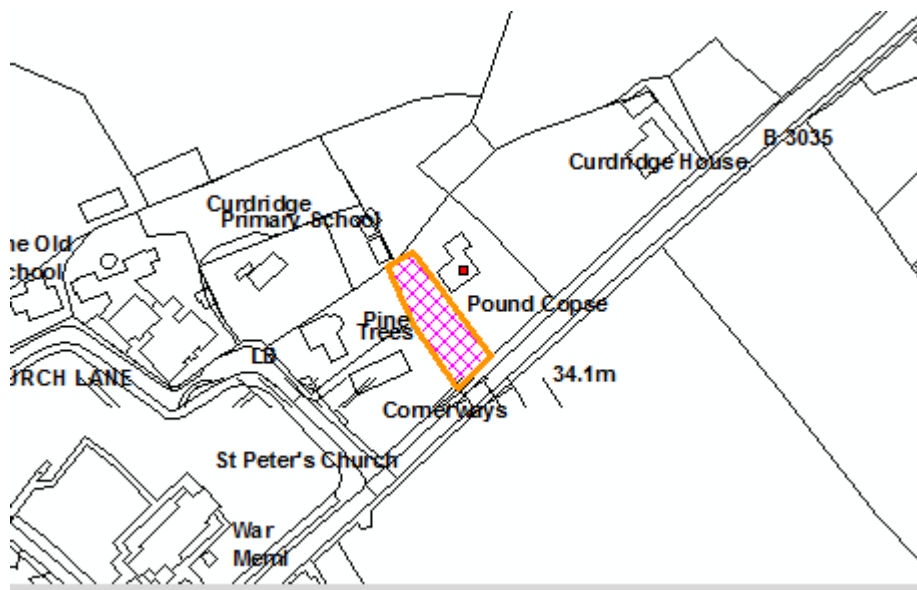


WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 19/02561/FUL
Proposal Description: The proposed change of use from domestic garage to self contained holiday let on part of the site known as Pound Copse.
Address: Pound Copse Botley Road Curdridge SO32 2DQ
Parish, or Ward if within Winchester City: Curdridge
Applicants Name: Mr ANDREW JENNINGS
Case Officer: Nicola Clayton
Date Valid: 18.12.2019

Recommendation: Application Permitted



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General Comments

Link to Planning Documents : <https://planningapps.winchester.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PCQ27/BP0RI00>

Curdridge Parish Council have called this planning application to committee and their request is appended to this report.

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Site and surroundings

The property is a large, two storey dwelling which has two access points on to Botley Road located at either end of the site, connected by a curving driveway to the front of the property. There is a large rear garden extending to open countryside. There is a large detached double garage on the site with an upper floor.

Proposal

This Planning application seeks the proposed change of use from domestic garage to self contained holiday let on part of the site known as Pound Copse. This application seeks to retain the garage building whilst adapting the internal space to provide suitable self contained holiday let, by way of providing a Lounge, Kitchen and Dining Area on the Ground Floor whilst at First Floor level providing Bedroom and Bathroom facilities.

Planning history

07/02745/FUL PER Detached double garage/workshop with storage above. 07/01/2008.

Representations

Curdridge Parish Council: Object to this planning application on the grounds that if permitted this application would cause noise pollution, light pollution, overlooking and loss of privacy due to its proximity to neighbouring properties.

5 objections have been received raising the following material planning reasons:

- a) access;
- b) setting precedent on future plans;
- c) out of keeping;
- d) loss of privacy;
- e) noise and general disturbance;
- f) overlooking;
- g) out of keeping and
- h) highway safety.

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Consultations

HCC Highways - raise no objection.

Service Lead for Environmental Services - Drainage - raise no objection.

Relevant planning policy

The Development Plan comprises:

Winchester District Local Plan Part 1: Joint Core Strategy - Adopted March 2013;

Winchester District Local Plan Part 2: Development Management and Site Allocations - Adopted April 2017;

Hampshire Waste & Minerals Plan - Adopted October 2013. Local Plan Part 1

Within LPP1 the following policies are relevant to this application;

MTRA3 Other Settlements in the Market Towns and Rural Area. MTRA4 Development in the Countryside. CP13 High Quality Design.

CP14 Effective Uses of Land. CP21 Infrastructure and Community Benefit.

Local Plan Part 2

Within LPP2 the following policies are relevant to this application;

DM15 Local Distinctiveness DM16 Site Design DM17 Development Principles DM18 Access and Parking DM23 Rural Character

Supplementary Planning Documents (SPD)

High Quality Places (WCC 2015)

Village Design Statement

Planning considerations

Principle of development

The development is not situated within a settlement boundary and is therefore considered to be within the countryside, where there is a presumption against new development unless it can be demonstrated to accord with the countryside restraint policies of the Local Plan

Policy MTRA4 allows the reuse of existing buildings for employment, low key tourist accommodation or community uses. This is to ensure that uses that benefit the local

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economy through using existing buildings can be supported. The application is for the use of an existing building as tourist accommodation. It is therefore considered that the principle of development is acceptable as it accords with policy MTRA4, provided that the development is in accordance with the other relevant policies of the Development Plan and unless material planning reasons indicate otherwise.

In order to avoid the building being used for purposes other than tourist accommodation (particularly as a self contained separate unit of residential accommodation which is not supported by policy in this countryside location) a restrictive occupancy condition is proposed to ensure the building is used solely for tourist accommodation (condition 03).

Design/Layout

The garage has been in existence for a long time. This space has been used by the family as a garage/workshop and home office. It is now proposed to use it as a holiday let. The building's external appearance will be altered by way of patio doors and velux rooflights. The proposed alterations are considered to be modest and would relate appropriately to the existing building and surrounding area and are therefore in accordance with policies DM15 and DM16.

Impact on neighbouring amenity

Policy DM17 permits development providing it does not have an unacceptable adverse impact on adjoining land, uses or property by reason of overlooking, overshadowing or by being overbearing. Rooflights are proposed as part of the external changes to the outbuilding, four of the rooflights provide additional light for the ground floor and would not therefore result in any loss of residential amenity from overlooking. One rooflight provides light to the landing area, to prevent any perceived overlooking to the occupiers of the properties to the rear of the building it is recommended that the rooflight is obscure glazed (condition 04)

The Parish Council have requested a condition to be imposed to prevent pets staying at the holiday let. It is not considered that visitor's pets would cause any more noise or general disturbance than family pets which may already reside at the property and there is no limit set for this to take place in the current circumstances. Therefore it is not considered that the restriction on pets would meet the standard tests for the imposition of planning conditions in terms of necessity, reasonableness and enforcement.

It is considered the proposal would not therefore result in any significant loss of residential amenity to the occupiers of the adjoining properties and the proposal is in accordance with policy DM17.

Landscape

The site is located in the countryside. It is considered that the proposal would not increase the impact on the countryside as it would involve minor external changes to an existing building. No additional hardstanding or landscaping is proposed. It is therefore considered

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that the proposal would not have an unacceptable effect on the rural character of the area, by means of visual intrusion in accordance with policy DM23.

Highways/parking

The proposed holiday let accommodation will utilise the existing property's driveway access onto Botley Road. Botley Road (B3035) is a classified road subject to a 40mph speed limit. The Highway Authority considers that any resultant increase in vehicle movements generated by the change of use would be modest and can be safely accommodated at the access and will not result in a detrimental impact on the safety or operation of the local highway network in accordance with policy DM18.

Other matters

Drainage

The site is within Flood Zone 1 and is at very low risk of surface water flooding. The geology is sand, silt and clay. The site will need a connection to the existing foul drainage, to drain to the foul sewer. Surface water drainage is likely to exist and probably won't need adapting for the new use. The proposal therefore includes adequate provision for surface water drainage and sewage disposal in accordance with policy DM17.

Nitrates

All new housing development and overnight accommodation within the Winchester district is considered to contribute towards an impact on site integrity as a result of increased nitrate disturbance in combination with other development in the Solent area. In accordance with advice from Natural England and as detailed in Policy CP16 of the Winchester City Council Local Plan Part 1 Joint Core Strategy and the Winchester City Council Position statement on nitrate neutral development, a net increase in housing development is likely to result in impacts to the integrity of those sites through a consequent increase in eutrophication resulting in loss of feeding grounds and disturbance of bird species. As such, in order to lawfully be permitted, the development will need to include a package of avoidance and mitigation measures.

Winchester City Council formally adopted the Position statement on nitrate neutral development and European Site Checklist on 29th January 2020. The document provides a strategic solution to ensure the requirements of the Habitats Regulations are met with regard to the in-combination effects of increased pressure on the Solent SPAs arising from new residential development.

A Grampian Condition is proposed (condition no. 5) which secures the full avoidance and mitigation package will need to be secured prior to the granting of any planning permission conclusion, the application will have a likely significant effect in the absence of avoidance and mitigation measures on the above European and Internationally protected sites. The authority has concluded that the adverse effects arising from the proposal are wholly

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consistent with, and inclusive of the effects detailed in the Winchester City Council Position Statement on nitrate neutral development and the guidance on Nitrates from Natural England. The authority's assessment is that the application coupled with a mitigation package secured by way of a Grampian condition complies with this strategy and would result in nitrate neutral development. It can therefore be concluded that there will be no adverse effect on the integrity of the designated sites identified above in this regard.

Conclusion

The proposal for tourist accommodation is considered a suitable and productive re-use of an existing domestic building that is likely to provide benefit to the local economy through direct and indirect expenditure in the local area. The principle of its re-use accords with the countryside policies of the Local Plan. It has been demonstrated that the low key re-use of the building for tourist accommodation will not have a detrimental impact on adjacent residential amenity, can be accommodated within the existing access and highway arrangements and would have an acceptable impact on the wider environment and ecology.

For the above reasons the proposal is considered acceptable accords with the Development Plan and the following policies MTRA4, CP8, DM15, DM16, DM17 and DM18 and the High Quality Places SDP.

Recommendation

Application permitted for the following reason(s)

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: 18/24/05

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

03 The development hereby approved shall only be used as holiday let accommodation and shall not be used independently as a separate unit of accommodation.

Reason: To accord with the terms of the application since the site lies within an area where additional residential properties would not normally be permitted and to prevent the creation, by conversion, of inappropriate units of accommodation, possibly leading to over intensive use of the site.

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04 The rooflight serving the landing area of the holiday let hereby permitted shall be glazed with obscure glass which achieves an obscuration level at least equivalent to Pilkington Obscure Glass Privacy Level 4, unless otherwise agreed in writing by the local planning authority, 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.

05 The development hereby permitted shall NOT BE OCCUPIED until:

- a) A water efficiency calculation which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to and approved in writing by the Local Planning Authority
- b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European sites by the development and be implemented in full prior to first occupation and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and
- c) All measures forming part of that mitigation have been secured and submitted to the Local Planning Authority.

Reason: To accord with the Conservation of Habitats and Species Regulations 2017, and Policy CP11, CP16 and CP21 of the Winchester District Local Plan Part 1.

Informatives:

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

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

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

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

The Local Plan Part 2 (2017):

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

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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

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

6. 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)

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Appendices' 1

Curdridge Parish Council comments:

Pound Copse Botley Road Curdridge SO32 2DQ - The proposed change of use from domestic garage to self-contained holiday let on part of the site known as Pound Copse. Case Officer: Nicola Clayton. Case No: 19/02561/FUL.

Several neighbouring residents were in attendance and strongly objected to this application. They were extremely concerned that this property is not suitable as a holiday let, due to its proximity to neighbouring properties, which would cause noise and light pollution, as well as overlooking and loss of privacy (especially if the velux windows are permitted). They were also concerned about the increased traffic, due to the location and the severe lack of visibility exiting the properties here; there is a scrap car business on site that already causes excess vehicular traffic and disturbance, as toxic waste is regularly burnt on site.

Members discussed this application.

Resolved TO OBJECT on the grounds that if permitted this application would cause noise pollution, light pollution, overlooking and loss of privacy due to its proximity to neighbouring properties. Members felt that this property was unsuitable for a holiday let, due to neighbours living very close to it and would set a bad precedent. Members requested that HCC make a site visit to re-assess the highway visibility from this property access, as it was felt that it is very dangerous. Members also requested that if WCC's Planning Officer is minded to permit this application that it be referred to the Planning Committee and that conditions be attached to any permission that no pets will be allowed, no velux windows will be permitted and that no external lighting will be permitted that will cause any light pollution onto neighbouring properties.