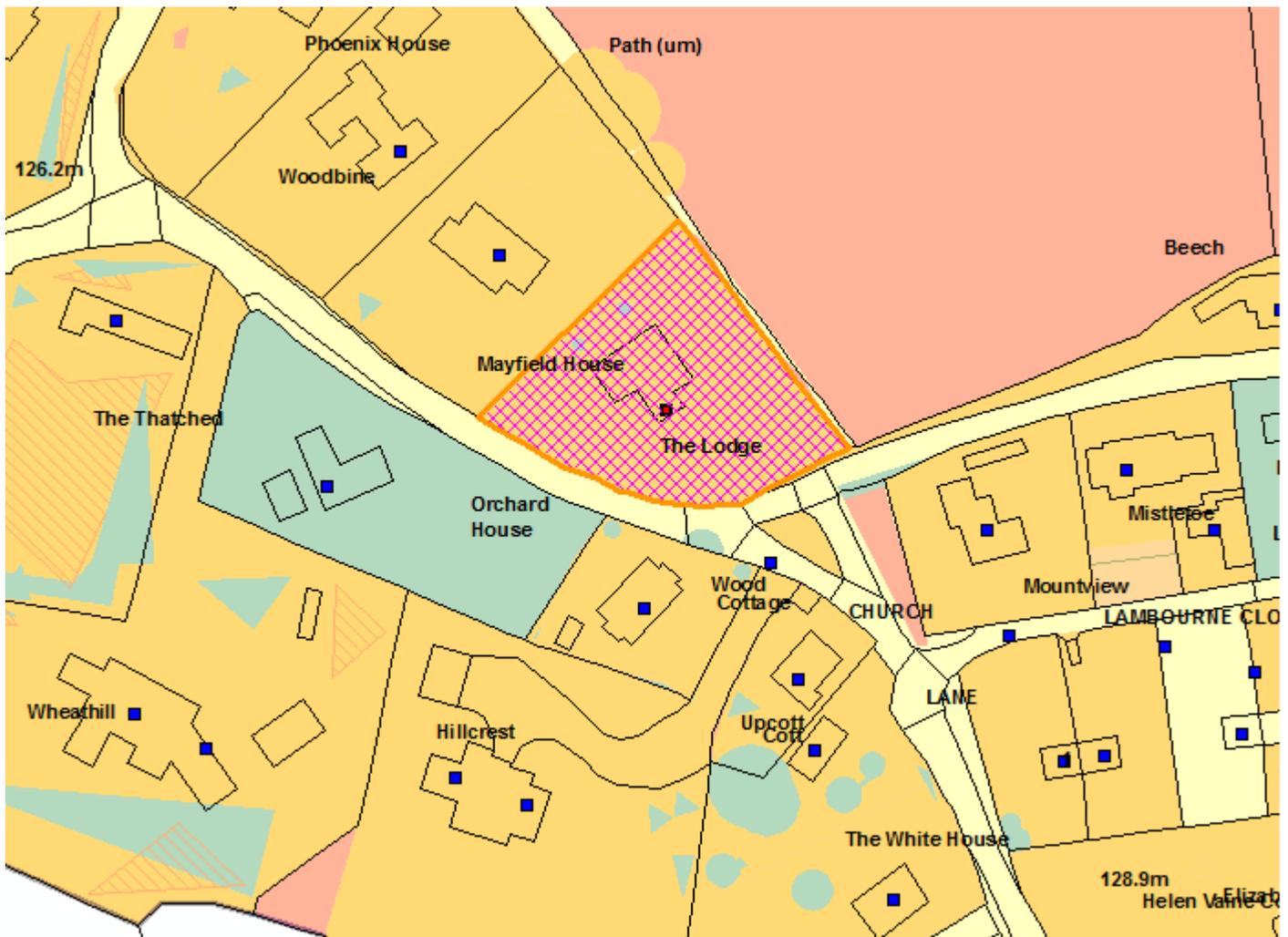


WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Case No:** 20/00084/HOU  
**Proposal Description:** 1. Construction of a replacement garage (Amended Plans)  
2. Construction of a single storey side & rear extension (Amended Plans)  
3. Internal reconfiguration  
**Address:** The Lodge Home Lane Sparsholt Winchester Hampshire  
**Parish, or Ward if within Winchester City:** Sparsholt  
**Applicants Name:** Mr & Mrs Amanda and John McKenna  
**Case Officer:** Sean Quigley  
**Date Valid:** 14 January 2020  
**Recommendation:** Application permitted



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## **General Comments**

This application is being reported to the Planning Committee because of the number of objections that have been received contrary to the case officer's recommendation for approval. The parish Council have also objected to the application and requested that be considered by the Committee.

## **Site Description**

The existing dwelling, a detached house constructed in the mid-1990s occupies a plot of approximately 0.3 acres. The rear garden faces south-west onto Church Lane, with a hedgerow providing privacy around the perimeter of the plot. The site is accessed via a drive through a gap in the hedgerow on its south-east corner of the site. This is a private road providing access to two neighbouring properties. A large two storey garage in the south of the plot was erected in 1996. There are a number of mature trees around the site, some of which are subject to Tree Protection Orders.

The site is within the settlement boundary of Sparsholt and is in the Sparsholt Conservation Area. The key characteristics of the conservation area are that it is an historic hilltop settlement surrounded by rolling fields and woodland with an informal street pattern of ancient lanes sunk into the surrounding countryside, with high banks and hedges.

## **Proposal**

There two main components to the application;

- the demolition of the existing single story side and rear extension to the existing dwelling and its replacement with a larger single-storey extension
- the demolition of the existing detached triple garage and the construction of a replacement detached garage on a different part of the site within the existing curtilage

## **Relevant Planning History**

Permission was previously granted for;

- a two storey extension to the south side of the building and conservatory to rear in 2005 (05/00355/FUL)
- a detached triple garage with rooms above in 1996 (96/03766/OLD)

## **Consultations**

Historic Environment – the advice was received from the Historic Environment Officer who raised no objection to the scheme.

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Landscape/Trees - the advice of the tree officer was received and no objections were raised.

## **Representations**

### Sparsholt Parish Council

Objected on the following basis;

- the proposed materials on the extension and the garage do not conform to the Village Design Statement and should reflect the pre- application guidance that materials should be traditional and reflect the historic architecture and character of the area
- the replacement garage has an unacceptable impact on the neighbouring property to the north partly because it is on a higher level
- the proposed development does not reflect the character of the part of the village where it is proposed
- the materials proposed for the house extension do not accord with the village design statement or the conservation area appraisal
- the 2 car parking spaces just inside the entrance are inappropriate
- impact on service vehicles and visitor parking is unacceptable
- the large tree near the boundary of the site in the vicinity of the proposed garage could be severely affected by the development

Comments on the amended plans;

- the development is contrary to DM18, DM23 and DM27 of LPP2, the Village Design Statement and the High Quality Places SPD
- the development is contrary to a number of conditions placed on the permission for the houses of which the host dwelling is part of and this will be detrimental to road safety
- the proposed garage has increased in height and this is totally unacceptable in relation to the area, the host dwelling and the neighbouring proper

8 letters received objecting to the application for the following reasons:

### Submitted Application

- the development is overbearing in relation to the neighbouring dwelling
- the development will have an unacceptably detrimental impact on the privacy of

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the neighbouring dwelling

- the truncated roof and box-dormer of the proposed garage is visually detrimental
- the materials for the garage are not in keeping with the host dwelling
- the proposal is not in accordance with the Village Design Statement
- the proposal will destroy the fabric of the village
- the garage is not in keeping with nearby garages
- the 2 car parking spaces on the eastern boundary of the site will have an unacceptable impact on the public footpath
- there will be no turning space for delivery vans or cars which will cause disruption for other vehicles
- the garage will adversely impact the protected tree's setting and visual amenity
- the protected tree will be damaged by the development
- garage will be over-dominant in relation to the host dwelling and on the street scene generally
- the garage results in overdevelopment and a loss in the perception of space contrary to the existing settlement pattern
- there is no precedent for allowing developments which sit astride property boundaries
- the design and materials of the proposed extension is out of character with the existing house
- the absence of mature boundary planting will expose the garage and extension to the detriment of view available from the public footpath
- the proposed balcony/windows on the garage are out of keeping

Amended Application

- overdevelopment of the site
- out of keeping/over-dominant
- contrary to the conservation area and local plan
- the revised design of garage is taller/has more mass than the submitted design

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- lack of adequate parking area within the site
- the development will damage the trees on the site
- vehicles parked at the property will be visually prominent and may block access other properties which use the shared drive

Objections raised that are not material to planning:

- a previous application for a garage was refused
- the parking arrangements are contrary to conditions placed on the original permission
- the development is contrary to existing covenants
- the demolition of the existing garage is not justified and will detract from the character and appearance of the area
- there will be no room for builders vehicles when the development is constructed

1 letter of support received (amended application)

- neighbour welcomes the changes to the eastern elevation of the proposed garage

**Relevant Planning Policy:**

Winchester Local Plan Part 1 – Joint Core Strategy

Policies MTRA3, CP13 (High Quality Design) and CP20 (Heritage and Landscape Character)

Winchester District Local Plan Part 2

Policies DM1 (Location of Development), DM15 (Local Distinctiveness), DM16 (Site Design Criteria), DM17 (Site Development Principles) , DM18 Access and Parking) and DM27 (Development in Conservation Areas)

National Planning Policy Framework

High Quality Places Supplementary Planning Guidance (2015)

Sparsholt Village Design Statement Supplementary Planning Guidance (2007)

**Planning Considerations**

Principle of development

The site is within the settlement boundary of Sparsholt and is in the Sparsholt  
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Conservation Area. LPP1 Policies MTRA3 (development within settlement boundaries), CP13 (high quality design) and CP20 (Heritage) and LPP2 Policies DM1 (location of development) and DM27 (development in conservation areas) are the main policies against which the proposals will be assessed. Policy MTRA3 indicates that in settlements with defined boundaries, development and redevelopment opportunities will be supported and that all development should be appropriate in scale and design to the area and conserve each settlement's key historic characteristics and local features. Development within conservation areas will be permitted provided it conserves the character, appearance and special historic interest of the area.

The proposal is therefore acceptable in principle provided it meets the requirements of other local plan policies and unless material considerations indicate otherwise.

Impact on the character and appearance of the area

The existing house, built in the 1990's is a red brick building with a tile roof set within a plot of approximately one-third of an acre. The site is surrounded on its frontage with Church Lane with a tall mature hedge which restricts views into the site. There are a number of mature trees on the site.

Extension - the application proposes the demolition of an existing side and rear extension to the house on its southern elevation (approved in 2005) and its replacement with a larger single-storey extension of a more contemporary design. The flat-roofed design, which incorporates timber cladding, metal roof and wall elements, has significant areas of floor to ceiling glazing to connect the main living areas with the garden. Whilst the proposed extension has a bigger footprint than the existing one, it is in proportion to the existing house and although contrasting in design, nevertheless preserves its character. The extension which it replaces is of limited architectural value and its replacement improves the building.

Notwithstanding that views of the proposed extension from public areas are limited, it nevertheless responds positively to and does not detract from the character and appearance of the conservation area.

Garage demolition - because the site is within the Sparsholt Conservation Area and the existing garage is over the size threshold for permitted development, its demolition requires planning permission. The existing garage occupies a position at the front of the plot, close to the site's boundary with Church Lane where public views of the site are gained. The existing garage is large, with an expanse of steep-sloped, dual-pitched roof visible over the hedge. Overall, it makes a neutral contribution to conservation area. The removal of the existing garage will have a neutral impact on the character and appearance of the area where several pedestrian and vehicular routes intersect.

Replacement garage - it is proposed to build a new detached garage to the north of the house, between it and the detached house to the north-west. This is a logical position for a new garage building in the context of the pattern of existing development. The effect of the proposal will be to remove the existing large detached garage from a more visually prominent position at the front of the site, to a position where it will be less prominent from public views. Whilst the relocated garage will be visible from the public right of way which runs along the eastern boundary of the site, it will be viewed against the backdrop formed by, and the in the context of, the existing group of detached houses, reducing its visual

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prominence. The proposed garage has living accommodation (a study/home office) on the first floor, with a dormer window on the south-east facing roof slope, facing away from the house to the north. The design of the dormer window has been amended during the application process to reduce its size and prominence. The proposed materials (facing bricks, slate tiled roof and wooden doors and windows) relate well to the existing house, those nearby and the area in general. The net effect of the relocation of the detached garage on the character and appearance of the area will be neutral.

Separate parking spaces - in response to concerns with the proposal for 2 parking spaces in the south-east corner of the site, this element of the proposal has been withdrawn.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act requires the planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. The Sparsholt Conservation Area is characterised by ancient lanes, some sunk into the countryside, with high banks and hedges. The majority of housing is varied 20th Century detached dwellings on large plots, often discreetly located behind high banks of trees and hedges. The proposed single-storey extension and the relocated garage building do not detract from these features of the conservation area.

The Sparsholt Village Design Statement (SVDS 2007) is a material consideration in the assessment of the application. The SVDS describes the characteristics of the area and, similar to the local plan, requires new development to respect and take the existing character and appearance of the area into account. However, while the SVDS requires building materials to harmonise with existing buildings, the more recent district-wide High Quality Places Supplementary Planning Guidance (2015) acknowledges the potential for distinctive extensions to enrich the vitality of the built environment and to improve legibility. Accordingly, there will be instances where extensions which contrast with the character of the host building will be appropriate, as in this case.

#### Landscape/Trees

There are a number of trees in the vicinity of the proposed garage which contribute to the character of the conservation area. This includes 2 protected (TPO) trees, one within the application site T1 - approximately 5m east of the garage, and T24, approximately 6m north of the proposed garage. The Tree Protection Plan, and Arboricultural Assessment and Method Statement submitted with the application indicate that the construction of the garage will require one low quality tree and one small clipped hedge which currently contributes little to the character of the area, and has limited potential to contribute in the future, to be removed. The report concludes that whilst T1 may be affected by the installation of the garage, if an appropriate methodology is adopted - a suspended floor slab supported by screw piles or similar - this can be achieved without the any long-term detriment to the health of the tree and therefore on its contribution to the character of the area. T1 will also need to have its crown raised to 6m above ground level - this will have no significant detrimental impact on the health of the tree and, because of its position, would have no significant impact on the character of the area.

Whilst the proposed no-dig surfacing to link the existing block paved driveway and the new garage will encroach into the outer edge of the root protection area of T24, this can be achieved without any long-term detriment to the health of the tree by using custom-designed no-dig specification surfacing, which will be subject to an appropriate condition.

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The arboricultural statement also acknowledges the scope for planting new tree planting to mitigate the impact of the development. Any permission will have a condition attached requiring the submission of a detailed landscape plan, which will include additional tree planting, before construction of the garage commences.

Finally, the arboricultural method statement sets out adequate precautionary protective measures for existing trees to ensure they are not damaged during the construction of the proposed development.

Impact on Residential Amenity

Whilst the proposed garage building will be directly on the boundary with the adjacent house to the north-west and the adjacent plot is at a lower level than the site of the garage, its position - backing onto that property's detached garage - mitigates its potential visual/overbearing impact. Finally, the dormer window proposed for the new garage will face away from the neighbouring property, towards the host dwelling. In conclusion, the proposed development will not have a significant impact on the residential amenities of the occupiers of neighbouring properties.

Highways/Parking

Concerns have been raised regarding the adequacy of parking arrangements and vehicular movements within the site, particularly in relation to the shared drive and the proposed detached garage. However, these arrangements are satisfactory and the parking available will be adequate and in accordance with the Council's requirements. Concerns that vehicle movements within the site will impede those outside the site are unfounded.

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 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 as statutory planning authority for the Council.

Other Matters

Whilst the Council's ecology officer has raised no objection to the proposed development, a survey supplied with the application confirms that a Serotine bat roost has been confirmed in the garage. Accordingly, appropriate conditions will be attached to any permission in this regard.

**Recommendation**

**APPROVE subject to the following conditions:**

01 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

02 The materials to be used in the construction of the external surfaces of the extension hereby permitted shall be as specified in Section 5 of the submitted application form.

02 In the interests of the visual amenities of the area

03 The development hereby approved shall be constructed in accordance with the following plans:

Proposed Site Plan - P102 C

Ground Floor Plan - P105 A

North and East Elevations - P110 B

South and West Elevations - P111 B

First Floor Plan - P106 A

Garage Elevations - P112 B

Garage Ground, First, Roof Plans - P107 B

03 For the avoidance of doubt, to ensure that the proposed development is carried out in accordance with the plans and documents from which the permission relates to comply with Section 91 of the Town and Country Planning Act 1990.

04 The ground floor of the garage hereby permitted shall only be used for the purpose of accommodating private motor vehicles and other ancillary domestic storage purposes. The first floor shall only be used as a study/home office. The garage shall not, at any time, be used for living accommodation (other than for a study/home office on the first floor), business, commercial or industrial purposes.

04 In the interests of good planning and to protect the residential amenities of the occupiers of nearby dwellings, and the character of the area.

05 No development shall take place until details of 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 within the first planting season following the substantial completion of the development or as otherwise agreed in writing by the Local Planning Authority. These details shall include the following, as relevant: details of all trees, hedges and other planting to be retained, planting plans, written specifications and schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate: implementation programme. All soft landscape works shall be carried out in accordance with the approved details. The soft landscaping shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

05 In the interests of the amenities of the locality

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06 All works set out in the Arboricultural Method Statement (J Barrell Tree Consultancy 10 April 2019) relating both to trees and to construction activities shall be undertaken in strict accordance with that information. Protective measures, including fencing and ground protection in accordance with this information shall be installed prior to any construction or groundwork commencing on the site and will remain until the development is complete.

06 In the interests of the amenities of the locality.

07 Details of the construction of foundations/slab/base for the garage building hereby permitted, shall be submitted to and approved in writing by the local planning authority prior to the commencement of construction of the garage.

07 In order to protect and preserve the health and longevity of nearby trees.

08. The demolition of the existing garage shall not commence until a Low Impact Class License has been obtained from Natural England following completion of bat surveys at the beginning of the survey season. The bat reports and Low Impact Class Licence application shall be submitted to and approved in writing by the Local Planning Authority. The Natural England license details of mitigation relating to sensitive dismantling of the building, bat roost provision and sensitive lighting shall be adhered to and implemented in full.

08. To ensure to ensure that any protected species are safeguarded in accordance with local plan policy and current legislation.

**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:-

LPP1 Policies MTRA3, CP13 (High Quality Design) and CP20 (Heritage and Landscape Character)

LPP2 Policies DM1 (Location of Development), DM15 (Local Distinctiveness), DM16 (Site Design Criteria), DM17 (Site Development Principles) DM18 Access and Parking) and DM27 (Development in Conservation Areas)

High Quality Places Supplementary Planning Guidance (2015)

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3. In accordance with paragraph 38 of the NPPF, Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service and,
- updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

4. 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

5. 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.