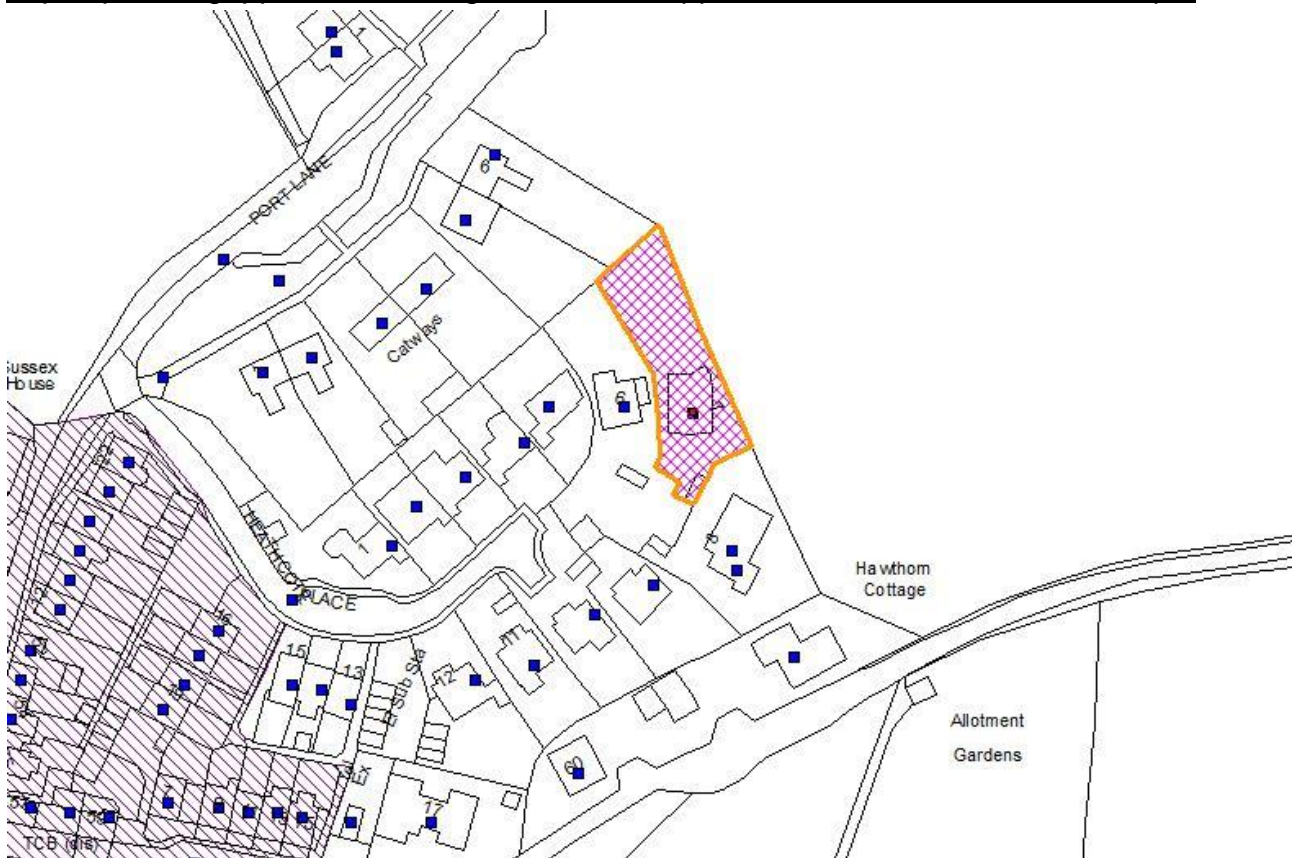


WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 24/00224/HOU
Proposal Description: Extension to Garage Block and Loft Development to form Ancillary Office and Habitable Space.
Address: Meadows End 7 Heathcote Place Hursley Winchester Hampshire
Parish, or Ward if within Winchester City: Hursley Parish Council
Applicants Name: Mr & Mrs Andrew Budge
Case Officer: Catherine Watson
Date Valid: 30 January 2024
Recommendation: Application Permitted
Pre Application Advice No

Link to Planning Documents

[Link to page – enter in reference number 24/00224/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 that it will not have a significant adverse impact that would harm the character of the area that would warrant refusal. Therefore in accordance with Policies DM15 and DM 16 of the LLP2 and would not harm neighbouring residential amenity in accordance with policy DM17 of the LPP2

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General Comments

The application is reported to Committee due to the number of Objections received contrary to the Officer's recommendation and the Parish Council have called in the application.

Amendments to Plans Negotiated

None

Site Description

The site is located within the cul-de-sav of Heathcote Place to the east with an agricultural paddock located along the eastern boundary of the site. The site contains a two-storey detached dwelling with a detached garage located to the front of the dwelling. The area consists of brick built 1970s two-storey detached and semi-detached dwellings with many of the properties benefiting from detached single garages.

Proposal

Extension to the garage and loft development which includes the formation of a front and rear dormer, to form ancillary office and habitable space. Planning permission is required for this as it does not comply with the requirements under Class E of the General Permitted Development Order.

Relevant Planning History

15/02827/FUL- (HOUSEHOLDER) Extension to garage plus loft conversion and associated alterations to include a new balconette to south east and window to north west.- Permitted 08.02.2016

Consultations

None

Representations:

Hursley Parish Council - Committee Call In - Appendix 1

Comment:

Hursley Parish Council OBJECTS to this application as inappropriate overdevelopment in a compact residential area. The Parish Council is also heeding the serious concerns of neighbouring properties.

Whilst the wish to increase the size of the garage at no 7, adopting the existing single pitch roofline, is acceptable (and already permitted under planning application 15/02827/FUL), the current proposal to develop a second storey, with dormers to front and back, is NOT acceptable. The large box shaped rear dormer presented to neighbours at 6, 8 and 9 Heathcote Place but not to no 7 itself, is overbearing and will cut both light and views from these properties. It is bulky in form and will be immediately visible to any

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person accessing the upper part of Heathcote Place, including no.5. In addition, it will be visible at first floor level to residents at nos. 4 and 10 Heathcote Place.

The applicants say the development will have minimal impact on neighbouring properties. This is clearly not the case. It will directly impact the amenity of 6 other properties and will provide an unfortunate example which could lead to the destruction of a previously consistent and harmonious whole. As such it conflicts with High Quality Places Supplementary Planning Document (SPD) 2015 which states that for an in-curtilage garage the "design needs to be high quality, and respond positively to the context and the design of the other buildings within the development".

Policy DM17 requires new development "not to have an unacceptable adverse impact on adjoining land, uses or property by reason of overlooking, overshadowing or by being overbearing." In addition, the Council's High Quality Spaces SPD sets out guidance on amenity considerations for new development, including that "it is important to ensure that new development does not have a detrimental impact on adjoining land, in particular neighbouring residential properties". Hursley Parish Council therefore requests that the current application be refused. If the Planning officer is minded to permit, we would therefore request that the application be referred to the Planning Committee.

Planning reasons:

The proposal is contrary to Joint Core Strategy policy CP13, Local Plan Part 2 - Development Management and Site Allocations policies: DM15, DM16, DM17 and contrary to guidance as set out in the High Quality Places SPD 2015.

6 Objecting Representations citing the following material planning reasons:

- Impact on the character and appearance of the site and area
 - o Out of character to the area
 - o Bulky roof form
 - o Not subservient
- Residential amenity
 - o Overbearing
 - o Reduced light
 - o Noise impacts
- Use of the building
 - o Converted for a short term rental or Airbnb
- Traffic
 - o Increase in traffic
- Trees
 - o Development within the RPA of existing trees
- Ecology
 - o Roof being a potential roost for bats
- Non-material
 - o View from the properties

1 Supporting Representations citing the following material planning reasons

- Minimal impact upon the character of the area

Relevant Government Planning Policy and Guidance

National Planning Policy Framework

Section 2 Achieving Sustainable development

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Section 4 Decision Making
Section 8 Promoting healthy and safe communities
Section 12 Achieving well designed places
Section 14 Meeting the challenge of climate change, flooding and coastal change
Section 16 of the National Planning Policy Framework 2021

National Planning Practice Guidance

Climate Change
Consultation and pre-decision matters
Design: process and tools
Environmental Impact Assessment
Flood risk and coastal change
Planning Obligations
Use of planning conditions

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

DS1 - Development Strategy and Principles
MTRA2 - Market Towns & Rural Area
CP11 - Sustainable Low and Zero Carbon Built Development
CP13 - High Quality Design

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
DM18- Access and Parking

Supplementary Planning Document

National Design Guide 2019
Car Parking Standards (2008)
High Quality Places SPD (2015)

Other relevant documents

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

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, 2023) require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

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

Assessment under 2017 EIA Regulations.

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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 currently consists of a two-storey detached dwelling with a detached garage situated to the front of the dwelling. The area is characterised by two-storey detached and link-detached dwellings with examples of detached garages within the area. The location of the proposal is situated within an area which has restricted views from Heathcote Place as a result of the shared access for No. 5-8.

The proposal seeks the extension to the garage along with a loft conversion which includes the erection of dormers to the front and rear of the garage roof. The proposed extension to the garage projects off the northwest elevation of the garage and matches the scale of that approved in 2015, extending around 50% of the existing width. The extension to the garage remains in-keeping to the scale of the garage and has an external finish to match the existing garage with the door and window having an appearance in-keeping to the residential nature of the site. The proposal includes a loft conversion which includes 2 dormer windows, the dormer window to the front of the garage is subservient in scale with an external finish in-keeping to the garage and dwelling. The rear dormer to the southwest elevation is a large box dormer which retains a setback from the eaves of the garage along with the side. The box dormer has an external finish to match the garage, therefore ensuring it blends into the existing roof. The council's High Quality Places SPD seeks to avoid large box-like dormers. While the rear dormer is large and will lead to a low level of design harm to the garage, it retains subservience to the host dwelling and has very restricted views from the public realm. These views are restricted to only the access of the private access which serves No.s 5-8 and within this private access, when looking towards the site within this area and the neighbouring properties. There are no views readily available views from elsewhere along Heathcote Place or the public realm. The site is not situated within the Hursley Conservation Area. Therefore, while there is a low level of harm to the immediate vicinity of the site, given the restricted views available the proposal will not lead to harm to the wider character of the area.

In summary, given the restricted views and the low level localised harm, with the garage retaining a subservient scale and appearance in-keeping to the site and area, the proposal is not considered to result in a significant adverse impact upon the character and appearance of the site and surrounding area that would warrant refusal.

The proposal therefore complies with policies DM15 and DM16 of the Local Plan Part 2.

Development affecting the South Downs National Park

The application site is located 4km to the west of 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 2023. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 182 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

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heritage are also important considerations and should be given great weight in National Parks.

Due to the distance and intervening features, an adverse impact on the National Park and its statutory purposes is not identified.

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 site has neighbouring properties to the west and southeast of the site, with No's. 6 and 8 sharing a direct boundary and No. 9 sharing an access with them.

No.6 Heathcote Place is located to the west of the site and to the northwest of the works to the garage. This retains a significant gap and is to the front of the dwelling with no glazing looking towards the property. Therefore an adverse overbearing, overshadowing and overlooking impact is not identified to No. 6.

The neighbouring property of No. 8 is located to the southeast of the property and development location, the development is located to the front of the dwelling which includes the parking to the neighbouring property and retains a gap to the dwelling with the glazing to the rear being high level . Therefore given the location, scale and orientation of the development, an adverse overbearing, overshadowing and overlooking is not identified.

The property of No.9 shares the access with No. 7, the proposed development is located to the northeast of the neighbouring property. Therefore given the location of the neighbouring property, along with the scale and nature of the development. An adverse overbearing, overshadowing and overlooking impact is not identified.

Therefore the proposal complies with policy with policy DM17 of the LPP2.

Sustainable Transport

The proposal will cause the loss of a small section of the driveway, however there is ample space on the retained driveway to accommodate parking to the site with the garage retaining a space. The development is for an ancillary office and therefore will not lead to an increase in traffic generation.

The development therefore will not lead to an adverse impact upon highways safety or parking on site. Therefore complying with policy DM18 of the LPP2.

Ecology and Biodiversity

The application site is not located within, bordering or in close proximity to a European Protected Site (i.e. River Itchen SAC, The Solent SAC, SPAs, Ramsar Sites).

The proposal is for development to an existing garage with the residential curtilage of the site and the driveway, with a residential area and was not highlighted under the Hampshire Biodiversity Information Centre triggers. Given the nature of the area and site, the proposal is unlikely to have an adverse impact upon the surrounding ecology. However in the interests of improving biodiversity, condition 7 is attached seeking biodiversity enhancement plan.

The proposal therefore complies with policy CP16 of the Local Plan Part 1.

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Sustainable Drainage

The proposal will have no impact on this because it is for an extension off an existing building within the driveway of a residential dwelling.

Therefore the proposal complies with policy DM17 of the LPP1.

Trees

There are trees located within the neighbouring property, however these are located over the other side of the access to the site which includes large amounts of existing hardstanding between the development and the trees. The existing garage falls within the root protection zone of a small adjacent tree. However, this tree is not protected by a tree preservation order and sits on the site of the garage where the footings are not being extended.

Therefore, while the development falls within the root protection zone of a tree, given the existing situation on site with the existing hardstanding and development, an adverse impact upon the neighbouring tree is not identified.

The proposal therefore complies with policy DM24 of the LPP2.

Other Matters

A local resident has raised a concern that the block plan as submitted does not show a number of alterations to the footprint of some of the local properties/buildings which are as a result of planning consent being granted. The site/location plan shows the building the subject of this application in its current form and footprint and therefore, the omission of any potential changes to the footprint of other buildings is not a material consideration for the purposes of the assessment of the proposed development.

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

Given the location of the site and proposed development being very localised to the garage which has restricted views from the public realm, with the low-level localised harm which remains subservient to the dwelling. Therefore, the development would not lead to a level of harm that would justify refusal. The proposal therefore would not result in a significant adverse impact upon the character and appearance of the site and surrounding area, or upon the amenity of the neighbouring property.

The proposal complies with policies DM1, DM15, DM16, DM17 and DM18 of the Local Plan Part 2 (2017) and DS1, CP13 and CP16 of the Local Plan Part 1 (2013) and the High Quality Places SPD.

Recommendation

Application Permitted subject to the following conditions:

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Conditions

01 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).

02 The development hereby approved shall be constructed in accordance with the following plans:

Location Plan received 30.01.2024

Proposed Block Plan received 30.01.2024

As Proposed Floor Plans and Elevations Dwg No 2023059/002 A received 30.01.2024

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

03 The materials to be used in the construction of the external surfaces of the development hereby permitted shall be those as detailed in the associated application forms.

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

04 The annex hereby permitted shall be occupied in association with the dwelling house or shall be used for the 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.

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.

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

Local Plan Part 2 - Development Management and Site Allocations: DM1, DM15, DM16, DM17, DM18

High Quality Places SPD

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

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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.

5. 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 Practice
<http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-considerate-practice>

Appendix 1

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

Request from Parish Council:	HURSLEY PARISH COUNCIL
Case Number:	24/00224/HOU
Site Address:	7 HEATHCOTE PLAZA HURSLEY
Proposal Description:	EXTENSION TO GARAGE (LOCK AND LOFT DEVELOPMENT TO FORM ANCILLARY OFFICE & HABITABLE SPACE
Requests that the item be considered by the Planning Committee for the following material planning reasons:	REASONS AS PER HURSLEY PARISH COUNCIL OBJECTION ALREADY SUBMITTED

- Whilst requests will be accepted up to the determination of the application, parish councils should make their request as quickly as possible and preferably within the publicity period of the application. Otherwise the case may be determined under delegated powers soon after the expiry of the publicity period. The committee date for the application will depend upon when the request is received in relation to the committee cycle.
- It would be helpful if parish councils can indicate their preferred outcome to avoid it going to the committee unnecessarily
- Parish councils should note that referral of an item to the Committee will require consideration as to whether a declaration of interests and / or pre-determination and bias may be necessary. If you require advice, please contact the appropriate Democratic Services Officer, prior to the meeting. *Councillors are reminded of their obligations to declare disclosable pecuniary interests, personal and/or prejudicial interests, and on Predetermination or Bias in accordance with legislation and the Council's Code of Conduct.*

Once completed, please email this form to the relevant Planning Case Officer and the Service Lead: Built Environment