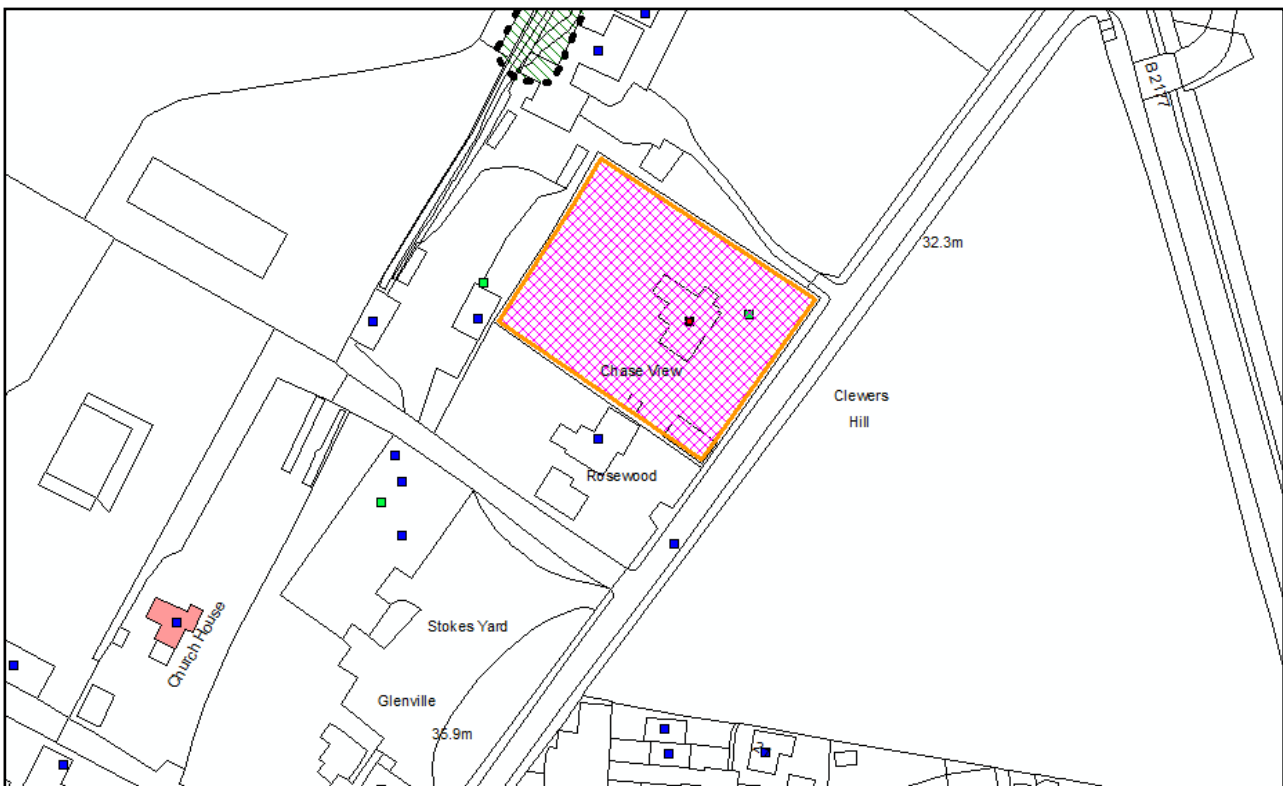


WINCHESTER CITY COUNCIL
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Case No: 22/02633/HOU
Proposal Description: An extension to the built garage/annex of the dwelling (Chase View) to provide additional ground floor living accommodation
Address: Chase View, Clewers Hill, Waltham Chase, Hampshire, SO32 2LN
Parish, or Ward if within Winchester City: Shedfield Parish Council
Applicants Name: Mr Michael Buckler
Case Officer: Marge Ballinger
Date Valid: 21 November 2022
Recommendation: Permit
Pre Application Advice: Yes

Link to Planning Documents

[Link to page – enter in reference number: 22/02633/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 an area identified in the Local Plan where proposals for redevelopment will be supported, will not have a significant detrimental impact on the character of the area or the amenities of the neighbouring properties. The proposal is in accordance with the Local Plan Part 1 Policies DS1, CP11, CP13, CP14, CP16; and the Local Plan Part 2 Policies DM1, DM3, DM15, DM16, DM17, DM18, DM23, the High Quality Places Supplementary Planning Document (2015) and National Design Guide (2021).

General Comments

Shedfield Parish Council has requested the application to be determined by Planning Committee, based upon material planning considerations is shown in Appendix 1.

Site Description

Chase View is a detached 4-bedroom replacement dwelling within a large residential garden (approximately 0.29 hectares), with further dwellings within adjacent land and a farm to the rear. Permission had been granted to have the existing garage extended to include ancillary accommodation (annex) with a bedroom and bathroom within the roof space, and kitchen/living at ground floor under reference 19/02009/HOU. The garage/annex is situated near the site entrance (south end). The site sits along the edge of the settlement gap, approximately 61m to the edge of the settlement boundary. The dwelling sits across the road from the Triangle, a recreation area bounded by a residential development, the B2177 and Clewers Hill.

Proposal

The proposal is to extend the annex at ground floor level along its side elevation to provide a small utility room, bathroom, and an additional orangery/lounge room. This will provide further living space for family member when more assistance is required by the owners of Chase View. There is an existing small shed to be relocated. The site and its existing access will not be altered, and a portion of the building will remain as a garage. The use of the garage/annex will remain unchanged as it will remain ancillary to the host dwelling.

Relevant Planning History

- 11/02515/FUL - Demolition of existing dwelling and replace with 1 no. four bedroom dwelling with alterations to existing garage
- 19/02009/HOU - Garage extension for ancillary purposes (revision to approved alterations within 11/02515/FUL application)

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Consultations

None.

Representations:

Shedfield Parish Council: Object - 'Requests that the item be considered by the Planning Committee for the following material planning reasons:

- There is no evidence that the garage is presently used for any ancillary purpose.
- The need for assisted accommodation has not been mentioned.
- This planning application is contrary to policies MTRA 3 and 4
- The proposal is contrary to the Village Design Statement.
- The site is outside the settlement boundary.

Shedfield Parish Council request Refusal regarding this application, but if minded to approve the application, we would request conditions to prevent the garage/annex becoming a separate unit of accommodation.'

No further public representations received.

Relevant Government Planning Policy and Guidance

National Planning Policy Framework 2021

- Para 7 - the proposal meets the test of sustainable development including the economic, social and environmental objectives.
- Para 39 - pre-application engagement and front-loading.
- Para 47 - planning law requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise.
- Para 119 - planning decisions should promote the effective use of land in meeting the need for homes and other uses while safeguarding and improving the environment and ensuring safe and healthy conditions.

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

DS1 – Development Strategy and Principles

MTRA2 – Market Towns and Larger Villages

MTRA3 – Other Settlements in the Market Towns & Rural Areas

MTRA4 – Development in the Countryside

DS1 – Development Strategy & Principles

CP10 – Transport

CP11 – Sustainable Low and Zero Carbon Built Development

CP13 – High Quality Design

CP16 – Biodiversity

CP18 – Settlement Gaps

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

DM1 – Location of Development
DM3 – Small Dwellings in the Countryside
DM15 – Local Distinctiveness
DM16 – Site Design Criteria
DM17 – Site Development Principles
DM18 – Access and Parking
DM23 – Rural Character

Supplementary Planning Document

National Design Guide 2019
High Quality Places 2015
Air Quality SPD September 2021
Shedfield Village Design Statement 2016

Other relevant documents

Climate Emergency Declaration Carbon Neutrality Action Plan 2020-2030
Statement of Community Involvement 2018 and 2020
Landscape Character Assessment April 2022
Biodiversity Action Plan 2021

Planning Considerations

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.

Policy MTRA2 of the Local Plan Part 1 (LPP1) identifies Waltham Chase within its 'Market Towns and Larger Villages' category for assessment. However, the proposal is outside the settlement boundary. As the proposal is to extend an existing residential building to be used for residential purposes to a host dwelling, and the proposed drawings are within size/scale of the site the proposal is acceptable in principle.

Policy DM3 of the Local Plan Part 2 (LPP2) seeks to protect small dwellings in the countryside, outside the defined settlement boundary. The property has an existing floorspace above 120sqm and is therefore not bound by the size limitations within this policy. The principle of development is therefore acceptable subject to compliance with the Development Plan as a whole and Material Planning Considerations.

It has been contended that the garage is presently not used for ancillary purposes. The owner halted the building conversion works previous approved for consideration of this application. Therefore, the existing building is incomplete while this application is pending. The need for ancillary use of a building is not generally a material consideration. It is noted that in the planning statement that it is intended to facilitate family care which may carry some planning weight. The existing garage/annex was previously conditioned for ancillary

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use only, and so there is no material change to that use of the building. Ancillary accommodation includes primary living space. A condition is recommended to clarify this (Condition 2).

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

Policy DM15 of the Local Plan Part 2 (LPP2) would allow development that respects the qualities, features and characteristics that contribute to the local distinctiveness of the area. Policy DM16 of LPP2 allows development that responds positively to the character and appearance of the area in terms of design, scale and layout. Outside defined settlement boundaries, development 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 (Policy DM23 of the Local Plan Part 2).

The existing building is a converted residential garage of 11.5m x 5.9m approximately, to a height of 5.6m approximately, and seeks to add a subservient ground floor extension (9m x 5.4m approximately). The extension will be built on the side elevation, away from the roadside, and will utilise similar materials as the existing building. Although visible from the public roadside and the recreation area, the extension proposed does not result in over-development to the site or have a harmful impact to the character of the area.

The Shedfield Village Design Statement identifies an important hedgerow along both sides of Clewers Hill near the proposal site (page 14 of the Design Statement). However, the proposal site has had an existing low brick wall within a portion of the front boundary within historic WCC maps, and the proposal does not involve alterations to any existing hedges or trees. The proposal is considered to comply with the Design Guidelines of the VDS in terms of location, size and scale of the proposed extension.

Policy CP18 of the LPP1 only allows development that does not physically or visually diminish the gap. The alterations made to the residential curtilage do not harm the rural characteristics of the site and its surroundings, and therefore does not diminish the function of the settlement gap.

The proposal is an extension to an existing residential annex, and does not involve removal of any important hedgerows or trees highlighted within the Shedfield Village Design Statement, nor does the proposal create any new dwellings or other building works outside the existing residential curtilage. As the extension's use is maintained for ancillary purposes to a residential property, the extension proposed would not have a harmful impact on the existing area's rural character within the more public views. The

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proposal therefore complies with MTRA4 and CP18 of the LPP1, and DM15, DM16 and DM23 of the LPP2.

Development affecting the South Downs National Park

The application site is located approximately 660m (0.4 miles) 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 2021. 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.

Due to this distance, 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

Relevant Legislation

The preservation of the special architectural/historic interest of the listed building and its setting (S.66 P(LBCA) Act 1990; Policy DM29 & DM30 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF (2021) Section 16.

Guidance

As such due regard has been given to Section 66 of the Planning (Listed Buildings and Conservation Areas Act 1990) which confirms that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Listed Building/Structure. Case law has established that where an authority finds that a development proposal would harm the setting of a listed building, it must give that harm “considerable importance and weight”.

The historic environment section of the Planning Practice Guidance further outlines the role of the Local Planning Authority in considering the effects of new development that are in the vicinity of or affect the setting of listing buildings and heritage assets. Paragraph 199 of the NPPF advises that great weight should be given to the conservation of a heritage asset in considering the impact of a proposal on its significance (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 200 states that any harm to, or loss of, the significance of a

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designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Policy CP20 of WDLPP1 and Policy DM29 of WDLPP2 ensure that development preserves and enhances heritage assets and their settings.

Church House is a listed building and is situated to the south west of the application site. Due to the distance between the sites, it is not considered that any significant adverse impact is demonstrated upon the special interest of the listed building and its setting.

Based upon the above assessment the relevant legislation as set out has been applied and it is concluded that there is no adverse harm on the special interest of the historic buildings taking into account and in accordance with general duty in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to 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, and is in compliance with DM29 of the LPP2 and para 16 of the NPPF.

The dwelling is not considered a Non-designated Heritage Assets; the site is not within a Conservation Area; no further triggers were raised for Archaeology investigation.

Neighbouring amenity

Policy DM17 of the LPP2 lists Site Development Principles that must be followed, including that the proposal must not have an unacceptable adverse impact on adjoining land or neighbouring amenities by reasons of overlooking, overshadowing or overbearing, or any other adverse impact to primary amenity spaces. Rosewood is the nearest dwelling south of the proposed alterations. There are windows proposed near the boundary toward Rosewood, but positioned at a high level and below the existing fenceline of approximately 2m, so no harmful overlooking impacts are expected. The height of the extension up to its rooflight is only 3.25m, so the building is not expected to have any harmful overbearing impacts.

Shedfield Parish Council have referenced a front ground floor window within the approved 19/02009/HOU garage extension/annex and that it was not built precisely to plan, but off-centred, and has 3 panes (not 2 as approved). It is not considered the as-built window would have no further harmful impacts to the building or host dwelling to warrant any further remedial action, and is not material to this application.

Therefore, no further adverse impact is expected in terms of overbearing, overshadowing, loss of privacy or any other amenity issues. Therefore the proposal is in compliance with DM17 of the LPP2.

Sustainable Transport

The proposal does not involve further removal of the existing off-road parking and turning areas within the front drive. A minimum of 3 vehicle parking spaces are maintained in the site, which complies with the recommendations of the WCC Parking Standards and vehicles can continue to move within and exit the site in a safe manner.

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Therefore the proposal is in compliance with CP10 of the LPP1 and DM18 of the LPP2.

Ecology and Biodiversity

In regards to nutrient levels, and other ecology matters, the proposal will have no impact as it is not development within, bordering or in close proximity to a Local, National or European Protected Site (i.e. River Itchen SAC, The Solent SAC, SPAs, Ramsar Sites) or is not overnight accommodation affecting Nitrates.

The Hampshire Biodiversity Information Centre databases and our own WCC internal ecology databases were reviewed and there are no protected species noted near or within the proposal site. It is considered that the proposal therefore complies with LPP1 Policy CP16 (Biodiversity).

Sustainable Drainage

The proposal is within a site that has low risk of pluvial flooding and the alterations proposed do not create a significant change to the dwelling's existing runoff with the extensions proposed. Therefore the proposal complies with policy DM17(iii) of the LPP2 (Drainage).

Other Topics

None

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 extension proposed is a well-balanced design to extend living space to the residential curtilage within its ancillary annex. Consideration has been given to its relationship to the character of the area, residential amenities, and to the host dwelling in terms of size, scale and design. The proposed extensions will not result in adverse overlooking, overbearing or overshadowing impacts to the adjacent dwellings. The application is therefore considered to be acceptable and in accordance with the development plan and material planning matters do not indicate an alternative approach should be taken.

Recommendation

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Application is recommended for approval, 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 extension to the annex hereby permitted shall be occupied in association with the dwellinghouse for purposes ancillary to the dwelling house. At no time shall the annex be occupied as an independent unit of accommodation.

Reason: To accord with the terms of the application and to prevent the creation of inappropriate units of accommodation, possibly leading to over intensive use of the site.

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

- Location Plan received 21 Nov 2022
- Proposed Annex Extensions Plans & Elevations, drawing 02 dated 4 Oct 2022
- Proposed Site Plan, drawing 03 dated 10 Oct 2022

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

4. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason: To ensure a satisfactory visual relationship between the new development and its surroundings.

Informatives:

1. In accordance with paragraph 38 of the NPPF (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.

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:-

LPP1

MTRA 2 – Market Towns and Larger Villages MTRA3

MTRA4 – Development in the Countryside

DS1 – Development Strategy & Principles

CP10 – Transport

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CP11 – Sustainable Low and Zero Carbon Built Development
CP13 – High Quality Design
CP16 – Biodiversity
CP18 – Settlement Gaps

LPP2

DM1 – Location of Development
DM3 – Small Dwellings in the Countryside
DM15 – Local Distinctiveness
DM16 – Site Design Criteria
DM17 – Site Development Principles
DM18 – Access and Parking
DM23 – Rural Character

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. 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>

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>

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7. 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>

8. In order to promote biodiversity, please consider the installation of avian wildlife roosting/nesting provisions (for swifts, hedge sparrows, and bats) during and after completion of the proposal.

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Appendix 1

Shedfield Parish Council response below:

Parish Council's request that a Planning Application be considered by the Planning Committee

Request from Councillor:	SHEDFIELD PARISH COUNCIL
Case Number:	22/02633/FUL
Site Address:	CHASE VIEW, CLEWERS HILL, WALTHAM CHASE, SO32 2LN
Proposal Description:	An extension to the built garage/annex of the dwelling (Chase View) to provide additional ground floor living accommodation
Requests that the item be considered by the Planning Committee for the following material planning reasons:	
There is no evidence that the garage is presently used for any ancillary purpose.	
The need for assisted accommodation has not been mentioned.	
This planning application is contrary to policies MTRA 3 and 4	
The proposal is contrary to the Village Design Statement.	
The site is outside the settlement boundary.	
Shedfield Parish Council request Refusal regarding this application, but if minded to approve the application, we would request conditions to prevent the garage/annex becoming a separate unit of accommodation.	