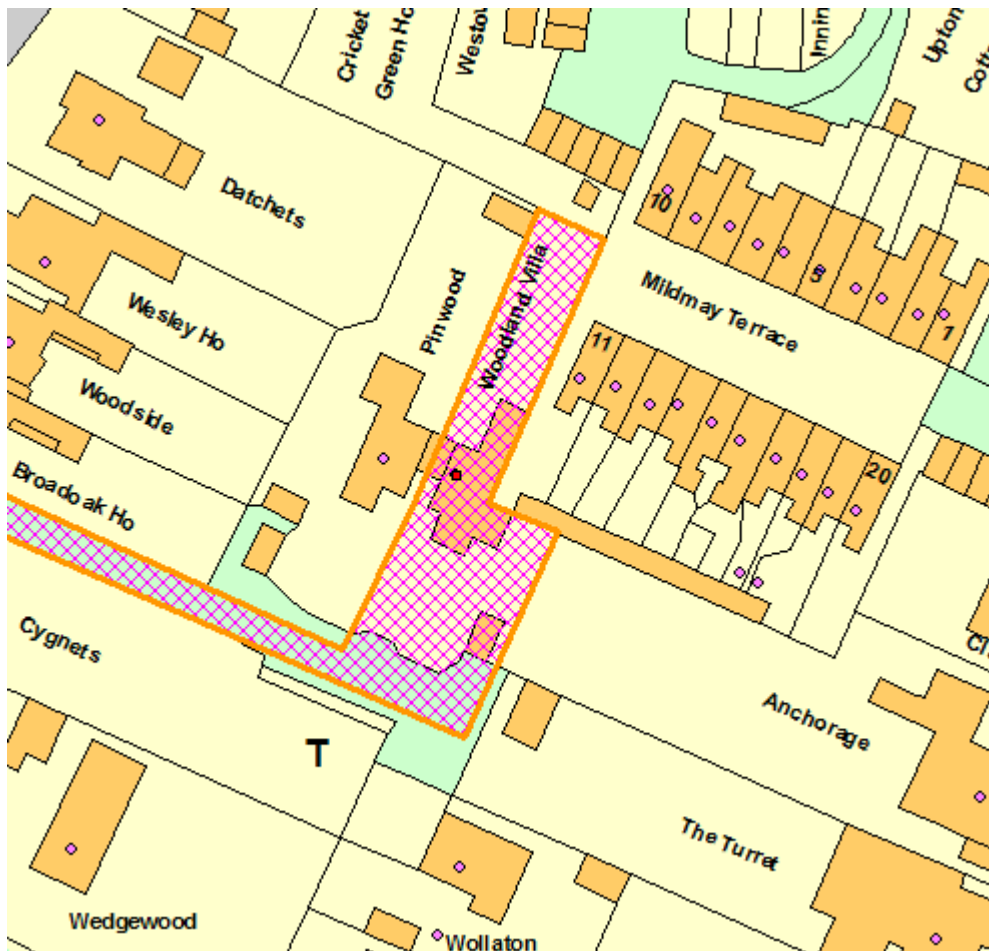


**COMMITTEE REPORT
ITEM NUMBER:**

APPLICATION NO. 22/01343/HOU
LOCATION **Woodland Villa Cricket Green Lane Hartley Wintney
Hook Hampshire RG27 8PH**
PROPOSAL Demolition of existing conservatory and garage and erection
of a two storey side extension and single storey home
office/store
APPLICANT Mrs H Timpany
CONSULTATIONS EXPIRY 12 August 2022
APPLICATION EXPIRY 2 September 2022
WARD Hartley Wintney
RECOMMENDATION **Grant**



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BACKGROUND

This planning application has been brought to the Planning Committee at the discretion of the Executive Director for Place.

SITE DESCRIPTION

The application site comprises a two storey detached dwellinghouse dating from the early 20th Century, with private garden space and outbuilding. It is within the settlement boundary of Hartley Wintney and also within the Hartley Wintney Conservation Area (Character Area 3 - Causeway Green and Cricket Green).

It is accessed via a driveway from Cricket Green Lane and is surrounded by other residential properties built around the same time as the application property. The site is a long narrow plot, with a garage outbuilding to the front of the property.

The property has been previously extended.

Proposal

Construction of a two storey side extension following the demolition of an existing side extension and construction of a replacement outbuilding for the existing detached garage.

The extension would provide a ground floor garden room and a first floor 4th bedroom, with en-suite shower room. It would measure 3.8m in width, 6.7m in length and 6.4m in height. It would feature a catslide roof with pitched roof dormer on the front elevation, glazed in the ground floor side elevation, with an obscure glazed gable window feature, and a blank rear elevation, with obscure glazed conservation rooflight.

The outbuilding would be constructed using timber boarding and plain clay tiles and would accommodate a store and home office. It would have a footprint of 30 square metres and be single storey, with a pitched roof.

The scheme represents a reduction in scale of the side extension following the withdrawal of a previous proposal.

RELEVANT PLANNING POLICY

Section 38(6) of the Planning and Compensation Act 2004 (as amended) requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. The adopted plan for Hart district comprises the Hart Local Plan (Strategy and Sites) 2032 (HLP32), the saved policies of the Hart District Local Plan (Replacement) 1996-2006 (HLP06) and Saved Policy NRM6 of the South East Plan 2009. Adopted and Saved Policies are up to date and consistent with the NPPF (2021). Also of relevance in the determination of this application is the Hook Neighbourhood Plan 2032 which is part of the development plan and the application site is within the Neighbourhood Plan boundary.

Hart Local Plan (Strategy and Sites) 2032 (HLP32):

Policy SD1 Sustainable Development
Policy NBE4 Biodiversity
Policy NBE8 Historic Environment
Policy NBE9 Design

Policy INF3 Transport

Hart District Local Plan (Replacement) 1996-2006 'saved' policies (HLP06):

Policy GEN1 General Policy for Development

Hartley Wintney Neighbourhood Plan 2017-2032 (HWNP 2032):

HW Policy 2 Design Guide

HW Policy 5 Conservation Areas

Other relevant planning policy documents:

National planning Policy Framework 2021 (NPPF)

National Planning Practice Guidance (PPG)

Technical Advice Note Cycle and car parking in new development (August 2022)

Hartley Wintney Conservation Area Character Appraisal and Management Proposals Draft no. 6, November 2008

Relevant Planning History

04/00971/FUL and 04/00972/CONAC : Replacement single storey rear extension. Permitted

11/02621/HOU : Erection of a single storey rear extension to existing garage building. Change of use of resultant building to a study and store room. Re-arrangement of parking and access. Permitted

21/02263/HOU : Demolition of existing conservatory and garage and erection of two storey side extension and single storey home office/store. Withdrawn

CONSULTEES RESPONSES

Hartley Wintney Parish Council

No Objection

Ecology Consult (Internal)

I have no objection to this application on the grounds of biodiversity providing the following condition is applied:

Condition 1.

The recommendations and mitigation outlined in section 5 in the bat report must be implemented in full.

Reason: to ensure there is no negative impact on bats as a result of the proposals

Environmental Health (Internal)

I have no objection to this planning application.

PUBLIC COMMENTS

Objections were received from 5 local addresses and a further objection was received from a

local heritage society.

The material planning considerations concerned:

- Loss of outlook, overbearing and oppressive impacts
- Loss of daylight and sunlight
- Impact on the character of the area, including on the setting of the conservation area and the adjacent 'positive' buildings
- Overlooking
- Impact on trees
- Featureless rear aspect

In addition, several matters which are not material to the determination of the application were raised:

- Correctness of form completion and additional statements
- No consultation with neighbours undertaken as stated
- Opinions of whether the current house is fit for purpose
- Loss of view

An error on the submitted plans was corrected by the agent prior to the application being presented to committee.

CONSIDERATIONS

Principle of the Development

The application building is located within a defined settlement boundary and as such, the principle of sustainable development is established.

Appearance and impact on the character of the conservation area

Hart Strategy and Sites 2032 Policy NBE8; Historic Environment, requires development proposals to .."conserve or enhance heritage assets and their settings, taking account of their significance." Policy NBE9; Design, supports development which protects or enhances surrounding heritage assets, including their settings.

Saved policy GEN1(v) allows developments which include provision for the conservation or enhancement of the District's landscape, ecology and historic heritage and natural resources.

The Planning (Conservation and Listed Buildings) Act 1990 requires Local Planning Authorities to pay regard to the desirability of preserving or enhancing the character or appearance of conservation areas.

The site is within Character Area 3 (Causeway Green and Cricket Green) of the Hartley Wintney Conservation Area, whilst the application site is split by the boundary of areas 3 and 4 (The Common).

The Hartley Wintney Conservation Area Character Appraisal and Management Proposals (the conservation area appraisal) document makes a number of recommendations, several of which are applicable to the current proposal:

New development in or on the edges of the conservation area should respect existing plot

boundaries, plot ratios, and historic forms of development.

New development should respect the historic grain of development established by plot boundaries and existing historic buildings, particularly in relation to development in back gardens.

Existing open green space, including private gardens, should be protected from unsympathetic development where this would have an adverse impact on the spacious character of the existing site and area

The immediate locale is characterised by the dense arrangement of cottages forming the rows of Mildmay Terrace and Hartford Terrace, fringed by larger properties in more generous plots. The properties of Woodland Villa and its neighbour Pinewood are nestled in the centre of this layout and share the qualities of both types of surrounding house and site form. The proposal would add an extension with a moderate footprint to the existing house and enlarge a detached outbuilding substantially.

Of the two elements of the proposal, it is the extension which has raised concerns amongst neighbouring occupants and the Hartley Wintney Historical Society, as they consider that it would negatively impact the setting of the 'positive' buildings of Mildmay Terrace and consequently, on the setting of the conservation area.

The conservation area appraisal identifies positive buildings as 'buildings of townscape merit'.. 'commonly they will be good examples of relatively unaltered historic buildings where their style, detailing and building materials provides the streetscape with interest and variety. Most importantly, they make a positive contribution to the special interest of the conservation area.'

National Planning Policy Guidance sets out that non-designated heritage assets have a degree of heritage significance meriting consideration in planning decisions.

New development in proximity to unlisted buildings of merit does not have to take account of the setting of such buildings per se, as they are identified for the contribution that they make to the character of an area, however their contribution to the wider setting of the conservation area is acknowledged.

The form, layout and heritage values of Mildmay Terrace would not be affected by the proposals. The extension would be appreciable from the outlook from those properties with their backs to the application site, however the form of development would be sympathetic to the existing spatial arrangement on site and the impact would be solely a visual one.

The extension echoes form and design elements of the host building and would appear visually comfortable against the original dwelling. As such, it would be considered to be an appropriate form of development in design terms. It would replace, albeit with a larger structure, an existing modern addition. It would echo the tight grain of development evident in the locale and would not be overly imposing on the setting of the adjacent properties. Overall, it would have a neutral impact on the conservation area and in terms of how the extension would relate to adjacent buildings.

The outbuilding would replace an existing garage with a longer and slightly wider structure but there would remain sufficient space about the site to overcome overdevelopment issues. As a replacement structure for an existing modern outbuilding, the building would have a neutral impact on the conservation area.

Neighbour Amenity

Policy GEN1 (iii) requires proposals for development to cause no material loss of amenity to

adjoining residential uses.

Comments have been received from local residents and a local heritage society regarding the impact of the development on the living conditions and enjoyment of properties to the rear.

The application site is surrounded by other residences, constructed around the late Victorian / Edwardian period. Notably, the east side and the frontmost north rear boundary (the property has a deeply staggered rear boundary) are shared with Nos.11 and 12 Mildmay Terrace.

Mildmay Terrace comprises of a double terrace of 20 simple cottages, constructed around the same period as the application property. These face each other across a communal green. The modest dimensions of the cottages are reflected in the size of each property's private garden space, which is restricted at the front to a small pocket of land by the communal green and to the rear, by the narrowness of the cottages and the established grain of development.

The proposed two storey side extension would be positioned immediately adjacent to the rear boundary of No.11 Mildmay Terrace. The rear of this house would be some 12m to the rear of the proposed extension.

It is noted that the first floor plan indicated a side window serving the bedroom, which has subsequently been corrected. The only first floor openings would be high level gable glazing and a rear facing rooflight. Both would be obscure glazed. By virtue of the position and design of the extension's windows and doors, and the use of obscure glazing in first floor openings, there would be no adverse overlooking or loss of privacy as a result of the proposal.

The reduction in the height and bulk from the previous scheme in an attempt to alleviate the impact of the extension on neighbouring properties is acknowledged, and ensures that whilst there may be some light loss to the rear garden of No.11, this would not be to a degree to warrant refusal.

The extension would be positioned up against the rear boundary shared with No.11 Mildmay Terrace. The existing extension would be removed accordingly. It is of note that the existing extension has a solid wall in the position of the rear elevation of the proposed extension, albeit that this wall is slanted.

In comparison with the existing structure, the rear elevation to the eaves height of the extension would increase by a maximum of 2m, to 3.6m. The ridge of the roof would be some 3m higher than the eaves, though the effect of this would be mitigated by the 45 degree angle of the roof slope. The distance to the rear wall of the extension from the rearmost wall of No.11 would be 12.5m. By virtue of the density of built form in the locality, such proximity would not be extraordinary.

There would without doubt be a change to the outlook of the rear windows of No.11 Mildmay Terrace and to a decreasing degree the houses in this row as they climb in number, however the outlook to occupants would not be to a degree which would unacceptably impact the day-to-day living conditions of these residents.

Due to the position and dimensions of the outbuilding, this structure is not anticipated to have a harmful impact on the amenities of neighbouring occupants.

Motor vehicle and cycle parking and highway safety

Policy INF3 (d) requires development proposals to provide appropriate parking provision, in terms of amount, design and layout.

The proposal would create an additional bedroom and would remove a single garage, however the internal dimensions of the existing garage do not meet the Council's current parking guidance -Technical Advice Note: Cycle and car parking in new development -for garage parking spaces and the guidance does not count single garages as a parking space.

The current parking guidance recommends that for a 4 bedroomed home, 3.0 allocated and 0.5 unallocated motor vehicle parking spaces are provided, and a minimum of 5 cycle spaces.

The parking plan provided demonstrates that 4 motor vehicle parking spaces would be provided at the front of the site. There is adequate additional space within the site boundaries to accommodate the cycle parking recommended, including within the proposed store at the front of the outbuilding.

Impact on the Natural Environment

Policy NBE 4 of the HLP32 states that all developments should protect and enhance biodiversity. The Local Planning Authority has a duty under the Natural Environment and Rural Communities Act 2006 to have full regard to the purpose of conserving biodiversity, which extends to being mindful of the legislation that considers protected species and their habitats and to the impact of the development upon sites designated for their ecological interest.

Bats are a protected species under the Wildlife and Countryside Act 1981. Development causing a disturbance and potential abandonment of a roost could constitute an offence both to a population and individuals. It is therefore important that the use of an area by bats is thoroughly assessed prior to the determination of a planning application relating to a site where bats may be roosting, commuting or foraging. It has been confirmed within appeals and case law that bat surveys cannot be subject of a planning condition. Assessment on the presence of bats within a building or site are matters which must be resolved prior to determination.

The application was accompanied by a bat emergence survey report which found evidence of bats at the property and made suggestions for mitigation to prevent the works from negatively impacting bats. The Council's Ecologist confirmed that subject to the recommendations and mitigation outlined being adhered to, they have no objections to the works. As such, subject to the inclusion of the condition to secure these recommendations and mitigation measures, the proposal would be acceptable in ecology respects in line with NBE4 of the HLP32 and the aims of the NPPF 2021.

Climate Change

Hart has announced a climate change emergency and is committed to reducing carbon emissions. Policy NBE9 supports development which reduces energy consumption through sustainable approaches to building design and layout, such as through the use of low-impact materials and high energy efficiency.

The proposal would incorporate modern materials and by virtue of the scale of the development, the proposal would not be anticipated to have a significant impact on carbon emissions.

Trees

Saved Policy CON8 concerns protecting the amenity value of trees. There are no trees on-site which would likely to be affected by the development and off-site trees in adjacent

properties are sufficiently distant and separated by intervening features such that they are unlikely to be affected by the development proposals, however, a tree protection plan has been included by condition to require the identification of rooting zones which require protection from the storage of materials and equipment during works. Subject to condition, the proposal is acceptable in tree respects

Other Matters

The Equality Act 2010 legally protects people from discrimination in society. It replaced previous anti-discrimination laws (Sex Discrimination Act 1975; Race Relations Act 1976 and Disability Discrimination Act 1995) with one single Act. The public sector Equality Duty came into force in April 2011. Section 149 of the Equality Act means that public bodies have to consider all individuals when carrying out their day-to-day work in shaping policy and delivering services.

Due regard is given to the aims of the Equality Duty when considering applications and reaching planning decisions in particular the aims of eliminating unlawful discrimination, advancing equality of opportunity, and fostering good relations between those who share a protected characteristic and those who do not share it.

The proposal raises no concerns in respect of equality issues.

CONCLUSION

The proposal would be acceptable in terms of its impact on the character and appearance of the conservation area, neighbour amenity, ecology and parking sufficiently to comply with the relevant policies of the development plan. Accordingly, it is recommended for conditional approval.

RECOMMENDATION - Grant

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 Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

- Proposed site plan ref WV/21/05/A
- Proposed elevations ref WV/21/04/C
- Proposed floor plans ref WV/21/03/D
- Planning and Heritage Statement dated June 2022

Reason:

To ensure that the development is carried out in accordance with the approved details.

- 3 Notwithstanding the approved plans, no work or development above ground level shall take place until details and samples of all materials to be used on the exterior surfaces of the proposal hereby permitted have been submitted to, and approved in writing by,

the Local Planning Authority.

Good quality manufacturers information or weblinks which accurately show the details may be acceptable. The development shall only be carried out in accordance with the approved details.

Reason :

To ensure the external appearance of the extension is satisfactory and to satisfy policies NBE8, NBE9 of the Hart Local Plan 2032 and Policies 2 and 5 of the Hartley Wintney Neighbourhood Plan.

- 4 Notwithstanding the submitted details, prior to installation of new windows and doors in the proposal hereby permitted, large scale drawings of all new windows and doors, including frame and glazing bar dimensions, materials and finish shall be submitted to, and approved in writing by, the Local Planning Authority.

The works shall be carried out in accordance with the approved details.

Reason :

To ensure the external appearance of the extension is satisfactory and to satisfy policies NBE8, NBE9 of the Hart Local Plan 2032 and Policy 5 of the Hartley Wintney Neighbourhood Plan.

- 5 No construction shall take place until a tree protection method statement has been submitted to, and approved in writing by, the Local Planning Authority. Specifically this method statement shall:

1. Provide a suitably scaled plan for tree protection measures
2. Demonstrate that all site works, mixing areas, storage compounds, site buildings and associated contractor parking areas remain wholly outside any tree protection zones and at a suitable separation to prevent damage to retained trees.

All tree protection measures must be retained and maintained for the full duration of works unless otherwise agreed in writing with the Local Planning Authority.

Reason:

To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Hart Local Plan policies GEN 1 and CON 8.

- 6 The works shall be carried out in full accordance with the mitigation measures and enhancement opportunities set out in the Bat Emergence Survey by Ecology Surveys Limited, ref BESR_Woodland-Villa_H.Timpany_June_2022 dated June 2022, including the

Reason:

To protect and enhance biodiversity on site, and to satisfy Policy NBE4 of the Hart Local Plan (Strategy and Sites) 2032.

- 7 The parking spaces hereby permitted shall be kept available at all times for the parking of motor vehicles by the occupants of the dwellings and their visitors and for no other purpose. Access shall be maintained at all times to allow them to be used as such.

Reason:

To maintain sufficient on-site parking and to comply with the requirements of policy INF3 of the Hart Local Plan (Strategy and Sites) 2032.

INFORMATIVES

- 1 The Council works positively and proactively on development proposals to deliver sustainable development in accordance with the NPPF. In this instance: The applicant was advised of the necessary information needed to process the application and, once received, the application was acceptable and no further engagement with the applicant was required.
- 2 The applicant is advised that under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017, bats are a protected species and it is illegal to intentionally or recklessly damage, disturb or destroy a bat or its habitat. If any evidence of bats is found on site, Natural England must be informed and a licence for development obtained from them prior to works continuing. For further information go to www.naturalengland.org.uk or contact Natural England (S.E. regional office) on 0238 028 6410.
- 3 You may require Building Regulations Consent and we advise that you should contact Building Control on 01252 398715.
- 4 The applicant is advised to make sure that the works hereby approved are carried out with due care and consideration to the amenities of adjacent properties and users of any nearby public highway or other rights of way. It is good practice to ensure that works audible at the boundary of the site are limited to be carried out between 8am and 6pm Monday to Friday, 8am and 12 noon on Saturdays with no working on Sunday and Bank Holidays. The storage of materials and parking of operatives vehicles should be normally arranged on site.
- 5 Hart District Council has declared a Climate Emergency. This recognises the need to take urgent action to reduce both the emissions of the Council's own activities as a service provider but also those of the wider district. The applicant is encouraged to explore all opportunities for implementing the development approved by this permission in a way that minimises impact on climate change.