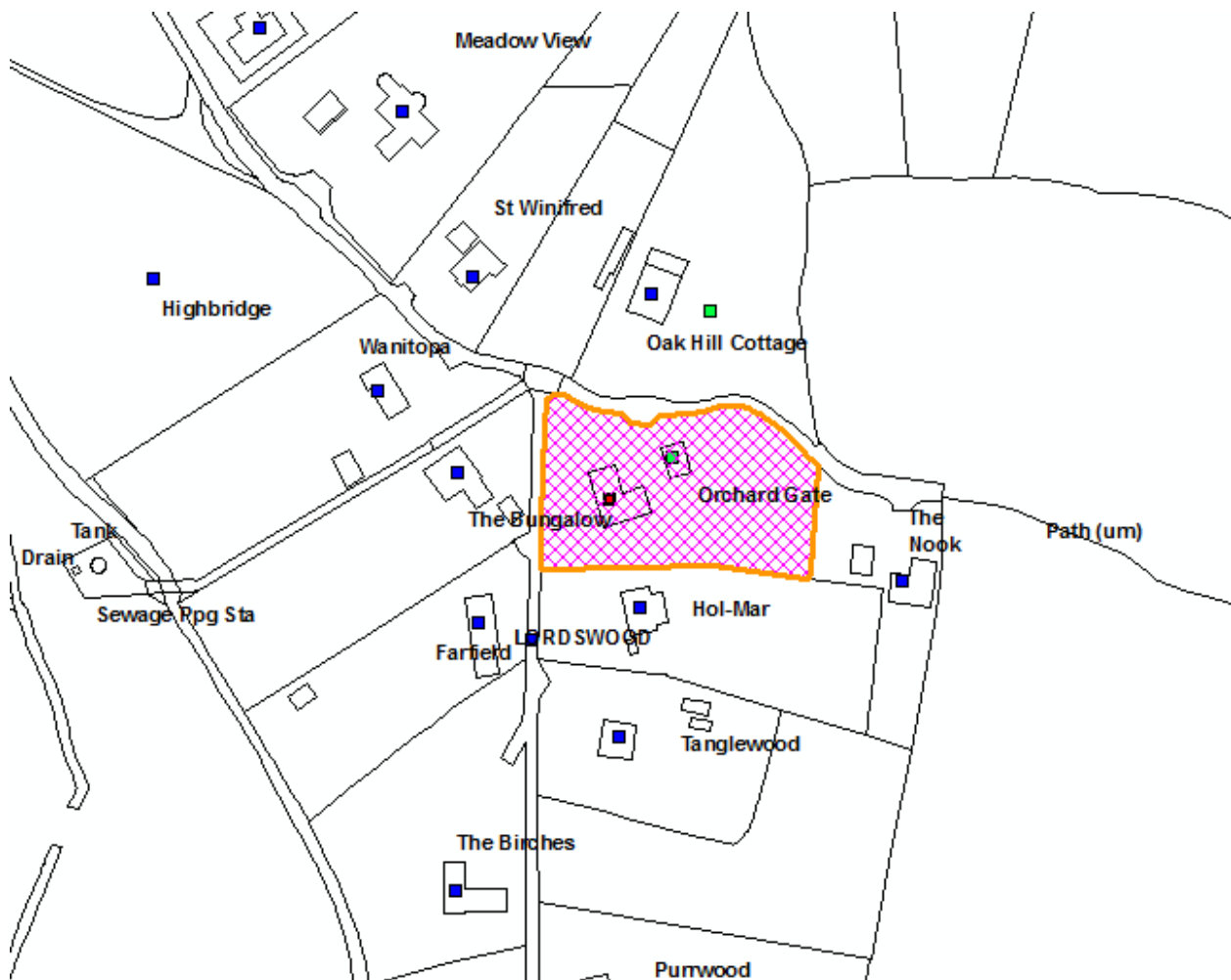


WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Case No:** 18/02332/HOU  
**Proposal Description:** (Retrospective) Use of existing detached outbuilding as 'granny' annexe for family accommodation ancillary to the main dwelling  
**Address:** Orchard Gate Lordswood Highbridge Hampshire SO50 6HR  
**Parish, or Ward if within Winchester City:** Colden Common  
**Applicants Name:** Mr & Mrs Williams  
**Case Officer:** Curtis Badley  
**Date Valid:** 8 October 2018  
**Recommendation:** Application Permitted



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**General Comments**

This application is reported to committee as a result of the Colden Common Parish Council's request for application to be determined by Planning Committee, see Appendix 1

**Site Description**

Orchard Gate is a detached bungalow, set within a spacious site which is located down the private lane, Lordswood. The property is located on land which gently slopes to the South East and is enclosed from the North, West and East with boundaries comprised of indigenous mixed hedgerow. The existing property has a floor area of approximately 165m<sup>2</sup> and has four bedrooms.

The property shares an access and shingle driveway with a single storey outbuilding. The outbuilding is built of brickwork materials and natural timber cladding which matches the existing dwelling house. This building is located 7 metres from the existing dwelling house, Orchard Gate and in excess of 30 metres from nearby neighbouring properties.

The surrounding area is rural in nature and is characterised within an area of low density and low rise development. Within this rural setting there are a number of substantial properties, largely modern, which have been built off the track within a rural setting. The wider area is well landscaped with mature hedgerow and tree planting along road frontages and around the boundaries of plots.

**Proposal**

The existing outbuilding located alongside the existing property currently benefits from a grant of planning permission for use as an arts studio, games room and workshop. The proposal seeks consent for the retrospective use of this outbuilding as habitable accommodation ancillary to the main dwelling house, Orchard Gate. As a result of the proposed development, external alterations to the existing building are limited to the replacement of a set of French double doors with a window within the front elevation which do not constitute as 'development'.

**Relevant Planning History**

16/02030/FUL (PER - 17.10.2016) - Alteration and extension of existing detached garage to form workshops and games room

**Consultations**

None

**Representations:**

Colden Common Parish Council

- Comments of objection received on the grounds that the application is a separate self-contained building which is development in the countryside.

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1 letter received objecting to the application for the following reasons:

- Incompatible and unacceptable use within the countryside

**Relevant Planning Policy:**

Winchester District Local Plan Part 1- Joint Core Strategy (2013)

DS1: Development Strategy and Principles;  
CP13: High Quality Design;  
CP20: Heritage and Landscape Character;  
MTRA 4: Development in the Countryside

Winchester District Local Plan Part 2 - Development Management and Site Allocations  
Development Plan Document (2017)

DM1: Location of New Development;  
DM15: Local Distinctiveness;  
DM16: Site Design Criteria;  
DM17: Site Development Principles;  
DM18: Access and Parking  
DM23: Rural Character

Supplementary Planning Documents

Winchester District High Quality Places (2015);  
Soberton Village Design Statement

National Planning Policy Guidance/Statements:

National Planning Policy Framework 2018

**Planning Considerations:**

Principle of development

The application is retrospective to the extent that the building has already been constructed and internal modifications have been undertaken to convert the previously approved games room, art studio and workshop into a 'granny' annexe ancillary to the main dwelling house. Whilst the outbuilding has been constructed in compliance with a previous grant of planning permission, it is necessary within this application to consider the outbuildings use.

The outbuilding is located adjacent to the North East of the existing dwelling house, Orchard Gate. The provision of this outbuilding within the curtilage of Orchard Gate has been established through the grant of planning permission with reference: 16/02030/FUL for the alteration and extension of existing detached garage to form workshops and a games room. A condition was applied to the grant of permission which restricted the outbuildings use and stated that the permitted proposal "shall not be occupied at any time other than for purposes ancillary to the residential use of the existing dwelling (Orchard

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Gate) and shall not be used as an independent unit of living accommodation.”

In this case, an application has been submitted to the Local Planning Authority in order to establish the continued ancillary use of the outbuilding in association with the main dwelling house and in accordance with the condition set out above. In consideration of the property history, the provision of primary living accommodation in the building means that the building requires consent.

Design/layout

The outbuilding has been built in accordance with planning permission reference: 16/02030/FUL and within this application it was concluded that the proposal was not considered to impact the character and appearance of the property through the use of a design and materials which match the current dwelling. The works undertaken through the conversion of the outbuilding are mainly internal in nature and this building and the resulting external works are limited to the replacement of a set of French double doors with a window within the front elevation. The built form, as constructed, has been built in accordance with this grant of planning permission, therefore it is not considered that a reason for refusal could be sustained on a design basis.

Internal alterations have been undertaken which do not increase the size, height or floor space provided by the existing building. The existing ground floor plan of the single storey building has been altered from a workshop, studio and art studio. The proposed (retrospective) ground floor plan includes a living room/kitchen, art studio, snug, WC, utility room, bedroom and en-suite. No living space is provided at first floor level.

The outbuilding has a gross external floorspace of approximately 115 sq. metres and is located in close proximity to the main dwelling house, sharing an access and front driveway.

The ancillary residential floor space is less than the main dwelling and the personal circumstances of this application set out that the occupant of the outbuilding forms an ‘integral part of the family unit and performs vital elements of the family’s practical functionality’. The applicant’s have provided the following statement in relation to the intended use of the building:

*Mr & Dr Williams are full time professional key workers (Education & Healthcare) and Dr Williams’ mother forms an integral part of the family unit at Orchard Gate. The annexe building continues to function as an ancillary building to the main house for the family, where Mrs Rayner spends time with the grandchildren, using the purpose built Studio to paint, sew and develop their artistic talents amongst other things. She is an integral part of the family unit and performs vital elements of the family’s practical functionality, which includes getting her three grandchildren to and from school, their clubs and other activities when Mr & Dr Williams are working - with the variable nature of ‘on call’ and ‘out of hours’ working for Dr Williams (consultant at a local hospital), this is particularly essential (they moved to be closer to the hospital for out of hours emergencies). At this point the facilities offered by the annexe provide the ability for the family to be together, but retain some independent privacy. In due course, this will also provide the ability for Dr Williams’ mother to continue to live with the family, when they can provide her future care and support as necessary.*

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*There is no desire for this building to be separated from the host property and we would anticipate that conditions may be imposed, to prevent it becoming a completely separated dwelling, along with a condition that the accommodation may only be occupied by a family member of the occupiers of the host dwelling.*

The proposed building has all the facilities sufficient to make it a self-contained dwelling, but for the reasons given above this is not likely and it is considered that through the use of condition that the continued ancillary use of this residential annexe can be ensured.

It is acknowledged that within this countryside area the principle of additional residential accommodation is not acceptable. The provision of appropriate annexe buildings are however acceptable and in this circumstance, for the reasons set out above, the proposal is considered to comply with policy MTRA4 of the WD Local Plan Part 1 (2013).

#### Impact on Character of Surrounding Area

The buildings location nearby the existing dwelling allows the use of shared facilities in the form of pedestrian and vehicular access, car parking and utility services, making future severance of the site difficult to complete in reality. Notwithstanding the concerns above, a condition has been agreed which ensures that the building be used as ancillary accommodation to the main dwelling house to prevent the creation, by conversion, of inappropriate units of accommodation, possibly leading to over intensive use of the site. This condition ensures that the outbuilding shall not be occupied as an independent planning unit of residential accommodation, business, commercial or industrial purpose separate to the occupation and enjoyment of the existing dwelling house Orchard Gate.

The outbuilding is not overtly visible from the public realm by virtue of its discreet location down a private road. As the proposals consist of internal alterations only, minimal visual intrusion or harm caused to the surrounding countryside is expected, complying with policy CP20 of the WD Local Plan Part 1 (2013) and policy DM23 of the WD Local Plan Part 2 (2017).

As the existing outbuilding has been altered to facilitate the annexe accommodation appropriately and proportionately, the proposals are considered to comply with policy DM16 of the WD Local Plan Part 2 (2017).

#### Impact on Neighbouring Amenity

The outbuilding has been constructed in accordance with a previous grant of planning permission. As a result, no additional impact by means of overlooking, overshadowing or by overbearing is expected as a result of the increased use of this building.

The current proposal seeks to use the outbuilding for continued use ancillary to the habitation of the existing dwelling house. As a result of this use, there may be occasions of disturbance caused, as with any outbuilding in any other domestic curtilage, this is not a planning reason for refusal and other legislative requirements protect residents from anti-social behaviour.

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Highways/Parking

The considered application is for the use of the ancillary outbuilding as habitable accommodation. The main dwelling house maintains four bedrooms and shares access and parking facilities with the outbuilding which proposes an additional bedroom for ancillary use to the main house. Sufficient parking availability is considered to be suitably accommodated within the existing parking and turning area provided.

Light Pollution

The outbuilding is located in an area where there are a number of properties present and is located in excess of 30 metres from neighbouring properties. A number of small domestic lights have been affixed along the front elevation adjacent to the access. Whilst large sections of glazing are present within the existing building; the use of domestic internal lighting is common within the surrounding rural area. As a result of the domestic use of the building; the scale and positioning of external lighting and the distance maintained from neighbouring properties, it is not considered that the level of illumination or glazing would create significant light pollution that would harm neighbour amenity or the rural character of the area.

Conclusion

The application seeks to continue to use this outbuilding for ancillary purposes to the main dwelling which has been constructed within its residential curtilage in accordance with a previous grant of planning permission. It is possible to ensure, through the use of conditions, that a separate unit of residential accommodation is not created thereby restricting the ancillary function of the building in association with the main dwelling.

**Recommendation**

Application Permitted subject to the following condition(s):

**Conditions**

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

Location and Site Plan, Existing and Proposed Floor Plans and Elevations (Drawing Number: 02\_ Rev B) Received: 08.10.2018

Changes to Elevations (Drawing Number: 201801/002) Received: 08.10.2018

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

02 The annexe hereby permitted shall be used solely for purposes incidental to the occupation and enjoyment of the existing property as a dwelling (known as: Orchard Gate, Lordswood, Highbridge, Hampshire, SO50 6HR) and shall not be occupied as an independent planning unit of residential accommodation, business, commercial or industrial purpose.

02 Reason: To accord with the terms of the application since the site lies within an area where additional residential properties would not normally be permitted and to

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prevent the creation, by conversion, of inappropriate units of accommodation, possibly leading to over intensive use of the site.

**Informatives:**

In accordance with paragraphs 186 and 187 of the NPPF, 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 both the agent and the applicant.

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

Winchester District Local Plan Part 1- Joint Core Strategy (2013): DS1, CP13, CP20 and MTRA4

Winchester District Local Plan Part 2 - Development Management and Site Allocations Development Plan Document (2017): DM1, DM15, DM16, DM17, DM18 and DM23

Supplementary Planning Documents:  
Winchester District High Quality Places (2015);  
Soberton Village Design Statement



National Planning Policy Guidance/Statements:  
National Planning Policy Framework

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.


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

# WINCHESTER CITY COUNCIL PLANNING COMMITTEE

## Appendix 1

From:  clerk@coldencommon-pc.gov.uk Sent: Tue 27/11/2018 09:34  
To:  Curtis Badley  
Cc:  
Subject: 18/02332/HOU | (Retrospective) Use of existing detached outbuilding as 'granny' annexe for family accommodation ancillary to the main dwelling | Orchard Gate Lordswood Highbridge Hampshire SO50 6HR

Dear Curtis  
The Parish Council object to the above application as it separate self-contained building which is development in the countryside.  
Furthermore, if you are minded to approve the application, we ask that it be determined by WCC, Planning, Development and Control Committee.

  
**Colden Common  
Parish Council**

The Parish Office, Community Centre,  
St Vigor Way, Colden Common,  
Winchester, Hampshire, SO21 1UU  
Telephone: 01962 713700 or 07775 627131  
Email: [clerk@coldencommon-pc.gov.uk](mailto:clerk@coldencommon-pc.gov.uk)  
[www.coldencommon-pc.gov.uk](http://www.coldencommon-pc.gov.uk)  
Clerk to the Council: Debbie Harding

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