

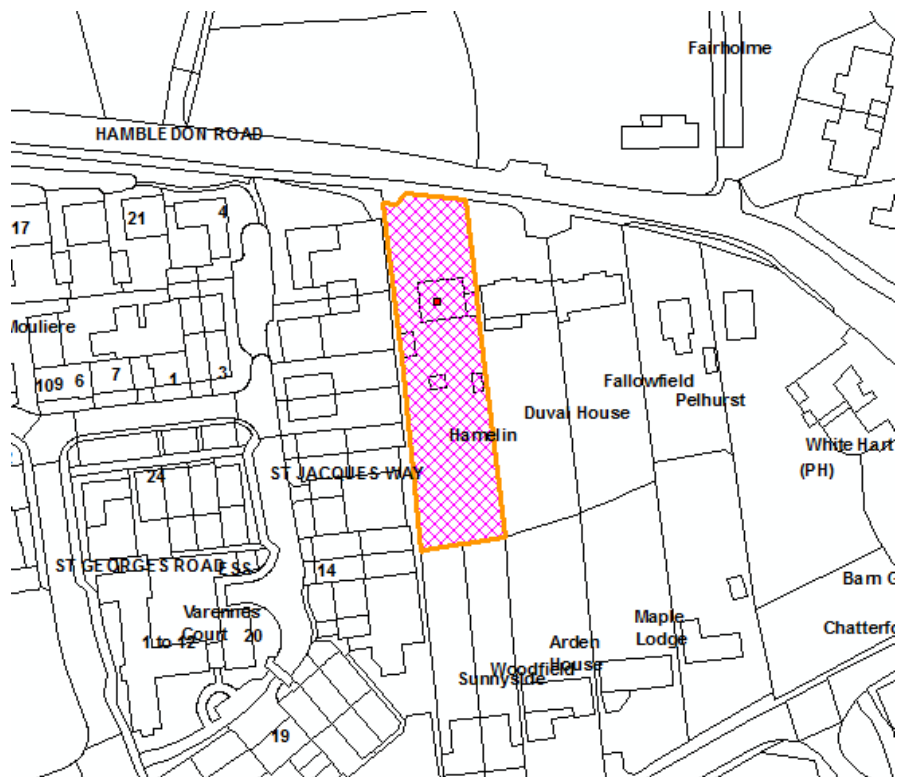
WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Case No:** 20/02104/FUL  
**Proposal Description:** Erection of a single storey outbuilding within rear garden for ancillary staff and residential use in connection with the existing Care Home (C2) use.  
**Address:** Hamelin Hambleton Road Denmead PO7 6NG  
**Parish, or Ward if within Winchester City:** Denmead Parish Council  
**Applicants Name:** Mr Chris Southcott  
**Case Officer:** Nicola Clayton  
**Date Valid:** 28 September 2020  
**Recommendation:** Application Permitted  
**Pre Application Advice** No

**Link to Planning Documents**

Link to page – 20/02104/FUL

<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



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**Reasons for Recommendation**

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The development is recommended for permission as it is considered that it will have no significant impact on the character of the area and would not harm neighbouring residential amenity and complies with the policies of the adopted Development Plan.

### **General Comments**

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

Denmead Parish Council has also called for the application to be determined by planning committee based upon material planning considerations is shown in Appendix 1.

### **Amendments to Plans Negotiated**

None.

### **Site Description**

This application relates to a detached dwelling located on the southern side of Hambledon Road within the settlement boundary of Denmead. Permission was granted for the change of use of the dwellinghouse to a residential care home for young persons in 2019 (ref 19/01573/FUL).

### **Proposal**

Retrospective planning permission is sought for a single storey outbuilding within the rear garden of the care home. The outbuilding is used in connection with the C2 use for staff accommodation.

For clarification the existing site has planning permission to be used as a C2 residential care home for young persons. This was granted under reference 19/01573/FUL and this permission has been implemented.

The internal layout of the care home has developed over time to address the changing needs in the care home industry. After reviewing the care home needs the internal layouts were changed to provide 4 more spacious bedrooms. This has resulted in the staff facilities being significantly reduced in order to create more appropriate accommodation for the needs of the residents.

The proposed outbuilding is therefore required to provide staff accommodation and accommodation for residents to meet their needs. Some residents require more support and assistance than others and can be catered for with additional accommodation in the form of the outbuilding. The outbuilding can also provide occasional visitor accommodation for family members of the residents at the care home.

### **Relevant Planning History**

**19/01573/FUL** Change of use of existing dwelling (C3 Use Class) into residential care home (C2 Use Class) incorporating the erection of a 2 storey side extension and a single  
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storey rear extension and a new first floor extension and new roof. Permitted 19.12.2019.

**Consultations**

None.

**Representations:**

Denmead Parish Council

Denmead Parish Council raised an objection to this proposal for the following material planning reasons:

- The large footprint of the outbuilding
- That the original planning application included the staff accommodation within the dwelling
- Trees have been removed within the rear garden

6 Objecting Representations received from different addresses citing the following material planning reasons:

- Loss of privacy from overlooking
- Loss of trees/hedges
- The need for such a building
- The retrospective nature of this planning application

**Relevant Government Planning Policy and Guidance**

National Planning Policy Framework

*Para 1, 2, 7, 8, 124, 127*

National Planning Practice Guidance

*Design process and tools*

*Effective use of land*

Winchester Local Plan Part 1 – Joint Core Strategy (LPP1):

DS1, CP6, CP13, CP17

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

DM15, DM16, DM17, DM18

**Denmead Neighbourhood Plan**

Supplementary Planning Document

National Design Guide 2019

High Quality Places 2015

Air Quality SPD September 2021

Residential Parking Standards December 2009

Other relevant documents

Climate Emergency Declaration Carbon Neutrality Action Plan 2020 – 2030

**Planning Considerations**

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**Principle of development**

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and Paragraph 47 of the NPPF requires that applications for planning permission must be made in accordance with the Development Plan unless material considerations indicate otherwise.

The residential care home is within the settlement boundary of Denmead and therefore the principle of development is acceptable providing it accords with planning policy. Furthermore policy CP6 provides support for the provision of local services and facilities and the application accords with this.

**Assessment under 2017 EIA Regulations.**

The development does not fall under Schedule I or Schedule II of the 2017 Environmental Impact Assessment Regulations, therefore an Environmental Impact Assessment is not required.

**Impact on character and appearance of area**

The site is within a predominantly residential area of Denmead. The use of the building is in association with the C2 residential use of the main house. In this case due to the nature of the young persons that are in care within this house they require a lot of day to day care. Therefore the staff facilities are very restricted in the main house and there is a need to allow the use of the outbuilding for staff to be carrying out their duties away from the people in care. This is to give them some privacy whilst at the same time being available for support on a day to day basis. The outbuilding allows extra space that is needed to enable more day to day care that is required for the existing use. Furthermore, depending on the young person's in care within the house there are varying levels of family visiting that sometimes need emergency accommodation or space to deal with family issues etc.

The outbuilding is located in the rear garden of the care home and is not visible from the public realm. The care home retains a suitably sized amenity space. There is no vehicle access to the outbuilding and it is accessed through a pedestrian access to the side of the care home. The use of the building is linked to the care home. The outbuilding is set within the existing boundary treatments. The outbuilding has a brick plinth and is clad with a flat roof. Whilst the outbuilding is considered large, the site can accommodate such a building comfortably. The outbuilding is not considered to have any negative impact on the character and appearance of the surrounding area in accordance with policies DM15 and DM16 of the LPP2.

Various comments have been made with regard to the removal of hedges and trees along the boundaries with the adjoining properties. The existing hedges along the east and west boundaries adjoining the neighbour's will be retained to provide screening. The applicant does not propose to remove any hedges along the boundary that are outside their control. The outbuilding has been built within the constraints of these hedges without their removal or reduction in height. The applicant has however cleared some trees and hedges that are within the central part of the rear garden to open up the area and provide a larger garden area for the property and room to accommodate the outbuilding. These changes are not considered to harm the character or appearance of the area in

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accordance with polices DM15 and DM16 of the LPP2.

### **Development affecting the South Downs National Park**

The application site is located 1.1km from the South Downs National Park

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) updated February 2019. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

The site is within a built up area some distance from the park and therefore the development will not affect any land within the National Park and is in accordance with Section 11a of the National Parks and Access to the Countryside Act 1949.

### **Historic Environment**

No Impact, the works do not affect a statutory Listed building or structure including setting; Conservation Areas, Archaeology or Non-designated Heritage Assets including setting.

### **Neighbouring amenity**

The outbuilding is located within the rear garden of the care home. It is acknowledged that due to the nature of the use the outbuilding will serve a function that is not normally associated with a traditional family home. However given the existing care related use of the main dwelling the extended accommodation is considered necessary for the safe and secure functioning of the care accommodation. It is not considered that the intensity of use will be of a magnitude to cause any significant disturbance to neighbours that would be harmful to residential amenity. Adequate separation distances are provided between the outbuilding and adjoining residential properties. Furthermore, the building is single storey and set within existing fence panels. Therefore the outbuilding is not considered to result in any significant loss of residential amenity to neighbouring properties in terms of disturbance loss of light, outlook or privacy. The outbuilding is therefore considered to accord with policy DM16 and DM17 of the LPP2

### **Sustainable Transport**

The number of staff members and young persons will not be changing from the earlier approved application and therefore the demand on parking will not increase. It is therefore considered that there is adequate onsite car parking. Therefore the proposal complies with policy DM18 of the LPP2.

### **Ecology and Biodiversity**

The proposal is for Development within, bordering or in close proximity to a European Protected Site (i.e. River Itchen SAC, The Solent SAC, SPAs, Ramsar Sites) and is for overnight accommodation affecting Nitrates.

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However, the existing site is occupied as a care home which has existing foul drainage connection to the main sewer. The outbuilding with ancillary use to the dwelling will have no effect on the nitrate levels as the building is still effectively operating as a single dwelling house. The level of foul discharge into the public sewer would still be considered the same and classed as a single household discharge rate.

The development therefore complies with The EU Habitats Directive and Conservation of Habitats & Species (Amendment) Regulations 2011.

Therefore the proposal complies with policy CP16 of the LPP1.

### **Sustainable Drainage**

The proposal will have no impact on drainage because the level of foul drainage into the public sewer would remain the same and classed as a single household discharge rate.

The application therefore accords with policies CP17 and DM17.

### **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.

### **Planning Balance and Conclusion**

To conclude, the outbuilding serves the needs of the care home to provide additional staff accommodation and accommodation for residents to meet their needs. The building is not visible from the public realm. The number staff and residents is consistent with the earlier planning permission and therefore the intensity of the use has not changed. It is therefore considered that the proposal is acceptable and accords with policies DM15, DM16, DM17 and DM18 of the LPP2.

### **Recommendation**

APPROVE subject to the following conditions:

#### **Conditions**

1. The outbuilding hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential care home use. The residential care home extended as hereby permitted shall only be used as a single unit of accommodation and shall not be subdivided, separated or altered in any way so as to create two or more separate units of accommodation.

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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.

**Informative:**

1. In accordance with paragraph 38 of the NPPF (July 2021), 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 1 (2017) DS1, CP6, CP13, CP17

The Local Plan Part 2 (2017): DM15, DM16, DM17, DM18

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 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.

**Appendix 1 Denmead Parish Council comments**

Erection of a single storey outbuilding within rear garden for ancillary staff and residential use in connection with existing care home (C2) use.

Location: **Hamelin, Hambledon Road, Denmead PO7 6NG**

The Parish Council of Denmead, by a unanimous decision, raised a **STRONG OBJECTION** to this proposal on the basis that the footprint of the proposed building is the same size as the house, the original planning application stated that the development was to include staff accommodation. Trees that were to have been kept to retained to provide screening have been removed. Should the Officers recommendation differ from our views, view, we would wish the application to go to committee.