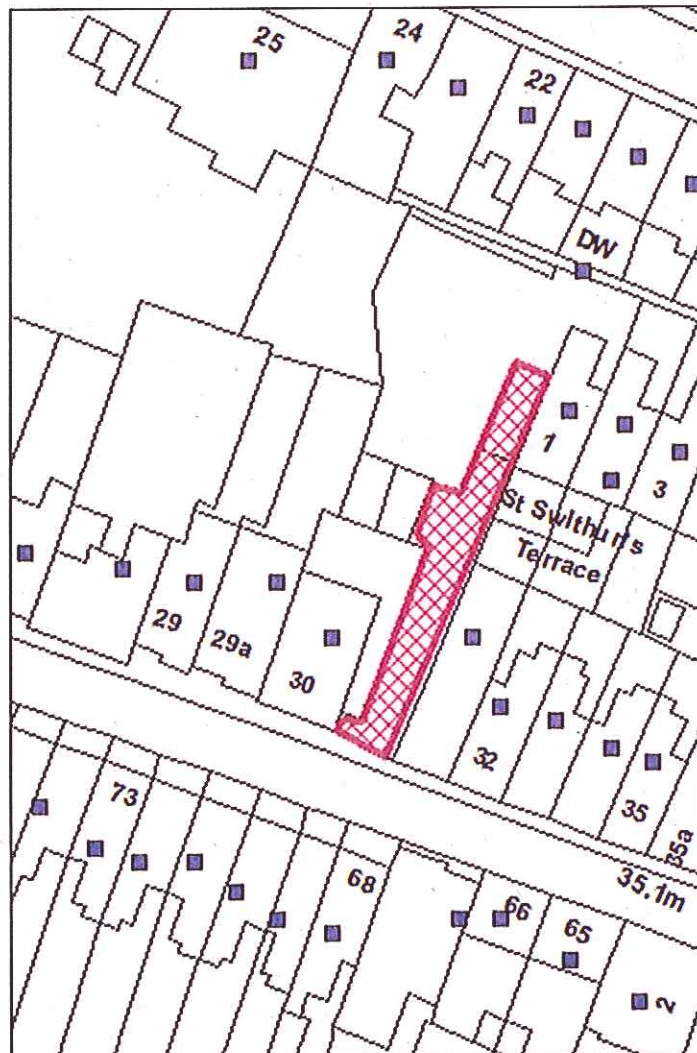


**Item No:** 07  
**Case No:** 17/01377/HOU  
**Proposal Description:** Replace the existing single concrete prefab garage with a new garage on the same footprint (amended plans).  
**Address:** 28 Canon Street Winchester SO23 9JJ  
**Parish, or Ward if within Winchester City:** St Michael  
**Applicants Name:** Mrs Penny Kempton  
**Case Officer:** Marge Ballinger  
**Date Valid:** 24 May 2017  
**Site Factors:** Winchester Conservation Area:  
**Recommendation:** Application Permitted



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## **General Comments**

This application is reported to Committee because of the number of objections received contrary to the officer's recommendation.

## **Site Description**

The existing garage to be replaced sits off of Canon Street in the Winchester Conservation Area. The garage and shared drive are approximately 91 square metres. The existing garage is a single prefabricated garage, owned by the applicants at 28 Canon Street, although the garage sits adjacent to 1 St Swithuns Terrace. The garage sits in a communal parking yard with access from the road via a shared drive (approximately 3 dwellings further east from no. 28). The remainder of the yard outside this proposal (174 square metres approximately) is owned by Abora Properties Ltd and there are 8 other vehicles that share the access drive with the applicant.

Description of the parking yard: There are 3 single flat-roofed pre-fab garages (including the applicant's) toward the south and east of the yard, and 2 larger red brick garages with clay-tiled pitched roofs to the west of the yard. Spaces for 4 vehicles line against a wall on the north boundary. The boundary wall to the north is a Grade II listed wall, once the old City's boundary wall, but has been repaired and dismantled over time to be incorporated into dwelling boundaries.

The shared drive's hardstanding is grass with concrete paving to the wheel tracks. The rest of the yard is of concrete, although tired and cracked in places due to wear and tear. The yard has an irregular slight slope from south to north, and a drainage grate/gulley in the centre of the yard.

Adjacent to the parking drive and yard are residential dwellings, primarily of red brick and slate or clay-tiled roofs. The 2 pitched roof garages in the yard (built around 1990 and 2012) were designed to blend with existing materials of the Conservation Area. There is one unique dwelling adjacent to the shared drive of painted white brick and a mansard hipped roof that was once a parish hall and a former Girl Guide headquarters that has been converted into dwellings.

## **Proposal**

The proposal is to replace the existing single flat-roof garage with a new garage on the same footprint, but utilising traditional materials appropriate for the Conservation Area. The garage will include an electro-hydraulic lift to store a second vehicle, and the garage will be for vehicle-use only.

The garage is proposed to occupy the existing ground footprint, and will not alter the existing access or usability of the existing parking yard.

## **Relevant Planning History**

None.



## Consultations

### Head of Historic Environment:

- No objection. 'The garage in terms of improved design, high quality materials and vernacular ancillary character often found within a mews is supported in terms of the Historic Environment as it relates to the local distinctiveness within the context of the surrounding conservation area.'

### Head of Historic Environment - Archaeology:

- No objection as the 'depth of the proposed raft foundation, previous disturbance from existing structure/previous uses and as the significant fills of the medieval city ditch which underlied the site, occurs at some depth here.'

### WCC Engineers: Drainage:

- No objection as the yard as a 'working gulley' in the centre of the yard.

### WCC Engineers: Highways:

- No objection.

### Head of Environmental Protection:

- No objection, 'providing the lift is not used regularly at night with the garage doors open, noise should not be an issue.'

## Representations:

### City of Winchester Trust: Objection

- The pitched roof would impede the side window to 1 St. Swithuns Terrace.
- Fitting 2 vehicles into this space is inappropriate and unneighbourly, given the central location.

16 letters received from 15 dwellings objecting to the application for the following reasons:

- Architectural amenity and overall height of the structure
- Noise and vibrations of lift use
- Sunlight and view restrictions into the yard from 1 St. Swithuns Terrace stairwell landing window
- Traffic, ROW access disruption, potential impact to Canon Street's road safety during manoeuvres of the 2 vehicles
- Increased traffic to site
- Harm to air pollution
- Potential impact on drainage

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

- Foundation disturbance may cause potential structural harm to 1 St. Swithuns Terrace dwelling, as well as an underground sewer
- No details of the logistics of bringing power to the garage for lift use
- No ROW access given to the Yard so building works would disrupt shared drive and overall access to the Yard and cause disruption to Canon Street.
- Additional traffic and noise during construction/build

- Interrupted views of a Rowan tree on St Swithuns Street from Canon Street dwellings.

### **Relevant Planning Policy:**

Winchester Local Plan Part 1 – Joint Core Strategy  
CP20 – Heritage and Landscape Character

Winchester District Local Plan Part 2 – Adopted 2017  
DM16 – Site Design Criteria  
DM27 – Development in Conservation Areas  
DM28 – Demolition in Conservation Areas

National Planning Policy Guidance/Statements:  
National Planning Policy Framework  
Section 12 – Conserving and Enhancing the Historic Environment

### **Planning Considerations**

#### Principle of Development

The proposal to erect a replacement garage is acceptable in principle as the site is located in the Winchester settlement boundary provided that it accords with other relevant policies of the Development Plan.

#### Design and Impact on Character of Area

The proposal is to demolish an existing concrete pre-fab garage of no significant historic or design value to the area. Discussions were held with a Historic Environment officer to produce amended original drawings for the proposal to be better-suited for the area by using sympathetic materials.

Although the ground footprint is as the existing garage, the height is proposed to be 2.75m at eaves and 4.6m at ridge to accommodate the lift. (Two similarly-designed garages in the yard are approximately 4.3m at ridge.) The proposed roof is a pitched, double-camber clay tiled and the walls to be red brick at plinth with hardwood feather edged timber (black-stained and treated). The double-doors facing the shared drive out onto Canon Street will be black painted timber.

The garage is to be constructed upon a 30cm deep rafter foundation and ground disturbance is limited to that depth, so no further concerns from an archaeological standpoint.

Policy CP20 ensures that the LPA will continue to conserve and enhance the historic environment. Particular emphases should be given to conserving local distinctiveness, especially in terms of characteristic materials.

Policy DM16 includes supporting development with the following criteria: i) responds positively to the character, appearance and variety of the local environment in terms of design, scale and layout; and also criteria vi) uses high quality materials that are attractive and durable and appropriate to the context and the proposed design.



Policy DM27 ensures that new buildings (criteria ii) are of a height, massing, materials, plan form, roofscape and grouping in scale and harmony with adjoining buildings and area as a whole, and (criteria iii) include good quality building materials appropriate to the locality.

Policy DM28 ensures that demolition in Conservation Areas will only be granted if buildings make no positive contribution to the character or historic interest to the area.

National Planning Policy Framework, Section 12, advises to conserving and enhancing the historic environment, specifically; criteria iii) the desirability of new development making a positive contribution to local character and distinctiveness.

In terms of the proposed development it is considered to comply with the above policies and it is noted that there is no objection from the Council's Historic Environment Officer.

#### Impact on neighbouring amenities

The proposed garage is to be built adjacent to dwelling at no.1 St Swithuns Terrace. There are 2 windows on the dwelling on the west elevation that face toward the existing garage and yard: a small window on the ground floor that currently is unused and partially blocked by the existing garage; and a stairwell landing window that is currently partially blocked by tall furniture.

Views to the yard will be restricted from the stairwell landing window due to the proposed garage roof pitch will be built at a higher level than the window. It is also noted that some direct sunlight will also be lost to the landing. However, as the window serves a stairwell only, and views are onto the parking yard, garages and trees/shrubbery to rear elevations of St Swithuns and Canon street dwellings, a reason for refusal could not be sustained based upon these grounds.

There were also concerns noted on potential noise and vibrations from the use of the lift to neighbouring dwellings. The applicants wish to use the lift to store an infrequently-used second vehicle. Lift operation is electro-hydraulic, single-post system, with a noise level at 60dB at 1m distance in operation. The single-post system allows for a slightly curved solid deck for the vehicle so no flaps that may create additional noise when driving into the garage. The 60dB equates to normal conversation sounds at 1m, which would be common to a parking yard and on Canon Street with pedestrian traffic.

#### Highways/Parking

Additional concerns involved the disruption of the shared-drive access during manoeuvring of vehicles for the lift's use. As the drive and yard are currently accessed by 9 vehicles, there is some degree of disruption in its existing state. Currently the applicant has to open the garage doors before reversing into the garage from Canon Street. Average lifting speeds are approximately 2m in 30 seconds when powered at 240v, and a new power supply will be provided by SSE to keep lift operation efficient. Therefore the estimated time to take manoeuvring vehicles will not be significantly impacted to warrant a refusal.

Further impacts to highway safety and pollution are minimal based upon the fact that the lift is primarily used for storing a vehicle not intended for everyday use. Nevertheless it is considered that the overall impact of one additional vehicle being stored in the



building and the associated movements and disturbances would be minimal at this scale. It is noted that the Council's Highways Engineer and Head of Environmental Protection have no objection to the proposed development on highway and noise grounds respectively.

#### Other Matters

Drainage will not be further impacted as gutters proposed as the existing to utilise the yard's drainage gulley.

#### **Recommendation**

Application Permitted, 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.

01 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 Plan of the Site, received 22.05.2017
- Location Plan, amended 25.09.2017
- Proposed Plans and Elevations, Drawing 855.07A, received 15.08.2017

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

03 All new works hereby approved (and all works of repair to the surrounding fabric affected by the aforementioned works), shall match the existing adjacent work with regard to the methods used and all materials, colours, textures and profiles, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition attached to this consent. The works shall then proceed in strict accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

03 Reason: To preserve the special architectural / historic interest of the listed building in accordance with Policies DM27 of the Winchester District Local Plan Part 2 Adopted 2017; Policies CP20 Winchester District Joint Core Strategy; NPPF Section 12.

04 The garage hereby approved shall not be used for any other primary purpose other than for the parking of cars.

04 Reason: To ensure the provision and retention of the garage/parking spaces in the interests of local amenity and highway safety.

## **Informatives:**

01 In accordance with paragraphs 186 and 187 of the NPPF, 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.

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

The Local Plan Part 1 (2013) – CP20

The Local Plan Part 2 - DM16, DM27, DM28

National Planning Policy Framework Section 12

03 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.

04 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.

05 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>

06 Please be advised that Building Regulations may be required for this development. Please contact WCC Building Control Department for more information (T: 01962 848176, E: [buildingcontrol@winchester.gov.uk](mailto:buildingcontrol@winchester.gov.uk))