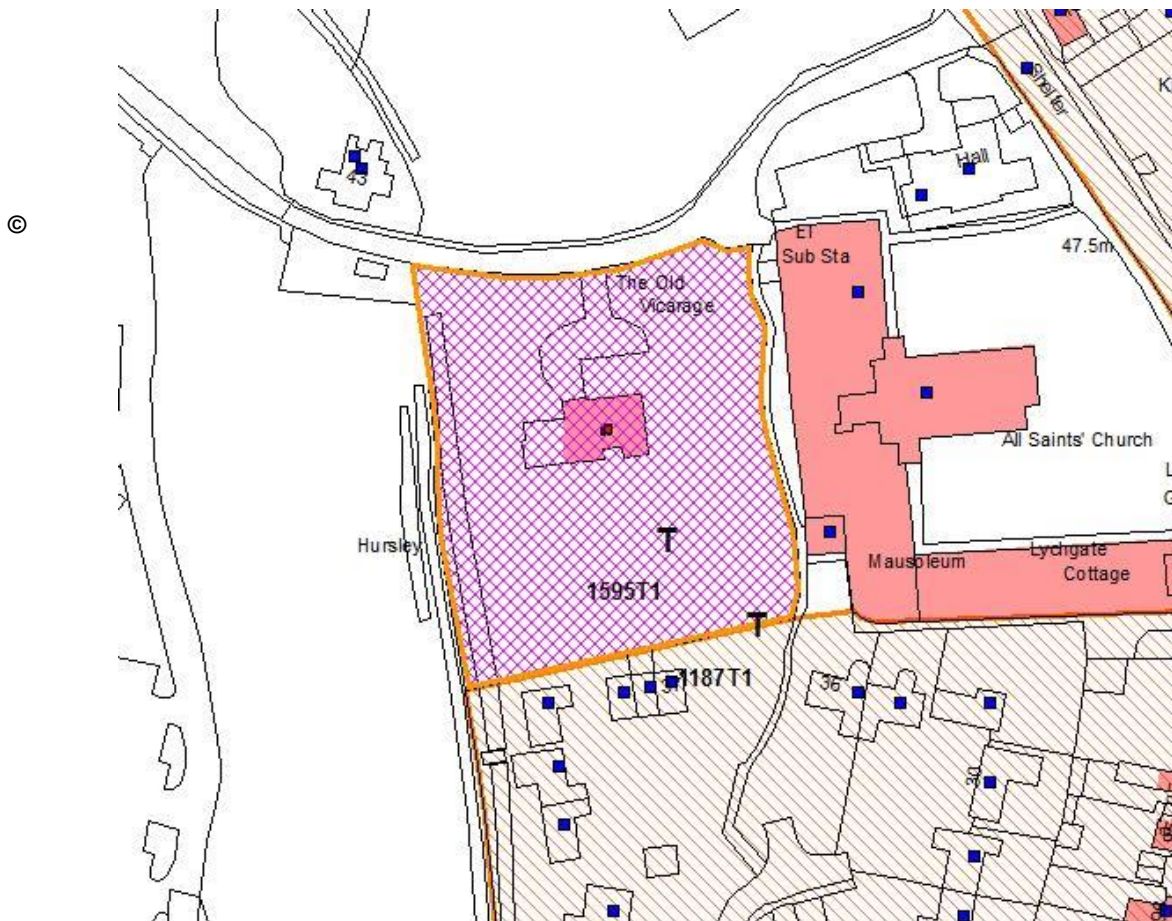


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Case No: 22/01718/HOU
Proposal Description: Erection of detached garage
Address: The Old Vicarage Main Road Hursley Hampshire SO21 2JW
Parish, or Ward if within Winchester City: Hursley
Applicants Name: Warwick
Case Officer: Cameron Taylor
Date Valid: 1 August 2022
Recommendation:
Pre Application Advice No

Link to Planning Documents

[Link to page – enter in reference number 22/01718/HOU
https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple](https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple)



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Reasons for Recommendation

The development is recommended for permission as it is considered it is acceptable in terms of its impact on the character of the area including heritage assets and would not harm the neighbouring properties residential amenity. The proposal is therefore in
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accordance with the Local Plan Part 1 Policies DS1, CP13 and CP20; and the Local Plan Part 2 Policies DM1, DM17, DM18, DM27 and DM29, and the High Quality Places Supplementary Planning Document (2015)

General Comments

The application is reported to Committee because the applicant is a local councillor.

Amendments to Plans Negotiated

None

Site Description

The site is located to the south of a private access road off the west of Main Road within the Hursley Conservation Area. The dwelling is a two-storey detached dwelling with the principal elevation looking onto the private access.

The dwelling has a large garden bordered by mature trees. The All Saints Church is located to the east of the site and residential dwellings to the south.

The property is a Grade II listed building dating from the mid-19th century, designed in the Gothic revival style which incorporates steeply pitched gabled roofs. The walls are knapped flint with red brick dressings.

Proposal

The application is for the erection of a detached garage to the front of the dwelling.

Relevant Planning History

22/00025/HOU - Installation of an EV charge point for one vehicle and landscape changes including pergola (Updated Description) - **Permitted 15.06.2022**

16/02799/HOU - Reinstatement of original drive access, closure of existing, construction of a double garage and provision of a summer house in the rear garden – **Permitted 09.02.2017**

10/01993/FUL - Single storey Orangery to the side elevation (WITHIN THE CURTILAGE OF A LISTED BUILDING) – **Permitted 30.11.2010**

09/00826/FUL - Two storey side extension with double garage - **Refused 17.06.2009**

07/00999/FUL - Erection of detached double garage (WITHIN THE CURTILAGE OF A LISTED BUILDING) (RESUBMISSION) - **Permitted 30.08.2007**

06/03552/FUL - Erection of oak framed garage (WITHIN THE CURTILAGE OF A LISTED BUILDING) - **Withdrawn- 02.03.2007**

99/01422/FUL - Entrance gates - **Permitted- 28.09.1999**

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Consultations

Consultee:

Service Lead Built Environment - Historic Environment:
No Objection subject to conditions. (See condition 3 and 4).

Service Lead Built Environment - Trees
No objection subject to conditions. (See conditions 5 to 10)

Service Lead Built Environment: Ecology
No objection.

Representations:

Hursley Parish Council
- No comments received

No other representations received.

Relevant Government Planning Policy and Guidance

National Planning Policy Framework

- Paragraph 47
- Section 66 - Planning (Listed Buildings and Conservation Areas)
- Section 72 - Planning (Listed Buildings and Conservation Areas)

Winchester Local Plan Part 1 – Joint Core Strategy (LPP1). DS1 – Development Strategy and Principles

- MTRA3 - Other Settlements in Market Towns and Rural Area
- CP13 - High Quality Design
- CP20 - Heritage and Landscape Character

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

- DM1 - Location of New Development
- DM15 - Local Distinctiveness
- DM16 - Site Design Criteria
- DM17 - Site Development Principles
- DM27 - Development in Conservation Areas
- DM29 - Heritage Assets

Supplementary Planning Document

- National Design Guide 2019
- High Quality Places 2015

Other relevant documents

- Climate Emergency Declaration Carbon Neutrality Action Plan 2020 – 2030
- Statement of Community Involvement 2018 and 2020

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Principle of development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 47 of the National Planning Policy Framework (NPPF, 2021) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The site is located within the settlement boundary of Hursley where the principle of development is acceptable, provided it is in accordance with the policies of the development plans.

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

Impact on Listed Building and Setting

The development is within the curtilage of a Grade II listed building, with surrounding properties including the All Saints Church which is a Grade II* and the churchyard containing two listed monuments. The site and surrounding properties are located within the Hursley Conservation Area which is also a designated heritage asset.

The following legislation and policies are taken into account in the assessment and determination of this planning application in terms of its impact on listed buildings:

The preservation of the special architectural/historic interest of the listed building and its setting (S.66 P(LBCA) Act 1990; Policy DM29 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF (2021) Section 16.

The proposed detached single-bay garage is to be located within the north-eastern corner of the plot to the front of the listed building with mature trees located along the eastern boundary and a hedgerow along the northern boundary. The site has a topography of the land dropping in the front garden towards the eastern boundary.

The property has had a previous planning permission which included a double-bay garage. The location of the current proposed garage has been moved further away from the Listed Building. The garage, whilst located to the front of the listed building will be situated on a lower ground level to the dwelling, and so will not block important views towards the listed building along the private access road and access to the site. The garage has a modest subservient scale and will be oak framed with oak cladding and a natural slate roof. It has no impact on the fabric of the listed building. Therefore, given the subservient scale of the garage, the use of high quality materials, and its appearance clearly being that of a garage ancillary to a residential property, it is considered to preserve the significance and residential setting of the heritage asset.

In summary it is considered that the proposals will not result in any harm to the significance of the setting of the historic interest of the listed building and surrounding listed properties, in accordance with Section 16 para 199 of the NPPF, S.66 of the

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Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy DM29 of WDLPP2 and the historic environment section of the Planning Practice Guidance.

Impact on Conservation Area

The site is located in the Hursley Conservation Area. The following legislation and planning policies are therefore relevant to the consideration of the planning application:

The preservation or enhancement of the character or appearance of the conservation area (S.72 P(LBCA) Act 1990; Policies DM27 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF (2021) Section 16.

The site is located off a private access off Main Road with the proposed garage located to the front of the dwelling. It will be situated behind the hedgerow along the boundary of the property. Therefore the proposal will be visible from the access road and the conservation area. However views of the garage will be softened as it is located behind the hedging along the boundary. It is also to be constructed of high quality materials, sympathetic to this context. Therefore the proposed development will preserve the character and appearance of the surrounding area and conservation area and is in accordance with Section 16 of the NPPF, S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy CP20 of WDLPP1 and DM27 of WDLPP2 and the historic environment section of the Planning Practice Guidance.

Development affecting the South Downs National Park

The application site is located over 4.5km from the South Downs National Park and given the scale of development it is not considered that the proposals will have any impact on the setting of the National Parks in accordance with Section 11a of the National Parks and Access to the Countryside Act 1949.

Neighbouring Amenity

The site has neighbouring residential properties located to the southern boundary of the site over 35 metres from the rear of the dwelling itself and the All Saints Church located to off the east boundary. However given the location and scale of the proposed development, along with the nature of the vegetation in the area, it is not considered to cause any adverse overbearing, overshadowing or overlooking harm to the surrounding residential amenity. Therefore the proposal complies with policy DM17.

Sustainable Transport

The proposal will have no impact on highway safety and parking. Whilst the proposal relates to the erection of a garage, this does not take up existing parking space on the site. Therefore, the parking provisions will not be affected as a result of the proposed development and the proposal complies with policy DM18.

Trees

The proposed garage is located between a group of trees with the proposal being within the root protection area of 2 trees. However the tree report submitted with the application demonstrates that suitable ground protection and protective fencing will be provided to ensure the trees are not damaged. These measures are to be secured through conditions 5 to 10. The storage of materials during construction is also to be located on the existing driveway away from the trees. Therefore given the protection methods put forward and the

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nature of the development, it is considered to not cause significant adverse harm to the surrounding trees and the proposal complies with policy DM24 of the Local Plan Part 2.

Ecology and Biodiversity

The proposal will have no impact on ecology due to the small scale of the development and the nature of the site.

Due to the nature of the development and the distance between the application site and the European Protected Site of the Solent SAC and SPA and the River Itchen SAC, an Appropriate Assessment under the Conservation of Habitats & Species (Amendment) Regulations 2011 is not required.

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

The proposed garage, whilst located to the front of the dwelling, is set down at a lower level than the main house and has a modest scale and is of suitable design and materials. Therefore it is considered to preserve the significance and historic character of the listed building and the significance of the conservation area. It also results in no harm to the surrounding residential amenity. As such it is considered to be acceptable and in accordance with the development plan.

Recommendation

Application permitted subject to the following conditions:

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:

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

3. Prior to the commencement of work material samples and/or manufacturers details to include material finish details shall be submitted to and approved in writing by the Local Planning Authority. The works shall be implemented using the agreed materials.

Reason: To preserve the special architectural / historic interest of the listed building in accordance with Section 16 of the NPPF 2021; Policy DM29 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy.

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4. Prior to the commencement of work the following details shall be submitted to and approved in writing by the Local Planning Authority. Existing and proposed landscape layout with cross-sections showing adjacent ground levels and any hard and soft landscape treatment proposed. The works shall be implemented in accordance with the agreed details.

Reason: To preserve the special architectural / historic interest of the listed building and its setting in accordance with Section 16 of the NPPF 2021; Policy DM29 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy.

5. Protective measures, including fencing and ground protection, in accordance with the Arboricultural Implications Assessment and Method Statement ref:- written by Vince Cainey of Atworth Arboriculture Ltd and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

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

6. The Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with the Arboricultural Implications Assessment and Method Statement written by Vince Cainey of Atworth Arboriculture Ltd, dated 31st August 2022 and the Tree Protection Plan, ref :- AA/TPP-31.08.22: Telephone Tree Officer. 01962 848360

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

7. No arboricultural works shall be carried out to trees other than those specified and in accordance with the Arboricultural Implications Assessment and Method Statement written by Vince Cainey of Atworth Arboriculture Ltd, dated 31st August 2022

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

8. Any deviation from works prescribed or methods agreed in accordance with the Arboricultural Implications Assessment Appraisal and Method Statement written by Vince Cainey of Atworth Arboriculture Ltd, dated 31st August 2022 shall be agreed in writing to the Local Planning Authority.

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

9. No development, or site preparation prior to operations which has any effect on compacting, disturbing or altering the levels of the site, shall take place until a person suitably qualified in arboriculture, and approved as suitable by the Local Planning Authority, has been appointed to supervise construction activity occurring on the site. The arboricultural supervisor will be responsible for the implementation of protective measures, special surfacing and all works deemed necessary by the approved arboricultural method

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statement. Where ground measures are deemed necessary to protect root protection areas, the arboricultural supervisor shall ensure that these are installed prior to any vehicle movement, earth moving or construction activity occurring on the site and that all such measures to protect trees are inspected by the Local Planning Authority Arboricultural Officer prior to commencement of development work.

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

10. A pre-commencement meeting will be held on site before any of the site clearance and construction works begins. This will be attended by the site manager, the Arboricultural consultant and the LPA tree office.

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

11. The garage hereby permitted shall only be used for the purpose of accommodating private motor vehicles or other ancillary domestic storage purposes, and shall not, at any time, be used for living accommodation, business, commercial or industrial purposes.

Reason: In the interests of the amenities of the locality.

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.

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

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

Local Plan Part 1 - Joint Core Strategy: DS1, CP13, CP20, MTRA3

Local Plan Part 2 - Development Management and Site Allocations: DM1, DM15, DM16, DM17, DM27, DM29

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.

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.

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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 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, 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>

7. Please be advised that Building Regulations approval may be required for this development. Please contact WCC Building Control Department for more information (T: 01962 848176, E: buildingcontrol@winchester.gov.uk)