane and St Faiths Road, and behind a high wood-panelled fence. The proposed structure will be approximately 8m from the neighbour's fence, and approximately 9.5m from the front elevation. No further windows are proposed along the

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north elevation toward Cripstead Lane.

There is a public allotment east of the proposed garage/ancillary structure. The access to the ancillary room is by the south elevation stairs that access a landing along the east elevation and door. Although there will be views from the door and landing at first floor level, the allotments and walkways are within the public domain. The proposal facilitates the natural surveillance of the allotment land which is a benefit. The east door, south window panels and the flat roof lantern are recessed into the roof which reduces impact for light pollution.

It is noted that there is not a clear hard border along the northeast corner from the existing residential land to the allotments. The walkway/landing to the ancillary room above the garage is less than 1m in depth will not extend above or beyond the existing boundary indicated in the location plan.

There is no intention to use the proposed garage/building as an independent dwelling and it is recommended that a condition is applied ensuring that the domestic use of the building remains ancillary in its function to be used in association with the main dwelling (condition 08). It is noted that the minimum nationally described space standard for new dwellings is 39 s.m. and policy DM2 of the LPP2 requires this minimum standard to be met. The proposed ancillary accommodation will be 10 s.m. to first floor's internal space and consists of one room with a separate W.C. Although the ground floor has approximately 29 s.m. proposed for the 2-car garage, there is limited scope for the building as a whole to be used as an independent dwelling.

Based upon the above assessment it is considered that the proposed development would not have a demonstrable adverse impact on the residential amenity of neighbouring properties and therefore complies with part vii of policy DM17 of the LPP2.

#### Landscape/Trees

The proposal includes removing two apple trees and to prune the Silver Birch that are sited near the existing outbuilding toward the southwest corner of the site.

The extended shed/garden room is sited adjacent a mature silver birch tree, after the removal of the two apple trees. Condition 03 requires an enhanced tree protection plan and works method statement to further protect the birch during the construction phase for its longevity.

#### Other Matters

##### Archaeology

The proposal site lies to the south of the historic city of Winchester, within the historic settlement of St Cross. To the west of the site, St Cross Road was the principal route between Winchester and Southampton during the Roman, Late Saxon and medieval periods.

Given its location in relation to previous finds and archaeological investigations, the

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proposal site is considered to have the potential to contain buried archaeological remains relating to the Roman and Late Saxon periods and the mid-15<sup>th</sup> century origins of the application site itself attest to its potential to also contain buried remains dating to the medieval period. Such archaeological remains may be disturbed by groundworks associated with the proposal, arising from both from building and landscaping works and may also be revealed also from works to the listed building itself.

DM26 policy refers to planning permission will be granted where the proposal includes a provision to preserve any archaeological remains and a mitigation scheme prior to works commencing. In this case, conditions 04 and 05 will be added to control and mitigate any archaeological findings.

### Ecology

A Preliminary Ecological Appraisal and Bat Survey (Greenwood Ecology and Conservation, September 2019) report was submitted in support of the application. Building 1 (areas of the Old Farmhouse to be affected only) and Building 2 (outbuilding) are considered to have negligible potential for roosting bats. Building 3 (garage) was considered to be of low suitability for roosting bats. A dusk emergence was undertaken on Building 3 on 18<sup>th</sup> September (western aspect) & a dawn re-entry on 19<sup>th</sup> September 2019 (eastern aspect).

CP16 policy states that the LPA will support development which maintains, protects and enhances biodiversity across the District. Condition 06 is proposed to follow the recommendations within section 6 of the Preliminary Ecological Appraisal and Bat Survey (Greenwood Ecology and Conservation, September 2019), as well as an external lighting scheme to be submitted and approved in writing by the LPA prior to commencement.

### **Recommendation**

Permission to be granted, subject to the following condition(s):

### **Conditions**

1. The works hereby consented to shall be begun before the expiration of three years from the date of this consent.

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

2. No works beyond ground works to each new structure hereby approved (extension, garage and garden room respectively), shall commence until a fully-detailed materials schedule has been submitted to and approved by the Local Planning Authority in writing. The submitted schedule must specify in detail the proposed materials and methods of workmanship proposed and must be accompanied by labelled samples as applicable to each building part. Following the approval of the schedule, but prior to the commencement of above-ground works, a 1-square-metre sample panel of brickwork for the extension hereby approved shall be prepared on-site for inspection by the Local Planning Authority, to demonstrate the approved brick sample in use with a proposed mortar, bonding and pointing specification, to be subsequently confirmed to and approved in writing by the Local Planning Authority as an addendum to the approved materials

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schedule. The works shall then proceed in strict accordance with the approved schedule unless agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure development is appropriate to the architectural and historic interest of the listed building in accordance with Policy DM29 of the Winchester District Local Plan Part 2 Adopted 2017 and Policies CP19 & CP20 Winchester District Joint Core Strategy; NPPF Section 16).

3. Notwithstanding the Arboricultural Impact Assessment (ref BROO/2189aia-RevA) dated 06.08.2019, no development or any works of site preparation shall take place until the applicant or their agents or successors submit an enhanced tree protection plan and works method statement and approval received in writing by the Local Planning Authority. Works shall be carried out with the approved method and plans, and any deviation from the works prescribed or methods agreed in accordance with the Method Statement shall be agreed in writing by the Local Planning Authority.

Reason: To ensure the protection of the tree retained within the Conservation Area.

4. No development or any works of site preparation shall take place until the applicant or their agents or successors in title have implemented of a programme of archaeological mitigation works (to include historic building recording), in accordance with a Written Scheme of Investigation that has been submitted to and approved by the local planning authority in writing. No development or site preparation shall take place other than in accordance with the Written Scheme of Investigation approved by the LPA. The Written Scheme of Investigation shall include:

- The programme and methodology of site investigation and recording
- Provision for post investigation assessment, reporting and dissemination
- Provision to be made for deposition of the analysis and records of the site investigation (archive)
- Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: To mitigate the effect of the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations Policy DM26 Winchester District Local Plan Part 2; Policy CP20 of the Winchester District Joint Core Strategy

5. Following completion of archaeological fieldwork, within 9 months (unless otherwise agreed in writing) a report will be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports and publication. The report shall be submitted to and approved by the local authority.

Reason: To ensure that evidence from the historic environment contributing to our knowledge and understanding of our past is captured and made publicly available. Policy DM26 Winchester District Local Plan Part 2; Policy CP20 of the Winchester District Joint Core Strategy

6. The recommendations within section 6 of the Preliminary Ecological Appraisal and Bat Survey (Greenwood Ecology and Conservation, September 2019) shall be adhered to throughout all phases of the development and the ecological enhancements shall be sited as shown in Figure 3 prior to the development coming into its intended use and retained thereafter.

Reason: To safeguard protected species and maintain biodiversity.

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7. Details of any external lighting of the site shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. The lighting scheme should be in accordance with Guidance Note 08/18 produced by the Bat Conservation Trust and Institute of Lighting Professionals. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area, the environment and protected species from light pollution.

8. The garage/ancillary accommodation and converted outbuilding hereby permitted shall be occupied in association with the dwellinghouse or shall be used for the purposes ancillary to the dwellinghouse. At no time shall with of the buildings be occupied as an independent unit of accommodation.

Reason: To accord with the terms of the application and to prevent the creation of inappropriate units of accommodation, possibly leading to over intensive use of the site.

9. The development hereby approved shall be constructed in accordance with the following plans received: -

- Location Plan, drawing JTD\_0211\_02\_001, rev A dated 13.08.2019
- Proposed Site Plan, drawing JTD\_0211\_02\_200, rev B dated 02.19.2019
- Proposed Basement Plan, drawing JTD\_0211\_02\_201, rev A dated 13.08.2019
- Proposed Ground Floor Plan, drawing JTD\_0211\_02\_202, rev A dated 13.08.2019
- Proposed First Floor Plan, drawing JTD\_0211\_02\_203, rev A dated 13.08.2019
- Proposed Roof Plan, drawing JTD\_0211\_02\_204, rev A dated 13.08.2019
- Proposed West Elevation, drawing JTD\_0211\_02\_211, rev A dated 13.08.2019
- Proposed North Elevation, drawing JTD\_0211\_02\_212, rev A dated 13.08.2019
- Proposed East Elevation, drawing JTD\_0211\_02\_213, rev A dated 13.08.2019
- Proposed South Plan, drawing JTD\_0211\_02\_214, rev A dated 13.08.2019
- Proposed Garage Elevations, drawing JTD\_0211\_02\_215, rev A dated 13.08.2019
- Proposed Outbuilding Elevations, drawing JTD\_0211\_02\_216, rev B dated 24.10.2019
- Proposed Section A-A and B-B, drawing JTD\_0211\_02\_221, rev A dated 13.08.2019
- Proposed Garage Sections, drawing JTD\_0211\_02\_222, rev A dated 11.09.2019
- Reason: In the interests of proper planning and for the avoidance of doubt.

**Informatives:**

1. 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

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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

Further information, application forms and guidance can be found on the Council's website  
- [www.winchester.gov.uk](http://www.winchester.gov.uk).

2. 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.

3. 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.

In this instance a site meeting was carried out with the applicant.

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

Planning (Listed Buildings and Conservation Areas) Act (Section 66 and Section 72)

Local Plan Part 1 Joint Core Strategy: DS1, CP16, CP19, CP20

Local Plan Part 2: DM2, DM15, DM16, DM17, DM24, DM26, DM27, DM28, DM29

National Planning Policy Framework

5. 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.

6. 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.

7. 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.

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8. 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 Practise

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