

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA

Winchester City  
Council  
Planning Department  
Development Control

TEAM MANAGER  
SIGN OFF SHEET

## Committee Decision

<b>Case No:</b>	07/00345/FUL	<b>Valid Date</b>	12 February 2007
<b>W No:</b>	12555/02	<b>Recommendation Date</b>	3 May 2007
<b>Case Officer:</b>	Mr James Jenkison	<b>8 Week Date</b>	<b>9 April 2007</b>
		<b>Committee date</b>	
<b>Recommendation:</b>	<b>Application Permitted</b>	<b>Decision:</b>	<b>Committee Decision</b>

**Proposal:** (AMENDED DESCRIPTION) To allow the parking of two lorry cabs within the curtilage of a residential site

**Site:** Dell Cottage Winchester Road Shedfield Southampton Hampshire

Open Space Y/N	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N

DELEGATED ITEM SIGN OFF		
APPROVE Subject to the condition(s) listed	REFUSE for the reason(s) listed	
	Signature	Date
<b>CASE OFFICER</b>		
<b>TEAM MANAGER</b>		

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**AMENDED PLANS DATE:-**

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**Item No:** 13  
**Case No:** 07/00345/FUL / W12555/02  
**Proposal Description:** (AMENDED DESCRIPTION) To allow the parking of two lorry cabs within the curtilage of a residential site  
**Address:** Dell Cottage Winchester Road Shedfield Southampton Hampshire  
**Parish/Ward:** Shedfield  
**Applicants Name:** Mr M Chappell  
**Case Officer:** Mr James Jenkison  
**Date Valid:** 12 February 2007  
**Site Factors:**  
**Recommendation:** Application Permitted

### General Comments

This application is reported to Committee because of the number of objections received and at the request of Shedfield Parish Council, whose request is appended in full to this report.

### Site Description

Dell Cottage lies in a countryside location within the Local Gap on the east side of Winchester Road. The application site consists of the residential curtilage of the property and constitutes an area of land of approximately 2500m<sup>2</sup> which surrounds the house.

The larger site (land within the control of the applicant but not included in the application site) has a long road frontage along Winchester Road where a close boarded fence has been erected as permitted development due to its setback from the edge of the road carriageway.

The intervening land between the fence and the application site is densely populated with trees which are subject to a Tree Preservation Order. This intervening land lies within a hollow. A public footpath runs adjacent to the northern boundary of the larger site and views of the site are screened by the surrounding mature trees. The south side of the larger site is bounded by a recreation ground and screened from views by a dense hedgerow interspersed with mature trees. The west of the site is also bounded by mature trees, screening views into the site.

There is a 2-storey dwelling on the site which is being refurbished and extended in accordance with planning permission **06/01509/FUL**. There have also been some site works involving retaining walls to create a level area around the curtilage of the house and which has been undertaken as permitted development.

The residential curtilage of the house is screened from public views by mature trees growing on the surrounding land, although the Dell Cottage is visible from the main road.

Access to the site is from Winchester Road and this access has been recently widened. The access is located to the south of the site and a driveway curves around from the access to the application site, thus ensuring that the residential curtilage remains mostly screened from views from the access.

### Proposal

The proposal is to allow the parking of two lorry cabs within part of the curtilage of a residential site by the occupiers of the residential property. Parking of the lorry cabs is already occurring on the site.

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**Relevant Planning History**

**06/01509/FUL** - Demolition of single storey flat roof areas; erection of two storey extension with 2 no. conservatories. PER 21st June 2006.

**00001-2006-TPO** - Land at Dell Cottage, Shedfield. Confirmed.

Enforcement

**06/00282/PLAN** - Alleged breaches of planning control for the fence and material widening of the access on the adjoining land within the applicants ownership. The fence is considered to be permitted development and the matter relating to the planning status of the access to the site from Winchester Road (which is located outside the application site, but within the adjacent land which is within the applicants ownership) is still being investigated.

**Consultations**

Enforcement:

The application was made as a result of the above enforcement investigation.

Engineers: Highways:

Visibility splays at the access junction are considered to be acceptable and it is unlikely the proposal will cause demonstrable harm to the users of the adjacent public highway network. Lorries able to enter and leave the site in forward gear. Highways objection would not have been raised in relation to concerns raised as to whether or not the existing access has been widened.

Landscape:

Recently erected fence screens the site, though considered to be visually intrusive. Suggested planting improvements to screen the fence. Recommend a landscaping condition relating to the fence set back from Winchester Road.

NB. Comments are noted but the fence is permitted development and not part of this application.

**Representations:**

Shedfield Parish Council

Request for application to be heard by Committee, appended in full.

Concern raised in relation to an operators license.

Concern about additional noise, vibration, disturbance and visual intrusion to a quiet rural/residential scene.

Adjoining boundary with Shedfield Recreation ground will be adversely affected.

Concern raised about traffic safety at the access.

Pollution.

Lorries/trailers already parked.

One letter raising no objection to the proposal.

22 letters received objecting to the application for the following reasons:

- Land within local gap and therefore contrary to policies and would set an undesirable precedent.
- Lorry turning into and out of B2177 will present a traffic danger.
- Dwelling is being used as an operating centre for a commercial business.
- Proposal will destroy the rural character of the area and detract from visual amenity.
- Undesirable effect on adjacent recreation ground. Scout Hut and recreation track overlook Dell Cottage.
- Shedfield already has too many commercial developments.
- Roads are unsuitable for heavy vehicle traffic.
- Noise disturbance from starting up of diesel engines/intensification of use of the site.

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Reasons not material to planning and therefore not addressed in this report:

- Objections to the fence set back from Winchester Road. NB. The fence set back from the Winchester Road boundary is located outside the application site and is considered to be permitted development.
- Possession of an Operators License for commercial vehicles falls within different legislation.

**Relevant Planning Policy:**

Hampshire County Structure Plan Review:

G3, C1, C2, E6

Adopted Winchester District Local Plan Review 2006:

DP3, CE2, CE3, CE5, CE17

National Planning Policy Guidance/Statements:

PPG 4 Industrial, Commercial Development and Small Firms

PPS 7 Sustainable Development in Rural Areas

**Planning Considerations**

Principle of development

New commercial activity in a Local Gap and within the countryside is only acceptable where development would not physically or visually diminish the Local Gap. Policies CE2 and CE3 of the Adopted Local Plan seek to limit unnecessary development of buildings, hard surfaces and open storage areas and also seek to retain and incorporate appropriate management of areas of open land, woodland, hedgerows and trees.

There is no particular policy which supports the change of use of land applied for. However, business use “per se” can be acceptable so long as it does not erode the openness of the gap or the visual amenities of the countryside. This proposal is located within the curtilage of a residential site where a certain level of development is able to be (and has been) undertaken as permitted development. The proposal is for the parking of only two lorry cabs by the occupiers of a residential property. It is considered that the level of activity falls outside that which could be regarded as ancillary to the residential use of Dell Cottage and therefore requires planning permission. Nevertheless the intensity of activity that would be generated would be relatively modest and much of the hardstanding area required would not be a great deal larger than that which would normally be expected for a residential site.

Design/layout

The residential site has been designed to enable the lorry cabs to manoeuvre into and out of the residential site and along the long driveway. The lorry cabs will be parked close to the dwelling, ensuring a compact scenario of parked vehicles and buildings.

Impact on character of area and neighbouring property

Lorry cabs are larger vehicles than cars and vans and are therefore potentially more visually prominent.

The application site is located within a larger site owned/controlled by the applicant and the distance (20-40 metres) and dense tree planting between the residential site and the road side to the west and public footpath to the north will ensure that these trees act as an effective landscape foil to the parked lorry cabs. The lorry cabs would also be parked near the house and would be seen in the context of the residential dwelling on the site and would not be isolated visual features in the rural landscape.

Conditions 2, 3 and 4 have been recommended preventing outside storage and trailer units/lorries

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from being parked or stationed on the site in order to clearly define and limit the extent of the planning permission to ensure that unacceptable levels of activity and visual harm to the countryside are avoided.

Landscape/Trees

There will be no trees removed as part of the development and the trees on the larger site are the subject of a group tree preservation order.

Highways/Parking

The visibility splays at the access junction are acceptable and the proposal would not therefore be likely to cause demonstrable harm to users of the adjacent public highway network.

Neighbours Representations

There is a level of ambiguity about the possible stationing of trailer units on the site and conditions 2, 3 and 4 have been recommended to clarify the terms of the permission.

The fence and the mature trees and vegetation on the adjacent land (including at the boundary with the recreation ground) land provide an effective degree of screening for the application site.

The level of activity proposed is not sufficiently intensive to reject the proposal on the grounds of conflict with the principle of preventing commercial encroachment in a countryside site in the Local Gap.

The site is isolated from other residential properties and the higher noise levels generated from the engines of only two lorry cabs would not be likely to cause material harm to residential amenities if the use of the lorries is restricted to the residential occupiers of the dwelling.

Conclusion

It is considered that the proposal would not, by virtue of its modest scale and location within the curtilage of a residential property, be likely to have a materially harmful impact upon the local gap, countryside, highway safety, or amenities of nearby residential properties. Consequentially it is considered that it would be appropriate to grant planning permission with conditions to restrict the intensity and use to an acceptable level.

**Recommendation**

Application Permitted subject to the following condition(s):

**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 No more than two lorry cabs shall be parked or stationed on the site at any one time and at no time shall any lorry trailer units, flatbed lorries or integrated lorry and trailer units be parked or stationed on the site.

Reason: To control the nature and level of activity undertaken at the site to protect the Local Gap and countryside.

3 The lorry cabs parked on the site shall only be operated by the residential occupiers of the dwelling on the site (Dell Cottage).

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Reason: To control the nature and level of activity undertaken at the site to protect the Local Gap and countryside.

4 No outside storage of materials or goods shall be undertaken on the site at any time unless otherwise approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt as to the scope of this planning permission and to ensure that the level of activity associated with the use of the lorry cabs is restricted to a level appropriate for this countryside location.

**Informatives:**

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

Hampshire County Structure Plan Review: G3, C1, C2, E6

Adopted Winchester District Local Plan Review 2006: DP3, CE2, CE3, CE5, CE17