

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 6 October 2005

Item No:	04
Address:	Woodmans FarmCurdridge Lane Curdridge Hampshire
Parish/Ward	Curdridge
Proposal Description:	Change of use (part retrospective) of agricultural buildings to industrial (class B1 and B8)
Applicants Name	Mr D Hall
Case No:	05/01680/FUL
W No:	W00025/14
Case Officer:	Mr Neil Mackintosh
Date Valid:	6 July 2005
Delegated or Committee:	Committee Decision
Reason for Committee:	At the request of a councillor
Reason for Committee:	Parish Council submitted representations contrary to officer recommendation
Reason for Committee:	4 or more representations contrary to the Officer's recommendations have been received
Site Factors:	Countryside

Site Description

- The application site comprises 0.74 ha of land to the rear of Woodmans Farm House
- Access is via an unsurfaced, but recently widened, track from Curdridge Lane
- The site contains two, large, steel framed farm buildings with block and fibre cement clad walls and fibre cement roofing
- Another, similar building is adjacent to the site and this is still used for agricultural purposes
- Woodmans Farm House is also adjacent to the application site and is a C17 listed building under separate ownership

Relevant Planning History

- 00025/11 – change of use of agricultural buildings to B1, B2 and B8 (part retrospective), withdrawn 2002
- 00025/12 – as above, refused 2004;
 - (a) The proposed development is considered likely to harm the residential amenity of neighbours, by virtue of noise, smells and general disturbance;
 - (b) The change of use of the land and buildings would result in an urbanisation of this rural site, to the detriment of the visual amenity and rural character of the area;
 - (c) The change of use of 0.74 hectares of land and buildings is considered unsustainable in this rural location through the increase in traffic generation and demand for car born traffic and car parking demand on the site that would result in an increase in car trips generated to the site.
 - (d) Increased use of the existing access would cause undue interference with the safety and convenience of the users of the adjoining highway.
 - (e) Failure to make appropriate measures to meet a required off-site highway improvement contribution for improvement works on Curdridge Lane, for transport improvements works necessary to facilitate this development.

Proposal

- As per Proposal Description

Consultations

Engineers:Highways:

- Forward to HCC Highways

HCC Highways:

- My office has been involved in lengthy pre-application discussions following a previous recommendation for refusal. Reasons were:
 - a) Visibility splays – these have now been agreed and can be provided
 - b) Access road – has been widened to 7.3m but still needs to be surfaced
 - c) Highways contribution – a sum of £4,000 has been negotiated for future improvements in Curdridge Lane
- I can confirm that I have no strategic highway objections to this application provided the applicant enters into an appropriate legal agreement to secure the £4,000 and subject to conditions re; the permanent provision of visibility splays and the surfacing of the access track.
- In a subsequent letter from HCC to an objector (copied to the LPA) it was stated:
- ‘Removing the B2 uses from the proposals is likely to result in less traffic being generated and using the local network. This is verified by a national database of traffic generation figures which shows that the B2 use results in the highest trip generation per 100sq.m. during the peak hour than either B1 or B8’

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Environmental Health:

- I am aware of the history of this site, having visited the pig units many times over the years for odour and fly problems
- I appreciate that B1 and B8 have potentially lower impacts than B2, however I have dealt with many noise problems associated with them.
- I have concerns regarding potential hours of use, ancillary operations, noise from units, vehicle movements and loading/offloading operations
- If you feel that rejection is not appropriate I suggest that sound insulation should be provided, no waste materials shall be burnt on site and that the hours of operation be controlled.

Representations:

Curdridge Parish Council

- Object – the majority of the previous reasons for refusal still stand
- In particular, the traffic that would be generated by additional workers and delivery and distribution vehicles is unacceptable on this C class road and at the B3035/A334 junction.
- Curdridge Lane is not suitable for 38ft. lorries and many parts would not allow them to pass.
- Pollution, visual amenity and the setting of the listed building are also concerns.

Letters of representations have been received from 13 Curdridge residents; 3 from Curdridge Lane, 10 from The Plantation. Without exception they object on traffic generation grounds;

- Curdridge Lane is not suitable for HGV,s
- It is narrow and already suffers from vehicles to and from Nations Farm
- Although there is a 7.5 tonne weight limit this is ignored
- To grant permission would result in an increase in HGV's using the Lane and The Plantation
- It would interfere with the safety and convenience of users of the Lane
- We already suffer from excessive, noise, unsocial hours and damage to the verges
- We have no pavements and pedestrians and cyclists are in danger of being run down
- Our driveways are used as passing places
- This situation is a fatal accident waiting to happen

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- C1, C2, E16, EC4, T4, T5, T6

Winchester District Local Plan

- C1, C2, C12, C13, EN5, T8, T9 T12

Winchester District Local Plan Review Deposit and Revised Deposit:

- C1, C6, C16, DP3, T1, T10

Supplementary Planning Guidance:

- Curdridge and Curbridge Village Design Statement
- Movement, Access, Streets and Spaces

National Planning Policy Guidance/Statements:

- PPS 1 Delivering Sustainable Development
- PPS 7 Sustainable Development in Rural Areas
- PPG 13 Transport
- PPG 24 Planning and Noise

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area
- Residential amenities
- Listed building
- Highways
- Comments on representations

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Principle of development

- PPS 7 and the Development Plan allow for the re-use of farm buildings for employment generating uses.
- HCSPR Policy C2 supports 'the re-use or adaptation of existing buildings, particularly to assist the diversification of the rural economy'
- The relevant Policy in the Local Plan is C13, which requires that;
- The appearance of the buildings are in keeping with the area and that the proposal will maintain or enhance the local environment
- The buildings are sound and will not require extensive conversion works
- The scale and nature of the activity can be accommodated without detriment to the locality
- The extent of the site can be clearly defined to prevent expansion into the countryside and
- (under Policy C2) – the rural roads are capable of accommodating the traffic likely to be generated, the access is adequate and that nearby properties are not unacceptably disturbed.
- Proposal C16 of the WDLP Review differs in that it also allows for B2 usage and includes the following proviso 'the type of traffic generated can be accommodated without harming the character of rural roads'.

Impact on character of area

- The two buildings the subject of this application are not particularly attractive but they are capable of re-use with little or no conversion works.
- Their appearance in the countryside will be enhanced by the proposed hedgerow planting scheme.
- This planting will also contain the site, to prevent expansion into the countryside

Residential amenities

- Woodmans Farm House is now in separate ownership and is adjacent to the access drive and the farm buildings.
- Although the occupants have not objected their amenities must be taken into account
- Environmental Protection have previously visited the site in connection with odour and fly problems
- The pigs are now gone and, subject to the control of B1 and B8 activities on the site, the amenities of this property could well be enhanced.
- B1 Use, by definition, is capable of taking place in residential areas and the activities associated with both uses, eg. the operation of machinery, deliveries etc. can be limited to social hours.

Listed building

- Woodmans Farm House is a Grade 2 listed building but it has large, modern agricultural building erected to the rear.
- These do not enhance the setting of the listed building but it is unlikely that they will be demolished.

Highways

- It is the highway implications of this application that has caused the letters of objection to be written.
- The applicant has commissioned a Transport Assessment, including a Traffic Count and speed Survey.
- The author concludes that the additional vehicles using Curdridge Lane as a result of this application will not be significant and will amount to about a 3% increase.
- He also says 'The number of large vehicles using Curdridge Lane will reduce significantly from when the buildings were used for pig rearing'.
- The Highway Authority has raised no objection to the application, subject to conditions and a contribution towards highway improvement.
- A County engineer has assessed the highway safety implications of allowing this application and concluded that his previous objections have been overcome.

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- He states that the omission of B2 Use, the provision of sight lines and the widening of the access drive is sufficient.
- The engineer is aware of local objections regarding the use of Curdridge Lane and has taken them into consideration.

Comments on representations

- The Parish Council states that most of the previous reasons for refusal still stand.
- However, the Highway Authority has now withdrawn its objection and it would be difficult to sustain a refusal on highway safety grounds without this support.
- Noise, smell and general disturbance should not be a problem now that B2 Use has been omitted and suitable conditions can be applied to the B1 and B8 Uses.
- Visual amenity and the rural character of the area will be enhanced by hedgerow and tree planting.
- It would be difficult to argue that the site is unsustainable, bearing in mind its proximity to Waltham Chase and Curdridge, an hourly bus service passes the site Monday to Saturday, between 0700 and 1900, and it would be easy to cycle to the site from the surrounding villages.
- Curdridge residents, particularly in The Plantation, are concerned by HGV traffic already passing their houses and the safety implications of this.
- However, it is unclear whether these vehicles are, in fact, visiting Woodmans Farm, Nations Farm or, indeed, using the road as a route to and from Hedge End.
- The Transport Assessment states that, although through traffic over 7.5 tonnes should not be using Curdridge Lane, the signage is unclear and that there is a case for reducing the speed limit to 40mph along its whole length.

Planning Obligations/Agreements

In seeking the planning obligation and/or financial contributions for highway improvements the Local Planning Authority has had regard to the tests laid down in Circular 1/97 which requires the obligations to be necessary; relevant to planning; directly related to the proposed development; fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.

Recommendation

APPROVE – subject to a Section 106 Agreement for:

A financial contribution of £4,000.00 towards highway improvements

(Note: If the Legal Agreement is not completed within 6 months then the application may be refused without further reference to Committee)

Conditions/Reasons

01 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

01 Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

02 The proposed landscaping scheme shall be carried out during the 2005/6 planting season or as otherwise agreed in writing with the Local Planning Authority. If within a period of five years after planting any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

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02 Reason: To improve the appearance of the site in the interests of visual amenity.

03 The development hereby permitted shall be used for B1c (light industrial) and B8 (storage and distribution) purposes and for no other purpose (including any other purpose in Class B of the Schedule to the Town and Country Planning (Use Classes) Order 2005, or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without modification).

03 Reason: To protect the amenities of the locality and to maintain a good quality environment.

04 No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site other than between the hours of 0800 and 1800 Monday to Friday and 0800 and 1300 Saturdays and at no time on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

04 Reason: To protect the amenities of the occupiers of nearby properties.

05 No equipment, raw materials, finished or unfinished products or parts, crates, packing materials or waste shall be stacked or stored on the site at any time except within the buildings or within storage areas approved by the Local Planning Authority in writing.

05 Reason: In the interests of the appearance of the site and the amenities of neighbouring property.

06 Nothing over 0.6 metres in height above the level of the carriageway shall be erected or permitted to remain on the land within the visibility splays shown on the approved plans.

05 Reason: In the interests of highway safety.

06 Within one month of the date of this permission the access shall be surfaced with a non-migratory surfacing material for a minimum distance of 30 metres from the highway boundary.

06 Reason: In the interests of highway safety.

Informatives

01. This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out below, 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.

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

Hampshire County Structure Plan Review: C1, C2, E16, EC4, T4, T5, T6,

Winchester District Local Plan Proposals: C1, C2, C12, C13, EN5, T8, T9 T12

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: C1, C6, C16, DP3, T1, T10