

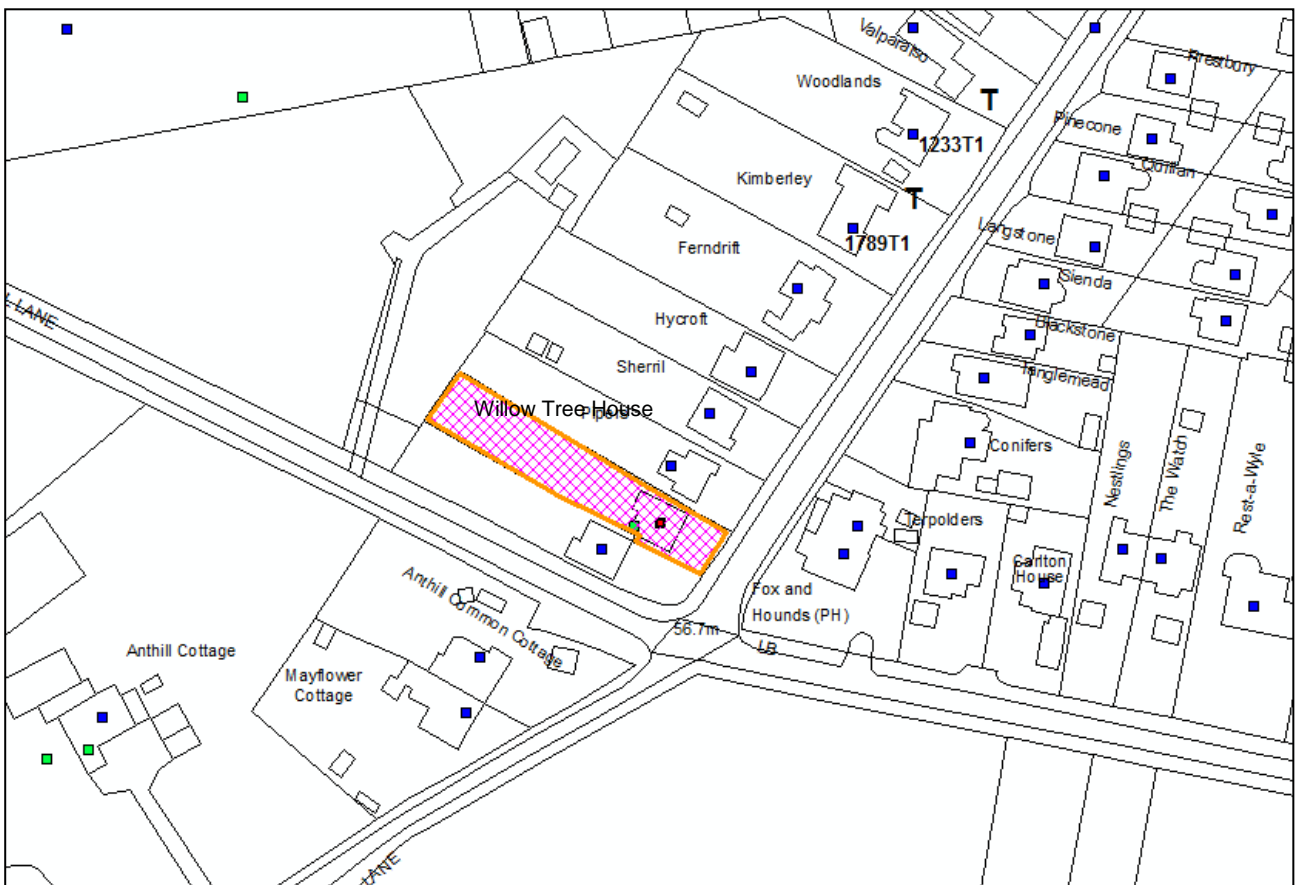
WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Case No:** 22/02245/HOU  
**Proposal Description:** Garage conversion to create home office; single storey side extension to form boot room (amended drawings; amended proposal)  
**Address:** Willow Tree House Upper Crabbick Lane Denmead Waterlooville Hampshire  
**Parish, or Ward if within Winchester City:** Denmead Parish Council  
**Applicants Name:** Mr & Mrs Murphy  
**Case Officer:** Marge Ballinger  
**Date Valid:** 7 October 2022  
**Recommendation:** Permit  
**Pre Application Advice** No

**Link to Planning Documents**

[Link to page – enter in reference number 22/02245/HOU](#)

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



© Crown Copyright and database rights Winchester City Council Licence 100019531

**Case No: 22/02245/HOU**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

### **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, the High Quality Places Supplementary Planning Document (2015) and National Design Guide (2021).

### **General Comments**

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

### **Amendments to Plans Negotiated**

The original proposal and drawings had included a detached car port and garage to be built within the site's existing parking/turning area along Upper Crabbick Lane. The Original Proposal submitted: 'Garage conversion to create home office; single storey side extension to form boot room; construction of detached car port and garage (providing 3no. parking spaces)' was amended.

Amended drawings were received that removed the detached car port/garage structure from the proposal as the building was considered to result in a dominant appearance to the site and the streetscene. The amended drawings received:

- Site & Location Plan, PL.630.22-01 rev B amended 9 Dec 2022
- Proposed Elevations, PL.630.22-05 rev C amended 9 Dec 2022
- Proposed Ground Floor Plan, PL.630.22-03 rev C amended 9 Dec 2022

As the amendments were considered a substantial reduction to building works compared to the original application's proposal, a further publicity period was not required with the amended drawings. The proposal description has been amended accordingly.

### **Site Description**

Willow Tree is a modern, newly-built detached dwelling with an integral garage and additional parking and turning space along the front. The approved details within the application referenced 17/02293/FUL had approved the construction of two detached dwellings (neighbouring dwelling Beech House, southwest). The site sits across from the Fox & Hounds pub and near the junction of Upper Crabbick Lane and School Lane along the edge of the settlement boundary. Behind the site (west) and across School Lane (south) is agricultural land.

### **Proposal**

The proposal is to convert the existing integral garage into a small study/home office, and create a small side extension to create a new boot room with access from the drive into the utility area. The site plan notes 3no parking spaces (2.5m x 4.8m), with room for

**Case No: 22/02245/HOU**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

access/turning retained. There has been an oak tree removed and some hedges along the front corner of the site, and the proposed site plans notes hedge replacement between the parking area and roadside to be re-planted as part of the proposal.

### Relevant Planning History

- 17/02293/FUL Construction of 2 x 4 bedroom dwellinghouses with associated car parking, cycle and refuse storage following the demolition of the existing dwellinghouse at Holmbury. Approved 14.12.2017

### Consultations

None.

### Representations:

Denmead Parish Council: Original objection received to the original proposal (included the garage/carport). A further objection received with the amended proposal removing the garage/carport, and was maintained.

The Parish had requested that this application to be considered by the Planning Committee for the following material reasons (summarised below):

- Removal of tree/hedges without consent and its impact upon biodiversity and CP16 (Condition 5 of ref 17/02293/FUL).
- The garage conversion does not comply with the original condition of retaining the garage for parking and domestic storage only. The removal of sufficient parking would potentially cause on-road parking and obstruction to highway safety (Condition 13 of ref 17/02293/FUL).

Three Objecting Representations received from the original public consultation period of the original proposal (that included garage/carport) from different addresses citing the following material planning reasons:

- Insufficient space for a double garage and carport; reduction of parking/turning without encroaching on the adjacent dwelling's space; overdevelopment; out of keeping with the area.
- Removal of the garage for parking would potentially cause vehicles to park on the road; highway safety.
- Front hedge removed without consent.

No Supporting Representations or other comments received.

### Relevant Government Planning Policy and Guidance

National Planning Policy Framework 2021

**Case No: 22/02245/HOU**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

- Para 7 - the proposal meets the test of sustainable development including the economic, social and environmental objectives.
- 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

DS1 – Development Strategy & Principles

CP10 – Transport

CP11 – Sustainable Low and Zero Carbon Built Development

CP13 – High Quality Design

CP14 – Effective Use of Land

CP16 – Biodiversity

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

DM1 – Location of Development

DM15 – Local Distinctiveness

DM16 – Site Design Criteria

DM17 – Site Development Principles

DM18 – Access and Parking

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

Statement of Community Involvement 2018 and 2020

Landscape Character Assessment March 2004 and emerging LCA December 2021

Biodiversity Action Plan 2021

Denmead Neighbourhood Plan

**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.

**Case No: 22/02245/HOU**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

The application site is within the defined settlement boundary where the principle of development is acceptable subject to compliance with the Development Plan and material planning considerations.

**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**

This portion of Upper Crabbick Road is considered rural but inside the settlement boundary. The dwellings along the west side of the road sit primarily linear, with the land sloping slightly down below the road with the verges lined with hedges and other planting. There was a tree and planting noted within the approved 2017 soft landscaping plan forward of Willow Tree House near the road, but this has been removed prior to the application's submission.

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.

The original drawings and proposal were amended to remove a proposed garage/carport structure. This assessment is for consideration to the integral garage conversion and a small side extension only. The extension and conversion utilises similar materials as the existing dwelling (utilising weatherboard cladding and light render). The side extension will fill the south side access/gap into the rear garden, but access is retained within its opposing side garden. The boot room is set back from the primary elevation by 1.5m and has a mono-pitched roof with rooflights and is considered a subservient addition to the dwelling.

Vegetation has been removed along the roadside prior to the application's submission. The Denmead Neighbourhood Plan section 4.40 highlights various site and building design elements, including the importance of retaining roadside and other boundary hedges to help soften the landscape as well as provide potential wildlife habitats. The amended site plan includes a re-planting of hedges along the front boundary near where previous planting was removed and this will be controlled by a condition (Condition 3) to mitigate the additional parking.

Based upon the above assessment it is considered that the development proposed would not have an unacceptable impact on the character or appearance of the local area. The proposal therefore complies with policy CP16 of the LPP1, and DM15, DM16 and DM18 of the LPP2.

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Development affecting the South Downs National Park**

The application site is located approximately 950m (0.6 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**

No Impact: the works do not affect a statutory listed building or listed structure or its setting; the dwelling is not considered a Non-designated Heritage Asset; 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. Beech House is the dwelling southwest of the proposal site, the 2<sup>nd</sup> dwelling built within the planning approval reference 17/02293/FUL. Beech House is set back into the site by approximately 8m from Willow Tree House's front elevation. The side extension will be built along the fence positioned along the side/front Beech House, but with its sloped roof and limited height up to 3.3m approximately, the side extension does not prove to have a harmful impact to Beech House in terms of overbearing or overshadowing. The drive and access areas along the roadside of both Beech House and Willow Tree House allows for vehicle manoeuvring, and the proposal does not reduce or alter the existing access.

Pipers is the dwelling northeast of the proposal site. As the extension is built away from Piper's dwelling, no further harmful impact is expected to the amenities of Pipers.

The retention of 3 off-road parking spaces have been demonstrated by Beech House during the site visit, and is also achievable within the Willow Tree House's proposed drawings. The loss of the garage for potential vehicle parking is not considered to have any adverse impact upon Beech House or Pipers in terms of amenity.

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

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 site plan demonstrates off-road parking for up to 3 vehicles to the front of the property. The spaces meet the requirements of a typical parking space (2.4m x 4.8m). The WCC Residential Parking Standards for a 4-bedroomed dwelling suggests a minimum of 3 off-road parking spaces within the site. Although there was a condition in place within the permission ref 17/02293/FUL for the garages to be ‘...permanently retained and used only for the purpose of accommodating private motor vehicles or other storage purposes incidental to the use of the dwelling house as a residence.’, this does not remove the right of an applicant to apply for permission to make such alterations. Following assessment, it is considered that the removal of the potential parking from the existing garage use is not considered to have a harmful impact to the site and highway safety. The minimum number of parking spaces suggested by the Parking SPD have been demonstrated and vehicle use can continue to exit from the site in a safe manner. Vehicles can continue to leave the site in a forward gear

The proposed drawings with its retained parking is considered to meet the parking standard, and in compliance with CP10 LPP1 and Policy DM18 (Parking) LPP2. A condition will be included to retain the minimum 3 car parking spaces (Condition 4).

### **Ecology and Biodiversity**

In regards to nutrient levels, and other matters of ecology the proposal will have no impact as it is not development within, bordering or in close proximity to a Local or National 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).

### **Equality**

**Case No: 22/02245/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.

### **Planning Balance and Conclusion**

The amended drawings and proposal to convert the garage and build a small side extension will utilise similar materials as the existing dwelling and the alterations are within scale of the existing dwelling. The retained parking along the front drive is considered acceptable as it allows a minimum of 3 off-road spaces to the dwelling, and does not prove to have any potential harm to highway safety. Consideration has been given to its relationship to the rural character of the area and a re-planting of hedges along the front of the property will be conditioned. The proposed alterations 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**

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

- Site & Location Plan, drawing PL.630.22-01 rev B amended 9 Dec 2022
- Proposed Ground Floor Plan, drawing PL.630.22-03 rev C amended 9 Dec 2022
- Proposed Elevations, drawing PL.630.22-05 rev C amended 9 Dec 2022

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

3. Within the next planting season following the garage conversion and approved use of the garage commencing, native species planting shall be undertaken as shown within the approved drawing PL.630.22-03 rev C. If within a period of five years, the planting is removed or becomes seriously damaged, defective or diseased it shall be replaced with planting of the same species and size within the next planting season.

**Case No: 22/02245/HOU**



WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

Reason: To maintain the hedge/vegetation cover and the contribution that trees/hedges/vegetation make to the character and amenity of the area.

4. Before the garage conversion/development hereby approved is first brought into use, parking for a minimum of 3 car parking spaces shall be laid out within the curtilage of the site and thereafter maintained and kept available for the lifetime of the permission.

Reason: To ensure adequate car parking provision within the site in accordance with the standards of the Local Planning Authority.

**Informative:**

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.

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

Local Plan Part 1 Joint Core Strategy:

DS1 – Development Strategy & Principles

CP10 – Transport

CP11 – Sustainable Low and Zero Carbon Built Development

CP13 – High Quality Design

CP14 – Effective Use of Land

CP16 – Biodiversity

Local Plan Part 2:

DM1 – Location of Development

DM15 – Local Distinctiveness

DM16 – Site Design Criteria

DM17 – Site Development Principles

DM18 – Access and Parking

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.

**Case No: 22/02245/HOU**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

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>

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. The applicant should note that this permission does not give any property rights to building on or encroach over or under the adjoining property. The applicant may be required to serve notice under the Party Wall etc Act 1996.

9. 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.

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

Appendix 1

Denmead Parish Council response below:

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

<b>Request from Councillor: Denmead Parish Council</b>
<b>Case Number: 22/02245/HOU</b>
<b>Site Address: Willow Tree House Upper Crabbick Lane Denmead PO7 6HQ</b>
<b>Proposal Description: Garage conversion to create home office; single storey side extension to form boot room; <del>construction of detached car port and garage (providing 3 parking spaces)</del> – construction now withdrawn.</b>
<b>Requests that the item be considered by the Planning Committee for the following material planning reasons:</b>  <b>1. <u>Previous Planning Decisions / Effect on trees and wildlife/nature conservation</u></b> The original planning consent (Ref 17/02293/FUL) included the following condition: - retention of existing trees and hedgerows. 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. This has not been adhered to as the front hedge and trees have already been removed, contrary to this condition, and contrary to Winchester City Council's Policy CP16 – Biodiversity. This action has already had a negative effect on the biodiversity of the site, contrary to Policy CP16, which states "development proposals will only be supported if the benefits of the development clearly outweigh the harm to the habitat and species therein".
<b>2. <u>Previous Planning Decisions / Traffic and Parking Issues / Highway Safety</u></b> The original planning consent (Ref 17/02293/FUL) included the following condition: - The parking area including the garage shall be provided in

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

accordance with the approved plans before the dwelling is first occupied and thereafter permanently retained and used only for the purpose of accommodating private motor vehicles or other storage purposes incidental to the use of the dwelling house as a residence. The proposed alteration of the garage into a dwelling area (home office) conflicts with this condition. The existing garage must be retained in perpetuity to maintain sufficient parking spaces available to the property. The removal of sufficient parking space for offroad parking would result in parking on the road causing an obstruction of the highway close to a corner and junction. Parking in the road is not in keeping with the street scene and would be an issue for pedestrians due to the fact that there are no pavements.