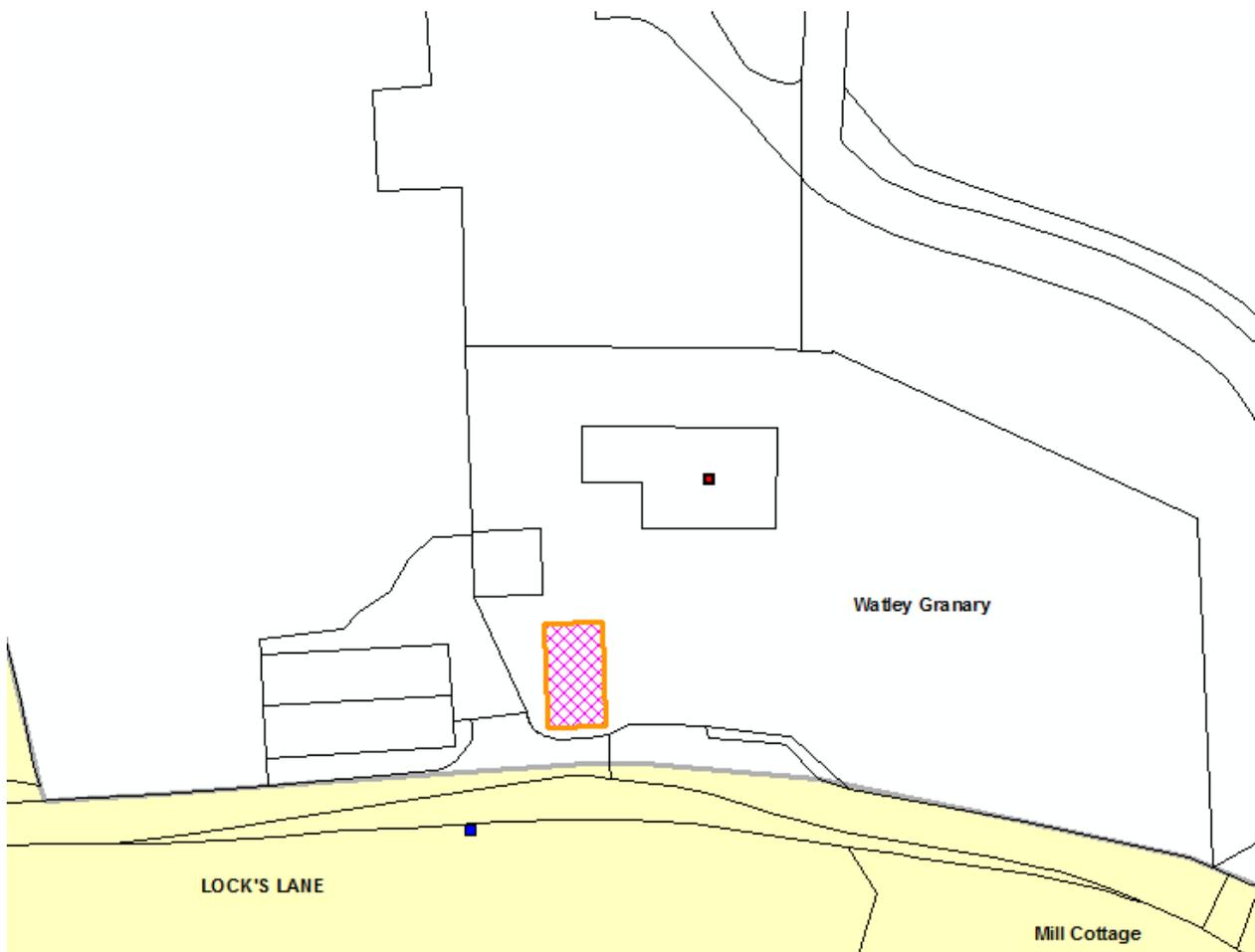


WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Case No:** 19/02366/FUL  
**Proposal Description:** Change of use of ancillary accommodation building to holiday let  
**Address:** Watley Granary Locks Lane Sparsholt SO21 2LU  
**Parish, or Ward if within Winchester City:** Sparsholt  
**Applicants Name:** Mr & Mrs Hasted  
**Case Officer:** Verity Osmond  
**Date Valid:** 28 October 2019  
**Recommendation:** Application Permitted

**Pre Application Advice: No**



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**General Comments**

The application is reported to Committee at the request of Councillor Horrill. This request is attached at Appendix A.

**Site Description**

There is a converted barn on the site which forms the main residential dwelling on the site. The current outbuilding which was approved under 18/01971/FUL is located to the south of the host dwelling and is accessed from Locks Lane.

There is a Public Right of Way that runs along the southern boundary of the site, and there are stables immediately to the west of the outbuilding.

The Conservation Area is located to the south of Locks Lane.

**Proposal**

The application seeks permission to convert the existing outbuilding into a holiday let. There are no external alterations to the existing outbuilding.

**Relevant Planning History**

18/01971/FUL (Permitted 30/10/2018) Part - Retrospective planning application to demolish and reconstruct an outbuilding to form ancillary accommodation at Watley Granary, Locks Lane, Sparsholt, SO21 2LU.

15/01075/FUL (Permitted 08/07/2015) - (HOUSEHOLDER) Conversion of outbuilding to form ancillary accommodation.

15/00149/FUL (Refused 12/03/2015) - (HOUSEHOLDER) Conversion of outbuilding to form ancillary accommodation.

12/00763/FUL (Permitted 26/07/2012) - (AMENDED SITE PLAN) Change of use of land surrounding existing dwelling and small outbuilding to residential curtilage and use; resurfacing and landscaping of driveway.

**Consultations**

None

**Representations:**

Cllr Horrill Ward Member for Wonston and Micheldever:

- The property is outside a defined settlement boundary and does not demonstrably accord with the criteria of Policy MTRA 4 of Winchester District Local Plan Part 1.

Sparsholt Parish Council:

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- The Parish Council objects to this application on the grounds that it is contrary to adopted countryside policies specifically CE23 and MTRA4 and the proposed conversion would result in a level of accommodation that is considered tantamount to a new dwelling in the countryside for which there is no overriding justification.

0 representations received objecting to the application:

0 representations of support received.

**Relevant Planning Policy:**

Winchester District Local Plan Part 1 – Joint Core Strategy

Policy DS1 – Development Strategy and Principles  
Policy MTRA 4 – Development in the Countryside  
Policy CP13 – High Quality Design  
Policy CP20 – Heritage and Landscape Character

Winchester District Local Plan Part 2 – Development Management and Site Allocations

Policy DM15 – Local Distinctiveness  
Policy DM16 – Site Design Criteria  
Policy DM17 – Site Development Principles  
Policy DM18 – Access and Parking  
Policy DM23 – Rural Character  
Policy DM27 – Development in Conservation Areas

National Planning Policy Guidance/Statements:

Section 4 of National Planning Policy Framework 2019  
Section 16 of the National Planning Policy Framework 2019  
Section 66 of Planning (Listed Building and Conservation Areas) Act 1990

Supplementary Planning Guidance

High Quality Places SPD 2015  
Sparsholt Village Design Statement August 2012

Other

National Design Guide 2019

**Planning Considerations**

Principle of development

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Paragraph 47 of the NPPF requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. The application site is not located within a defined settlement boundary, however Policy MTRA4 of Winchester District Local Plan Part 1 (LPP1) allows for certain types of development within the countryside.

Policy MTRA 4 allows for small scale sites for tourist accommodation appropriate to the site, location and the setting. Development proposed in accordance with this policy should not cause harm to the character and the landscape of the area or neighbouring uses, or create inappropriate noise/light and traffic generation.

The proposed development will provide one unit of tourist accommodation in a building which has been already found acceptable in terms of its character and appearance under the previous application 18/01971/FUL. The proposal is considered to be a small scale site for tourist accommodation and accords with the stipulations of Policy MTRA 4 of LPP1.

Policy DM23 of Winchester District Local Plan Part 2 (LPP2) deals with development outside defined settlement boundaries and proposals which accord with the Development Plan will be permitted where they do not have an unacceptable effect on the rural character of the area, by means of visual intrusion, the introduction of incongruous features, the destruction of locally characteristic rural assets, or by impacts on the tranquillity of the environment. This policy is relevant to this application and follows on from Policy MTRA 4 which allows this type of development in principle

The application site is bounded by Sparsholt Conservation Area, with the southern tip of the site running parallel to the Conservation Area. Policy DM27 of LPP2 establishes the principle of development within the District's Conservation Areas and allows for development proposals which conserve or enhance the character, appearance or special architectural/historic interest of the area in accordance with the Development.

The assessment of the application in relation to the Development Plan policies is set out below.

Impact on Rural Character and Conservation Area

The overall simple design, scale and vernacular appearance of the proposal remains unchanged from that permitted under 18/01971/FUL ; the change of use of the outbuilding is not considered to cause material harm to the character or appearance of the countryside or conservation area.

The change of use of the building into one unit of tourist accommodation is not considered to result in a level of traffic and noise generation that would detrimentally affect the tranquillity of the local and rural environment. The site is located next to a Public Right of Way, however as the physical presence of the outbuilding is already established along this footpath it is not considered that its change of use would detract from people's enjoyment of the countryside or this designated route.

The site is bounded by the edge of Sparsholt Conservation Area\_ Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, special attention should be paid to the desirability of preserving or enhancing the character or appearance of that area. The outbuilding is already been found acceptable in terms of its design, layout and

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effect on the Conservation Area under application 18/01971/FUL. The change of use to a small scale unit of tourist accommodation is not considered to result in any visual harm to the Conservation Area, nor will it affect the overall rural character of the area. Based upon the above assessment it is considered that the proposed development would conserve the setting, character, appearance and historic interest of the Conservation Area in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in compliance with DM27 of LPP2, CP20 of LPP1 and para 16 of the NPPF and the historic environment section of the Planning Practice Guidance.

An objection has been received regarding the use of the outbuilding as a new dwelling. The use of building will be conditioned to ensure it is used for tourist accommodation as new dwellings in the countryside are contrary to The Development Plan. Notwithstanding this, the small size of the outbuilding and its proximity to the main dwelling would limit the feasibility of it being converted to a new dwelling in the future.

The proposed development is in accordance with Policy DM15, DM16, DM23 and DM27 of LPP2

#### Impact on Residential Amenity

The application site is not located within close proximity to any neighbouring properties, the nearest property is over 40 metres to the south east of the site. The proposal is not considered to result in any significant overlooking, overbearing or overshadowing on residential amenity in accordance with Policy DM17 of LPP2.

#### Highways/Parking

Access to the site is from Locks Lane and there is sufficient space within the site to accommodate car parking for the tourist accommodation. The car parking spaces to the site are already in situ. Although the application site is located within the countryside and will encourage private car journeys to and from the site, this is to be expected with tourist accommodation allowed under Policy MTRA 4 of LPP1. The proposal accords with Policy DM18 of LPP2.

#### Nitrates

A separate appropriate assessment in relation to the nitrate issue has been completed and is attached to this case. The proposal demonstrates that there is likely to be an additional 2.73 Kg/N/year discharging into the Solent catchment. If Committee is minded to approve the application, the applicant has agreed that a Grampian Condition can be attached to the consent to ensure that a mitigation strategy is submitted to and approved in writing by the Council prior to the occupation of the development.

#### Other Matters

Due regard should be given to the Equality Act 2010: Public Sector Equality Duty. Public bodies need to consciously think about the three aims of the Equality Duty as part of the process of decision-making. The weight given to the Equality Duty, compared to the other factors, will depend on how much that function affects discrimination, equality of opportunity and good relations and the extent of any disadvantage that needs to be addressed. The Local Planning Authority has given due regard to this duty

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and the considerations do not outweigh any matters in the exercise of our duty.

Conclusion

The proposed development is considered to accord with the Development Plan and the following Policies: DS1, CP13, CP20, MTRA 4 of LPP1 and DM1, DM15, DM16, DM17, DM18, DM23 and DM27 of WDLPP2.

**Recommendation**

Permit subject to the following condition(s):

**Conditions:**

1. 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).

2. The development hereby approved shall be constructed in accordance with the following plans

Proposed Site Plan Drawing 1811\_101 REV A  
Proposed East and West Elevations Drawing 1811\_300 REV A  
Proposed North and South Elevations Drawing 1811\_301 REV A  
Proposed Ground Floor and Roof Plan Drawing 1811\_200 REV A

Reason: In the interests of proper planning and for the avoidance of doubt and to ensure the development is carried out in accordance with the relevant policies of The Development Plan.

3. The tourist accommodation hereby permitted shall be only used for holiday accommodation and shall be limited to any one occupier occupying the unit for a maximum period of 4 weeks and for no more than 3 times per year, with a break between each occupation, by the same occupier, of 4 weeks. A register of the names of the occupiers of the unit and their arrival and departure dates shall be kept by the owner and shall be produced to the Local Planning Authority upon reasonable notice.

Reason: To ensure the use of the building is appropriate to its countryside setting and to ensure that a separate unit of residential accommodation is not created within the countryside in accordance with Policy MTRA 4 of Winchester District Local Plan Part 1 (2013)

**PRIOR TO OCCUPATION CONDITIONS**

4. 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

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- 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. This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out below, 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.

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

Winchester District Local Plan Part 1 (2013): DS1, CP13, CP2, CP11, CP16, CP21, MTRA 4

Winchester District Local Plan Part 2 (2017): DM15, DM16, DM17, DM18, DM27, DM23

Winchester District High Quality Places Supplementary Planning Document

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.

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. During Construction, no materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Protection Team, an Abatement Notice

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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.

6. Please be respectful to your neighbours and the environment when carrying out your development. Ensure that the site is well organised, clean and tidy and that facilities, stored materials, vehicles and plant are located to minimise disruption. Please consider the impact on your neighbours by informing them of the works and minimising air, light and noise pollution and minimising the impact of deliveries, parking and working on public or private roads. Any damage to these areas should be remediated as soon as is practically possible.

For further advice on this please refer the Construction Code of Practice <http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-considerate-practice>

## APPENDIX A

**City Councillor's request that a Planning Application be considered by the Planning Committee**



<b>Request from Councillor: Caroline Horrill</b>
<b>Case Number: 19/02366/FUL</b>
<b>Site Address: Watley Granary Locks Lane Sparsholt SO21 2LU</b>
<b>Proposal Description:  Change of use of ancillary accommodation building to holiday let</b>
<b>Requests that the item be considered by the Planning Committee for the following material planning reasons:</b>  <b>The property as detailed is outside of the village building envelope, located in the countryside, and therefore covered by policy MRA4.</b>  <b>It is my belief that this application does not adequately demonstrate an identifiable need against any of 4 criteria listed in the policy to allow development.</b>  <b>It is also another application in a series of applications for this property which committee members should be made aware of, that have sought to rebuild the building and then change its use.</b>