

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

**Winchester City
Council**
Planning Department
Development Control

Committee Decision

**TEAM MANAGER
SIGN OFF SHEET**

Case No:	08/00759/FUL	Valid Date	28 March 2008
W No:	06367/06	Recommendation Date	23 May 2008
Case Officer:	Mr James Jenkison	8 Week Date	23 May 2008
		Committee date	
Recommendation:	Application Permitted	Decision:	Committee Decision

Proposal:	Extensions and alterations to a farm building with tourist accommodation in the loft and change of use to allow the entire building as extended for holiday accommodation (AMENDED DESCRIPTION).
------------------	--

Site:	Shedding Oaks Farm Ham Green Sparsholt Winchester Hampshire
--------------	---

Open Space Y/N	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
no	no	no	yes	no	no	no

DELEGATED ITEM SIGN OFF		
APPROVE Subject to the condition(s) listed		
	Signature	Date
CASE OFFICER		
TEAM MANAGER		

AMENDED PLANS DATE:-

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Item No: 10
Case No: 08/00759/FUL / W06367/06
Proposal Description: Extensions and alterations to a farm building with tourist accommodation in the loft and change of use to allow the entire building as extended for holiday accommodation (AMENDED DESCRIPTION).
Address: Shedding Oaks Farm Ham Green Sparsholt Winchester Hampshire
Parish/Ward: Sparsholt
Applicants Name: Mrs Joyce Payne
Case Officer: Mr James Jenkison
Date Valid: 28 March 2008
Site Factors:

Recommendation: Application Permitted

General Comments

This application is reported to Committee because a related application (ref: 07/02379/FUL) seeks the revocation of a Section 106 Agreement that restricts the residential accommodation of the loft of the application building to holiday accommodation. It would only be appropriate to revoke the obligation if this current application to use the whole of the building for tourist accommodation is granted. This application is to allow the ground floor of the building to be used for tourist accommodation in conjunction with the first floor, with an appropriate condition to restrict the proposal to holiday accommodation only (Condition 2). With the implementation of this planning permission, the Section 106 Agreement may be revoked for planning permission 95/00657/OLD, as that planning permission will no longer have effect.

Site Description

The building subject to this application is a modest 1^{1/2} storey building with a footprint of approximately 6.5 x 6.5 metres and which is set adjacent to the boundary with the neighbouring property (Shedding Oaks Cattery). The land slopes downwards to the rear, so the ridge height of the building ranges from 6.5 to 7 metres. The ground floor is used as a storage area; however, the loft has been converted into a tourist accommodation unit under planning permission ref: 95/00657/OLD. The building is located in a farmyard, which also has a large utilitarian farm shed and is arranged in a courtyard format adjacent to a private track which also serves as a bridleway. To the north of the site is a property that has a dwelling, a mobile home, and a cattery business located on it.

The locality has a very rural character with trees and hedgerows along the track, particularly on the east side where development has not occurred. Development is of a linear form, consisting of farm buildings and a pair of residential properties.

Proposal

The proposal involves the integration of the loft with the ground floor into a larger tourist accommodation unit including 2 bedrooms. The lean-to at the side of the building is to be removed and an open porch constructed at the front of the building. The new unit of accommodation would be 72m².

An existing roof light on the east roof slope, facing over Shedding Oaks Cattery, has not been shown on the application plans.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Relevant Planning History

95/00657/OLD - Change of use from agricultural storage loft to holiday accommodation. Permitted 7th November 1995 subject to a Section 106 Agreement restricting the loft to tourist accommodation.

07/02379/FUL - Revocation of a Section 106 Agreement requiring the building to be retained as holiday accommodation only. This application is included elsewhere on the agenda.

Consultations

Legal:

The planning permission (ref: 08/00759/FUL) would need to be implemented before the Section 106 Agreement can be revoked if the condition (Condition 2 proposed on this application) is to have effect subsequently.

Environmental Health:

Informatives recommended (Informatives 3 & 4).

Highways

The Highways Engineer objected to the original application in 1995 on the grounds that the road leading to and from the site was substandard, as was the junction with the public highway. The access road is an unmetalled single track in a very poor state and appears to have poor visibility at the access. Refusal recommended.

Representations:

Sparsholt Parish Council

No comment received.

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

- Loss of privacy from existing windows of holiday let.
- Use not compatible with businesses on adjacent property as burning takes place and cats make noise.

Reason aside not material to planning and therefore not addressed in this report

- Increased cost in maintaining cesspit.

Relevant Planning Policy:

Winchester District Local Plan Review

RT16, DP3

National Planning Policy Guidance/Statements:

PPS 7 Sustainable Development in Rural Areas

Planning Considerations

Principle of development

The principle of using this building as tourist accommodation has been established through the grant of planning permission 95/00657/OLD in 1995 and indeed Policy RT16 in the Adopted Winchester District Local Plan Review 2006 allows for, in principle, the re-use of rural buildings for tourist accommodation. The accommodation will remain modest in size and the applicant has agreed to the proposed condition (Condition 2) restricting occupancy to short stay tourist accommodation). Planning conditions have evolved over the years and this condition is more

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

appropriate and definitive than the Section 106 Agreement. The objection letter indicates that the loft has always been used as holiday accommodation.

Design/layout

The proposed open porch and additional windows and roof lights in the south side roof slope will give the scheme a more residential appearance, however, this will not have a detrimental effect on the rural countryside context of the site, particularly as no curtilage is to be created. The proposal is not therefore considered to cause material harm to countryside amenities.

Impact on neighbour's amenity

The only extension to the building will be the porch at ground floor level and this modest addition will not cause material harm to the neighbouring residence.

The proposed alterations to the roof will include additional roof lights on the south roof slope, which does not face over the neighbouring property. There is no indication when the existing roof light in the north roof slope was installed and this was not approved as part of the original planning permission. The roof light faces directly towards the outdoor living area of the adjacent residential property and a material loss of privacy would be considered to occur if this window remains. The submitted plans show that there will be no roof light and Condition 4 has been recommended to ensure works are carried out in accordance with the approved plans and that the unit is not brought into use until the roof light has been removed. This should be an improvement compared to the existing situation.

The existing windows in the front and rear gables face to the front and rear of the property and are not considered to cause material harm to the privacy of the neighbouring property.

Planning permission for the cattery on the adjacent site was granted in 1981 and planning permission to convert the loft to tourist accommodation was granted planning permission in 1995. Removing the roof light from the north roof slope facing over this property will ensure that there are no windows facing towards this site and the Head of Environmental Protection did not raise an objection to the co-existence of these two activities. Additionally, Condition 2 restricts habitation of the tourist accommodation unit to no more than 4 weeks and, because of the temporary nature of occupation associated with tourist accommodation use, it is considered that no material harm will result from the co-existence of these two activities.

Highways/Parking

The planning permission granted in 1995 was against the recommendation of the Highways Engineer at that time. Sparsholt is a rural village where narrow lanes enclosed by mature trees predominate and the site is well located for tourism purposes. Whilst the objection of the Highways Engineer is noted, it is considered that the additional accommodation resulting from the use of the ground floor would be unlikely to lead to a material increase in traffic generation. As a result a refusal on highway safety grounds would be unsustainable.

Planning Obligations/Agreements

On implementation of this planning permission the Section 106 Agreement for the previous planning permission may be revoked and Condition 2 will govern the planning administration of the property.

Recommendation

Application Permitted subject to the following conditions:

Conditions

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

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

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

2 The holiday accommodation unit hereby permitted shall be used for holiday accommodation only which shall be limited to one occupier occupying the unit for a maximum period of 4 weeks and for no more than 3 times per year, with a break between each occupation, by the same occupier, of 4 weeks. A register of the names of the occupiers of the unit and their arrival and departure dates shall be kept by the developer and shall be produced to the Local Planning Authority upon reasonable notice.

NB: The term one occupier refers to a person or group of persons which does not consist of any person occupying the unit previously or subsequently within a period of 4 weeks.

2 Reason: To accord with the terms of the application since the site lies within an area where residential properties would not normally be permitted.

3 The materials to be used in the construction of the external surfaces of the alterations and extension hereby permitted shall match those used in the existing building.

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

4 Prior to the unit of holiday accommodation hereby approved being brought into use, the roof light in the north side elevation shall be replaced with an obscure glaze rooflight and fixed shut. The obscure glazed rooflight shall be retained thereafter in a fixed shut position.

4 Reason: To protect the amenities of adjoining properties.

Informatives:

1 This permission is granted for the following reason:

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.

2 The Local Planning Authority has taken account of the following Development Plan policies and proposals:-

Winchester District Local Plan Review 2006: RT16, DP3

3 All works including demolition and construction should only be carried out between the hours of 0800 and 1800hrs Monday to Friday and 0800 and 1300hrs Saturday and at no time on Sundays or recognised public holidays. Where allegations of noise from such works are substantiated by the Health and Housing Service, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

4 No materials should be burnt on site. Where the Health and Housing Service substantiate allegations of statutory nuisance, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through burning of materials is a direct offence under The Clean Air Act 1993.