

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Item No: 01
Address: Kingfisher Nurseries Selworth Lane Soberton Southampton
Hampshire SO32 3PX

Parish/Ward Soberton

Proposal Description: Replacement four bedroom dwelling with attached double garage and access drive

Applicants Name Parsons Construction Ltd

Case No: 04/02958/FUL

W No: W03815/13

Case Officer: Mr George Allpress

Date Valid: 9 November 2004

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

Site Factors: Countryside

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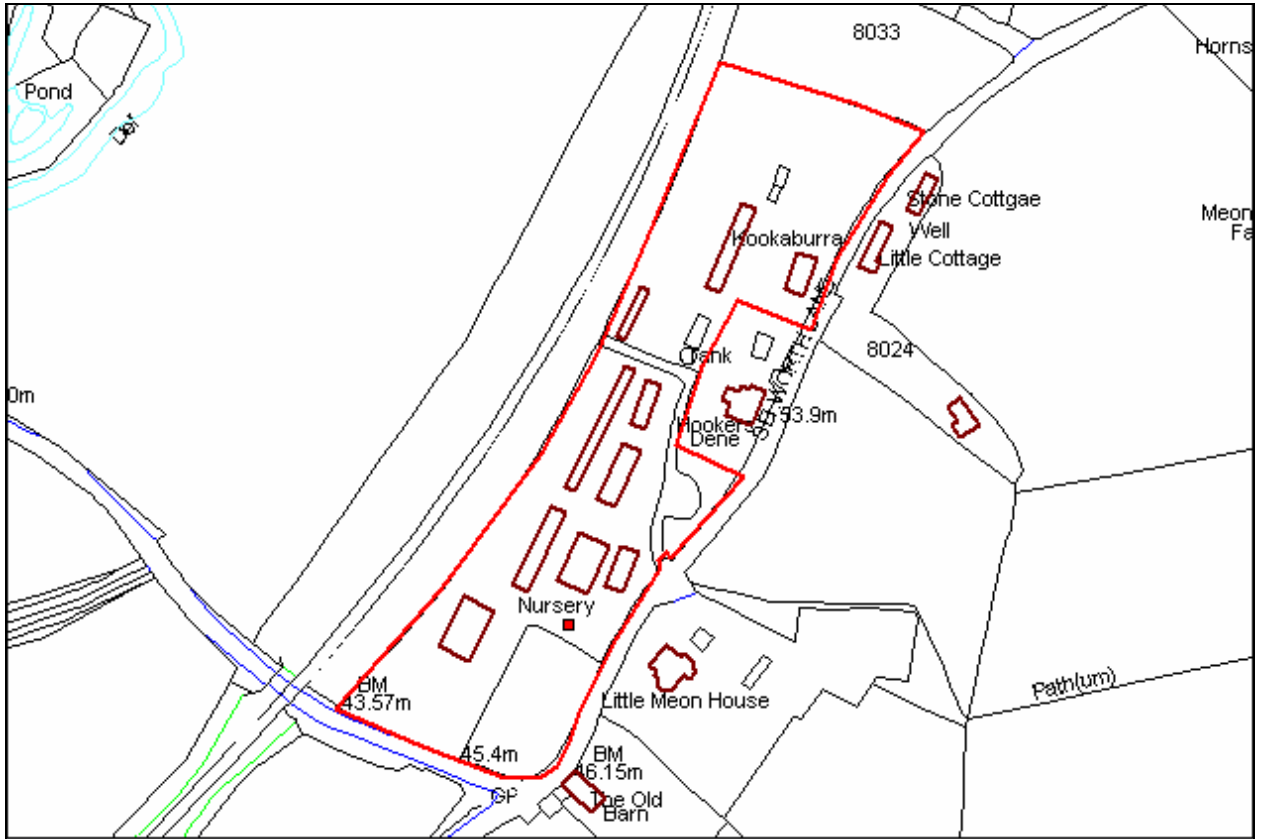
SITE LOCATION PLAN

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Site Description

- The application site is the former Kingfisher Nursery site comprises 1.55 hectares of land lying between Selworth Lane and a former railway embankment
- To the east of the site adjacent to Selworth Lane is a two storey detached dwelling called 'Kookaburra which is subject to an agricultural occupancy restriction by condition
- This is a modest sized detached dwelling which is proposed to be demolished.
- The site contains a substantial number of derelict greenhouses as well as sheds, polytunnels and ancillary structures
- The site is in a derelict and unsightly condition with barbed wire fences

Relevant Planning History

- **W03815** - Erection of a horticultural dwelling - Hookers Dene Selworth Lane Soberton Southampton Hants SO32 3PX - Application Refused - 21/06/1978
- **W03815/01** - Erection of Horticultural Dwelling' - Hookers Dene Nurseries Selworth Lane Soberton - Application Refused - 07/03/1979
- **W03815/02** - Erection of horticultural dwelling (Outline) - Hookers Dene Nurseries Selworth Lane Soberton - Application Permitted - 02/11/1979
- **W03815/03** – Erection of dwelling (Details in compliance with W03815/02) - Hookers Dene Nurseries Selworth Lane Soberton - Application Permitted - 02/07/1980
- **W03815/04** - Erection of single storey side extension with balustrade; erection of porch - Hookers Dene Nurseries Selworth Lane Soberton - Application Permitted - 01/08/1985
- **W03815/05** – Dwelling (Outline) – Kingfisher Nurseries, Selworth Lane Soberton - Application Refused - 04/06/1990 – Appeal Withdrawn 03.05.1991
- **W03815/06** – Dwelling – Kingfisher Nurseries, Selworth Lane, Soberton – Application Refused -07/06/1991 – Appeal Dismissed 25.02.1992
- **W03815/07** – Two storey side extension and conversion of 2 no: flats – Application Permitted – 02.07.1992
- **W03815/08** – First floor extension and covered terrace at rear, new porch at front and construction of pitched roof to replace flat roof at side – Application Permitted 04.12.1995
- **W03815/09** - Replace existing flat roof on garage with pitched and extension at rear to form workshop - Hookers Dene Selworth Lane Soberton Southampton Hants SO32 3PX - Application Permitted 26.06.1998
- **W03815/10** - Erection of 2 no. live/work four bedroom detached units with detached double garages, demolish existing dwelling and erect 2 no. semi-detached two bedroom dwellings, provision of 2 no. horse paddocks, refurbishment of car park - Kingfisher Nursery Selworth Lane Soberton Southampton Hants - Application Refused - 29/08/2002
- **W03815/11** - Erection of 2 no. two bedroom semi-detached dwellings and 2 no. four bedroom detached live/work dwellings with associated garages and alterations to existing access - Kingfisher Nurseries Selworth Lane Soberton Southampton Hampshire SO32 3PX - Application Refused 10.04.2003
- **Appeal dismissed** 12/08/2003
- **W03815/12** – Replacement detached five bedroom dwelling with associated garaging and access – Application Refused 08/07/2004
- **Appeal** – held in abeyance pending the outcome of this application.

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Proposal

- The total floor area of the dwelling would be 644.0 square metres.
- The proposal is for a two storey four bedroom dwelling with attached double garage.
- Removal of the agricultural occupancy condition imposed on W03815/02 in 1979 when planning permission was granted for the dwelling
- Restoration of part of the site to meadow and paddock
- Provision for a dedicated alternative right of way to the bridleway which runs along the western boundary.

Consultations

Engineers: Drainage:

- Storm water to soakaway is acceptable as the available ground is enormous.
- No objection subject to Environment Agency recommendation being implemented.

Engineers: Highways:

- Comments that site currently benefits from three vehicular access.
- The field access to the south-east corner is proposed to be closed off and abandoned and the existing access to Kookaburra is to be closed off to vehicular traffic but remain open for pedestrian access
- Vehicular access is proposed via the existing field access south of Hookers Dene.
- Raises concerns over visibility available at this junction, which is not as good as existing vehicular access to Kookaburra
- However applicant owns land either side of the proposed main access and should be able to significantly improve visibility by the removal of part of the vegetation
- In addition mindful that this access already exists and probably had a similar or greater number of traffic movements when the site was being used as a nursery.
- Therefore unable to sustain highway reason for refusal.

Environment Agency:

- No further comments on those made by the agency in respect of planning application W03815/11, which accepted soakaways and recommended conditions.

Landscape:

- Albeit this dwelling has been reduced in height, its visual impact will still be significant.
- Concerns to its mass, particularly in such a prominent situation and within a designated area.
- The site may appear to be well enclosed, being contained by the landform and the significant tree planting, but there are more elevated views looking down on the site.
- Despite the current state of the land the impression looking across the landscape are of an essentially wooded character with the broader and scenic Meon Valley, designated as part of the AONB for its high quality landscape.
- An 'Arboricultural and Landscape Assessment' has been carried out, however, the Landscape Assessment focuses on the tree cover and does not deal with the wider issues including visual impact assessment and landscape character and contextual analysis, which should inform the siting, form and design of any development.
- Whilst the recommendation to remove the non native trees and replant with native species is endorsed, this will make the built proposals even more visible and intrusive.
- New planting would take many years to reach maturity, to the extent that there would be screening from higher ground.
- The provision of a public bridleway link to the disused railway line is welcome.
- Object to this development on the grounds that it will undermine the character of the AONB and lacks empathy with its context.

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Southern Water:

- Southern Water has no adverse comment on this application.

Representations:

Soberton Parish Council

- Support the application for a replacement dwelling and landscape on the former nursery site off Selworth Lane.
- Two matters should be considered.
- Firstly, the landscape condition should be extended to require completion of the proposed land reclamation, grading, seeding, planting and fencing prior to occupation of the replacement dwelling (this should include the proposed bridleway link to the former railway line from Cott Street Bridge).
- Second, the access off Selworth Lane be moved to the existing access at the bottom of the hill on the corner of Selworth Lane with Cott Street. The Parish Council feel the proposed access would be dangerous and the alternative exiting access should be used with all other accesses closed.
- To conclude, the application gains our support on the understanding that it is an exceptional case, the site will be fully restored to paddocks after decontamination.

Letters of representations have been received from 0 Neighbours

- No representations received at the time of writing.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- C1, C2, E6, E7, H10, UB3

Winchester District Local Plan

- C.1, C.2, C.7, C.17, C.19, EN.5, EN.7, T.9

Winchester District Local Plan Review Deposit and Revised Deposit:

- C.1, C.7, C.20, C.22, DP.3, DP.5, T.2, T.3, T.4

Supplementary Planning Guidance:

- Soberton Village Design Statement
- Hampshire Historic Landscape Assessment
- Winchester District Landscape Character Assessment
- Winchester District Landscape Assessment
- The Hampshire Landscape: A Strategy for the future
- Assessment of Playing Field Provision in the Winchester Built-Up Area
- Movement, Access, Streets and Spaces
- Parking Standards 2002

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG 3 Housing
- PPS 7 Sustainable Development in Rural Areas
- PPG 13 Transport

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Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area
- Detailed design
- Residential amenities
- Highways
- Comments on representations

Principle of development

- This application is for an amended scheme to that refused planning permission under reference W03815/12.
- The reasons for refusal were: that the replacement dwelling was too large, the proposal would result in a visual intrusion in the countryside to its detriment and that of the designated AONB and that no justification had been provided to allow the unrestricted use of the dwelling which is the subject of an agricultural occupancy condition.
- The principle of a replacement dwelling in the countryside is acceptable subject to compliance with Plan policy.
- The relevant criteria is provided by Proposal C.19 of the adopted local plan and C.22 of the emerging local plan which allow for replacement dwellings, subject to compliance with Plan policies and meeting appropriate detailed design criteria.
- Proposal C.19 (C.22) has two requirements, the first relating to dwellings under 120sq.m with the aim of ensuring their retention as affordable dwellings.
- This part of the Policy requires that replacement dwelling should not result in an increased floor area of more than 25%.
- No details such as plans or detailed description of the existing dwelling have been provided in support of the current application; however officers estimate the property to exceed 120 sq.m.
- Replacement of the exiting dwelling is therefore not subject to the 25% floor area limit.
- The second part of Proposal C.19 requires any proposal for a replacement dwelling not to result in increased visual intrusion by virtue of size, design or siting, or have other detrimental effects on the local environment.
- Proposal C.22 of the emerging local plan, in addition places a further limitation on replacement dwellings, which is that they should do not significantly change the character of the existing dwelling.
- Turning to the removal of the agricultural occupancy condition, Proposal C.17 of the adopted local plan (C.20 of the emerging Review) aim to retain occupancy conditions unless the local planning authority is satisfied that the dwelling is no longer required for workers on the holding or in the surrounding area nor is likely to be required in the foreseeable future.
- Prior to submission of the current application, the applicants provided supportive evidence to demonstrate the property has been marketed to a reasonable extent.
- The officer opinion is therefore that the agricultural occupancy requirements of C.17 can now be relaxed.
- Last year an appeal was dismissed on the site which sought to replace the existing dwelling with four dwellings.
- The Inspector considered the site not fall within the definition of previously developed land, concluding that whilst there are a number of scattered houses in the site's vicinity the setting is overwhelmingly rural.
- Therefore, whilst the principle of a replacement dwelling is considered acceptable on this site, the proposal as submitted is contrary to policy by virtue of its impact on the rural character of this location and the designated AONB.

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Impact on character of area

- The site forms part of the river valley of the Meon where the land levels within the site are low however the site rises steeply to the east where it meets Selworth Lane.
- The site lies within the Upper Meon Valley Landscape Area.
- The siting for the proposed dwelling takes advantage of the contours of the site in so far as it is partially situated on low ground and enclosed to some extent by the bank up to Selworth Lane.
- The site is fairly well screened within the immediate vicinity.
- However, the form and mass of the building is such that it would be open to long range views from the Wickham Road (A32) to the north west.
- The site would also be seen from open countryside and from a public footpath from the south from Horns Hill.
- In addition there are views into the site from the south and from the accesses to the site from Selworth Lane and from the public footpath along the railway line.
- Proposal EN.5 requires development to be in sympathy with the appearance and character of the local environment.
- Proposal EN.7 requires proposals in areas of special landscape quality, such as the East Hampshire AONB to be accommodated without harm to, and in sympathy with, the immediate and wider landscape setting.
- The current proposal is considered to achieve neither of these aims.
- The proposed dwelling would have an estimated building envelope of just under 300 square metres (298.06² M).
- The total gross floor area of the proposed dwelling would amount to 644.4 square metres, the equivalent of 7-8 two bedroom flats.
- The Soberton Village Design Statement describes the characteristics of buildings within the area as, albeit in many styles blending well together and appearing in harmony with the surrounding countryside.
- It is considered that the siting, scale, mass and bulk of the proposed three-storey dwelling in a prominent central position coupled with the design would have an adverse impact on the character of the rural area.

Detailed design

- The supporting statement describes the dwelling as a traditional Hampshire style having broad roofs with an overhanging sprocketed eaves, reminiscent of the country house style at the turn of the twentieth century.
- Officers consider that the design of the proposed dwelling will result in an imposing building of a more urban character out of keeping with this rural location.
- Soberton and Newton Village Design Statement states that most buildings have either one or two storeys and are predominantly domestic in scale.
- The proposed dwelling is considered not to be of a scale and mass which reflects properties found in the local area.
- The building envelope and scale of the proposed dwelling would result in a building which is dominant in the locality and read as being completely out of context with the domestic scale of dwellings in the locality.

Residential amenities

- No affect to the neighbouring dwelling Hookers Dean which is situated to the south of the site on the same side of Selworth Lane
- Two detached dwellings to the east of the site on the opposite side of Selworth Lane are situated on higher land, as Kookaburra is to be demolished and the replacement dwelling sited further into the plot, cut into the land, there is no impact to these dwellings.

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Highways

- Highway Engineer is satisfied with the proposal and raises no highway objection

Comments on representations

- The principle of a replacement dwelling is accepted

Recommendation

It is not considered that there are exceptional circumstances which would allow the construction of a replacement dwelling of the sized proposed.

REFUSE – subject to the following refusal reason(s):

Conditions/Reasons

01 The proposed development does not accord with the requirements of policies C1, C2, UB3, E6, E7 and H10 of the Hampshire County Structure Plan 1996-2011 (Review) and proposals C.1; C.2; C.7, C.19, EN.5, and EN.7 of the Winchester District Local Plan and proposals C.1, C.6, C.7, C.22, DP.1, DP.3 and DP.5 of the Winchester District Local Plan Review and Revised Deposit in that:-

a) The application proposes a replacement dwelling that would by virtue of its design, mass and scale, be significantly larger than the two storey dwelling it would replace, and result in a dwelling which is unsympathetic to these sensitive surroundings and would appear visually incongruous.

b) The proposal would by virtue of its siting, scale, mass and design result in a building that would have a detrimental visual impact in an area of countryside designated as an Area of Outstanding Natural Beauty.

c) The proposal would represent an undesirable form of development which will detract from the visual amenities of the site from long range view points to both the north west and south of the site, in an area that has been designated as countryside and an Area of Outstanding Natural Beauty.

02 The proposed development is contrary to Policy R2 of the Hampshire County Structure Plan 1996-2001 (Review) and proposal RT3 of the Winchester District Local Plan in that it fails to make adequate provision for public recreational open space to the required standard, and would therefore be detrimental to the amenities of the area. The proposal would also be likely to prejudice the emerging Winchester District Local Plan Review Deposit and Revised Deposit in that it would undermine those plan policies for recreational open space provision within the District.

Informatives

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

Hampshire County Structure Plan Review: C1, C2, E6, E7, H10, UB3

Winchester District Local Plan Proposals: C.1, C.2, C.7, C.17, C.19, EN.5, EN.7, T.9

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: C.1, C.7, C.20, C.22, DP.3, DP.5, T.2, T.3, T.4