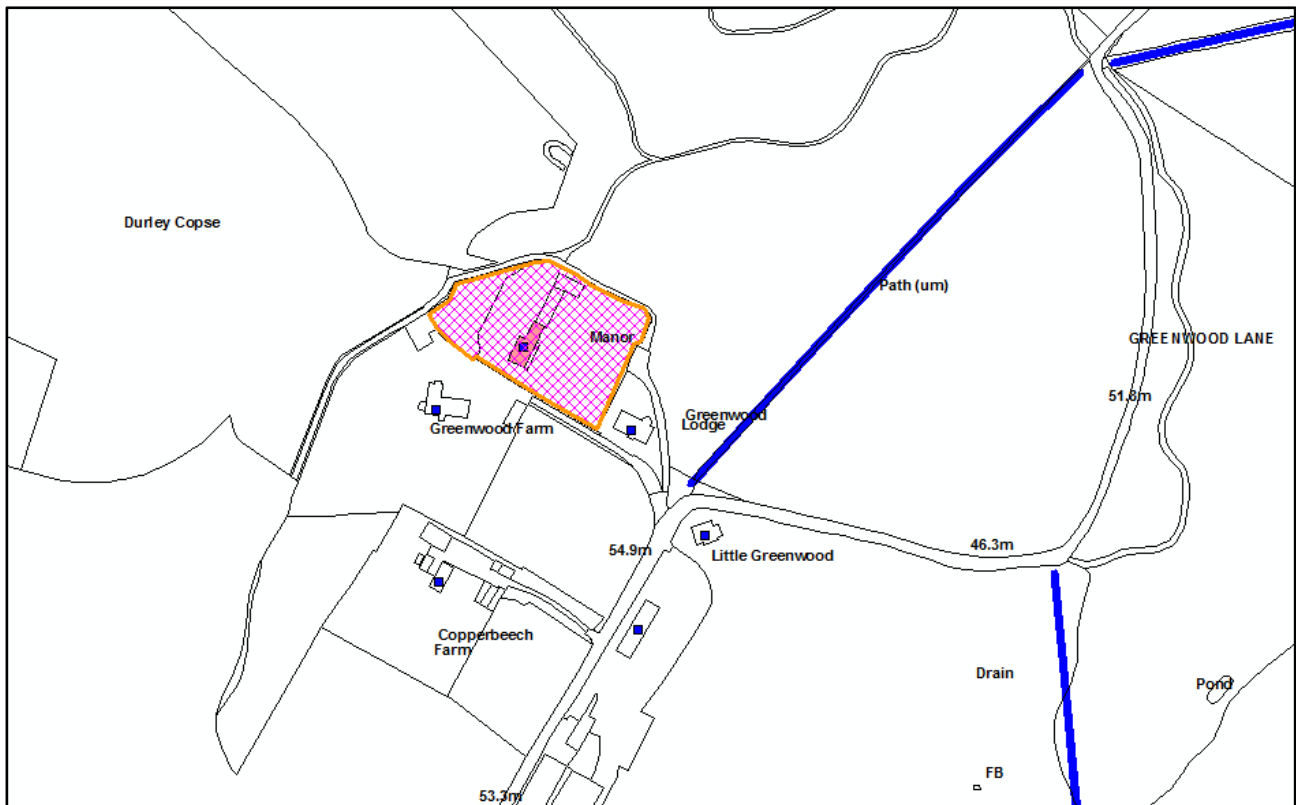


WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 21/00471/HOU
Proposal Description: Install 2no windows and external staircase and exit, with a gabled canopy, to rear elevation of previously-converted stable building; erect car port and enclosed garage combined to front drive and single equipment/store building in rear garden (within the curtilage of a listed building; amended proposal)
Address: Greenwood Manor Greenwood Lane Durley SO32 2AP
Parish, or Ward if within Winchester City: Durley
Applicants Name: Mr and Mrs Kemp
Case Officer: Marge Ballinger
Date Valid: 22 March 2021
Recommendation: Application Permitted

Link to Planning Documents: <https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple&searchType=Application>

Pre Application Advice: Listed building advice was sought in Jan 2021, but works proposed were to the curtilage structure (not to the listed building); planning application submitted instead as listed building advice was not necessary.



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Case No: 21/00471/HOU

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

General Comments

The application is reported to Committee due to the number of objections received in relation to 21/00471/HOU which are contrary to the Officer recommendation for approval.

Site Description

Greenwood Manor is a C19 Grade II listed dwelling with a site of two other curtilage structures (former barn and separate stables that have been previously converted), outside the settlement boundary within the countryside. The site can be accessed off of Greenwood Lane via a small drive that also provides access to two neighbouring residential sites (Greenwood Farm, southwest; Greenwood Lodge, southeast). Greenwood Manor sits within approximately 1.4 acres (0.56 hectares) of residential garden.

Adjacent the garden northwest are ancient woodlands and land designated as a SINC, included in (or near) the grounds of the East Horton Golf Club. The entrance to the property is walled with a gate into an expanse of gravel within the drive/parking area. The front and rear gardens are primarily grassed with landscaping, hedgerow and trees throughout, and the land slopes gently up from southeast to northwest. The dwelling sits linear with its curtilage former stables/barn, and has been extended to join the dwelling with the building – creating a continuous built structure approximately central to the residential site overall.

The side extension to the dwelling permitted in 1989, as well as the converted barn/stables permitted in 1994, are currently used for ancillary residential use to the dwelling.

Proposal

The proposal is to install 2no windows and an external staircase and exit (with a gabled canopy) to the rear elevation of the central (previously-converted) stable building. The proposal also includes the construction of a new car port and enclosed garage combined to the front drive (forward of the listed dwelling) and erect an equipment/store building in the rear garden for land maintenance equipment and tool storage.

Relevant Planning History

89/00194/OLD (W1330/05) (PER 08.05.1989) Two storey extension and single storey extension; Dormer windows.

92/00148/OLD / 92/00149/OLD (W1330/10/LB / W1330/11) (REF 14.01.1992) (AMENDED DESCRIPTION) Internal and external alterations including re-roofing to form five units of holiday accommodation.

94/00186/OLD / 94/00187/OLD (W1330/12 / W1330/13/LB) (PER 15.06.1992) Internal and external alterations including re-roofing to form 5 no. units of holiday accommodation.

20/01681/LDC (Withdrawn 15.12.2020) - Application of a Lawful Development Certificate

Case No: 21/00471/HOU

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

for Family and Bespoke events

Consultations

Service Lead for Built Environment - Historic Environment: No objection, subject to conditions (Cond 2 – Stairway Joinery, Cond 3 – Materials Schedule).

Service Lead for Environment Services - Landscape: Ecology: No objection, subject to conditions (Cond 4 – Biodiversity Enhancement, Cond 5 – External Lighting).

Service Lead for Environment Services - Landscape: Tree Officer: No objection, subject to a condition (Cond 6 – Protective Fencing).

Representations:

Durley Parish Council: objection to application as it was considered there was no justification for the alterations proposed other than for potential commercial venture. (Further comments received in regards to a website was seen to promote the site as a wedding venue.)

Seven letters received (two from nearby properties; five from addresses outside of WCC) objecting to the application for the following material planning reasons:

- Inaccuracies to the original planning proposal: the original proposal had not included the 2no. rear windows or mention the roof alterations to the stable block in detail with the addition of the external staircase.
- There is no justification to the proposed development; unclear why further storage buildings are required given the size of the existing buildings; overdevelopment.
- Neighbouring amenities to adjacent Greenwood Farm would be impacted, although not on an unacceptable level.
- There is insufficient details provided in regards to how the listed building will be impacted with the proposal; the two additional storage buildings would have a harmful impact to the listed building and its setting.
- A tree survey was not provided.

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

- The water feature in the site plan is existing and not considered development. (The drawings have been amended to remove this as it is an existing feature.)
- Concerns raised to the withdrawn 20/01681/LDC application and the potential use of the site for events. The change of use required for anything other than residential purposes would require a separate planning application to be assessed formally.
- The Parish requested if the application was approved that a condition be added that the site remain for residential purposes only, for now and in the future.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy
CP16 – Biodiversity

Winchester Local Plan Part 2
DM15 – Local Distinctiveness
DM16 – Site Design Criteria
DM17 – Site Development Principles
DM23 – Rural Character
DM24 – Special Trees, Important Hedgerows & Ancient Woodlands
DM29 – Heritage Assets

National Planning Policy Guidance/Statements:
National Planning Policy Framework Section 15 (natural environment) and Section 16 (historic environment)

Planning Considerations

Principle of development

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 principle of development to this property is acceptable subject to the preservation of the special architectural/historic interest of the listed building as per the Section 66 of the Planning (Listed Buildings and Conservation Areas) Act.

Policy DM23 of the Local Plan Part 2 (2017) considers the impact upon 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 states that extensions (and other ancillary development) should be proportionate in size to the existing dwelling and generally be subordinate to it. They should also generally reflect the character of the existing dwelling unless the existing character is not considered to be worthy of retention.

Design/layout

Alterations to the Former Barn:

The converted stable and barn buildings were not included in the 1987 listing of the Grade II dwelling. Although permission was granted to convert the structures into 5 holiday lets, the top floor of the main structure (barn) was retained as open-planned with windows facing the front elevation and an internal set of stairs within one end of the room and no other external access from the upper floor of the barn. The other ground floor rooms are used for storage, as well as the larger barn structure perpendicular is currently used for storage.

Case No: 21/00471/HOU

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

The proposal was amended to clarify the proposed 2no new windows and the gabled canopy alterations. The addition of 2 rear-facing windows will create views out toward the rear garden. The staircase will provide a secondary access from the upper room and include a small landing (2.3m in depth from the rear wall) with roof alterations of a gable canopy above. Materials proposed are timber frames to the windows and slate to the roof alterations. A detailed materials condition (Cond 2) and staircase joinery drawings has been added as pre-commencement conditions (Cond 3) to ensure the staircase will be of traditional design.

Garage/Carport:

The new carport and garage structure will be sited within an existing gravelled parking area in front of the listed dwelling, but off to the side near the hedge boundary. The dimensions are 6m x 6m with a shallow 1.3m lean-to to one side for a log store. The materials proposed are a shallow brick to plinth with timber horizontal framed and slate to the hipped/clipped roof up to 3.9m in height. The space is currently used for parking due to its location to the front entrance of the dwelling compared to the other parking areas within the site.

Rear Storage Building:

The new rear garden storage building will be sited within the northwest corner of the property where there is a clearing behind a mature hedgerow. The building will be timber clad and framed, with double-bay doors to the front facing into the garden and a window and side door within the side wall (facing toward the golf green). The building will be dual-pitched with a green felt roof with dimensions of 5.75m x 5.65m, 2.2m at eaves and up to 3.5m at ridge. The use of the building will be for mowers and small lawn machinery and tool storage. There will not be an additional drive or access created that would require assessment for the impact of new vehicle traffic.

The justification of rear-facing windows and an external staircase to an upper floor of an ancillary building, the additional covered parking and new garden store is for the residential purposes (private use) of the use of Greenwood Manor and its site. The rear staircase and windows will provide a rear access to the garden and improve light to the internal rooms of the first floor. The two additional timber-framed buildings are considered subservient and incidental to the dwelling.

Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act we should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The alterations proposed within this application are considered acceptable by our Historic Environment Officer as the works will not detract from the listed dwelling or the setting overall and preserves the historic features of the setting in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in compliance with DM29 of the LPP2 and para 16 of the NPPF.

Impact on character of area and neighbouring property

The rural setting of Greenwood Manor will be retained with what is considered small-

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

scale alterations to the ancillary residential buildings and the setting overall. The materials of the proposal would contribute to the existing rural character with the use of timber and its simple design (in accordance to Policy DM16 i, vi) and each aspect of the proposal is not expected to have a harmful impact on the area's rural character, and will remain for incidental use to a residential dwelling, and therefore complies with DM23.

The rear-facing windows and the staircase and landing will be approximately 20m away from the rear boundary that faces the golf course. The two outbuildings will be sited near a boundary shared with Greenwood Farm, but both buildings are below 4m in height for incidental use only, so the proposal is not expected to impact neighbouring amenities in terms of overlooking or overbearing (in accordance to DM17 vii).

Landscape/Trees

The proposed front carport/garage building will be sited adjacent a mature laurel hedgerow that has already been cut back to the boundary line (outside of bird nesting season). The rear garden store will be positioned within a clearing to the rear garden, and up to 10m away from any mature trees. The foundations to the 2 proposed outbuildings will be shallow due to the lightweight material use (approx 15cm) so minimal groundworks are proposed that may affect any root protection areas. A condition (Cond 6) will be added to ensure the nearest tree is fenced off appropriately prior to works commencing to avoid soil compaction and root damage. The ancient woodlands are beyond the residential garden and the golf green adjacent, and the ancient woodlands would not be impacted by the outbuildings. The proposal therefore complies with DM24.

Ecology

A bat survey was completed in June 2020 (Nick Tomlinson Ecology) and updated April 2021 as the proposal would involve disruption to the roof tiles of the barn. No evidence of bats or potential roosts have been found within the barn. The biodiversity enhancement recommendations on page 11 of the report will be included within a condition (Cond 4).

External lighting will be conditioned (Cond 5), due to the sensitive nature of the land northwest of the site as a SINC within ancient woodland. Any lighting should adhere to ILP & BCT Guidance 08/18. Lighting should not illuminate the bat roosting provision (biodiversity enhancement measures) or the boundary vegetation.

Highways/Parking

Proposal does not impact Highways or Parking.

Other Matters

The objections of the use of the property for any other purposes other than residential (weddings, events, etc) are acknowledged. The applicants and agent are aware that an official change of use application would be required for a formal assessment if pursuing the material change of use. The proposal within this application relates to alterations to the existing residential buildings, so any consideration for the future use of the dwelling is not material to the determination of this planning application.

Equality

Case No: 21/00471/HOU

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

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.

Recommendation

Application Permitted 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. No works shall commence on the alterations hereby approved until full joinery details of the staircase, at a scale of 1:10, including section/profile details where necessary and all types of finishes, have been submitted to and approved in writing by the Local Planning Authority. The submitted details must be referenced against the approved plans, and must show the relationship with the surrounding fabric. The works shall then proceed in strict accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reasons: Details are required prior to works commencing because insufficient detail was submitted with the application to preserve the setting of the adjacent listed building.

3. No works shall commence on the relevant parts of the proposal hereby approved until a full material schedule has been submitted to and approved in writing by the Local Planning Authority. The submitted schedule must specify in detail the proposed methods of workmanship proposed as well. The relevant parts of the work shall be carried out in accordance with such approved details.

Reason: Details are required prior to works commencing because insufficient detail was submitted with the application to preserve the setting of the adjacent listed building.

4. The biodiversity enhancement recommendations within the Protected Species (bat) Report dated April 2021 (page 11) shall be installed and photographic evidence shall be submitted to the LPA in the form of photographs immediately following completion of the works.

Reason: To ensure a net gain in biodiversity in accordance with the NPPF and policy CP16.

Case No: 21/00471/HOU

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

5. Any lighting should adhere to ILP & BCT Guidance 08/18. Lighting should not illuminate the bat roosting provision (biodiversity enhancement measures) or the boundary vegetation.

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

6. The erection of fencing (in accordance to BS5837 standards) for the protection of any retained tree shall be undertaken before any equipment, machinery, or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To ensure the protection and long term viability of retained trees and to minimise the impact of construction activity

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

- Location Plan, drawing BK/MJL received March 2021
- Proposed Staircase 1:50 (ref 01) (amended May 2021)
- Proposed Garden/Machinery Store (ref 02)
- Site Plan with Carport/Garage, Staircase, Garden Store 1:1000, drawing Kemp/MJL (ref 03)
- Block Plan of Carport/Garage and Staircase 1:500 (ref 04)
- Proposed Window Details and Sections (ref 05)
- Proposed Barn Elevations & Sections 1:200 (ref 06)
- Garage/Carport Elevations, BK004, dated Jan 2021

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 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

Case No: 21/00471/HOU

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Your contact details
- The appropriate fee

Further information, application forms and guidance can be found on the Council's website
- www.winchester.gov.uk.

2.

In accordance with paragraph 38 of the NPPF (Feb 2019), 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.

3.

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

Local Plan Part 1 Joint Core Strategy: CP16

Local Plan Part 2: DM15, DM16, DM17, DM23, DM24, DM27

4.

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.

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. Flexibility of hours may be acceptable due to the Covid-19 emergency in line with the Business and Planning Bill 2019-21 <https://services.parliament.uk/Bills/2019-21/businessandplanning.html>

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. Where construction site working hours are limited by a planning condition you can apply under Section 74B of the Town and Country Planning Act 1990 which provides a temporary fast track to vary existing conditions.

<https://www.gov.uk/government/publications/construction-working-hours-draft-guidance/draft-guidance-construction-site-hours-deemed-consent>

6.

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.

Case No: 21/00471/HOU

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

7.

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>

8.

Please be advised that Building Regulations approval may be required for this development. Please contact WCC Building Control Department for more information
<https://www.winchester.gov.uk/building-control>