

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 10 February 2005

WINCHESTER CITY COUNCIL
PLANNING DEVELOPMENT CONTROL COMMITTEE
Development Control Applications

PDC 511

10.02.2005

THE AVAILABILITY OF BACKGROUND PAPERS

In deciding what recommendation to make on each of the following applications, the Director of Development Services has had regard to all documents contained in the application file. The following list specifies the categories of documents which may be found on such a file although in any particular case there may be no documents in that category.

1. Application form, required certificates, plans and drawings.
2. Correspondence between the Planning Department and the Applicant or the Applicant's agents.
3. Correspondence, including correspondence between the Planning Department and other Departments of the Council or other Authorities.
4. Notes of site visits, meetings and discussions.
5. Representations received from any party.
6. Amended plans and drawings.

Background papers may be inspected prior to the meeting to which this report is made and for 4 years thereafter beginning with the date of the meeting.

THE STATUS OF OFFICER RECOMMENDATIONS

Members of the public are reminded that, as will all reports submitted to Councillors for decision:

- The recommendations contained in a report are those made by the officers at the time the report was prepared. Circumstances may cause a different recommendation to be made at the meeting.
- The officers' recommendations may not be accepted by the Committee.
- A final decision is only made once Councillors have formally considered and determined each application.

THE REASONS FOR COMMITTEE CONSIDERATION

Applications are referred to Committee for any of the following reasons. The letter at the beginning of each recommendation indicates the reason for referrals.

- 'M' A Councillor registers a request that a planning application be referred to Committee.
- 'P' A Parish Council submits representations contrary to the Officer recommendation.
- 'C' The Case Officer or Team Manager considers the application to be controversial or potentially controversial or the application is for a major development..
- 'O' Four or more representations are received which are contrary to the Officer's recommendation.
- 'D' Any planning applications submitted by or on behalf of a Member or Officer of the Council which they have notified to the Director of Development Services.

THE CONDITIONS ATTACHED TO RECOMMENDATIONS

Many of these conditions are shown in code, This saves on costs. Details of the conditions are circulated to all Parish Councils and are held in the Planning Department

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DEVELOPMENT CONTROL COMMITTEE SUMMARY

Item No: 01	Location: Martins Close Compton Street Compton Winchester Hampshire SO21 2AT	Case No: 04/02597/FUL	Ref No: W06907/01	Recommendation PER
Item No: 02	Location: Martins Close Compton Street Compton Winchester Hampshire SO21 2AT	Case No: 04/03145/LBC	Ref No: W06907/02LBCA	Recommendation PER
Item No: 03	Location: Sandspur Trampers Lane North Boarhunt Fareham Hampshire PO17 6BU	Case No: 04/03124/FUL	Ref No: W18721/01	Recommendation PER
Item No: 04	Location: Land Adj Merrilees Fareham Road Wickham Hampshire	Case No: 04/03112/FUL	Ref No: W03839/03	Recommendation PER
Item No: 05	Location: Beaulieu Forest Road Swanmore Southampton Hampshire SO32 2PL	Case No: 04/02810/FUL	Ref No: W02736/17	Recommendation PER
Item No: 06	Location: Shepherds Grove Shepherds Lane Compton Winchester Hampshire SO21 2AD	Case No: 04/03001/OUT	Ref No: W06994/02	Recommendation REF
Item No: 07	Location: Home Farm Reading Room Lane Curdrige Southampton Hampshire SO32 2HE	Case No: 04/02894/FUL	Ref No: W01903/17	Recommendation REF
Item No: 08	Location: Thorns Cottage The Square Wickham Fareham Hampshire PO17 5JT	Case No: 04/03091/FUL	Ref No: W05911/10	Recommendation PER
Item No: 09	Location: Church Lodge High Street Southwick Fareham Hampshire PO17 6EF	Case No: 04/03109/LIS	Ref No: W12011/03LB	Recommendation PER
Item No: 10	Location: Church Lodge High Street Southwick Fareham Hampshire PO17 6EF	Case No: 04/03110/FUL	Ref No: W12011/04	Recommendation PER

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Item No: 11	Location: Silkstede Priors Shepherds Lane Compton Winchester Hampshire SO21 2AD	Case No: 04/02785/FUL	Ref No: W16067/02	Recommendation PER
Item No: 12	Location: Swallow Cottage 7 West Street Soberton Southampton Hampshire SO32 3PL	Case No: 04/03127/FUL	Ref No: W19325	Recommendation PER
Item No: 13	Location: Yelfs Yard Botley Road Bishops Waltham Southampton Hampshire SO32 1DR	Case No: 04/01234/FUL	Ref No: W00906/07	Recommendation PER
Item No: 14	Location: Mount Hillary Hoads Hill Wickham Fareham Hampshire PO17 5BX	Case No: 04/03040/OUT	Ref No: W03156/06	Recommendation REF
Item No: 15	Location: Land Between Lilliput Cottage And Glebe Villas Trampers Lane North Boarhunt Hampshire	Case No: 04/03084/FUL	Ref No: W09335/06	Recommendation PER
Item No: 16	Location: Larges Yard Blackhouse Lane North Boarhunt Fareham Hampshire	Case No: 04/03242/FUL	Ref No: W01226/17	Recommendation PER
Item No: 17	Location: Kingfisher Nurseries Selworth Lane Soberton Southampton Hampshire SO32 3PX	Case No: 04/02958/FUL	Ref No: W03815/13	Recommendation See PDC Report
Item No: 18	Location: Little Heathers Outlands Lane Curdrige Southampton Hampshire SO30 2HD	Case No: 04/03187/FUL	Ref No: W18509/04	Recommendation PER

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Item No: 01
Address: Martins Close Compton Street Compton Winchester Hampshire
SO21 2AT

Parish/Ward Compton And Shawford

Proposal Description: Demolition of existing dwelling and replacement with 1 No: detached
five bedroom dwelling with detached double garage 2 No: detached
two bedroom dwellings with integral single garage and access

Applicants Name Mr And Mrs A L Witham

Case No: 04/02597/FUL

W No: W06907/01

Case Officer: Andrea Swain

Date Valid: 30 September 2004

Delegated or Committee: Committee

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: Compton Street Conservation Area

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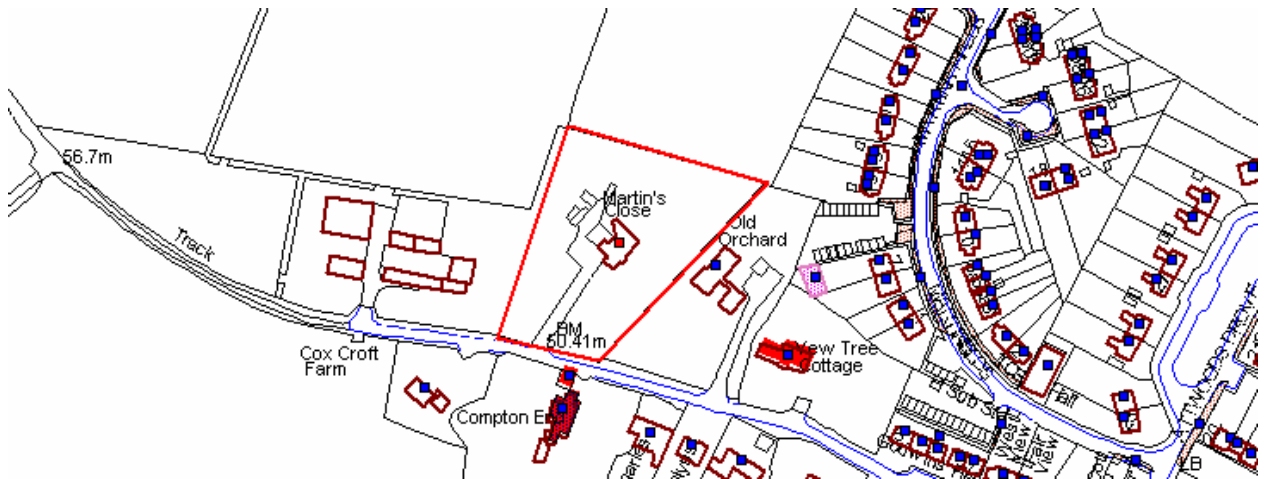
SITE LOCATION PLAN

Case No: 04/02597/FUL

W No: W06907/01

Address: Martins Close Compton Street Compton Winchester Hampshire

Proposal Description: Demolition of existing dwelling and replacement with 1 No: detached five bedroom dwelling with detached double garage 2 No: detached two bedroom dwellings with integral single garage and access



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Site Description

- Compton is a linear village that lies on an ancient east / west route known as Compton Street
- Compton Street is rural in character, the lane narrowing towards the end and leading to Cox Croft Farm. It is not a through route.
- The boundaries of the Street are made up of mature trees and hedgerows which are the most important features of the Conservation Area.
- The area is characterised by a mix of housing type, style, size and design, but properties are generally large, set in substantial grounds and the majority are built close to the frontage of the lane, except for 'Martins Close' and its neighbour 'Old Orchard', which are set back into their plots. Further along Compton Street, at Godwins Field, properties are built at a higher density and with smaller garden areas.
- Opposite Martins Close is an attractive listed period cottage set in substantial landscaped gardens with a thatched garage bordering the road.
- Martins Close is a large detached 1920s property set in a large landscaped garden with a number of outbuildings to the north east. The plot extends to approximately 0.49 hectares.
- The land rises gently from Compton Street to the south which is bordered by mature trees and hedgerow.
- To the north is a substantial tree belt and open countryside beyond.
- To the east the property borders 'Old Orchard' with a mature yew hedge. 'Old Orchard' is a single storey 1960s bungalow of contemporary design, set in mature gardens. The first floor side windows of 'Martins Close' look directly eastwards into the front garden of 'Old Orchard'.
- To the west is Cox Croft Farm and its associated agricultural buildings with open countryside beyond. The boundary between 'Martins Close' and the farm is made up of mature trees and hedgerow. The open countryside to the west is designated as strategic gap.

Relevant Planning History

- **W06907** Erection of replacement conservatory - Martins Close Compton Street Compton Winchester Hampshire SO21 2AT - Application Permitted - 04/08/1982
- **W0697/02LBCA** Demolition of house – Item 02 on the agenda.

Proposal

- The application seeks full planning permission to demolish the existing house and outbuildings at 'Martins Close' and construct 1 No. detached five bedroom house with detached double garage and 2 No. two bedroom cottages with single integral garages arranged in a courtyard.
- The five bedroom house would be in a similar footprint to the existing property although at right angles to the existing and further away from the boundary with 'Old Orchard'.
- One of the two bedroom cottages would be at right angles to the five bedroom house, five metres away from the boundary with 'Old Orchard' at the closest point.
- The second two bedroom cottage would face towards the five bedroom dwelling, its garden area backing onto Compton Street.
- The existing access and driveway would lead to the courtyard development.
- The detached double garage would be to the west of the driveway, facing towards the five bedroom dwelling.
- The three houses would be surrounded by their own private garden areas.
- The existing boundary trees and hedges on the site would be retained and reinforced as part of the landscape scheme.

Consultations

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Conservation:

- (Original Plans) This is lacking in details of the building to be demolished plus a Conservation Area Demolition consent and justification for that demolition under PPG15 and EH guidance is required. Re-consult when you have this information.
- (Amended Plans) The design statement has been provided showing how the new buildings have been designed to accord with the local character. It is considered that the new buildings will preserve if not enhance the Conservation Area. The application is in accord with HG6 and HG7 together with HG8 and PPG15 and can be approved subject to the relevant conditions with regard to materials etc.

Engineers:Drainage:

- There is a public foul sewer in Compton Street and this must be used in preference to any other method for the disposal of foul water (the applicant proposes a private system). Storm water will go to soakaways. No objection subject to the granting of building regs approval for the submitted drainage plans.

Engineers:Highways:

- The traffic volumes and speeds here are very limited and it is highly unlikely that the traffic generated by a small development of one or two additional dwellings will cause demonstrable harm to users of the adjoining highway.

Landscape:

- Arboricultural Officer – (Original Plans) Tree Survey Report and Tree Protection Schedule does not include a plan with the protective fencing shown. It is essential that the protective fencing measures are shown on a plan. Refuse due to lack of information.
- (Amended Plans) – The fencing details are acceptable and in accordance with the relevant BS.
- Landscape Officer – (Original Plans) As this site is in a Conservation Area and borders countryside on the northern and western boundaries, sensitive treatment of the development, including existing trees, shrub understorey and hedgerows is required. The retention of existing trees and shrubby understorey is particularly important where the planting provides a visual amenity on boundaries or seen from outside the site. As such, more information is needed on the layout to show which trees, shrubs and hedgerows are to be retained and, in addition, extent of works to be carried out regarding removal in order to clarify proposals. Advise retaining more of beech hedge than shown close to dwellings, or alternatively extending hedge with new beech planting, which would involve minor realignment of garden boundary to achieve this. This would integrate hedge more within proposals. It would also be advisable to retain part of the existing yew hedge on the eastern boundary and within site, as this will retain local character as well as retention of privacy for the neighbouring property. This hedge may then be used as a sensitive boundary definition between dwellings, whilst providing a larger and thus more suitable plot for the 2 bed dwelling. The wide sweep of the proposed garage access is closer to the western boundary than necessary and should be realigned to ensure there is adequate distance from boundary to successfully accommodate trees and any additional planting required for screening purposes. Proposed boundary walls are shown on the detailed layouts although there is no detail re. height, materials, extent or whether retaining or free-standing. More information required on this and proposed boundary treatment to assess visual impact and how it affects vegetation to be retained. As this is a sloping site with local changes of level within the site itself, clarification of treatment of levels is also needed to ensure FFL of dwellings are acceptable and there is no detrimental impact on vegetation to be retained. Recommendation: Refuse for the reasons stated above.
- (Amended Plans) – The revised proposal takes into account previous concerns and is now acceptable in terms of landscape issues. No further comments other than to ensure the Tree Officer's comments have also been resolved as outlined in the previous consultation. Landscape scheme required for additional hedge planting and retention of trees and hedges as shown on submitted plan.

Representations:

Compton And Shawford Parish Council

- Objection. Urban Capacity Study put together without any regard for the Conservation Area status of Compton Street. Loss of small formal garden contrary to policy HE8; affects setting of listed building contrary to policy HE16; conflict with the presumption against the demolition of existing properties and subdivision of plots in Conservation Areas contrary to policies HE7 and HE 5 (i); raises concerns on traffic grounds; increase in traffic; affects the amenity of the adjoining property; contrary to policy DP 3 (ii); out of character with the whole village; would set an undesirable precedent towards the break up of linear nature of Compton Street which the City Council identified as of 'special character which it is desirable to conserve'.

Letters of representations have been received from 7 Neighbours

- Out of character
- Increase in traffic
- Road is narrow single lane with no pavements
- Will set precedent for future development in large gardens
- Increase in flooding in the area
- Proposed development opposite a Grade II* Listed Building
- No application for demolition of existing property included
- No information on how development will reflect on or improve the area
- No critical evaluation of the site
- No landscape proposals submitted
- New dwellings relate poorly to each other
- Loss of privacy
- Density too high

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB1, UB3, H5, H7, R2, E8, E16, T2, T5, and T6

Winchester District Local Plan

- C19, HG6, HG7, HG8, HG11, EN5, EN7, EN9, H2, H7, RT3, T8 and T9

Winchester District Local Plan Review Deposit and Revised Deposit:

- DP3, DP5, C22, HE4, HE5, HE6, HE8, H3, H7, RT3, and T4.

Supplementary Planning Guidance:

- Achieving a Better Mix in New Housing Developments
- Winchester Housing Needs Survey
- Winchester District Urban Capacity Study
- Guide to the Open Space Funding System

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG 3 Housing
- PPG 15 Planning and the Historic Environment

Planning Considerations

Principle of development

- The site is designated under policy H2 of the adopted Local Plan which allows for residential frontage development in Compton Street. The actual H2 frontage boundary runs across approximately one third of the plot, close to the road frontage and ending at the existing driveway. 'Martins Close' itself is in fact outside of the H2 frontage boundary, on land designated as open countryside.
- Countryside policy allows for replacement dwellings in the countryside provided that the

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redevelopment does not reduce the stock of affordable dwellings in the countryside and subject to no increased visual intrusion.

- The guidance contained in Planning Policy Guidance Note 3, Housing, seeks to ensure that new development makes efficient use of land and encourages higher density housing. Policy H7 of the Revised Deposit Local Plan reiterates this advice and encourages a range of dwelling type and size on sites capable of accommodating 2 or more dwellings. 50% of housing on such plots must be 1 or 2 bedroom units.
- The site is also within the Compton Street Conservation Area where new buildings are permitted provided that they preserve or enhance the character of the area and do not generate excessive traffic, car parking or noise or other detriment to the local environment.
- Local Plan policy EN5 and Revised Deposit Local Plan policy DP3 (amongst other criteria) seek to ensure that new development is in sympathy with the appearance and character of the local environment, has a satisfactory means of access and adequate parking provision, retains beneficial landscape and historic features, is not detrimental to the amenities of adjoining uses, provides adequate private amenity space, and provides adequate off site recreational space. Policy DP3 also requires new development to make efficient use of land.
- The replacement of the existing house at 'Martins Close' and the erection of two additional two bedroom cottages is, therefore, considered to be acceptable in principle, subject to the consideration of the following:-
 - Impact on character of area
 - Detailed design
 - Highways
 - Landscaping
 - Residential amenities
 - Private Amenity Space
 - Public Open Space Provision
 - Drainage/flooding
 - Comments on representations

Impact on character of area

- The replacement dwelling will be of a similar scale and size to the existing house, although at right angles to it. Given that the boundary trees and hedgerows are to be retained, it is considered that the new house will not cause any increased visual intrusion to the open countryside to the west and north of the site.
- The new detached garage and the two new 2 bedroom houses will be to the front of the larger property and again will be screened from the wider area by the retention and improvement of existing planting.
- The Conservation Officer is satisfied that the new buildings have been designed to accord with the local character and that they will preserve if not enhance the Conservation Area.
- The issue of the loss of the existing house on the site is dealt with under Conservation Area Consent application W06907/02LBCA.

Detailed design

- The development has been designed to ensure a more efficient use of the land with the introduction of the two smaller units. This is in accordance with Government Guidance and Local Plan policy.
- The large detached house is of traditional design to reflect the mixed character of the Conservation Area. A gable front will be visible from the end of the driveway to create a focal point. The two smaller units have been designed in a courtyard arrangement in order that they appear architecturally and visually as outbuildings to the main house.
- The design proposal reflects both national and local policy and is considered to be satisfactory.

Highways

- The Highways Engineer is satisfied that the traffic volumes and speeds at this part of Compton Street are very limited and it is highly unlikely that the traffic generated by a small development of one or two additional dwellings will cause demonstrable harm to users of the adjoining highway. Given that the existing access and turning area are to be used the Highways Engineer has advised that no planning conditions are considered necessary.

Landscaping

- The Arboricultural Officer is satisfied that the existing trees on the site can be adequately protected and thus retained.
- The Landscape Officer considers the revised proposal to be satisfactory in terms of landscape issues. A Landscape scheme has been requested by way of Planning Condition to ensure that the additional hedge planting and retention of trees and hedges is implemented.

Residential amenities

- The existing dwelling presently has a number of principle first floor windows facing directly eastwards towards the front garden area of 'Old Orchard'. The edge of the existing dwelling is 21 metres away from the boundary with 'Old Orchard' at the closest point.
- The replacement dwelling faces towards Compton Street and is 24 metres away from the boundary with 'Old Orchard' at the closest point. There are two small windows on the side elevation, however, given the distance away from the boundary there is not considered to be an unacceptable loss of privacy to the occupants of 'Old Orchard' from the replacement dwelling.
- One of the new two bedroom cottages faces towards the front garden area of 'Old Orchard', however, the first floor windows on the east elevation are high level roof lights which will not cause overlooking.
- The rear of the new two bedroom cottage is 5 metres away from the boundary with 'Old Orchard' and to the west of it. It is considered that the new cottage will not cause unacceptable loss of light or an overbearing impact to the garden area of 'Old Orchard'.
- The redevelopment of the site is considered to have a satisfactory impact on the amenities of the adjoining residents.

Private Amenity Space

- The three new dwellings are all considered to have adequate private amenity areas in keeping with other properties along Compton Street.

Public open space provision

- The applicant has signed a unilateral undertaking to make a financial contribution of £2,944 towards the provision of Public Open Space and Sports Provision in accordance with the requirements of the public open space funding system.

Drainage/flooding

- The Drainage Engineer is satisfied that the existing public foul sewer in Compton Street can be used and has advised that this must be used in preference to any other method for the disposal of foul water. No objections have thus been raised.

Comments on representations

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- Whilst the redevelopment of the 'Martins Close' will increase the density of the site, given the retention of trees and hedgerows on the site, the proposal is not considered to have a detrimental impact on the character of the area. The Conservation Officer is satisfied that the development will preserve, if not enhance, the character of the Conservation Area.
- The Highways Officer is satisfied that the increase in traffic from two additional dwellings will not have an unsatisfactory impact to other users of the highway.
- Clearly, the implementation of the redevelopment scheme may encourage other property owners along Compton Street to consider the redevelopment of their own sites. However, this would be in accordance with Government Guidance which seeks to increase housing density and make a better use of land. Any future planning applications would be considered on their merits.
- The Landscape Officer is satisfied with the revised proposals and has requested a more comprehensive landscape scheme by way of Planning Condition.
- The new dwellings have been designed in a courtyard layout and there will be an element of mutual overlooking, however, the new occupants will be aware of this prior to the purchase of the properties. The element of mutual overlooking is not considered to be so harmful as to merit the refusal of the application, especially given the requirements for increased housing density and to ensure the retention of the privacy enjoyed by existing residents.
- There is not considered to be any increased loss of privacy to the occupants of the adjoining property.
- The density of the redevelopment scheme is approximately 6 units per hectare which is significantly lower than the Government's minimum standard of 30 units per hectare. However, this is a rural location and the H2 frontage policy does not extend through the whole of the site. The lower density figure is therefore considered to be acceptable in this location. The density of the proposal is not, therefore, considered to be too high.

Planning Obligations/Agreements

In seeking the planning obligation(s) and/or financial contributions for Public Open Space and Sports Provision, 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 for :

- 1. A financial contribution of £2,944 towards the provision of public open space and sports provision through the open space funding system**

(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.

02 No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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02 Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

03 The existing trees shown as being retained on the approved plan shall not be lopped, topped, felled or uprooted without the prior written approval of the Local Planning Authority. These trees shall be protected during building operations by the erection of fencing as set out in CBA reference BJH/6035/ltrp/sem and on plan drawing number CBA 6035.02 and in accordance with BS 5837.

03 Reason: To retain and protect the trees which form an important part of the amenity of the area.

04 The Local Authority Arboricultural Officer shall be notified once the protective fencing has been erected.

04 To ensure the protection of the trees.

05 A detailed scheme for landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

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

06 Development shall not begin until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

06 Reason: To ensure satisfactory provision of foul and surface water drainage.

07 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no development permitted by Classes 1 of Parts A,B, and C of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

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

08 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that order, with or without modification), no windows other than those expressly authorised by this permission shall, at any time, be constructed in the east elevation(s) of the dwellings hereby permitted.

08 Reason: To protect the amenity and privacy of the adjoining residential properties.

09 All work relating to the development hereby approved, including works of demolition or preparation prior to operations, shall only take place between the hours of 8.00am Monday to Friday and 6.00pm Saturdays and at no time on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

09 Reason: To protect the amenities of adjoining properties during the construction period.

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10 The development hereby approved must be carried out in accordance with the amended plan numbers 01 Rev C; 03 Rev B; 02 Rev B.

10 To ensure the development is carried out in accordance with the amended plans only.

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 54A of the Town and Country Planning Act 1990 (as amended), 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: UB1, UB3, H5, H7, R2, E8, E16, T2, T5, and T6

Winchester District Local Plan: C19, HG6, HG7, HG8, HG11, EN5, EN7, EN9, H2, H7, RT3, T8 and T9

Emerging development plan WDLPR DP1, DP3, DP5, C22, HE4, HE5, HE6, HE8, H3, H7, RT3, and T4.

PPG1

PPG3

PPG15

Winchester District Urban Capacity Study
Achieving a Better Mix in New Housing Development

03. There is a public foul sewer in Compton Street and this must be used in preference to any other method for the disposal of foul water.

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Item No: 02
Address: Martins Close Compton Street Compton Winchester Hampshire
SO21 2AT

Parish/Ward Compton And Shawford

Proposal Description: Demolition of house

Applicants Name Mr And Mrs A L Witham

Case No: 04/03145/LBC

W No: W06907/02LBCA

Case Officer: Andrea Swain

Date Valid: 2 December 2004

Delegated or Committee: Committee Decision

Reason for Committee: Parish Council submitted representations contrary to officer
recommendation

Site Factors: Compton Street Conservation Area

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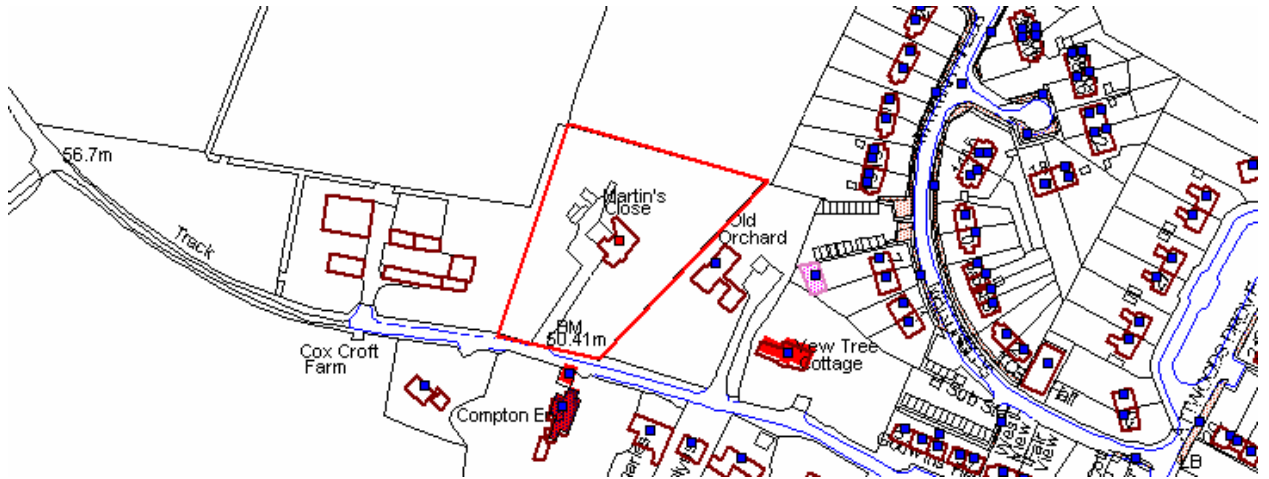
SITE LOCATION PLAN

Case No: 04/03145/LBC

W No: W06907/02LBCA

Address: Martins Close Compton Street Compton Winchester Hampshire

Proposal Description: Demolition of house



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Site Description

- Compton is a linear village that lies on an ancient east / west route known as Compton Street
- Compton Street is rural in character, the lane narrowing towards the end and leading to Cox Croft Farm. It is not a through route.
- The boundaries of the Street are made up of mature trees and hedgerows which are the most important features of the Conservation Area.
- The area is characterised by a mix of housing type, style, size and design, but properties are generally large, set in substantial grounds and the majority are built close to the frontage of the lane, except for 'Martins Close' and its neighbour 'Old Orchard', which are set back into their plots.
- Martins Close is a large detached 1920s property set in a large landscaped garden with a number of outbuildings to the north east.
- To the north is a substantial tree belt with open countryside beyond.
- To the east the property borders 'Old Orchard' with a mature yew hedge. 'Old Orchard' is a single storey 1960s bungalow of contemporary design, set in mature gardens.
- To the west is open countryside bordered by mature trees and hedgerow. To the south is Compton Street which is also bordered by mature trees and hedgerow.

Relevant Planning History

- **W06907** Erection of replacement conservatory - Martins Close Compton Street Compton Winchester Hampshire SO21 2AT - Application Permitted - 04/08/1982
- **W06907/01** Demolition of existing dwelling and replacement with 1 No. Detached five bedroom dwelling with detached double garage, 2 No. Detached two bedroom dwellings with integral single garage and access. – Item 01 on the agenda.

Proposal

- This is a Conservation Area consent application for the demolition of the main house and outbuildings at 'Martins Close'.

Consultations

Conservation:

- Conditional Permission.

Representations:

Compton And Shawford Parish Council

- Objection. The Parish Council objected to the related Planning Application, Ref: W 06907/01, Case No: 04/02597/FUL, and accordingly object to this Planning Application.

Letters of representations have been received from 1 Neighbour.

- Objection to be considered in conjunction with objection to planning application reference W6907/02.
- Although the building was not designed by an architect of regional or local importance neither were any other buildings in the Conservation Area.
- The building plans an important part in the historic evolution of the settlement; it is one of the earliest of the unlisted dwellings.
- 'Martins Close' makes an equal contribution to the diversity and historic development in the Conservation Area as all the other unlisted dwellings.
- 'Martins Close' could be sympathetically improved.
- Would set precedent for demolition of other properties in the Conservation Area.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

Winchester District Local Plan

- HG6, HG9, and HG11

Winchester District Local Plan Review Deposit and Revised Deposit:

- HE4, HE7 and HE8

National Planning Policy Guidance/Statements:

- PPG 15 Planning and the Historic Environment

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Character of Existing Building
- Impact of Redevelopment
- Comments on representations

Principle of development

- Policy HG9 of the adopted Local Plan states that, within a Conservation Area, consent will normally be granted for the demolition of buildings which are of inappropriate structure or design where removal or replacement will preserve or enhance the area; or which make no positive contribution to the character appearance or historic interest of the area, either individually or as part of the more general views within or from outside the Conservation Area.
- The main issues for consideration are, therefore, whether the existing building makes a positive contribution to the character of the area and whether its replacement will preserve or enhance the area.

Character of Existing Building

- The existing 1920s property at Martins Close is only publicly visible in the Conservation Area from the end of the driveway. Otherwise the site is bordered by mature trees and hedgerows and is visible only from the adjacent property, 'Old Orchard'. The building is not considered to be of any architectural merit or contribute to the character of the Conservation Area.
- The Conservation Officer has commented that the most important features of the Conservation Area are the walls, hedges, banks and trees along the road frontage. The demolition of the buildings will not impact on these key features of the Conservation Area. Accordingly, the Conservation Officer has recommended that Conditional Planning permission be granted.

Impact of Redevelopment

- The redevelopment of the site has been considered under planning application reference W06907/01. The Conservation Officer has confirmed that the redevelopment scheme will preserve, if not enhance, the Conservation Area.

Comments on representations

- The Conservation Officer has commented that the main features of the Conservation Area are the walls, banks and trees. Whilst the existing property at 'Martins Close' does contribute to the diversity and historic development of the Conservation Area, it is not considered that its loss will be detrimental to the Conservation Area, and indeed the replacement dwelling is considered to preserve, if not enhance, the character of the Conservation Area.
- The existing property at 'Martins Close, could be sympathetically improved, however, it is the owners intention to demolish the existing building and replacement it with a traditionally

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- design property, which the Conservation Officer considers to be acceptable.
- Applications for the demolition of other buildings in the Conservation Area would be considered on their individual merits.

Recommendation

APPROVE– subject to the following condition(s):

Conditions/Reasons

01 The works hereby consented to shall be begun before the expiration of five years from the date of this consent.

01 Reason: To comply with the provision of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

02 Demolition shall not take place until a contract and Planning Consent exist for the redevelopment.

02 To satisfy paragraph 4.29 of Planning Policy Guidance Note 15: Planning and the Historic Environment.

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 54A of the Town and Country Planning Act 1990 (as amended), 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: E16 and E17
Winchester District Local Plan: HG6, HG9, and HG11
Emerging development plan WDLPR HE4, HE7 and HE8

PPG15 Planning and the Historic Environment

03. Consent is also required under the Building Regulations Section 80.

04. The consent relates only to the buildings as outlined in red on the Site Survey dated September 2003, and not any walls, hedges, trees etc.

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Item No: 03
Address: Sandspur Trampers Lane North Boarhunt Fareham Hampshire PO17 6BU

Parish/Ward Boarhunt

Proposal Description: Installation of wind turbine with a hub height of 11m and rotor diameter of 3.5m

Applicants Name Mrs Jan Griffiths

Case No: 04/03124/FUL

W No: W18721/01

Case Officer: Andrea Swain

Date Valid: 29 November 2004

Delegated or Committee: Committee Decision

Reason for Committee: 4 or more representations contrary to the Officer's recommendations have been received

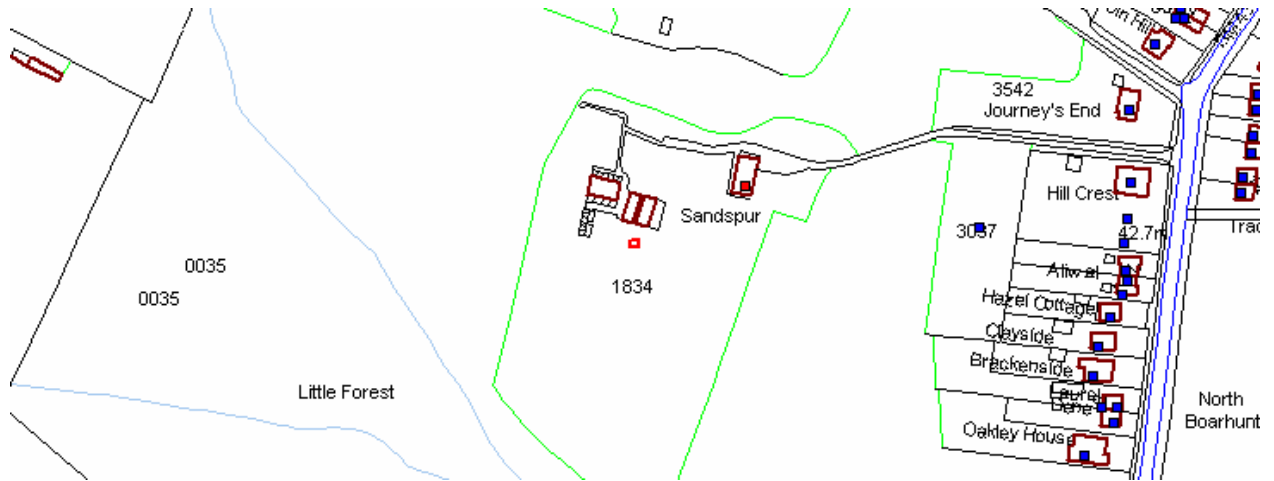
Site Factors: None

SITE LOCATION PLAN

Case No: 04/03124/FUL **W No:** W18721/01

Address: Sandspur Trampers Lane North Boarhunt Fareham Hampshire

Proposal Description: Installation of wind turbine with a hub height of 11m and rotor diameter of 3.5m



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Site Description

- 'Sandspur' is a small bungalow within substantial grounds with a number of derelict out buildings on the site. Planning permission has been granted (W18721) for the demolition of the existing bungalow and outbuildings and its replacement with a detached three bedroom house and garage.
- The site is well screened from the wider area by a substantial tree belt.
- To the south is open meadow and to the north further woodland.
- The property is on the outskirts of North Boarhunt which does not have an established settlement boundary.

Relevant Planning History

- **W18721** Demolition of existing dwelling and outbuildings and erection of 1 No. three bedroom detached dwelling and 3 bay garage / carport and store with games room above. Application Permitted 5 April, 2004.

Proposal

- The application seeks planning permission for the installation of a wind turbine to the south west of the new dwelling in order to create electricity for the new house. The turbine will have a height of 11 metres and the rotor diameter will be 3.5 metres.

Consultations

Environmental Health:

- The wind turbine will be located so far away from the nearest residential property that there is unlikely to be any disturbance from noise. The DTI, in its planning / noise guidance document 'The Assessment and Rating of Noise from Wind Farms, 1996' recommends a condition for properties with single turbines. The DTI state that '*this condition alone would offer sufficient protection of amenity, and background noise surveys would be unnecessary.*'
- Conditional Permission should, therefore, be granted.

Landscape

- The proposed location of the wind turbine will involve the removal of two birch trees. However, these trees are located close to the new property, which is subject to a landscape scheme which has now been agreed with the applicant. It should be noted also that the Forestry Commission are advising the applicant regarding the long term management of the site, including the trees around the dwelling and the adjoining woodland.
- In terms of visual impact, the wind turbine will be well screened by existing trees and woodland, which are in the ownership of the applicant.
- No objections in terms of landscape issues.

Representations:

Boarhunt Parish Council

- Support.

Letters of representations have been received from 7 Neighbours

- Increased noise
- Distraction to drivers
- Visual impact
- Impact on wildlife

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- C1, C2, E3, E5 and UB3

Winchester District Local Plan

- C1, C2, EN5 and EN12

Winchester District Local Plan Review Deposit and Revised Deposit:

- C1, DP3, DP8 and DP18

Supplementary Planning Guidance:

- Boarhunt Village Design Statement

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- 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
- Comments on representations

Principle of development

- The aim of national and local plan policy is to encourage sustainable forms of development and in particular, development that promotes energy conservation. The principle of the wind turbine is therefore acceptable subject to their being no impact on the character of the area, nor the amenities of neighbouring properties.

Impact on character of area

- The site is enclosed by mature trees and a substantial woodland belt. It is not visible from the main road.
- The Landscape Officer is satisfied that the proposal will not impact on the character of the landscape.

Residential amenities

- The Environmental Health Officer is satisfied that the turbine is far enough away from adjacent residential properties for there to be no detrimental impact on the occupants' amenity.

Comments on representations

- The Guidance given by the DTI confirms that planning conditions are sufficient to offer protection of amenity and that background noise surveys would be unnecessary for single wind turbines.
- The wind turbine is well screened and not visible from the road and will not, therefore, impact on visual amenity or be a distraction to drivers.
- In the light of guidance from the DTI the impact of the wind turbine on wildlife is not considered to be harmful.

Recommendation

APPROVE– subject to the following condition(s):

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.

02 The wind turbine hereby approved must not be erected until the Landscape Scheme approved under planning application reference W18721 has been implemented.

02 In the interests of visual amenity.

03 The L A90, 10min of noise should not exceed 35dB up to wind speeds of 10m/s at 10m height when measured at the boundary of the application site.

03 To protect the amenity of occupiers of nearby properties.

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 54A of the Town and Country Planning Act 1990 (as amended), 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, E3, E5 and UB3

Winchester District Local Plan: C1, C2, EN5 and EN12

Emerging development plan WDLPR C1, DP3, DP8 and DP18

Planning Policy Guidance Note 24: Planning and Noise

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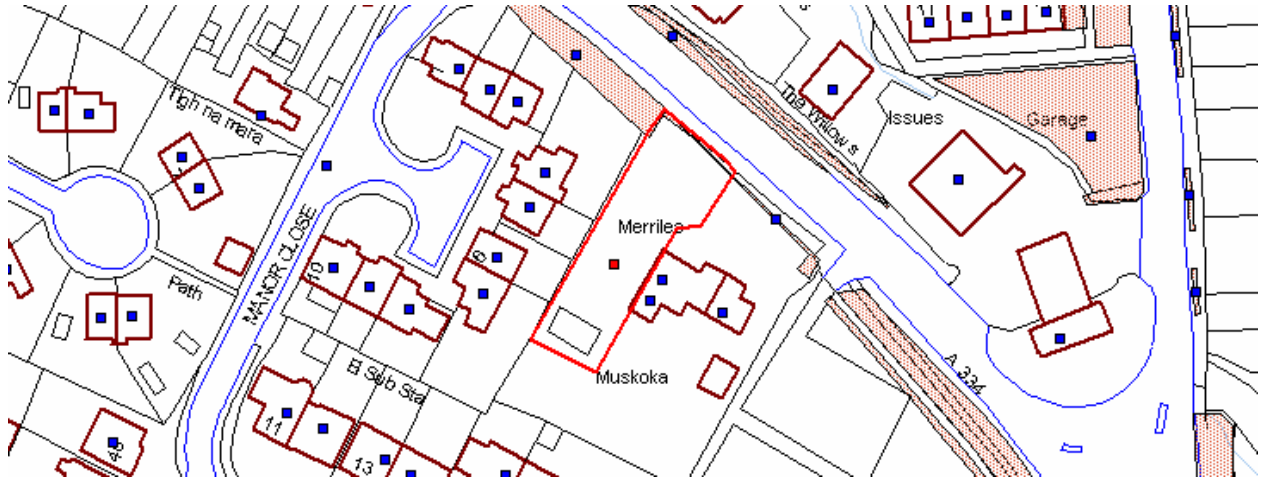
Item No: 04
Address: Land Adj Merrilees Fareham Road Wickham Hampshire
Parish/Ward Wickham
Proposal Description: Erection of 1 no. three bedroom chalet bungalow with attached double garage and new access
Applicants Name Mr And Mrs D Roger-Jones
Case No: 04/03112/FUL
W No: W03839/03
Case Officer: Andrea Swain
Date Valid: 26 November 2004
Delegated or Committee: Committee Decision
Reason for Committee: Parish Council submitted representations contrary to officer recommendation
Site Factors: None.

SITE LOCATION PLAN

Case No: 04/03112/FUL **W No:** W03839/03

Address: Land Adj Merrilees Fareham Road Wickham Hampshire

Proposal Description: Erection of 1 no. three bedroom chalet bungalow with attached double garage and new access



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Site Description

- 'Merrilees' Fareham Road, Wickham is a large detached property set in a large garden with access from Fareham Road and within the settlement boundary of Wickham.
- There is a strip of land to the west of the existing house with a width of 15 metres where planning permission has already been granted for a two-bedroom dwelling (reference W03839/01).
- This part of Wickham is of mixed character although 'Merrilees' is the largest plot in the vicinity.
- To the west is a development of semi-detached and terraced properties with small rear garden areas known as Manor Close. Numbers 4 and 5 Manor Close share a boundary with the site and have plot depths of only 9 and 8 metres respectively.

Relevant Planning History

- **W03839** Erection of double garage - Merrilees Fareham Road Wickham Fareham Hampshire PO17 5BY - Application Permitted - 09/05/1978
- **W03839/01** Erection of 1 no. two bedroom dwelling, attached double garage and new access - Land Adj Merrilees Fareham Road Wickham Fareham Hants - Application Permitted - 26/07/2002
- **W03839/02** Erection of 1 no. three bedroom dwelling with integral double garage and new vehicle access - Land Adj Merrilees Fareham Road Wickham Hampshire - Application Refused - 28/01/2004

Proposal

- The application seeks amendments to the original planning permission (W03839/01) in order to achieve an additional en-suite bedroom on the first floor and an attic store in the roof space above the garage. The amendments are as follows:-
 - Increase length of two storey element by 0.5 metres;
 - Increase height of single storey element by 0.3 metres;
 - Increase width of garage by 1.8 metres;
 - Introduce roof lights into south east elevation above garage;
 - Introduce first floor obscure glazed window to landing.

Consultations

Engineers:Highways:

- The principle of a new development and access has already been accepted here. Conditional permission.

Landscape:

- There are no problems with the siting of the dwelling, but a brick wall is to be erected along the frontage which will go through the roots of a large lime tree. The impact of this should be assessed and a method statement prepared by an arboriculturalist, to demonstrate that any impact is capable of being mitigated. If this is not possible the wall will have to be excluded from the tree canopy area. If the wall is required as a noise barrier, it may be possible to build the wall to enclose a front courtyard area, which would be large enough to accommodate parking, as sketched roughly on the plan. Protective fencing should be erected to protect the tree canopies and details of this submitted prior to commencement of development.
Amended plans and information requested

Representations:

The Wickham Society – Proposed three bedroom house will fill the development site and will be very close to the boundary separating the 'Merrilees' property from the neighbours in Manor

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Close. Proposal will have a detrimental impact on the neighbours' properties. Over-development of the site which is only of sufficient size to take a single storey bungalow.

Wickham Parish Council – Object.

- Not appropriate in scale and mass in relation to adjoining buildings, in particular the effect of the height of the building which will be detrimental to the amenities of the adjoining houses in Manor Close. The existing drainage system is unable to cope with the impact of further development.

Letters of representations have been received from 2 Neighbours

- Ridge height higher than 4 and 5 Manor Close;
- Footprint two and a half times the size of 4 and 5 Manor Close;
- North West elevation almost one and a half times the combined width of 4 and 5 Manor Close;
- Out of keeping with surrounding properties;
- Contrary to recommendations of the Wickham Village Design Statement;
- Fir hedge which is shown as screening is nearing the end of its life span;
- Loss of skyline;
- Loss of light;
- Obscure glass in north west elevation window could be changed to clear glass and does not prevent loss of privacy when opened;
- New window will flood adjacent gardens with light;
- Building too close to boundary.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB3, H2, R2 and T2

Winchester District Local Plan

- EN5, H1, RT3 and T9

Winchester District Local Plan Review Deposit and Revised Deposit:

- DP3,H2, RT3 and T4

Supplementary Planning Guidance:

- Wickham Village Design Statement

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG 3 Housing

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area
- Residential amenities
- Highways
- Public open space provision
- Comments on representations

Principle of development

- The principle of development has already been established when planning application reference W03839/03 was granted conditional permission by the Planning Committee. The

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main issues for consideration are, therefore, whether the amendments to the original permission will be harmful to the character and amenities of the area and adjoining residential properties, and the implications for highways and public open space contributions.

Impact on character of area

- The principle of a new house on this site has already been established. It is considered that the increase in height of the single storey element by 0.3 metres, the increase in the width of the garage by 1.8 metres and the increase in the length of the two storey element by 0.5 metres will not be so harmful to the character and amenities of the area to merit the refusal of the application.
- The Landscape Officer has requested additional information with regard to tree protection which is presently awaited.

Residential amenities

- The only amendments that will affect the neighbouring properties are the increase in the length of the two-storey element by 0.5 metres and the increase in height of the single storey element by 0.3 metres. It is considered that the increases in length and height will not create additional harm to the amenities of the neighbouring residents to merit the refusal of the application.
- The additional window to the landing will be obscure glazed and it is not considered that this will cause any increased loss of privacy to the occupants of the neighbouring properties.
- The additional roof lights on the south east elevation will look towards the front garden area of the existing property 'Merrilees' and it is not considered that this will cause increased overlooking to the occupants of 'Merrilees' given that the front garden area is presently visible from the road.

Highways

- The Highways Engineer has raised no objections to the proposed amendments.

Public open space provision

- The amendments will increase the number of bedrooms in the property by one. This will increase the public open space contributions by a total of £165.

Comments on representations

- The main objections are to the principle of a house on land adjacent to 'Merrilees', however, the principle of the development has already been established and only the amendments to the original planning permission can be considered.
- The roof height of the two storey element will not increase over and above the existing approved proposal. The height of the single storey element will only increase by 0.3 metres and this is not considered to create such additional harm to the amenities of the area to merit the refusal of the application.
- There is a mix of house type style and design in the vicinity and the design of the proposal is not considered to be out of character with the area.
- The fir hedge, which forms the boundary between the new house and the properties in Manor Close, is important. For this reason any planning permission will be subject to a planning condition to ensure a satisfactory landscaping scheme is implemented and maintained, to include existing planting.
- It is considered that the amendments to the original planning permission will not cause any additional loss of sky line or loss of light to merit the refusal of the application.
- Any planning permission will be subject to a planning condition to ensure the retention of the obscure glazed window. A further planning condition can be added to ensure that the window is none opening.
- It is not considered that the light from the new window will cause serious loss of amenity to the occupants of the adjacent properties to merit the refusal of the planning application.
- The amendments do not bring the new house any closer to the boundary than the existing

approved proposal.

Recommendation

Subject to the receipt of additional information to satisfy the Landscape Officer the application be approved (provided the applicant is prepared to make the appropriate provision for public open space through the open space funding system) – subject to the following condition(s):

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.

02 No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

02 Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

03 A detailed scheme for landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

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

04 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no development permitted by Classes a, b, c and e of Parts **** of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

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

05 The north west floor window(s) in the the new dwelling elevation of first hereby permitted shall be glazed in obscure glass and thereafter retained.

05 Reason: To protect the amenity and privacy of the adjoining residential properties.

06 The proposed access and drive, including footway crossing shall be laid out and constructed in accordance with specifications to be first submitted to and approved in writing by the Local Planning Authority.

NOTE A licence is required from the Hampshire Highways, Winchester Area Sub Unit, Abbey mill prior to commencement of access works.

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06 Reason: To ensure satisfactory means of access.

07 The gradient of the drive shall not exceed 8% within 6 metres of the edge of the adjoining carriageway.

07 Reason: In the interests of highway safety

08 Before the development hereby approved is first brought into use, the access shall be constructed with a non-migratory surfacing material for a minimum distance of 10 metres from the highway boundary.

08 Reason: In the interests of highway safety.

09 Before the development hereby approved is first brought into use, visibility splays of 2.4 metres by 60 metres shall be provided at the junction of the access and public highway. The splays shall be kept free of obstacles at all times.

09 Reason: In the interests of highway safety.

10 Prior to the completion of development a cut off drain shall be provided to prevent the egress of surface water onto the public highway.

10 Reason: In the interests of highway safety.

11 Before the development hereby approved is first brought into use, a turning space shall be provided within the site to enable vehicles using the site to enter and leave in a forward gear. The turning space shall be retained and kept available for such purposes at all times.

11 Reason: In the interests of highway safety.

12 The garage hereby approved shall not be used for any other purpose than the parking of cars.

12.Reason: To ensure the provision and retention of the garage in the interests of local amenity and highway safety.

13 The existing trees shown as being retained on the submitted plan shall not be lopped, topped, felled or uprooted without the prior written approval of the Local Planning Authority. These trees shall be protected during building operations by the erection of fencing in accordance with BS 5837.

13 Reason: To retain and protect the trees which form an important part of the amenity of the area.

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 54A of the Town and Country Planning Act 1990 (as amended), planning permission should therefore be granted.

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

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Hampshire County Structure Plan Review: UB3, H2, R2 and T2
Winchester District Local Plan: EN5, H1, RT3 and T9
Emerging development plan WDLPR DP3,H2, RT3 and T4

PPG1 and PPG3

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Item No: 05
Address: 'Beaulieu' Forest Road Swanmore Southampton Hampshire SO32 2PL

Parish/Ward Swanmore

Proposal Description: Change of use from double garage/store to granny annexe and re-position the building

Applicants Name Mr P A Teague

Case No: 04/02810/FUL

W No: W02736/17

Case Officer: Andrea Swain

Date Valid: 25 October 2004

Delegated or Committee: Committee Decision

Reason for Committee: Parish Council submitted representations contrary to officer recommendation

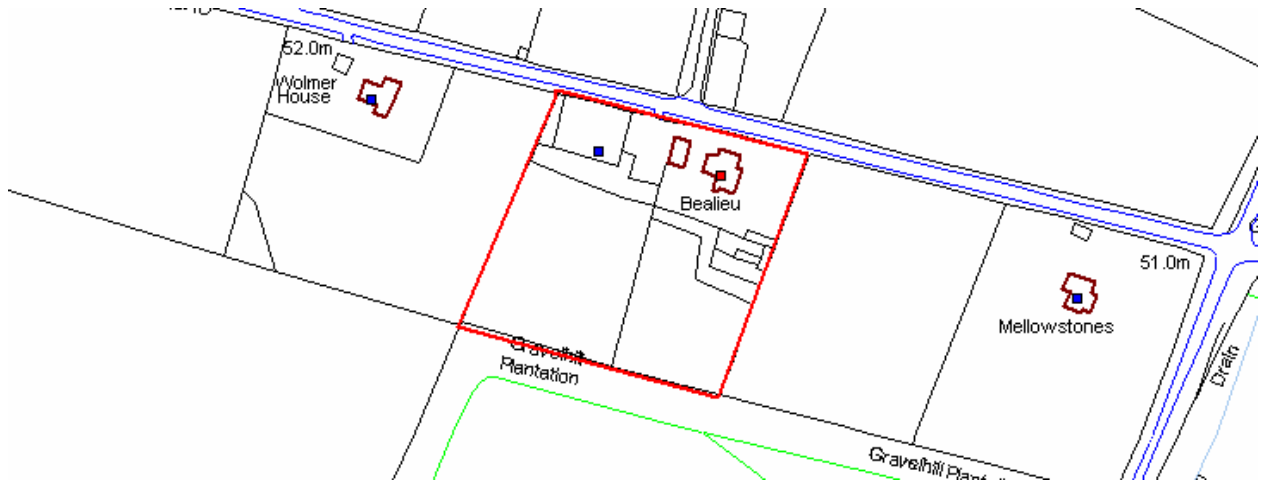
Site Factors: Local Gap

SITE LOCATION PLAN

Case No: 04/02810/FUL **W No:** W02736/17

Address: Beaulieu Forest Road Swanmore Southampton Hampshire

Proposal Description: Change of use from double garage/store to granny annexe and re-position the building



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Site Description

- 'Beaulieu' Forest Road, Swanmore is a large detached chalet bungalow with two outbuildings and stables some distance to the east of Waltham Chase.
- It is within an area designated as 'local gap'.
- The site is surrounded by open countryside, though there are two other large properties in the vicinity fronting onto Forest Road, 'Walmer House' to the west and 'Mellowstones' to the east.
- On the site itself, in addition to the house, there is a residential annexe that has been used residentially in connection with the main house in accordance with the provisions of planning permission W02736/10. The use of this building was changed to a store when the Inspector allowed the appeal (reference W02736/15). This building is connected to the house by a covered walkway. For the purposes of this report this building will be referred to as Building A. To the west is a triple garage and store granted approval on appeal to convert to a granny annexe (reference W02736/15). This building shall be referred to as Building B.
- It must also be noted from the planning history that planning permission was refused, then allowed on appeal (planning application reference W02736/16) for a third out building opposite Building A and at right angles to Building B. Permission was granted for the use of this building as a garage / store. This building shall be referred to as Building C. This planning permission has not, to date, been implemented.
- The frontage of the site is made up of mature trees and hedgerow which assist in screening the buildings from the road.

Relevant Planning History

- **W02736/05** Replacement garage - Beaulieu Forest Road Swanmore Southampton Hampshire SO32 2PL - Application Permitted - 26/02/1991
- **W02736/10** Conversion of double garage/store to provide annexe - Beaulieu Forest Road Swanmore Southampton Hants SO32 2PL - Application Permitted - 06/01/2000 [BUILDING A]
- **W02736/11** Detached triple garage and store - Beaulieu Forest Road Swanmore Southampton Hants SO32 2PL - Application Permitted - 05/05/2000 [BUILDING B]
- **W02736/12** 1 No four bedroom detached house - Land Adj To Beaulieu Forest Road Swanmore Southampton Hants - Application Refused - 29/08/2000
- **W02736/14** Change of use from detached triple garage to two bedroom bungalow - Beaulieu Forest Road Swanmore Southampton Hants SO32 2PL - Application Withdrawn - 24/10/2002
- **W02736/15** Change of use of existing residential annexe to store/workshop and change of use of existing garage to residential annexe - Beaulieu Forest Road Swanmore Southampton Hampshire SO32 2PL - Application Refused - 16/04/2003 [BUILDING A and BUILDING B]

Appeal allowed 9 September, 2003

- **W02736/16** Detached double garage with store - Beaulieu Forest Road Swanmore Southampton Hampshire SO32 2PL - Application Refused - 24/12/2003.

Appeal allowed 7 October, 2004. [BUILDING C]

Proposal

- This application seeks planning permission to re-site the detached double garage and store [Building C] which was allowed following the appeal against the Local Authority's refusal of planning application reference W02736/16. The building would be to the west of and in line with Building B instead of at right angles to it.

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- The application also seeks permission to use Building C as a granny annex. This is on the understanding that planning permission reference W02736/10 be rescinded so that Building A be used as a store and planning permission reference W02736/15 be rescinded so that Building B be used as a garage / store.

Consultations

Engineers: Highways:

- Sufficient area exists to provide acceptable on site parking and turning facilities. It is unlikely that the proposals will cause demonstrable harm to users of the adjoining highway.

Representations:

Swanmore Parish Council

- Object. Having gained permission on appeal for the double garage and store, it is considered that this permission should not be altered. The current application would change the whole concept and from the planning history of the site it would appear that the intention may be to provide a residential annexe which has previously been refused.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB3 and C2

Winchester District Local Plan

- EN5 C1, C4 and C5

Winchester District Local Plan Review Deposit and Revised Deposit:

- DP3, C1, C3 and C4

National Planning Policy Guidance/Statements:

- PPG 7 The Countryside – Environmental Quality and Economic and Social Development

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area
- Highways
- Comments on representations

Principle of development

- The principle of the erection of Building C for use as a double garage and store has been established when the Planning Inspector allowed the appeal into planning application reference W02736/16 on 7 October, 2004.
- The principle of a granny annexe on this part of the site was established when the Planning Inspector allowed the appeal into planning application reference W02736/15 on 9 September, 2003 which proposed that Building A be used as a store and Building B be used as a granny annexe.
- This planning application seeks permission to move Building C at right angles so that it is in line with the existing granny annexe (Building B). This is on the understanding that, as such, the uses would be 'swapped' so that the granny annexe is the building to the west and the garage and store to the east. The applicant would 'rescind' the permission granted at appeal (reference W02736/15).
- The original garage store, granted planning permission as a granny annexe under planning

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application reference W02736/10 would also revert to a store. The applicant would 'rescind' planning application reference W02736/10.

- This would leave three out buildings on the site, all with planning permission previously granted. The buildings would be used as a 'granny annexe', garage / store and a store respectively.
- It is your Officer's opinion that, given the planning history on the site, the principle of these uses has already been established. The main issues for consideration is, therefore, whether the re-siting of building C would impact on the character and amenities of the area and would be acceptable in highway terms.

Impact on character of area

- In allowing the appeal into the erection of building C and its use as a garage / store, the Planning Inspector commented that *"Whilst it is unarguable that the building would stand in the defined local gap, it would not in my judgement be visually intrusive nor out of scale with its setting and context. I acknowledge that it would be glimpsed from the road and would marginally interfere with certain views. However, it would stand behind established hedging and a tree which would partially screen it, also acting as a visual foil, and it would read with the established buildings, as being an ancillary building clearly related to the adjacent dwelling. Overall, I consider that it would cause no material harm to the countryside or local gap."*
- Although it is proposed to move this building so that it is in line with Building B and not at right angles to it, given the Inspector's comments, the impact on the character of the local gap would not be so harmful as to merit the refusal of the application.

Highways

- The Highways Officer is satisfied that sufficient area exists to provide acceptable on site parking and turning facilities. It is unlikely that the proposals will cause demonstrable harm to users of the adjoining highway.

Comments on representations

- Given the Planning Inspector's comments and the fact that two appeals have been allowed on the site to enable the use of Building B as a granny annexe, and the construction of Building C, and its use as a garage / store, the impact of the re-sited building and its use as a granny annexe would not be sufficiently harmful to merit the refusal of the planning application.
- In order to ensure that the use of Building C as a granny annexe remains ancillary to the main use of the dwelling as a single residential unit, the planning permission will be subject to a planning condition to restrict it as such.

Recommendation

Subject to the applicant resending planning permission reference W02736/10 and planning permission reference W02736/15, the application be approved subject to the following conditions:

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.

02 The materials to be used in the construction of the external surfaces of the building hereby permitted shall match those used in the existing outbuildings.

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

03 Before any development commences details of a new boundary fence and landscaping to the north, west and south of the building shall be submitted to and approved in writing by the local planning authority. The approved landscaping shall be implemented during the first planting season following completion of the building hereby permitted. The fencing shall be constructed before the building hereby permitted is first occupied.

03 In the interests of the visual amenities of the area.

04 The annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the existing dwelling.

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

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 54A of the Town and Country Planning Act 1990 (as amended), 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 - UB3 and C2
Winchester District Local Plan Proposals: EN5 C1, C4 and C5
Winchester District Local Plan Review: DP3, C1, C3 and C4

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Item No: 06
Address: Shepherds Grove Shepherds Lane Compton Winchester Hampshire
SO21 2AD

Parish/Ward Compton And Shawford

Proposal Description: Erection of new detached dwelling (OUTLINE)

Applicants Name Mr Martin Bell

Case No: 04/03001/OUT

W No: W06994/02

Case Officer: Emma Norgate

Date Valid: 12 November 2004

Delegated or Committee: Committee

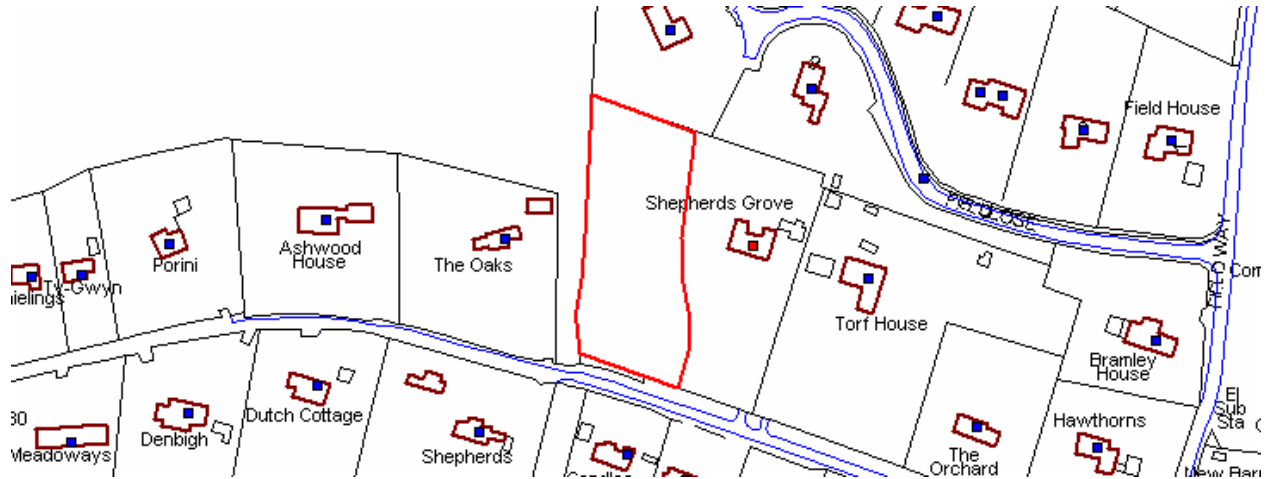
Reason for Committee: Parish Council submitted representations contrary to officer recommendation

SITE LOCATION PLAN

Case No: 04/03001/OUT **W No:** W06994/02

Address: Shepherds Grove Shepherds Lane Compton Winchester Hampshire

Proposal Description: Erection of new detached dwelling (OUTLINE)



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Site Description

- Application site is located on an area of land to the west of the existing dwelling, and the siting of the dwelling is set back from "Shepherds Grove".
- Shepherds Grove is a large detached two storey dwelling, set back some distance from the road up an access drive from Shepherds Lane in Compton.
- The site is well screened from Shepherds Lane and to the side and rear of the site.

Relevant Planning History

- W06994 – Erection of two stables and hay store – grant – 5/10/82
- W06994/1 – Erection of two new detached dwellings (outline) – withdrawn – 1/6/04

Proposal

- As per Proposal Description
- Outline application with siting and means of access to be considered.
- Applicant has submitted a supporting statement and an ecological report with the application addressing a number of issues:
- That the site has an ecological interest which is protected and improved by a proposed mitigation plan and this restricts the area of the site available for development.
- Shepherds Lane is a single track road and unsuitable for a large increase in traffic, the two access roads to the site are substandard at their junction with the main road and should not be subject to a significant increase in traffic and any development must respect the character and appearance of the area.
- The report also highlights the status of the local plan indicating that it is currently being reviewed and that as the review policies are the subject of outstanding objections that the weight accorded to them should be less.
- The report also identifies that there have been a number of appeals weighing the issue of character and local plan over density, that previous decisions have accepted a lower density, that the Urban Capacity Study and subsequent Housing Monitoring Reports have identified the proposed site as an opportunity for 2 dwellings and that it was an area which was identified as being least able to sustain development lacking basic infrastructure.
- The supporting information also addresses the design solution, indicating that it is in keeping with those found locally and that it complies with policy in terms of layout, siting and scale. It also highlights that a greater density of development was considered, however, due to ecology, a greater density would mean a loss of habitat and a report has been submitted which supports this.
- The applicant therefore considers that site specific restrictions mean that a larger number of dwellings would be impossible to accommodate and would harm the character and appearance of the area.
- It is suggested that the mitigation plan could be implemented via a s106 agreement and that the report concludes that the mitigation plan would remove existing threats to the habitat and would improve the habitat in ecological terms.
- With regard to highways, the applicant is of the view that it is common ground that the additional vehicular traffic movements created by the proposal (typically less than 10 per day) would not represent a material increase in traffic and considers that in the absence of a development brief (or similar) for Compton, that it is unreasonable to refuse the application on highways grounds as there is no evidence of demonstrable harm.
- He highlights two recent appeals at Longacre, Compton for 17 and 6 dwellings indicating that a material increase at a substandard junction was unacceptable and a further appeal at Briarleas indicating that "the traffic generated by one additional dwelling is unlikely to be considered a material increase".
- He notes that both accesses onto Otterbourne Road at Shepherds Lane and Hurdle Way are substandard but that it would be logical that for this site, the Shepherds Lane junction would

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be used and that both junctions were built within the last 10 years to acceptable standards and that the accident record has not triggered the Hampshire County Councils junction danger investigation process.

- The report also highlights that whilst there may be concern about the cumulative impact of incremental development, this should be manifested in the production of a development brief rather than any embargo and that in its absence that applications must be decided on their own merits and in this case, no material increase in traffic will be generated.
- The applicant has also commented on a number of representation letters and consultation responses as follows:
- The mitigation plan will improve the environment which will be regenerated and protected from domestic animals. The proposed dwelling faces south and there is no direct overlooking, with a distance of 40-45m with considerable screening any remaining concerns over fenestration could be dealt with in a detailed application. The site of the house has been subject to considerable disturbance, is not woodland and is ecologically poor, the remaining strip of woodland is protected and enhanced by the mitigation plan.
- Virtually no habitat loss and the valuable habitat is protected and enhanced and both HCC Ecology and Forestry Commission support a s106 agreement. A detailed application would include a detailed trees impact assessment and the ecological report is unbiased.
- Comments that the recent appeal decision at Briarleas means that the situation is now clearer as the local community accept modest infill but do not accept high density development and the planning department are presumably happy to accept modest infill which produces numbers for national targets. That successive appeals have found that development of 6 dwellings (Longacre) was too many but that one makes no material difference (Briarleas). Modest infill refers to a handful of opportunities, a number of which have already been successful and the number of outstanding opportunities is limited by suitability of site and the likelihood of the site coming forward. To present a single dwelling as likely to give rise to a cumulative impact on highway safety is an unsustainable argument.
- The applicant is also of the view that the visibility from the access is excellent, scrub on the verge is subject to ongoing maintenance and boundary trees do not restrict visibility. That a traffic survey is not required. With regard to ecology, major trees are located to the western edge of the site and a s106 agreement would pass to the owners of any new property.
- Concern that the application may not have an unbiased presentation to the planning committee and that with the previous application none of the supporting arguments, precedents or appeal decisions were referred to in the previous application.
- There has been considerable development in Compton Down since the roads were constructed and therefore allowing another application creates no precedent; it would follow the guidance provided by the Briarleas appeal and the adopted local plan. The situation is not similar to the "Dunrovin" appeal and there is no support for the Engineers comments.
- Applications must be determined under current guidance and there have been three consistent appeal decisions, advice contradicts the Briarleas appeal decision and the Director of Development Services has clear guidance on development in Compton Down.

Consultations

Engineers:Highways:

- Recommends refusal: This is the latest of several applications for new residential dwellings to be served either off the Shepherds Lane junction or the Hurdle Way junction with Otterbourne Road.
- Planning Committee considered a similar application at Highdown in Compton in September 2004 when the issues relating to the sub-standard visibility splays at both the junctions and the effects on highway safety of allowing incremental development to occur without addressing the problem.
- The Committee noted there was an approved application at Southdown School which has not been commenced and an outstanding permission for 2 dwellings on land on the Highdown site which if completed would further increase the traffic generation in the area.

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- A survey has identified that the existing visibility to the north is restricted to 4.5m by 42m whereas the minimum required.
- The shortfall of 78m is considered to be significant and a material issue for consideration:
- Reconsultation: The applications identified by the applicant were all submitted prior to the L.P.A. receiving the appeal decision notice for 17 dwellings at Longacre, in March 2004 and 6 new dwellings at the same site in September 2004.
- A speed survey has been carried out of traffic on the Otterbourne Road as it approaches the two junctions.
- Should be noted that the LPA has successfully defended an appeal where the precedent that would be set by the granting of planning permission for the proposed development would raise the potential for a considerable increase in traffic if other sited were to be sub-divided. Much of the content of that appeal decision is considered to be relevant in this instance.
- Problems of sub-standard visibility at the Shepherds Lane junction and incremental development were highlighted at planning committee when discussing the Highdown application in 2004 and Members were fully informed of the issues that exist here and a decision to refuse an application for one additional dwelling was taken after full debate had taken place.
- It is considered that evidence does exist to show that demonstrable harm is likely to occur to users of the public highway if an application for one dwelling is permitted.
- Given the importance of any decision made and the potential cumulative effects on highway safety at the junctions of Shepherds Lane and Hurdle Way with the Otterbourne Road, it is my view that the Highway Authority is right to maintain its recommendation for refusal for the reason given.

Landscape:

- One landscape concern, which is connected to the need to protect and enhance the remnant ancient woodland and thus clearly identify and demarcate the extent of the domestic garden which is to be approved.
- Support the comments of the other consultees relating to ecology and trees and stress the need for a management plan which should be the subject of a s106 legal agreement.
- Do not consider that there would be undue visual impact if the woodland is allowed to regenerate and is managed sensitively.

Others:

- Trees: Site was fairly heavily wooded, an order was placed on the perimeter trees and an oak and yew.
- Applicant has prepared an independent habitat survey and it would appear that this has been a decisive factor in determining where development can occur.
- There is no doubt that a house that could be built in this area, the new driveway into the property goes near a couple of important trees and this concerns me, this will need to be closely looked at.
- Any full application should be accompanied by a detailed tree impact appraisal and method statement.
- Forestry Commission: Intend to provide factual information that may be relevant and not to express any views either in support of or against the application: Ancient woodland is irreplaceable and government forestry policies discourage development that results in its loss unless there are overriding public benefits arising from the development.
- The site contains at its western side a small but rich parcel of ancient and semi-natural woodland formerly known as St. Michael's Copse.
- The mitigation plan clearly excludes now this part of wood of prime ecological interest. May consider a s106 legal agreement most appropriate where a management plan is formed and carried out to protect and enhance those ecological areas.
- HCC Ecology: Pleased that the scale of development has been reduced in order to provide protection for the remnant of the ancient semi-natural woodland that exists on site.
- Majority of concerns have been dealt with, but still have some comments.
- Importance of the woodland strip must not be underestimated.
- Although some of the copse has been felled in recent months, the woodland soils and the

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seed bank within them will probably still persist.

- There is potential for the recovery of at least ground flora in this area and the less species rich woodland.
- There could still be potential conflicts with BAP objectives, however, the proposals have been altered to reduce the scale of development and loss of habitat and the applicant has provided mitigation in the form of protection and management of the wood.
- Provided all the mitigation proposed in the ecological survey can be guaranteed and there is no direct loss of the habitat, negative impacts will be greatly reduced.
- In favour of a s106 agreement, but not clear who will be in charge of the management and maintenance of the area, any such management must be in perpetuity and this must be made clear in the wording of any agreement.
- Use of a Sustainable Urban Drainage System for surface run-off and permeable blocks for driveway and parking areas will help to reduce impact on hydrological flows.
- Applicant should be aware that during the bird breeding season, vegetation clearance should be avoided.

Representations:

Compton And Shawford Parish Council

- Support – application confirms to the Parish Council's policy of supporting reasonable infilling in line with the Urban Capacity Study. Parish Council would object to higher density development. Appeal decisions attached by the applicant support the view that higher densities are not always appropriate and do not have to be applied blindly. Appeal decision at Briarleas allowed a single dwelling and was the most appropriate balance between respecting the special nature of Compton Down and the higher densities required. The application for 17 dwellings at Longacre was turned down on traffic grounds because of the sub-standard nature of the junctions on Hurdle Way and Shepherds Lane with the Otterbourne Road. The Inspector for the Briarleas appeal ruled that there was no demonstrable harm from one dwelling, there would be concern on traffic grounds were a higher density to be permitted. The same arguments apply to Shepherds Grove, in that a single dwelling is acceptable on traffic and environmental concerns but higher densities are not.

Letters of representations have been received from 9 Neighbours: (7 different properties)

- Site is unsuitable for one dwelling let alone more.
- Shepherds Lane is unable to safely contain current traffic levels and let alone more, recent accident, road is narrow and verges are damaged. No pavements or footpaths and the road is already in a poor state of repair.
- Proposed access is close to entrance to the fields, and there is use by large farm vehicles.
- Although only one dwelling, this would still be more additional traffic flow.
- Will set a precedent for future development and should look at the cumulative impact of the traffic and would impact on highway safety grounds.
- Shepherds Lane does not have the infrastructure and approval would make the existing hazard worse.
- Overlooking to dwellings and house, especially as screening is poor.
- No proposals for landscaping.
- Disturbance from domestic noise and animals.
- Contribution of ancient woodland and impact on flora and fauna.
- Any existing buildings should be close to the existing stables and there should be a strip of land fenced as mitigation.
- Support application subject to improvements to the junctions of Shepherds Lane and Otterbourne Road.
- Shepherds Grove was identified in the Urban Capacity Study.
- Recent studies have identified that the junctions fall short of what is required to meet current road safety standards and whilst the addition of one extra dwelling would not have a significant impact, the junctions should be improved as soon as possible.
- Concerns as to how the mitigation plan could be met and this should be in perpetuity, with the

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- ownership and management explained, there should be further investigation of the plan.
- Concern that there is no access to the site as the land ownership of the verge is not within the applicant's ownership.
 - Intensification of use of the access would result in increased risk to highway safety because of the sub-standard visibility splay and at a point where there are more turning movements.
 - No traffic survey to demonstrate that traffic generated by the proposal would equate to less than 5% of that using the lane.
 - Proposed dwelling sits close to trees, concern in relation to BS5837 and pressure in the future to authorise works to the trees.
 - Intensification of use hastening the loss of the woodland habitat.
 - Although a s106 is offered this could be appealed against after 5 years.
 - Ecology survey indicates that the siting is in an ecologically poor area, photos appear to contradict this and the survey was undertaken at a time when the seed bank present would not have had time to recover following disturbance of the woodland through tree felling.
 - Ancient woodland is a prime habitat for dormice and a survey would prove they are in the area.
 - Proposal does not provide for small dwellings.
 - Site is sensitive and therefore unsuitable for an outline application
 - Site is not part of the applicant's garden and has always been part of the woodland, stables on the site have not been used for many years.
 - The site is a remaining piece of ancient woodland part of the St. Michael's copse which meets some of the requirements for a SINC and is a Hampshire Biodiversity Action Plan priority habitat, ancient woodland should be protected and it is illegal under the Wildlife and Countryside Act 1981 to uproot wild bluebell bulbs and a valuable seed bank may be lost.
 - Concns with regard to the ecological report.
 - There should be a greater strip of land for mitigation, proposed mitigation plan will not provide long term protection and can be appealed against.
 - Proposed siting does not appear to comply with arboricultural requirement and the application makes no reference to garages, parking and turning etc. this would give a greater footprint, and it would also be likely that there would be requirements for additional buildings under permitted development.
 - If allowed it should be for a much smaller dwelling which should be located close to the stables as this is the part with least ecological value, would require less driveway and would be in line with the building line.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB3, R2, T5, T6, H5, E12

Winchester District Local Plan

- EN1, EN5, EN7, EN10, H1, RT3, T9

Winchester District Local Plan Review Deposit and Revised Deposit:

- DP3, DP5, H2, RT3, T2, T4, C10

Supplementary Planning Guidance:

- Winchester District Landscape Character Assessment
- Hampshire Biodiversity Action Plan
- Technical Paper: Open Space Provision and Funding
- Guide to the Open Space Funding System
- Movement, Access, Streets and Spaces

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG 3 Housing
- PPG 9 Nature Conservation
- PPG 13 Transport

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area/spatial characteristics/street scene
- Highways
- Public open space provision
- Comments on representations
- Nature conservation

Principle of development

- The site falls within the H1 boundary and also the EN1 designation as defined in the WDLP. This is rolled forward as Policy H1 in the WDLP(R), but the EN1 designation is removed.
- Therefore the principle of residential development is acceptable, subject to a number of criteria.
- S54a of the Town and Country Planning Act 1990 (as amended) indicates that planning applications shall be determined in accordance with the development plan, unless material considerations indicate otherwise.

Impact on character of area

- The proposed siting of the dwelling is set well back from the road and therefore it is considered that there would be little impact on the street scene from the proposal.
- The siting and proposed number of dwellings has been informed by the ecological survey, this has reduced the developable area of the site, but given the circumstances, this is considered to be acceptable.
- With regard to the impact on neighbouring properties, it is considered that the siting of the proposal is acceptable and that any issues of overlooking could be addressed with a reserved matters application to ensure no adverse impact.

Highways

- The Highway Engineer has been consulted on the application and has noted that the comments of the applicant with regard to other sites.
- The Engineer highlights that a survey on the Shepherds Lane – Otterbourne Road junction indicates that existing visibility to the north is restricted to 4.5m by 42m whereas the minimum requirement should be 4.5m by 120m and that the shortfall of 78m is considered to be significant and is a material issue for consideration.
- Although one dwelling will not result in a material increase in traffic, it is considered that evidence does exist to show that demonstrable harm is likely to occur to users of the public highway if an application for one dwelling is permitted.
- Members may recall that the issues regarding the potential cumulative effects on highway safety and the Shepherds Lane, Hurdle Way junctions with Otterbourne Road were discussed at Planning Development Control Committee in September 2004 in relation to an application at Highdown in Compton.

Public open space provision

- If outline planning permission were to be granted, a legal agreement would be required to secure public open space funding.
- If permission were to be refused, this would need to be included as a reason for refusal.

Comments on representations

- The application is an outline application with siting and means of access to be considered, any landscaping requirements would be part of a detailed application and this would also include a detailed tree impact appraisal and method statement in order to ensure the retention

- of trees which are protected by a TPO.
- If the application were to be permitted, permitted development rights for certain appropriate classes could be removed to retain control over future development on the site.
- The site does not fall within a Conservation Area and therefore an outline planning application is acceptable.
- Officers are of the view that the siting of the proposal in relation to the character of the area and the surrounding properties is acceptable.
- As only one dwelling is proposed on the site, this means that the Council's better mix in new housing developments is not relevant in this instance.
- Whilst the proposal may not be part of the applicant's residential curtilage, it may still be part of the garden for the site and have a domestic use.

Nature Conservation

- Site is shown as being part of St. Michaels Copse and there is a remnant of Ancient Semi-Natural Woodland on the site. Both the Ecologist at HCC and the Forestry Commission have been consulted as part of this application.
- The Ecologist has noted that the area of land for development has been reduced, and notes that there could still be some conflict with BAP objectives and that ancient woodland is irreplaceable however, provided all the mitigation proposed in the ecological survey can be guaranteed and there is no direct loss of habitat then negative impacts will be greatly reduced. She is also in favour of a s106 to try and secure the future of the woodland. However concern has been raised that a s106 can be appealed against.
- The Forestry Commission note that the mitigation plan clearly excludes the part of wood of prime ecological interest.
- The Act provides that any person against whom a planning obligation is enforceable at any time after the relevant period may apply to the LPA for the obligation to be modified in some specified way or discharged. The relevant period can be 5 years from the date the obligation is entered into. Once an application to modify or discharge a planning obligation is made, it can be determined that the obligation continues to have effect without modification or if it serves no useful purpose, then it can be discharged, or it can be modified if it would still serve the purpose equally well.
- If Officers were minded to approve the application, a S106 agreement would be a suitable way to secure the future of the woodland.
- However, as Officers are recommending refusal of the application, the reasons for refusal need to address these issues although it is recognised that the applicant is willing to do these works.
- If the application were to be refused, and taken to appeal, the Local Planning Authority would need to be in a position to argue these reasons.

Recommendation

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

Conditions/Reasons

01 The proposal is contrary to policy T5, T6, of the Hampshire County Structure Plan (Review) and policies T9 of the Winchester District Local Plan and policies T2, T4 and of the Winchester District Local Plan (Review and Revised Deposit) in that:

a) The road leading to and from the site (Shepherds Lane) has substandard visibility splays at its junction with Otterbourne Road which is inadequate to accommodate safely the additional traffic which the proposed development would generate.

02 The proposal is contrary to policies UB3 and E12 of the Hampshire County Structure Plan (Review) and policies EN5, EN7 and E10 of the Winchester District Local Plan and policies DP3,

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DP5, and C10 of the Winchester District Local Plan (Review and Revised Deposit) in that it:

a) fails to make provision for the loss of ancient semi-natural woodland that forms an important visual and ecological feature of the area.

03 The proposal is contrary to policy R2 of the Hampshire County Structure Plan and policy RT3 of the Winchester District Local Plan and policy RT3 of the Winchester District Local Plan (Review and Revised Deposit) in that it fails to make adequate provision for public open space to the required standard and would therefore be detrimental to the amenities of the area.

Informatives

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

Hampshire County Structure Plan Review: UB3, T5, T6, H5, E12, R2

Winchester District Local Plan Proposals: EN1, EN5, EN7, EN10, H1, T9, RT3

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP3, DP5, H2, RT3, T2, T4, C10

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Item No: 07
Address: Home Farm Reading Room Lane Curdridge Southampton Hampshire
SO32 2HE

Parish/Ward Curdridge

Proposal Description: Re-design of dwelling allowed under planning permission W01903/09
and variation of condition 01 of planning permission W01903/16
(occupancy condition)

Applicants Name Mr And Mrs B Maidment

Case No: 04/02894/FUL

W No: W01903/17

Case Officer: Mr George Allpress

Date Valid: 11 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

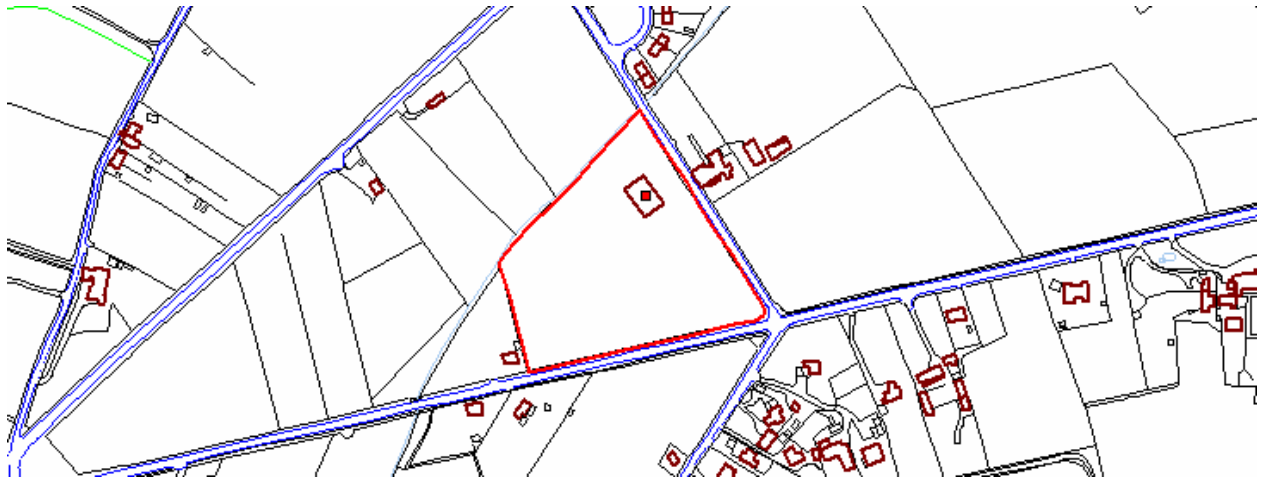
Site Factors: Countryside

SITE LOCATION PLAN

Case No: 04/02894/FUL **W No:** W01903/17

Address: Home Farm Reading Room Lane Curdridge Southampton Hampshire

Proposal Description: Re-design of dwelling allowed under planning permission W01903/09 and variation of condition 01 of planning permission W01903/16 (occupancy condition)



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Site Description

- Large barn in open field used for equestrian use.
- Other equestrian associated facilities such as manage and horse walker.
- Site is open to views from adjacent roads.

Relevant Planning History

- W01903** - Erection of a school - Home Farm Reading Room Lane Curdridge Southampton Hampshire SO32 2HE - Application Refused - 27/01/1976
- W01903/01** - Use of land as site for mobile home for occupation in connection with horticulture - Home Farm Reading Room Lane Curdridge Southampton Hampshire SO32 2HE - Application Refused – 16/02/1976
- W01903/02** - Erection of an agricultural dwelling - Home Farm Reading Room Lane Curdridge Southampton Hampshire SO32 2HE - Application Refused - 08/05/1981
- W01903/03** - Erection of agricultural workers dwelling - Home Farm Reading Room Lane Curdridge Southampton Hampshire SO32 2HE - Application Refused - 12/04/1984
- W01903/04** - Continued use of land as site for mobile home - Home Farm Reading Room Lane Curdridge Southampton Hampshire SO32 2HE - Application Refused - 10/04/1984
- W01903/05** - Use of land as site for mobile home - Home Farm Reading Room Lane Curdridge Southampton Hampshire SO32 2HE - Application Refused - 05/06/1986
- W01903/06** - Continued use of land for siting of mobile home - Home Farm Reading Room Lane Curdridge Southampton Hampshire SO32 2HE - Application Refused - 28/02/1991
- W01903/07** - Detached dwelling - Home Farm Reading Room Lane Curdridge Southampton Hampshire SO32 2HE - Application Refused - 05/01/1993
- W01903/08** - Home Farm Reading Room Lane Curdridge Southampton Hampshire SO32 2HE - Application Refused - 25/03/1996
- W01903/09** - Agricultural workers dwelling - OUTLINE - Home Farm Reading Room Lane Curdridge Southampton Hants SO32 2HE - Application Refused - 09/10/1997
- W01903/10** - Detached three bedroom agricultural dwelling with integral double garage (Details in compliance with Outline Planning Permission W01903/09) - Home Farm Reading Room Lane Curdridge Southampton Hants SO32 2HE - Application Refused - 24/06/1999
- W01903/11** - Detached three bedroom agricultural dwelling with integral double garage (Details in Compliance with Outline Planning Permission W01903/09) - Home Farm Reading Room Lane Curdridge Southampton Hants SO32 2HE - Application Refused - 16/06/2000
- W01903/12** - (AMENDED DESCRIPTION) Details in compliance with planning permission W01903/09 (Agricultural workers dwelling) - Home Farm Reading Room Lane Curdridge Southampton Hants SO32 2HE - Application Permitted - 27/02/2001
- W01903/13** - Change of use from agricultural to equestrian - Home Farm Reading Room Lane Curdridge Southampton Hampshire SO32 2HE - Application Refused - 07/07/2003
- W01903/14** - (AMENDED DESCRIPTION) Change of use from agricultural to equestrian convalescent livery and holiday care; construction of sand school, horse walker and extension to barn - Home Farm Reading Room Lane Curdridge Southampton Hampshire SO32 2HE - Application Permitted - 19/01/2004
- W01903/15** - Relief of condition no. five from planning permission W01903/09 (occupation use of the dwelling), and amendment to design of dwelling - Home Farm Reading Room Lane Curdridge Southampton Hampshire SO32 2HE - Application Refused - 20/05/2004
- W01903/16** - Relief from condition No. 05 from planning permission W01903/09 (agricultural occupancy) - Home Farm Reading Room Lane Curdridge Southampton Hampshire SO32 2HE - Application Permitted - 02/08/2004

Proposal

- As per Proposal Description
-

Consultations

Landscape:

The revised landscape scheme is better than the previous. However, the species size and density needs to be added to the drawing with maintenance requirements. It will also be necessary to remove the existing conifer hedge around the sand school to ensure establishment of the indigenous hedge.

Refuse as further amendments are required.

Representations:

Curdrige Parish Council
Curdrige Parish Council – Support the application.

Letters of representations have been received from xx Neighbours

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- C1, C2 and H10.

Winchester District Local Plan

- C.1, C.15, C.17, C.18, EN.5 and H3.

Winchester District Local Plan Review Deposit and Revised Deposit:

- C.1, C.17, C.19, C.20, C.21 and DP.3.

Supplementary Planning Guidance:

- Winchester District Landscape Character Assessment

National Planning Policy Guidance/Statements:

- PPSG 7 Sustainable Development in Rural Areas

Planning Considerations

The main considerations in respect of this application are:

- Principle of development.
- Impact on the character of the area.

Principle of development

- Development Plan policies presume against new dwellings in the countryside unless there is an essential need.
- Permission for a new dwelling tied by an agricultural occupancy condition was granted at appeal in 2001.
- Change of use from agriculture to equestrian use was granted in 2004.
- Relief from the agricultural occupancy condition to include persons working or lastly working in equestrian activities was granted in 2004.
- However, previous to this an application for relief of the agricultural condition along with amendments to the dwelling as well as changing the design would have increased its size from 156 square metres to 240 square metres was refused permission earlier in 2004.
- The current scheme proposes a dwelling with a gross floor area of 221.74 square metres as well as amendments to the wording of the condition so that it refers to equestrian uses only.

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- Proposal C.18 states that dwellings in the countryside for workers employed in enterprises not connected with agriculture have to meet the same requirements in terms of need and sizes.
- Dwellings are normally restricted to 120-150 square metres floor space.
- The application proposal therefore exceeds the sizes threshold and would by reason of its size and design would have an adverse impact on the character and appearance of the countryside than that which was previously approved.
-

Impact on character of area

- No material change to the design of the current scheme has been carried out; it remains similar to that refused planning permission in 2004.
- The design continues therefore to be considered suburban in character and to lacks the attributes of a rural farmhouse.

Recommendation

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

Conditions/Reasons

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

Reasons

01 This development is contrary to the Countryside and Environment Policies C1, C2 and H10 of the Hampshire County Structure Plan (Review); and C.1, C.15, C.17, C.18, EN.5 and H3 of the Winchester District Local Plan, and would be likely to prejudice Proposals C.1, C.17, C.19, C.20, C.21 and DP.3 of the emerging Winchester District Local Plan (Review) in that:-

- (a) The proposal represents a dwelling that would be far larger than the known needs of the holding;
- (b) The proposed would result in a building that would be visually intrusive in the countryside, as a result of scale, design, materials and siting.

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Item No: 08
Address: Thorns Cottage The Square Wickham Fareham Hampshire PO17 5JT

Parish/Ward Wickham

Proposal Description: Change of use from delicatessen to estate agency

Applicants Name Mr C Buckingham And Mr T Francis

Case No: 04/03091/FUL

W No: W05911/10

Case Officer: Mr George Allpress

Date Valid: 9 December 2004

Delegated or Committee: Committee Decision

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: Grade II Listed Building within Wickham Conservation Area

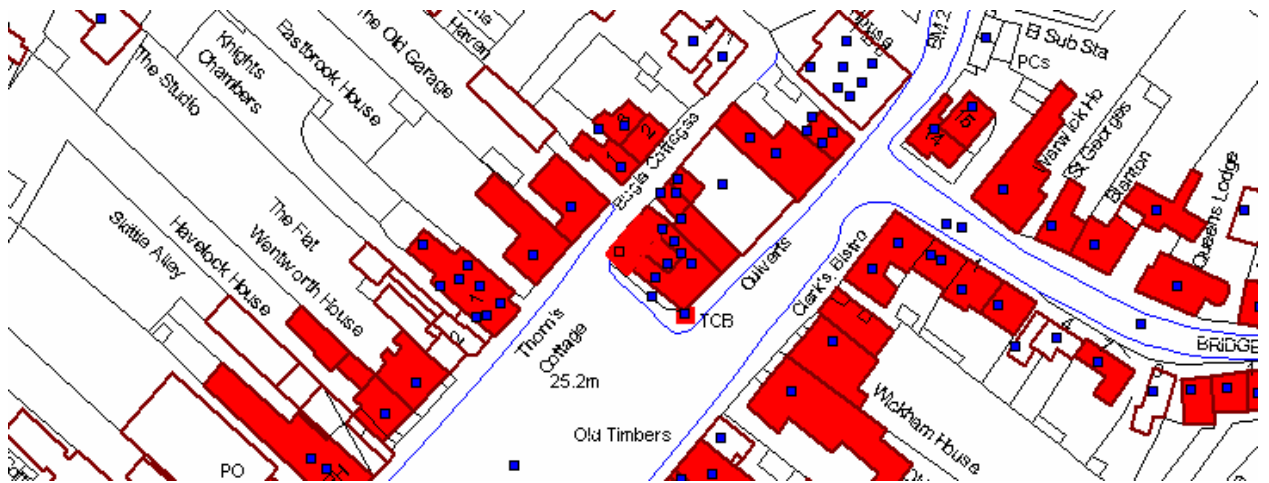
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SITE LOCATION PLAN

Case No: 04/03091/FUL **W No:** W05911/10

Address: Thorns Cottage The Square Wickham Fareham Hampshire

Proposal Description: Change of use from delicatessen to estate agency



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Site Description

- The application property is a ground floor retail unit which is situated at the north east end of The Square.
- The neighbouring property is a restaurant and the properties immediately to the north west are residential.
- The site is presently within the Primary Shopping Frontage as defined by the adopted Unitary Development Plan.
- However, the site has been taken out of the Shopping Frontage by the Development Plan Review.

Relevant Planning History

W05911 - Raising of roof to provide 2nd floor - Thorns Cottage The Square Wickham Fareham Hampshire PO17 5JT - Application Refused - 06/01/1981

W05911/01 - Extension and alterations first floor - Thorns Cottage The Square Wickham Fareham Hampshire PO17 5JT - Application Refused - 08/04/1981.

W05911/02 - Erection of first floor extension - Thorns Cottage The Square Wickham Fareham Hampshire PO17 5JT - Application Permitted - 24/11/1981.

W05911/03 - Change of use from residential to retail with ancillary office and stores - Thorns Cottage The Square Wickham Fareham Hampshire PO17 5JT - Application Permitted - 12/10/1989.

W05911/04/L - Internal alterations - Thorns Cottage The Square Wickham Fareham Hampshire PO17 5JT - Application **B** Permitted - 12/10/1989.

W05911/05 - (Amended Description) One wall mounted sign - Thorns Cottage The Square Wickham Fareham Hampshire PO17 5JT - Application Refused - 21/11/1989.

W05911/06/L - (Amended Description) One wall mounted sign - Thorns Cottage The Square Wickham Fareham **B** Hampshire PO17 5JT - Application Refused - 21/11/1989.

W05911/07/L - Replace windows in west elevation, internal alterations to re-site stairs and toilet, remove internal **B** chimney and rebuild external chimney - Thorns Cottage The Square Wickham Fareham Hampshire PO17 5JT - Application Permitted - 08/06/1993.

W05911/08 - Non-illuminated fascia sign - The Hampshire Delicatessen The Square Wickham Fareham Hampshire PO17 5JT - Application Permitted - 23/11/1993.

W05911/09 - Change of use from class A1 use (retail) to class A2 use (offices) - Thorns Cottage The Square Wickham Fareham Hants PO17 5JT - Application Refused - 22/02/2001.

Proposal

- As per Proposal Description

Consultations

Forward Plans

The Forward Plans manager comments that the application property is no longer within the defined Primary Shopping Frontage in the emerging District Local Plan Review. Although within the Primary Shopping Frontage of the adopted (1998) Local Plan, the Council has resolved to adopt the emerging Plan as its development control policy and it should therefore be accorded more weight in this case, especially as there has been no objection to the definition of the PSF in Wickham.

Representations:

Wickham Parish Council

- OBJECT – The loss of retail outlet, contrary to Proposal SF.4 of Local Plan Review (Change of Use from A1 to A2 will not be granted).

Letters of representations have been received from 40 neighbours and local residents.

- Estate agency services are already well represented in Wickham.
- Loss of retail outlet is to be deplored.
- The loss of retail provision will loose the historic character of the village.
- Continued loss of retail will reduce the viability and attractiveness of this wonderful village.
- Contrary to Proposal SF.4 of the local plan which specifies that any net loss of retail floor space within primary shopping areas will not be permitted.
- The village should retain a balance of retail offices and houses.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- S2.

Winchester District Local Plan

- SF.36 and FS.2.

Winchester District Local Plan Review Deposit and Revised Deposit:

- SF.1.

Supplementary Planning Guidance:

- Wickham Village Design Statement

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG 6 Town Centres and Retail Developments

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Impact to the vitality and viability of the shopping centre

Principle of development

- Planning permission was REFUSED for a change of use from Class A1 (retail) to Class A2 use (offices) on the 23rd February 2001.
- Permission was refused because the application property falls within the designated Primary Shopping frontage as defined by the adopted Plan Proposal S.36.
- The position now is that the application property has been removed from primary shopping frontage by the Local Plan Review.
- In addition the retail provision in this part of the square is fragmented the application property is one of a pair of retail units which are isolated from the main shopping parade and adjacent residential properties.
- Therefore, given the stage of the Local Plan Review it is considered appropriate to give weight to the emerging policy and as such there is no longer a presumption against the loss of retail provision on this side of The Square.
- The proposed change of use would not adversely affect the balance of retail provision within

the retail core and its vitality and viability would not be impacted upon.

Impact on character of area

- A2 uses are considered acceptable in non-core areas of shopping centres by government guidance as they fulfil a function which is associated with retail centres.
- The application property is one of a pair of commercial premises which are set apart from the main retailing centre.
- The unit is no longer within Primary Shopping frontage.
- The vitality and viability of the shopping centres would therefore be maintained.
- In visual terms the property has the characteristics of the residential dwelling it was until the change of use following grant of planning permission in 1989.
- The architectural integrity and historic interest of the listed building would not be impacted upon and its character would be maintained.

Comments on Representations

- The number of estate agents in itself is not considered a material consideration, the balance of retail provision within The Square is.
- The proposed change of use is not considered to adversely affect the retail vitality and viability of the shopping centre.
- Consequently considered that the historic character of the Square will be maintained.

Recommendation

APPROVE – subject to the following condition(s):

Conditions

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.

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 54A of the Town and Country Planning Act 1990 (as amended), 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 S2.
Winchester District Local Plan Proposals: SF.36 and FS.2.
Emerging Development Plan - WDLP Review Deposit and Revised; SF.1.

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Item No: 09
Address: Church Lodge High Street Southwick Fareham Hampshire PO17 6EF
Parish/Ward Southwick And Widley
Proposal Description: Internal and external alterations to provide a single storey rear extension
Applicants Name Mr And Mrs R Perry
Case No: 04/03109/LIS
W No: W12011/03LB
Case Officer: Mr George Allpress
Date Valid: 29 November 2004
Delegated or Committee: Committee
Site Factors: Grade II Listed Building, Southwick Conservation Area and Conservation Area

See Report number W12011/04 – ITEM 10 - on this Agenda for further details of the considerations and objections.

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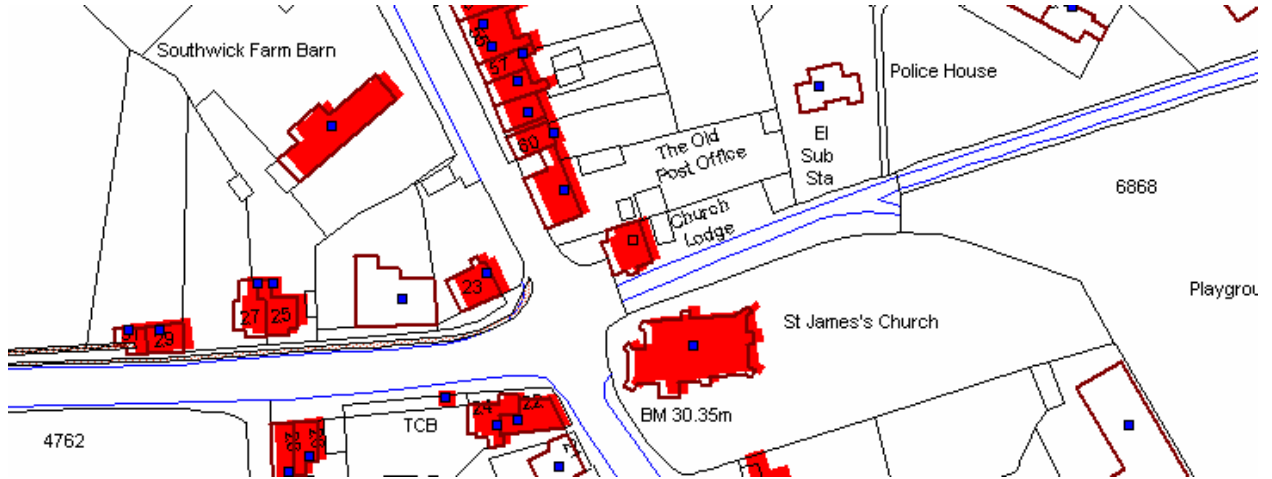
SITE LOCATION PLAN

Case No: 04/03109/LIS

W No: W12011/03LB

Address: Church Lodge High Street Southwick Fareham Hampshire

Proposal Description: Internal and external alterations to provide a single storey rear extension



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Recommendation

APPROVE – subject to the following condition(s):

Conditions/Reasons

01 The works hereby consented to shall be begun before the expiration of five years from the date of this consent.

01 Reason: To comply with the provision of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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Item No: 10
Address: Church Lodge High Street Southwick Fareham Hampshire PO17 6EF
Parish/Ward Southwick And Widley
Proposal Description: Single storey rear extension
Applicants Name Mr And Mrs R Perry
Case No: 04/03110/FUL
W No: W12011/04
Case Officer: Mr George Allpress
Date Valid: 29 November 2004
Delegated or Committee: Committee Decision
Reason for Committee: Parish Council submitted representations contrary to officer recommendation
Site Factors: Grade II Listed Building, Southwick Conservation Area and County Heritage Site

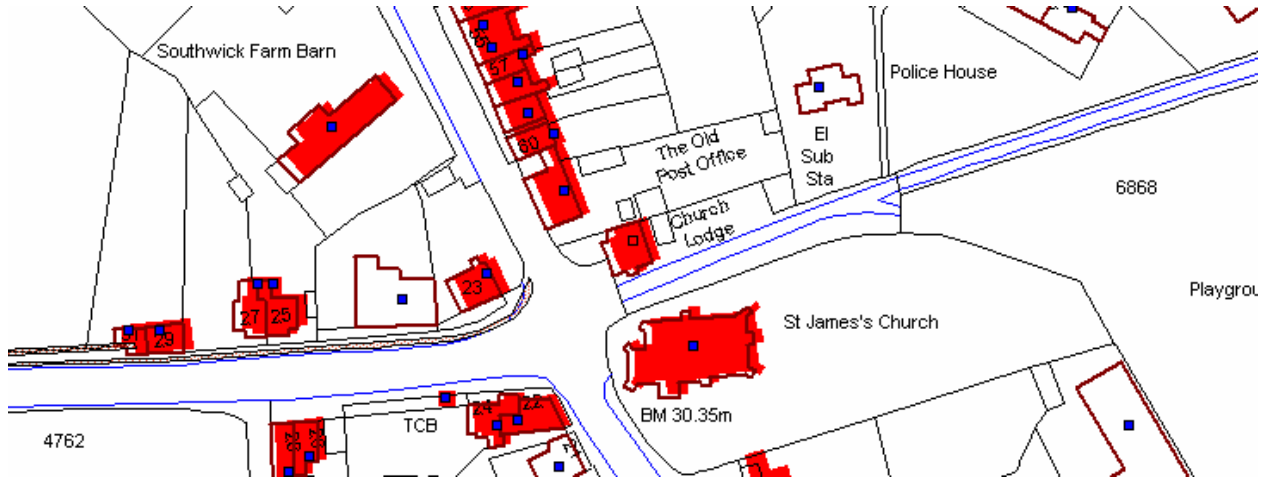
SITE LOCATION PLAN

Case No: 04/03110/FUL

W No: W12011/04

Address: Church Lodge High Street Southwick Fareham Hampshire

Proposal Description: Single storey rear extension



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Site Description

- The application property is a detached single family dwelling which lies to the north of St James's Church on the east side of the High Street.
- The property is modest in size, has the appearance of a gate house with hipped roof and stuccoed walls.

Relevant Planning History

W12011/01 - Single storey side extension and conservatory - Church Lodge High Street Southwick Fareham Hants PO17 6EF - Application Permitted - 18/03/2002.

W12011/02LB - Internal and external alterations to provide single storey side extension, conservatory, post and rail fence and decoration of external walls. Installation of bathroom at first floor - Church Lodge High Street Southwick Fareham Hants PO17 6EF - Application Permitted - 18/03/2002.

W12011/TPO - Felling of 1 Sycamore and 1 Beech Tree - Church Lodge High Street Southwick Fareham Hampshire CA PO17 6EF - Application Permitted - 31/07/1990.

Proposal

- As per Proposal Description

Consultations

Conservation:

- Lodge houses are characteristically small and therefore difficult to extend sympathetically. However, this extension is very small and involves no destruction of historic fabric. The applicant has agreed to the removal of an unsightly chimney.

Representations:

Southwick And Widley Parish Council

OBJECT –

This Grade II listed building was the subject of considerable proposed extensions in September 2001. At that time stringent planning restrictions were put in place. The Council feels extreme care should be taken in agreeing to further additions. The property is situated in designated central conservation area in the village.

Letters of representations have been received from 0 Neighbours

- No letters have been received

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB3, E18, E19.

Winchester District Local Plan

- HG.18, HG.19, and HG.20

Winchester District Local Plan Review Deposit and Revised Deposit:

- HE.13 and HE. 14

Supplementary Planning Guidance:

- None

National Planning Policy Guidance/Statements:

- PPG 15 Planning and the Historic Environment

Planning Considerations

The main considerations in respect of this application are:

- Historic heritage/conservation area/listed building

Principle of development

- Extension of the property is acceptable subject to no material harm to the architectural or historic character of the Grade II Listed Building.

Impact on character of area

- The application property has been extended before to the point where any significant further additions would begin to detract from the character of the Listed Building.
- However, the proposed extension is a minor infill at the rear of the property at a point between the property flank and boundary wall.
- The location is not visible from the public domain and the addition is not of a scale that would detract from the character or architectural integrity of this building.
- Conservation officer comments support this view.

Comments on Representations

- Whilst the proposed building has been considerably extended, the extensions proposed by this application are considered minor and non-controversial as they would have a very limited impact on the character of this building.

Recommendation

APPROVE – subject to the following condition(s):

Conditions

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.

02 The foundations to the proposed construction is to be independent of the existing north boundary wall.

02 To protect the character and architectural integrity of this listed building.

03 All rainwater goods shall be of cast iron unless otherwise agreed in writing by the Local Planning Authority.

03 Reason: To protect the character and appearance of the listed building.

Informatives

01. This building works hereby allowed are permitted on the understanding that there will be

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no damage or alteration to the historic fabric of the building. If unforeseen changes are required during construction, no alterations or works other than those approved shall be carried out without the prior written consent of the Local Planning Authority. The works shall then be carried out exactly as approved.

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Item No: 11
Address: Silkstede Priors Shepherds Lane Compton Winchester Hampshire
SO21 2AD

Parish/Ward Compton And Shawford

Proposal Description: 2 no. stables, haystore and tackroom; landscaped earth bund

Applicants Name Mrs S Outhwaite

Case No: 04/02785/FUL

W No: W16067/02

Case Officer: Mrs Julie Pinnock

Date Valid: 18 November 2004

Delegated or Committee: Delegated Decision

Reason for Committee: 4 or more representations contrary to the Officer's recommendations
have been received

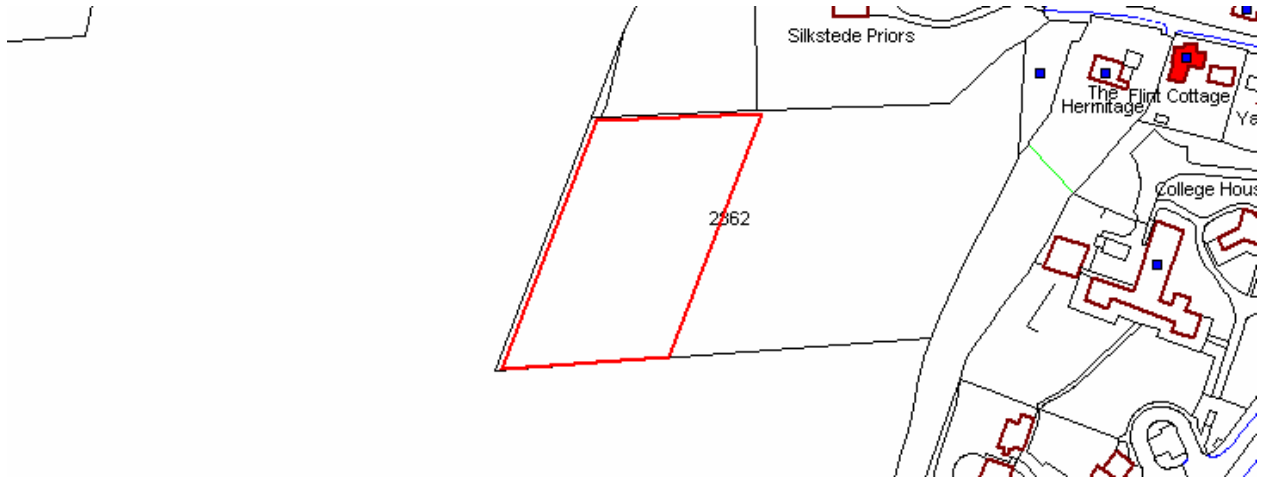
SITE LOCATION PLAN

Case No: 04/02785/FUL

W No: W16067/02

Address: Silkstede Priors Shepherds Lane Compton Winchester Hampshire

Proposal Description: 2 no. stables, haystore and tackroom; landscaped earth bund



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Site Description

- The site is situated outside the settlement boundary of Compton on land to the rear of three new detached dwellings virtually complete in the grounds of Silkstede Priors
- The site is fairly open with some boundary treatment to the east and west of the site

Relevant Planning History

- W16067 - Residential development comprising alterations to Silkstede Priors and erection of 3 no detached dwellings with new access (OUTLINE) - Silkstede Priors Shepherds Lane Compton Winchester Hants SO21 2AD - Application Permitted - 04/11/1999
- W16067/01 - Erection of 2 no. six bedroom three storey detached dwellings with basements, 1 no. seven bedroom three storey detached dwelling and one detached double garage for each - Silkstede Priors Shepherds Lane Compton Winchester Hampshire SO21 2AD - Application Permitted – 06.11.2003

Proposal

- As per Proposal Description
- 'L' shaped stable comprising a track room, haystore and 2 stables
- The stables measure 10.7m x 11.3m and is 4m in height
- The bund is 43m x 3m and approx 1.5m high

Consultations

Landscape:

- No objection – the planting species are acceptable, but there is a bund
- Recommend that a cross section is provided to show the profiling which must be integrated into the natural contour so that it does not look 'engineered'

Arboricultural Officer:

- No objection – impressed with the tree protection in place at the site
- Comments that the original siting was over on the east side of the paddock, and was felt to be near a tree on the neighbours land and was moved to the west

Representations:

Compton And Shawford Parish Council

- None received

Letters of representations have been received from 4 Neighbours

- Local residents have raised objection/concern regarding the proposal on the following grounds
- Stable block cannot be shielded from view in any position within the paddock
- Concern over the amount of activity 2 stables, haystore and tack room will create and associated parking, loading and unloading of horses
- The bund transforms the visual aspect of un-spoilt farmland and will not reduce the effect of noise pollution from the nearby motorway
- Proposal will cause significant visual harm to the character of the location
- Proposal close to boundary – will have an overpowering visual impact
- No provision for the disposal of four waste
- Request that if permission granted a condition should be imposed to specify that the building is no closer than 10m from the boundary and that a row of native species hedge be planted and any contaminated waste (straw polluted with horse dung and urine be deposited 10m from boundary
- Development of this land is beyond the building line – contrary to para 56 of PPG3

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- Create a precedent
- Concern over potential for light pollution
- No mention of access arrangements
- Obstruct view from Silkstede Priors house
- Development should be grouped together where the house is being developed at the north end of the paddock

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB.3, C1, C2

Winchester District Local Plan

- EN.5, C1, C2, C24, RT.8

Winchester District Local Plan Review Deposit and Revised Deposit:

- DP3, C1, C27, RT10

Supplementary Planning Guidance:

- Equestrian Development

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG 7 The Countryside – Environmental Quality and Economic and Social Development

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area
- Comments on representations

Principle of development

- The site is outside the settlement boundary where countryside policies apply
- In addition the Local Planning Authority has adopted supplementary planning guidance (SPG) titled Equestrian Development adopted in November 1999
- The SPG and policy RT.8 of the adopted local plan and RT.10 of the emerging local plan allow for stables in countryside subject to criteria.
- The first relates to the siting, recommending that where possible use of existing buildings is given consideration, it also discourages new buildings which may harm the landscape appearance of the area
- Another criteria recommends that development be well related to existing or proposed bridleways and not likely to cause or exacerbate conflicts between equestrians, vehicles or pedestrians

Impact on character of area

- Planning permission was granted for 3 large detached dwellings in the grounds of Silkstede Priors fronting onto Shepherd Lane
- The site is situated to the rear of plot 3 and is in the same ownership outside the residential cartilage
- The stables are proposed to the western corner of the site, with the bund to the rear of the site along the southern boundary
- The stables are of a traditional design, in an 'L' shape
- The bund is 1.5m high and proposed to be landscaped, with a hedge to create an acoustic shadow from motorway noise
- The landscape architect has requested details of a section through the bund including profiling
- It is not considered that the stable or bund affects the character of the area

Comments on representations

- Local residents have raised concern, commenting that the stable cannot be shielded, Officers do not consider that the stables are inappropriate in this rural location and are only visible in long views from the rear of the new dwellings and Silkstede Priors
- The concern regarding the amount of activity from the site cannot be substantiated the applicant could use the site for agricultural purposes. Officers do not consider that the use of the land for keeping the applicants own horses will result in a material increase in traffic/activity that would be expected on this edge of village location
- Local residents have commented that the bund will not reduce the effect of noise pollution from the nearby motorway, although your Officers noted whilst at the site, that the bund did provide some attenuation from traffic noise from the motorway, this will be enhanced with the proposed planting scheme
- The land owner to the west suggests that the stables are too close to the boundary and will have an overpowering visual impact and should be moved 10m away from the boundary, and that any contaminated waste should be sited over 10m away from the boundary.
- Officers do not consider that the siting of the stable approx 2m from the boundary at its closest point affects the amenity of the neighbouring land owner
- A condition is recommended to require the method of storage and disposal of waste from the site
- The concern regarding the potential for light pollution is recognised, and Officers therefore recommend a condition restricting permitted development rights for external lighting
- Residents have raised concern over access arrangements to the site, Officers have sought clarification on this from the applicant, who has advised that horses will be brought into plot 3, and any trailer will park there, and the horses will be walked along the western boundary of the garden to the stables
- This arrangement is acceptable and overcomes Officers concerns over a dedicated route through the garden of plot 3 to the site.
- The resident of The Cottage has objected regarding the loss of the view from Silkstede Priors house, along with the occupiers of Silkstede Priors
- There will be views of the stables from Silkstede Priors, however, this is not considered harmful to the residential amenities of the occupiers of that dwelling

Recommendation

APPROVE – subject to the following condition(s):

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.

02 The stables hereby permitted shall be used only to accommodate the applicant's own horses and shall not be used for any commercial riding, breeding or training purposes.

02 Reason: To ensure the satisfactory development of the site and in the interests of the amenity of the area and highway safety.

03 No caravans, and not more than one horsebox, trailer, container, or vehicle, whether motorised or not shall be kept, or stored on the land.

03 Reason: To safeguard the established countryside location and in the interests of visual amenity.

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04 Details of the facilities for the storage of horse manure and its means of disposal from the site shall be submitted to and approved in writing by the Local Planning Authority before the use of the stables is commenced. The facilities shall be provided and thereafter maintained in accordance with the approved details.

04 Reason: In the interests of the amenities of the locality.

05 Details of the bund, including sections must be submitted to and approved in writing. The details shall include profiling, to be integrated into the natural contours. The development shall be carried out in accordance with the approved details.

05 Reason: In the interest of visual amenity.

06 No external floodlighting whether free standing or affixed to an existing structure, shall be provided on the site at any time.

06 Reason: In the interests of the amenities of the locality.

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 54A of the Town and Country Planning Act 1990 (as amended), 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: UB3, C1, C2
Winchester District Local Plan Proposals: EN.5, C1, C2, C24, RT.8
Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP.3 C.1, C.27, RT.10

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Item No: 12
Address: Swallow Cottage 7 West Street Soberton Southampton Hampshire
SO32 3PL

Parish/Ward Soberton

Proposal Description: Two storey rear extension and replacement garage and front porch

Applicants Name Mr A Hunt And Ms J Thomas

Case No: 04/03127/FUL

W No: W19325

Case Officer: Mrs Julie Pinnock

Date Valid: 30 November 2004

Delegated or Committee: Committee Decision

Reason for Committee: Parish Council submitted representations contrary to officer
recommendation

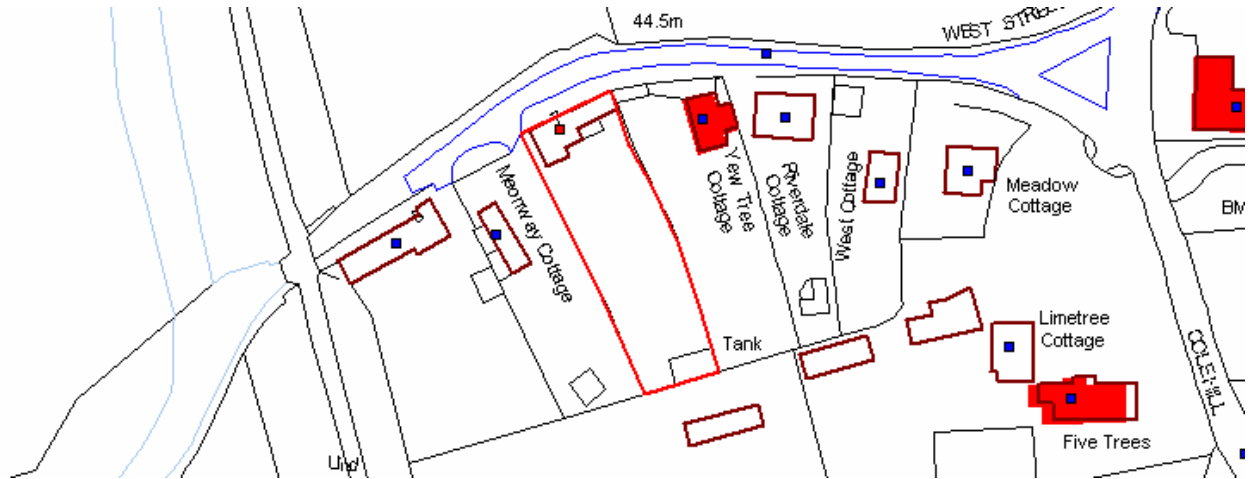
Site Factors: Area of Outstanding Natural Beauty

SITE LOCATION PLAN

Case No: 04/03127/FUL **W No:** W19325

Address: Swallow Cottage 7 West Street Soberton Southampton Hampshire

Proposal Description: Two storey rear extension and replacement garage and front porch



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Site Description

- Swallow Cottage is a detached two storey dwelling on the south side of West Street
- The accommodation at first floor is provided in the roof with hipped dormers to the front
- To the east side of Swallow Cottage is Yew Tree Cottage a grade II listed building
- Swallow Cottage has an attached garage/store to the side, which abuts the outbuilding to the front of Yew Tree Cottage (Forge)
- The site is in the countryside in the East Hampshire Area of Outstanding Natural Beauty

Relevant Planning History

- None

Proposal

- As per Proposal Description
- A porch is proposed to the front elevation
- The proposal seeks to provide a new two storey extension to the rear of the dwelling which enables internal alterations to provide a larger kitchen and utility room with rear lobby at ground floor and a master bedroom at first floor
- The proposal also involves the demolition of the existing single garage and its replacement further into the site which allows space for off-road parking in front of the garage

Consultations

Conservation:

- No objection – although recommends conditions to protect the listed wall which forms part of the curtilage of Yew Tree Cottage and further details to show the relationship of the south east corner of the proposed garage and the existing boundary

East Hampshire AONB Office (not formally consulted):

- Concern – comment that the property is under consideration for listed and consider that it would be premature for a decision to be reached on any proposals until the outcome of the application for listed is reached

Representations:

Soberton Parish Council - object

- proposals are not subservient to the existing dwelling and will dominate its form
- the proposals in the mass and scale will directly affect the setting of an adjacent listed building, the proposed east elevation facing the listed building is considerably larger than the existing elevation
- Advise that Swallow Cottage was the timber barn built adjacent and for the use of Yew Tree Cottage dating from 1650
- Consider that the timber frame is original and in good order and feel that any works to this structure should be carefully considered
- Suggest a more sensitive solution could be sought
- The Parish Council request that Swallow Cottage be considered for listing and have written to the Department of Culture, Media and Sports to request that the application site be listed

Letters of representations have been received from 1 Neighbour - occupiers of Yew Tree Cottage object to the proposal on the following grounds

- Proposal is of a size that will change completely the character of historic cottage contrary to the VDS
- Impact on the setting of the listed building (Yew Tree Cottage) building right up to the

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boundary flint wall - windows of Yew Tree Cottage look out onto the side elevation of Swallow Cottage

- The demolition of the existing garage may cause risk of damage to the end wall of the listed forge
- Concerned that such a huge architectural concern can be considered when the property is the subject to a listed building request from the Parish Council
- Advise that Swallow Cottage was originally constructed as the barn belonging to Yew Tree Cottage – documentary evidence in the Soberton Manor Court Rolls that Yew Tree Cottage sold the Barn in 1736 when it was described as “the former barn consisting of one tenement with a cartilage”
- The building remains unaltered apart from the insertion of a central chimney stack and two inglenook fireplaces and a spiral staircase rising alongside
- The proposed extension would obliterate not only the historic catslide roof to the rear, but also the footprint of the property which is the same as that recorded on the Tithe Map of 1842

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- C.1, UB3, E.16

Winchester District Local Plan

- C.1, C.2, C.19, EN.5, HG.23

Winchester District Local Plan Review Deposit and Revised Deposit:

- C.1, C.22, DP.3, HE.16

Supplementary Planning Guidance:

- Soberton and Newtown Village Design Statement – 27th February 2002

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG 15 Planning and the Historic Environment

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area
- Historic Heritage/Listed Building
- Comments on representations

Principle of development

- The site is situated in the countryside where the principle of extensions to existing lawful residential properties is acceptable
- Policy C.19 of the adopted local plan, and C.22 of the emerging plan allow for extensions to dwellings of this size (over 120 sq.m) provided the proposal does not result in increased intrusion by virtue of size, design or siting or have other detrimental effects on the local environment.
- The Soberton and Newtown Village Design Statement was adopted at supplementary planning guidance on the 27th February 2002 and is intended to supplement the Winchester District Local Plan
- Section Three deals with Design including details on alterations and extensions to existing dwellings, and Section Four provides a summary of development guidelines
- Officers consider that the proposal accords with planning policy and the village design statement

Impact on character of area

- The two storey extension is situated to the rear of the property and replaces an existing conservatory

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- The extension projects out from the rear elevation at its greatest by 4m with a half hipped gable to the rear elevation
- The extension is not visible in public views from the front of the dwelling
- To the rear of the application site the land rises and the rear elevation of the property is not visible in public views from Cole Hill
- There are some limited public views, although the design of the extension is in keeping with the existing dwelling and not harmful to the character of the area
- The porch to the front is in keeping with that of a historic porch and sits comfortably in the street scene

Historic Heritage/Listed Building

- The Conservation Officer and Planning Officer undertook a joint visit to the site to assess the application and met both the applicant and his agent and the occupiers of Yew Tree Cottage
- The Conservation Officer assessed the removal of the existing garage which is adjacent to the outbuilding (Forge) at the front of the site and to assess whether the proposal affected the setting of the listed building
- The Conservation Officer noted that the garage is separated from the outbuilding by a small gap but the roof abuts the wall – subject to the a condition protecting the outbuilding/listed wall which requires a method statement for the removal of the existing garage and the proposed replacement garage does not raise objection
- The Conservation Officer is satisfied that the proposal does not affect the setting of the listed building

Comments on representations

- The Parish Council and the occupier of the adjacent Listed Building Yew Tree Cottage have both raised objections to the proposal
- They consider that Swallow Cottage should be listed in its own right and that the building should be altered in a more sympathetic manner
- The building is not listed, and whilst the Parish Council have made a request to Listed the building through the Department of Culture, Media and Sport, (DCMS) the Conservation Officer has advised verbally that even if the building were Listed on the basis of the application submitted would not object to the proposed addition
- It is not possible to delay the determination of this application pending the outcome of the DCMS consideration as to whether the property should be listed – applications must be considered on their merits in accordance with relevant material planning considerations
- The occupiers of Yew Tree Cottage are concerned over the scale and mass of the two storey extension, particularly due to the orientation of their property with the main entrance to the dwelling and some windows to the side
- However whilst the side elevation of Yew Tree Cottage is the main entrance to the property, the land here is used for access by pedestrian and cars, the main primary outdoor area is to the rear of the property
- The distance between the side elevation of Yew Tree Cottage and the side elevation of the two storey extension is 17m
- The proposed garage will sit between the two storey element and the boundary, and it is not considered that the garage or extension affects the amenities of the occupiers of Yew Tree Cottage or affect the setting of the adjacent grade II listed building
- The other concern relate to potential damage to the listed building/side elevation of the outbuilding, and as recommended by the Conservation Officer a condition is recommended which requires a method statement be submitted to deal with these matters.

Recommendation

APPROVE – subject to the following condition(s):

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.

02 No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

02 Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

03 Prior to the commencement of development a method statement shall be submitted to and approved in writing by the local planning authority. The method statement shall include details of the removal of the existing garage and the protection of the listed wall. Development shall be carried out in accordance with the approved details.

03 Reason: To maintain the structural and aesthetic integrity of the adjacent listed wall and outbuilding.

04 The new windows shall be full height casements recessed within the opening. Prior to the commencement of work the following details shall be submitted to and approved in writing by the Local Planning Authority. The works hereby permitted shall be carried out in accordance with the approved details.

04 - large scale elevations of the window and full size sections showing:-

(i) the new sill in relation to the opening in which it is to be set.

(ii) the mouldings to be used on the glazing bars.

(iii) the relationship of the opening window to the frame which should follow a traditional form

04 Reason: To ensure the materials and details are satisfactory and respect the character of the listed building.

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 54A of the Town and Country Planning Act 1990 (as amended), 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: C.1, UB3, E16

Winchester District Local Plan Proposals: C.1, C.2, C.19, EN.5, HG.23

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: C.1, C.22, DP.3, HE.16

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Item No: 13
Address: Yelfs Yard Botley Road Bishops Waltham Southampton Hampshire
SO32 1DR

Parish/Ward Bishops Waltham

Proposal Description: Use of land as a Builders Yard, [Yard Layout and Enclosure; Erection of Workshop and Provision of designated Parking and Vehicle Circulation areas

Applicant Mr R Cockain

Case No: 04/01234/FUL

W No: W00906/07

Case Officer: Mrs Lesley Wells

Date Valid: 26 May 2004

Delegated or Committee: Committee Decision

Reason for Committee: The Officers consider the application to be controversial or potentially controversial

Reason for Committee: 4 or more representations contrary to the Officer's recommendations have been received

Site Factors:

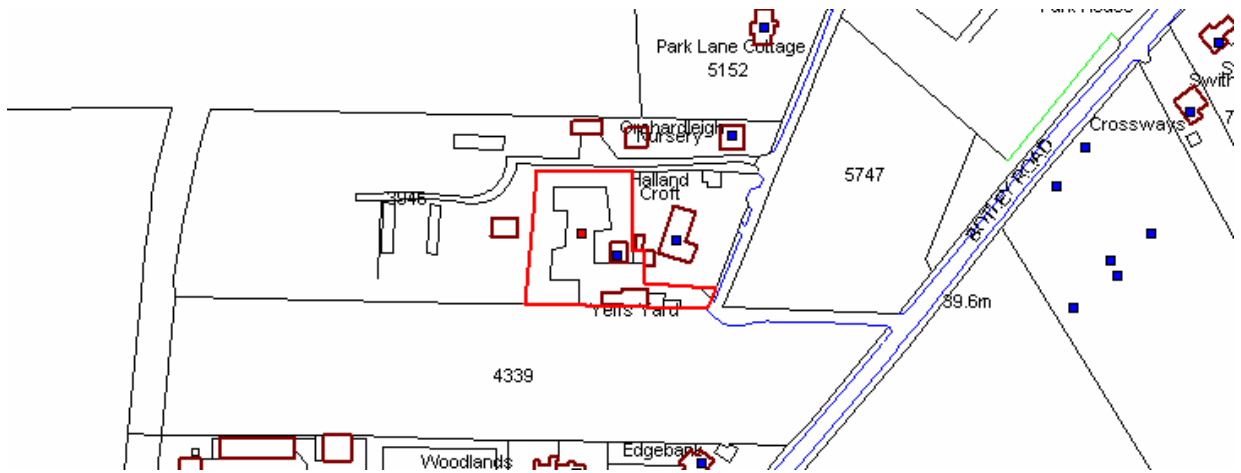
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SITE LOCATION PLAN

Case No: 04/01234/FUL **W No:** W00906/07

Address: Yelfs Yard Botley Road Bishops Waltham Southampton Hampshire

Proposal Description: Use of land as a Builders Yard, [Yard Layout and Enclosure; Erection of Workshop and Provision of designated Parking and Vehicle Circulation areas



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Site Description

- The site lies in open countryside to the north of Botley Road approximately 1 kilometre to the west of Bishops Waltham.. Its location lies behind existing residential properties that front the public highway and beyond a single detached bungalow [that was formerly lived as part of the yard operation] which is separately occupied.
- Access is via a single width unmade track that runs down the side of the field that lies immediately to the west of the properties fronting Botley Road
- The access track is one of two means of access from Botley Road to nearby residential property and existing businesses in the locality

Relevant Planning History

- 08 March 1976 - Established Use Certificate allowing use for Stone Masons & Builder's Yard – Issued
- ENF 01/00165 – Unauthorised Raising of Levels; Construction of Retaining Walls; and Erection of Structures – Appeal dismissed
- W00906/07 - Use as Builders Yard [inc erection of workshop and provision of parking Withdrawn 04/09/2003

Proposal

As per Proposal Description. This application was deferred at the meeting on 28 July 2004, for advice on the possibility of pursuing further enforcement action and what alternative legal action is available to the LPA in respect of the site, in the interests of proper planning for the area. This advice is contained in an exempt report attached as Appendix 1.

-

Consultations

Enforcement:

- Enforcement Notices issued in March 2001 requiring removal of imported materials to level of adjoining land to north east and west; removal of retaining walls to ground level; demolition of unauthorised buildings/structures; reduce access gates to 2m in height and; re-instatement of Land to former condition
- Appeal dismissed January 2002 with compliance due May 2002
- In his decision to uphold the Notice the Inspector recognised the unacceptable local impact of material intensification of use
- The Inspector upheld the requirement in the Notice to remove structures erected without permission [there was no appeal against the requirement] but commented that the buildings at issue were generally not harmful to amenity
- The Inspector commented that a planning permission to bring the site under proper planning control might have been a better alternative to enforcement action
- Substantial materials have been removed, but additional engineering operations that go beyond the scope of the Notice have been undertaken to create a 2-tier yard.
- Retaining walls have been partly demolished
- Entrance gates are 2 m in height. Gate pillars have still to be lowered to 2m height..
- Demolition of some of the specified structures has not yet been undertaken
- Prosecution for non-compliance considered but there is inadequate evidence of original levels to proceed
- Additional engineering operations will require further separate enforcement action
- The Notice cannot interfere with the right to use the land as a Builder's Yard under the

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Established Use Certificate

- There is significant amenity issue arising from storage adjacent to neighbouring property that cannot be overcome by enforcement action
- This application has been the subject of discussion to try to overcome/minimise the amenity issues that will arise through continued operation under the Established Use Certificate
- The proposed building does not accord with Development Plan policy for new development in the countryside but the planning gain of exercising control over future use of the land is justification for an exception to policy.
- The landscape scheme seems ornamental and landscape advice about a simple more indigenous approach is needed.
- Stringent conditions re timescales for implementing the permission are essential.
- Enforcement would be concerned about outright refusal of permission

Engineers:Highways:

- Insufficient information provided with the application to allow full assessment of the implications for highway safety of the development. [More detailed comments are awaited]

Environment Agency:

- No objection in principle but advise that yard drainage must be collected and treated in Interceptor Unit. Storage/dispensing of fuel within the site not acceptable without specialist containment arrangements. Also advise several informatives to applicant

Environmental Health:

- No objection in principle but express concern about potential for disturbance from noise, and recommend conditions requiring insulation of the building against internally generated noise; restricting lorry movements to/from the site and limited hours of site operation

Landscape:

- Advise that initial scheme as submitted is ornamental and inappropriate to the location. Planting of indigenous species [especially in hedgerows would be more appropriate]. Revised landscape scheme acceptable.

Representations:

Bishops Waltham Parish Council

- Comments as follows:
- [a] There is concern over the size of the proposed new building and should permission be granted would request restrictions on usage
- [b]A suitable environmental scheme that meets with the approval of neighbouring properties should be agreed
- [c] A full landscaping plan should be submitted before commencement and an early start date agreed for installation
- [d] A detailed plan for maintenance and replacement of said landscaping should be agreed

Letters of representations have been received from 6 Neighbours

- The site is the subject of an Enforcement order that has not been complied with and applicant is unlikely to comply with the requirements of a planning permission
- Adopted Development Plan policies seek to protect and improve the countryside, and where planning permission is to be granted particular regard must be had to avoiding or minimising any adverse effects of the proposal. The policy-led approach is reinforced in the emerging Local Plan Review
- Existing site is typical builder's yard with activity in the early morning and little daytime activity
- The intended storage yard is not part of the existing yard and further encroachment into the countryside is contrary to planning policy and inappropriate

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- The size of the proposed building is excessive and involves intensification of use of the yard and will lead to work being brought in from outside the yard, making the site an Industrial Estate.
- Provision of parking provision for 9 cars and 3 lorries is evidence of intensification of site use.
- The building is likely to generate unacceptable noise and disturbance, particularly on land to the west because doors face in that direction
- Concreting the surface of the lower yard will cause surface water to run-off into adjoining land, causing flooding
- Neighbouring nursery business will be affected by dust from loading and unloading of vehicles affecting plant production and external storage should be relocated and dust suppression measures provided
- The proposal will result in additional vehicle movements onto an access lane that is shared with residential traffic
- The access to Botley Road from the shared access is unsuitable for any intensification of vehicle movements
- The landscaping proposals adjacent to the eastern site boundary provide too much height will obstruct established views over the yard from a neighbouring dwelling and will overhang and obstruct vehicular access to neighbouring property

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- C1 C2 EC3

Winchester District Local Plan

- C1 C2 EN5 C13

Winchester District Local Plan Review Deposit and Revised Deposit:

- C1 DP3 C11 C15 E2

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG 7 The Countryside – Environmental Quality and Economic and Social Development
- PPG 18 Enforcing Planning Control

Planning Considerations

The main considerations in respect of this application are:

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

- Principle of development
- The principle of use of this site, which is open countryside is made acceptable by the Established Use Certificate [EUC] that was issued in 1976
- Whereas the EUC conveys use-rights over the whole of the application site the proposal confines the operating yard to the lower level in the site. It is considered that the proposal does not involve any material intensification of use of the site.
- The enforcement action that was taken could not interfere with rights accrued under the EUC, so harm to residential and rural amenity arising from the at the yard operated could not be remedied satisfactorily

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- Bringing the whole of the area that benefits from the EUC within planning control, including conditions to manage the layout of the yard, its enclosure, and its future operation is considered to be of considerable benefit to improving the amenity of nearby residential property and an enhancement of the rural landscape.
- Structure Plan and Local Plan policies presume strongly against new buildings in the countryside that are not demonstrated to the proposed location and the new building proposed is contrary to policy.
- The new building would, in part replace existing sound but low amenity buildings that are capable of re-use, but with a significant increase in net floor space.
- The planning gain of bringing a non-conforming use that currently causes serious injury to amenity in juxtaposition with residential use in the countryside, within planning control, is justification for an exception to policy that will not establish a principle for allowing other non-essential development in rural areas

- Impact on the character of the area
- Current use of the site is something of an eyesore in the locality.
- The rationalisation of the way the site is laid out and operated, together with comprehensive landscaped enclosure [once established], and appropriate conditions to ensure proper implementation of permission and operation of the yard will protect and enhance the local rural character and remedy injury to amenity of nearby residential property.
- The proposed new workshop building has a reasonable relationship with other nearby buildings and would have a dark finish externally to reduce its visual impact. Visual impact would be further diminished in time as enclosure landscaping establishes.

- Residential amenities
- The amenity of residential property nearest to the premise is severely affected both by the visual impact of the existing yard and by the activities carried on.
- Moving the operational yard further away from the dwelling together with landscaping and enclosure arrangements will address those issues to the benefit of residential amenity.
- Conditions advised by Environmental Health will also protect residential amenity.
- Taking account of the planning rights accrued under the EUC, and the fact that there is no current limit on when vehicle movements take place, it would be onerous to impose such a restriction through planning permission

- Highways
- The site benefits from existing use rights under the EUC and there is no material intensification of use
- The shared access road, and its junction with Botley Road are substandard but as no material intensification of use is involved, there is no additional harm to other users of the highway, or the private lane is likely to arise

- Comments on representations
- The issues raised by the Parish Council are addressed in the submission of details of the application and by the recommended conditions. If granted implementation of the permission will be monitored.
- It is acknowledged that part of the proposal does not accord with current planning policies. The case for making an exception is set out elsewhere within this report
- The site does not encroach further into the countryside as suggested. The proposed operational area of the yard is included with the site for which the EUC has been issued
- Conditions are proposed to ensure that the proposed building is used only for purposes associated with the Yard
- There is a cross-fall within the lower yard that will drain any surface water back into the site [not onto neighbouring land] for collection within the site for treatment and discharge through the interceptor drainage system.

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- It is difficult to support claims that dust nuisance will arise from yard activities. The issue is not supported by Environmental Health in their consultation advice
- It is acknowledged that the means of access to the site is substandard. The use has operated for many years on the same basis and the proposal does not involve a material intensification of use. If permission refused traffic generation would continue at present levels and could increase

Recommendation

APPROVE – subject to the following condition(s):

Conditions/Reasons

01 Before any other work is commenced on site the retaining wall at the position shown in brown on the approved plan YY002 shall be constructed to a height of 1.2m above finished ground level within the parking area [shown on approved drawing Y.Y.002] to be formed adjacent to the southern boundary of the site, and in accordance with the design and specification shown in approved drawing Y.Y.002 with a facing brick finish to the exposed south-facing surface of the wall

01 Reason In the interests of local amenity

02 Within 2 months of the date of this permission the buildings and structures shown on approved drawing, to be demolished shall be taken down all goods and materials and associated racking, shall be removed and use of the area outlined in blue on approved drawing Y.Y.002 for any purpose other than the parking of vehicles shall cease.

02 Reason In the interests of local amenity

03 Within 2 months of the date of this permission the block-work walls along the west and south boundaries of the site shall be demolished and all materials resulting from the demolition shall be removed from the land.

03 Reason In the interests of local amenity.

04 Within 3 months of the date of this permission the facing brick wall to be provided along the boundaries of the site with Hallandbush Croft between points A and B as shown in green on approved drawing Y.Y.002 shall be constructed using the approved facing brick and shall be to a height of 2 metres above ground level within the yard [using dyked steps of 300mm to maintain the 2m height along the rising section of ground between the site entrance, and site office] all to the satisfaction of the local planning authority.

04 Reason: To safeguard the amenity of adjoining residential property.

05 Within 3 months of the date of this permission the vertically boarded larch-lap fencing to be provided along the boundaries of the site with Hallandbush Croft between points B and C as shown in purple on approved drawing Y.Y.002 and along the west-facing boundary of the site at the positions also shown in purple on approved drawing Y.Y.002 shall be constructed to a height of 2 metres above adjoining ground level within the yard and the fencing shall be in accordance with the approved design and specification for fence construction work.

05 Reason To safeguard visual amenity and the amenity of adjoining residential property.

06 Before any preparation work is undertaken in connection with construction of the new

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workshop building [at the position outlined in yellow on approved drawing Y.Y.002] the walls to be erected at the positions shown in brown and green on the same drawing shall have been completed

06 Reason To safeguard the amenity of adjoining residential property.

07 Within 4 months of the date of this permission the access roadway and parking/circulation areas shall be surfaced in bitumen or alternatively with rolled and blinded hard-core

07 Reason: To ensure satisfactory arrangements are made for the parking and circulation of vehicles and to safeguard the amenity of adjoining residential properties.

08 Within 4 months of the date of this permission the fencing to be provided to enclose the west facing boundary of the site shall be erected in accordance with the approved design and specification and using the approved fencing materials.

08 Reason: To safeguard visual amenity.

09 Finished levels within the yard shall be in accordance with the levels and gradients shown in approved drawing Y.Y.002 to the satisfaction of the Local Planning Authority.

09 Reason: In the interests of amenity.

10 The landscaping scheme approved as part of this permission shall be implemented in accordance with the approved planting specification by 31 January 2005.

10 Reason: To define the time scale for implementing the approved landscaping scheme in the interests of visual amenity.

11 Before any landscape planting is carried out the areas to be planted shall be prepared with topsoil to a minimum depth of 450mm and composted using a suitable shrub compost.

11 Reason To ensure that the landscape planting is undertaken into a suitably prepared substrate.

12 Before any planting is carried out the "Armco" barrier where specified and an 800mm high post and wire fence (minimum 3 strands of wire) elsewhere shall be erected to enclose the planting areas from vehicles and the enclosures shall be retained in perpetuity.

12 Reason: To ensure that the landscape planting is adequately protected against damage from vehicular movements within the site.

13 All planting to be carried out shall be suitably protected against damage by rodents and any plants that die, or become damaged or diseased within 5 years of planting shall be replaced by the operator of the site.

13 Reason: To safeguard visual amenity.

14 The external cladding to be used in construction of the walls and roof of the workshop building shall be plastic profiled steel cladding coloured forest green (or an equivalent colour) specification to the satisfaction of the Local Planning Authority.

14 Reason To safeguard visual amenity.

15 The new workshop building [outlined yellow] and the office and storage building [outlined orange] shall be used solely for purposes ancillary to use of the site as a Building and

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Groundwork Contractors yard only and if no longer required for such purposes shall be removed from the land

15 Reason The site is too restricted in area to accommodate further intensification beyond the authorised use.

16 No buildings or any other form of operational development shall be carried out and no containers shall be brought onto the land without the prior written consent of the Local Planning Authority.

16 Reason The site is too restricted in area to accommodate further intensification beyond the authorised use.

17 No repair work or any other industrial process shall be carried on and no power tools or equipment shall be used within the yard before 08.00 and after 18.00 on any weekday or before 08.00 and after 13.00 on Saturdays or at any time on Sundays and recognised Public Holidays

17 Reason To safeguard environmental amenity

18 No goods or materials of any description shall be kept, stacked or stored outwith the buildings on the site, and out with the area of the yard hatched black on approved drawing Y.Y.002.

18 Reason To safeguard visual amenity

19 No facilities for the bulk storage and/or supply of fuels or oils shall be installed within the site without the prior consent in writing, of the local planning authority

19 Reason To safeguard environmental amenity.

20 No hard-core, rubble or other material of a similar nature shall be imported to the site other than for the purpose of re-use for off-site construction projects and any such material shall be kept or stored only within the area cross hatched black on approved drawing Y.Y.002

20 Reason To safeguard visual amenity.

21 Within the areas approved for use for external storage [the areas hatched and crosshatched black on approved drawing Y.Y.002] no goods or materials of any description shall be kept stacked or stored higher than 1.8 metres above the lowest point of finished surface level within the approved storage area

21 Reason To safeguard visual amenity

22 No vehicles with an overall height exceeding 2 metres in height [measured with tyres fitted and inflated] shall be parked or stored at any time within any of the parking bays numbers 1 to 9 on approved drawing Y.Y.002.

22 Reason To safeguard visual amenity.

23 The areas hatched blue on approved drawing Y.Y.002 shall be kept free from obstruction at all times and retained for the manoeuvring and circulation of vehicles within the site

23 Reason To ensure satisfactory arrangements are maintained for the parking and circulation of vehicles within the site

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DEVELOPMENT CONTROL COMMITTEE AGENDA 10 February 2005

24 The area hatched red on approved drawing Y.Y.002 shall be kept free from obstruction at all times when the yard is operating and retained for the purposes of loading and unloading of vehicles, and for the manoeuvring and circulation of vehicles within the site.

24 Reason To ensure satisfactory arrangements are maintained for loading and unloading and for the parking and circulation of vehicles within the site.

25 All surface water within the site shall be collected and drained to a suitable drainage interceptor and outfall which shall be designed and constructed and maintained in accordance with the requirements of the Environment Agency and the Water and Drainage Authority

25 Reason To ensure that adequate arrangements are made for the treatment and disposal of surface water drainage from the site

26 Before the new building is brought into use, the external walls shall be insulated (internally) against emission of noise from activities carried on within the building, and the insulation to be provided shall be in accordance with a specification for insulation to be submitted to and approved the Local Planning Authority, before construction of the building is commenced

26 Reason To safeguard environmental amenity and to prevent amenity of nearby property.

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.

Hampshire County Structure Plan Review:

Winchester District Local Plan Proposals:

Emerging Development Plan – WDLP Review Deposit and Revised Deposit:

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DEVELOPMENT CONTROL COMMITTEE AGENDA 10 February 2005

Item No: 14
Address: Mount Hillary Hoads Hill Wickham Fareham Hampshire PO17 5BX
Parish/Ward Wickham
Proposal Description: Erection of 1 No: agricultural workers dwelling (OUTLINE)
Applicants Name Mr David Richards
Case No: 04/03040/OUT
W No: W03156/06
Case Officer: Mr Neil Mackintosh
Date Valid: 7 December 2004
Delegated or Committee: Committee Decision
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: None

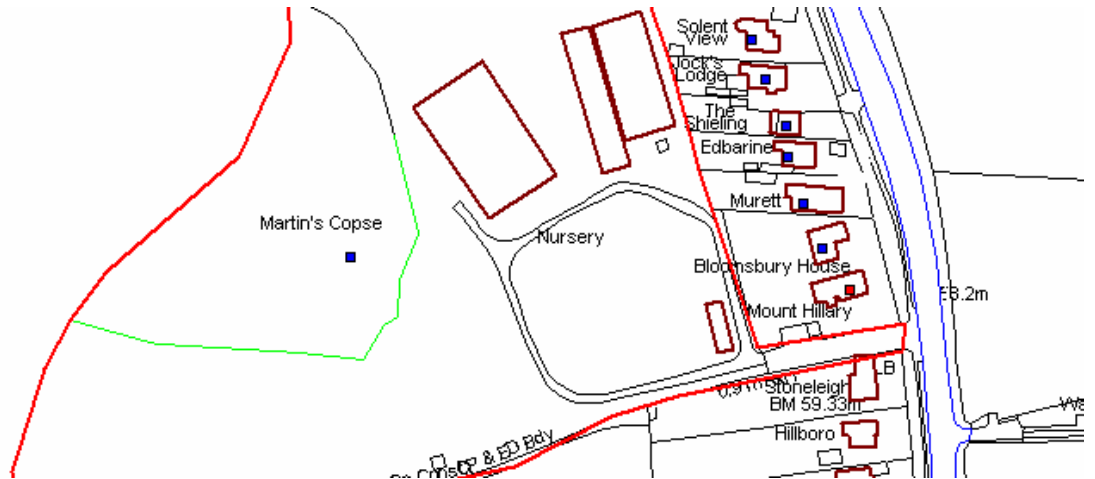
WINCHESTER CITY COUNCIL
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SITE LOCATION PLAN

Case No: 04/03040/OUT **W No:** W03156/06

Address: Mount Hillary Hoads Hill Wickham Fareham Hampshire

Proposal Description: Erection of 1 No: agricultural workers dwelling (OUTLINE)



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Site Description

- This is an agricultural holding extending to approximately 4.2 hectares.
- The land is mainly rough grassland but contains three glasshouses extending to 3,069 sq.m
- One of these houses has remained out of production since it was storm-damaged in 1990
- The other houses contain heating and irrigation systems and are used for flower production
- The site also contains approx. 2 hectares used for land fill of inert materials.

Relevant Planning History

- W3156/01 – Bungalow and garage, refused March 1991
- W3156/02 – Bungalow and garage, permitted July 1991
- W3156/05 – Water storage tank, pump house and re-cladding of former glasshouse to form storage barn and packing shed, permitted November 1999.

Proposal

- As per Proposal Description

Consultations

Landscape:

- The proposed dwelling would occupy the highest point of the site and would be prominent in views from the North West.
- The site is also steeply sloping and there is no information on levels
- Has an alternative site been considered?

County Land Agent

- I do not consider that the scale of the existing enterprise justifies the need for a dwelling for an additional worker.
- In any case the nursery manager, for whom the new dwelling is proposed, has not been employed and therefore there is not an existing need.
- The applicant's existing dwelling, whilst not agriculturally tied, is immediately adjacent to the holding with a direct access to it.
- Mount Hillary, personally owned by the applicant's mother, has historically been separated from the holding.

Representations:

Wickham Parish Council

- Support – "as the applicant has demonstrated that there is considerable local support for the proposal".

Letters of support have been received from 12 local businesses and individuals;

- support as regular customer of the nursery
- a valued customer of ours
- well established market gardener
- continued use of land presents employment opportunities
- manager is needed for viable nursery business
- intensive growing requires permanent on-site staff

One resident of Hoads Hill objects;

- Increased use of access, urbanisation, too many dwellings already, potential for further houses

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- C2, R2

Winchester District Local Plan

- H3, C15, RT3

Winchester District Local Plan Review Deposit and Revised Deposit:

- H4, C19, RT3

Supplementary Planning Guidance:

- Wickham Village Design Statement
- Winchester District Landscape Assessment
- Guide to the Open Space Funding System

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG 3 Housing
- PPG 7 The Countryside – Environmental Quality and Economic and Social Development

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area/spatial characteristics/street scene
- Public open space provision
- Comments on representations

Principle of development

- The site lies within the countryside
- Dwellings are permitted for agricultural workers if the labour requirements of the holding justify the worker.
- Existing accommodation on or near the holding is considered adequate to meet the needs of the holding

Impact on character of area

- Difficult to judge, as this is only an outline application
- However, the proposed location is on the highest point of the site and a dwelling could be prominent in long distance views from the North West.

Public Open Space provision

- A Legal Agreement or Obligation would be required only if the LPA were minded to grant planning permission for a dwelling.

Comments on representations

- Although the Parish Council and quite a large number of individuals and local businessmen have taken the trouble to write in support, very few of these letters contain 'planning' reasons for their support.
- Some refer to the need for a manager for this viable nursery business and the need for on-site staff, but the County Land Agent has assessed the enterprise and does not concur.

Recommendation

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

Reasons

01 The proposed development is contrary to Policy C2 of the Hampshire County Structure Plan Review and Policies H3 and C15 of the Winchester District Local Plan, and would be likely to prejudice Proposals H4 and C19 of the emerging Winchester District Local Plan Review, in that it would represent an undesirable additional dwelling, for which there is no overriding justification, in an area of countryside.

02 The proposal is contrary to the Policy R2 of the Hampshire County Structure Plan Review and 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 Proposal RT3 of the emerging Winchester District Local Plan Review, in that it would undermine this Plan's Policies for recreational open space provision within the District.

03 The Local Planning Authority does not consider that the agricultural case in support of the application is sufficient to outweigh the above policy objections.

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Item No: 15
Address: Land Between Lilliput Cottage And Glebe Villas Trampers Lane North
Boarhunt Hampshire

Parish/Ward Boarhunt

Proposal Description: Erection of 1 No. detached two bedroom dwelling with detached
tandem garage

Applicants Name Boarhunt Homes Ltd

Case No: 04/03084/FUL

W No: W09335/06

Case Officer: Mr Neil Mackintosh

Date Valid: 24 November 2004

Delegated or Committee: Committee Decision

Reason for Committee: Parish Council submitted representations contrary to officer
recommendation

Site Factors: None

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 10 February 2005

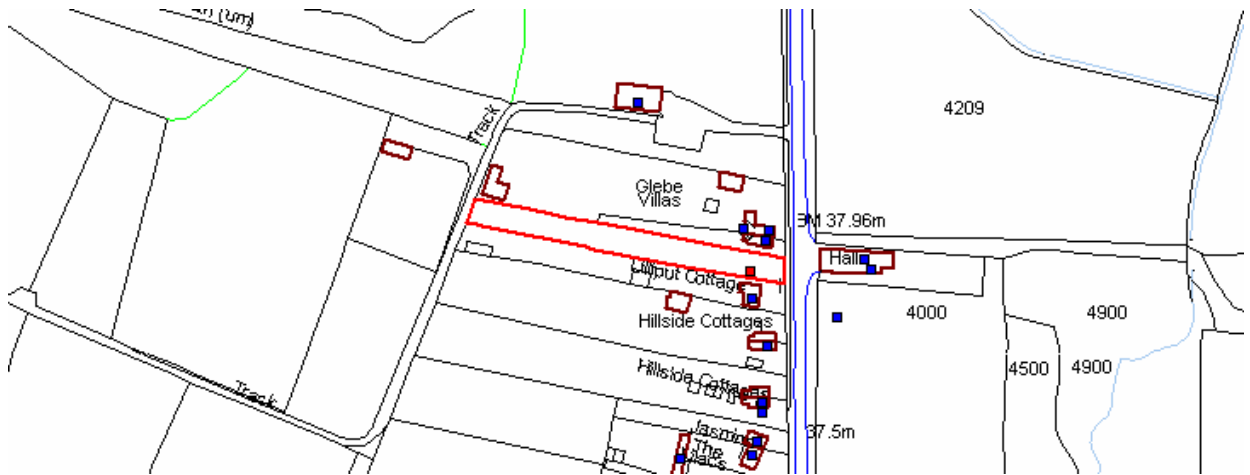
SITE LOCATION PLAN

Case No: 04/03084/FUL

W No: W09335/06

Address: Land Between Lilliput Cottage And Glebe Villas Trampers Lane North
Boarhunt Hampshire

Proposal Description: Erection of 1 No. detached two bedroom dwelling with detached
tandem garage



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Site Description

- The application site is an area of open land between two existing red brick and tile houses.
- It is 10.55m wide by approx. 125m deep.
- There is a hedge to the front of the site and this runs along much of the Northern boundary.
- The site slopes upwards from front to back.
- Otherwise there are no significant landscape features on the site.

Relevant Planning History

- W09355 – Dwelling and garage (Outline). Refused August 1986. Dismissed at appeal
- /01 – Use of land for siting of caravan. Granted for 2 year period only January 1988
- /02 – Detached dwelling (Outline). Permitted June 2003.
- /03 – Detached 3 bed dwelling. Refused December 02. Dismissed at appeal August 2003.
- /04 - Detached 3 bed dwelling. Refused June 03. Dismissed at appeal August 2003.
- /05 - Detached 3 bed dwelling. Refused May 2004.

Proposal

- As per Proposal Description
- As amended by plans received 14 January 2005

Consultations

Engineers:Highways:

- No objection, subject to conditions

Environment Agency:

- No objection

Representations:

Boarhunt Parish Council

- Object – “whilst the overall mass of the proposals has been reduced, its impact on light on Glebe Villas has not been addressed at all”.
- Enclose a suggestion to make plan more acceptable.
- (NB. Parish views awaited on amended plans)

Two letters of representation have been received

1. 2 Glebe Villas - Object – some improvement in overall mass, disappointed with height/position
 - Dining room window, in side of 2 Glebe Villas, will lose sun for most of the day
 - This window is of great importance to our enjoyment of our property and to take away this light could be considered an infringement of our human rights.
 - This is not a ‘relatively small dwelling relative to others hereabouts’ as required by the previous Appeal Inspector.
2. Lilliput Cottage – Object – Should be no house in here at all
 - Design incompatible with street scene
 - Too close to our boundary
 - We will be constantly overlooked
 - If to be allowed should be positioned centrally on site

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB3, R2

Winchester District Local Plan

- H2, EN5, RT3, T9

Winchester District Local Plan Review Deposit and Revised Deposit:

- H3, DP3, RT3

Supplementary Planning Guidance:

- Boarhunt Village Design Statement
- Guide to the Open Space Funding System
- Movement, Access, Streets and Spaces
- Parking Standards 2002

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG 3 Housing
- PPG 13 Transport

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area/spatial characteristics/street scene
- Detailed design
- Residential amenities
- Highways
- Public open space provision
- Comments on representations

Principle of development

- The site is within a development frontage.
- The principle of erecting a dwelling on this land was established, in principle, in 2003.

Impact on character of area

- The proposed house has been positioned and designed to fit in with adjacent properties.
- It will also be acceptable in the general street scene.

Detailed design

- Although, nominally, a two bedroom house, the design includes a high rear 'extension'
- This has potential for conversion into additional accommodation
- To prevent any potential for overlooking of neighbours from any conversion it is proposed to withdraw permitted development rights.

Residential amenities

- The only perceived problem in relation to 2 Glebe Villas is the relationship of the new house with the ground floor dining room window in No.2
- The positioning of the new house is correct in all other respects.
- The distance between the new structure and the dining room window is 5.4metres
- The height of the new structure is 8.4m to the ridge.
- Your officers consider that the consequent loss of light to the South facing window in 2 Glebe Villas is not sufficient reason, in itself, to refuse planning permission.
- Your officers do not consider that the design and positioning of the house will have an adverse impact upon Lilliput Cottage

Highways

- The submitted plan shows sufficient area for the parking and turning of vehicles.
- Sufficient sightlines can be achieved
- The Highway Engineer has no objection, subject to conditions

Public open space provision

- A cash contribution in advance of the Committee meeting is being considered.

Comments on representations

- Boarhunt Parish Council has objected to the impact on light to Glebe Villas
- They were very constructive in suggesting that a pyramidal roof, a reduction in roof pitch and the removal of a dormer would reduce this problem.
- The applicant has shown two of these measures in his amended plans but is not willing to use a pyramid roof. Your officers agree with him that this would look out of place in the street scene.
- The amenities of the occupiers of 2 Glebe Villas have been taken into account but it is considered that the loss of direct sunlight to the dining room window is not sufficient to warrant refusal.

Recommendation

APPROVE (provided the applicant is prepared to make the appropriate provision for public open space through the open space funding system) – subject to the following condition(s):

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.

02 No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the house and garage hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

02 Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

03 A detailed scheme for landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

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

04 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no development permitted by Classes A,B,C,D and E of Part One of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

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

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05 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that order, with or without modification), no windows, dormer windows or rooflights, other than those expressly authorised by this permission shall, at any time, be constructed in the North, South and West elevations of the house hereby permitted.

05 Reason: To protect the amenity and privacy of the adjoining residential properties.

06 Before the development hereby approved is first brought into use the access shall be constructed with a non-migratory surfacing material for a minimum distance of 10 metres from the highway boundary.

06 Reason: In the interests of highway safety.

07 Prior to the completion of the development a cut-off drain shall be provided to prevent the egress of surface water onto the highway.

07 Reason: In the interests of highway safety.

08 Before the development hereby approved is first brought into use, a turning space shall be provided within the site to enable vehicles using the site to enter and leave in a forward gear. The turning space shall be retained and kept available for such purposes at all times.

08 Reason: In the interests of highway safety.

09 Any gates shall be set back a minimum distance of 4.8 metres from the edge of the carriageway of the adjoining highway.

09 Reason: In the interest 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 54A of the Town and Country Planning Act 1990 (as amended), 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: UB3, R2

Winchester District Local Plan Proposals: H2, EN5, RT3, T9

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: H3, DP3, RT3, T2

WINCHESTER CITY COUNCIL
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Item No: 16
Address: Larges Yard Blackhouse Lane North Boarhunt Fareham Hampshire

Parish/Ward Boarhunt

Proposal Description: Use of building for B1 (light industrial)

Applicants Name Garnead Ltd

Case No: 04/03242/FUL

W No: W01226/17

Case Officer: Mr Neil Mackintosh

Date Valid: 15 December 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
Reason for Committee: 4 or more representations contrary to the Officer's recommendations have been received

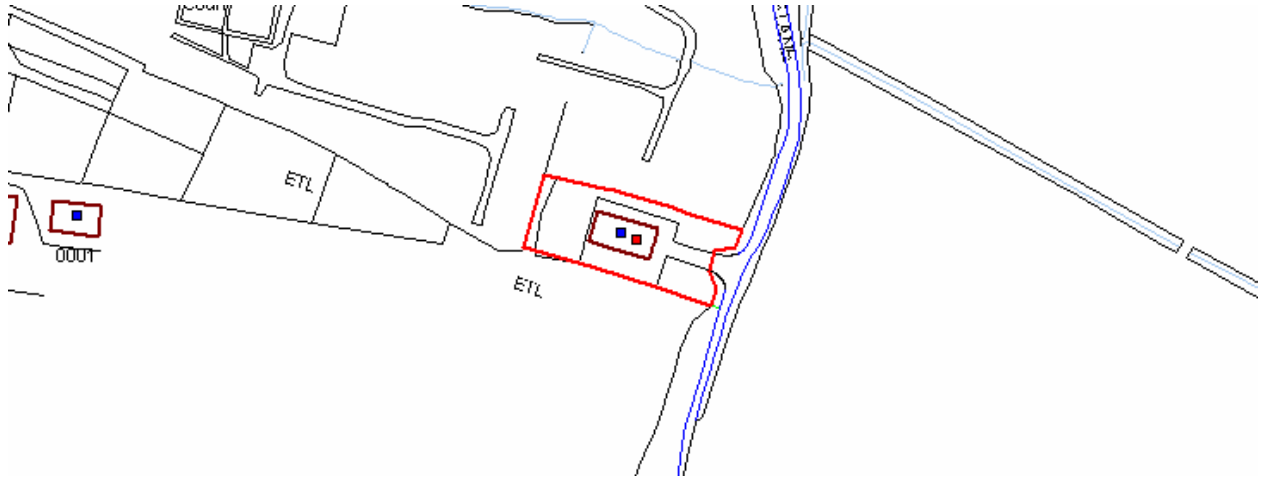
Site Factors: Countryside

SITE LOCATION PLAN

Case No: 04/03242/FUL **W No:** W01226/17

Address: Larges Yard Blackhouse Lane North Boarhunt Fareham Hampshire

Proposal Description: Use of building for B1 (light industrial)



WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 10 February 2005

Site Description

- The site consists of approximately 0.22ha of land to the south of South Hants Country Club, a mobile home and caravan holiday site.
- It contains a former agricultural building, with a floor area of 288 sq.m, positioned centrally on the site. The building is clad in green, plastic coated metal.
- The land is currently occupied by landscaping/engineering equipment and machinery.
- There is a large entrance with metal gates and fence fronting Blackhouse Lane.
- The other side boundaries have sleeper walls.
- There is a large pylon and overhead cables to the South of the site.

Relevant Planning History

- The building was permitted in 1975 and the use was limited to 'the purpose of agricultural distribution warehouse and for no other purpose whatsoever'.
- In 1988 this use had ceased and a personal permission was granted to 'Boarhunt Garage' for the use of the site for the storage and repair of motor vehicles.
- By 1994 this business had expanded to include 24 hour vehicle recovery. This became a cause for complaint from the adjacent Country Club and was the subject of retrospective applications and enforcement action.
- In 1998 Boarhunt Garage moved away and the land was cleared.
- In 1999 Burras Groundworks installed drainage, re-levelled the yard, laid hardstanding, erected walls and fences, re-clad the building and moved in to the site without planning permission.
- Burras Groundworks (now Garnead) use the site for the storage and cleaning of sleepers, metal screening and machinery. This has been the subject of noise complaints from the Country Club.
- In 2002 retrospective applications for (1) the retention of the use of the site as a 'civil engineering contractors yard' and (2) walls, fences and hardstanding were refused by the Planning Committee.
- These matters were the subject of Enforcement Notices and, subsequently, a Hearing.
- On 17 August 2004 the Appeal Inspector corrected and varied (1) and quashed (2)
- The outcome of this is that the use of the land as a civil engineering contractor's yard must cease by 16 April 2005.
- The Notice concerning operational development ie. the walls, fences and hardstanding was found to be invalid.

Proposal

- As per Proposal Description

Consultations

Engineers:Highways:

- No objection – a material increase in traffic is unlikely to occur

Environmental Health:

- B1 Uses, by definition, do not produce noise. However, our experience has shown that this is not always the case.
- Request a noise report to confirm what activities are proposed on site and how the neighbouring caravan site would be protected from noise disturbance.
- At least, I would ask that the doors and windows are kept closed and the hours of operation are limited.

Representations:

Boarhunt Parish Council

- Object– similar to previous application that failed at appeal, concerns re.neighbour notification Letters of objection have been received from the South Hants Country Club and 38 of its users;
- Increase in noise, from vehicles and use of the land.
- Increase in large delivery vehicles.
- Blackhouse Lane is unsuitable for the traffic. Conflict with caravans.
- We should be able to enjoy the peace and tranquillity of this countryside site

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- C1, C2, EC3

Winchester District Local Plan

- C1, C2, C13, EN5, T9

Winchester District Local Plan Review Deposit and Revised Deposit:

- C1, C16, DP3, T1

Supplementary Planning Guidance:

- Boarhunt Village Design Statement
- Movement, Access, Streets and Spaces
- Parking Standards 2002

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG 7 The Countryside – Environmental Quality and Economic and Social Development
- 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/spatial characteristics/street scene
- Residential amenities
- Highways
- Comments on representations

Principle of development

- The principle of the use of non-residential rural buildings for employment generating activities, particularly B1Use, is in accordance with the Development Plan

Impact on character of area

- The use of this building will not have any impact upon the character of the area, provided that any external storage is ancillary to the main use and carefully controlled by condition.

Residential amenities

- The caravans and mobile homes at the Country Club are not 'residential', as such.
- However, it is accepted that this use is longstanding and that the occupiers should be able to enjoy peace and quiet.
- The use of the building for B1 purposes should be less of a nuisance than the original use of the site for the storage and distribution of agricultural produce.
- The householders in North Boarhunt are at least 125 metres from the site and will not be affected by noise generated on the site or suffer from visual intrusion.

Highways

- Blackhouse Lane is narrow and also serves the Country Club.
- It has a pair of awkward access points to the Southwick Road
- However, for the last 30 years it has served large vehicles accessing the Larges Yard site without any known problem of a serious nature.

Comment on representations

- Addressed above

APPROVE subject to conditions

Conditions

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.

02 The development hereby permitted shall be used for light industrial purposes and for no other purpose (including any other purpose in Class B1 or B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without modification).

02 Reason: To restrict the use of the premises in the interests of highway safety and local amenity.

03 Any external storage shall be ancillary to the use of the building for B1(light industrial) purposes and shall be limited to an area to be agreed in writing with the Local Planning Authority, and not exceeding 2.5 metres in height above ground level.

03 Reason: To restrict the use of the premises in the interests of highway safety and local amenity.

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 materials considerations do not have sufficient weight to justify a refusal of the application. in accordance with Section 54A of the Town and Country Planning Act 1990 (as amended), 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, EC3

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

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

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 10 February 2005

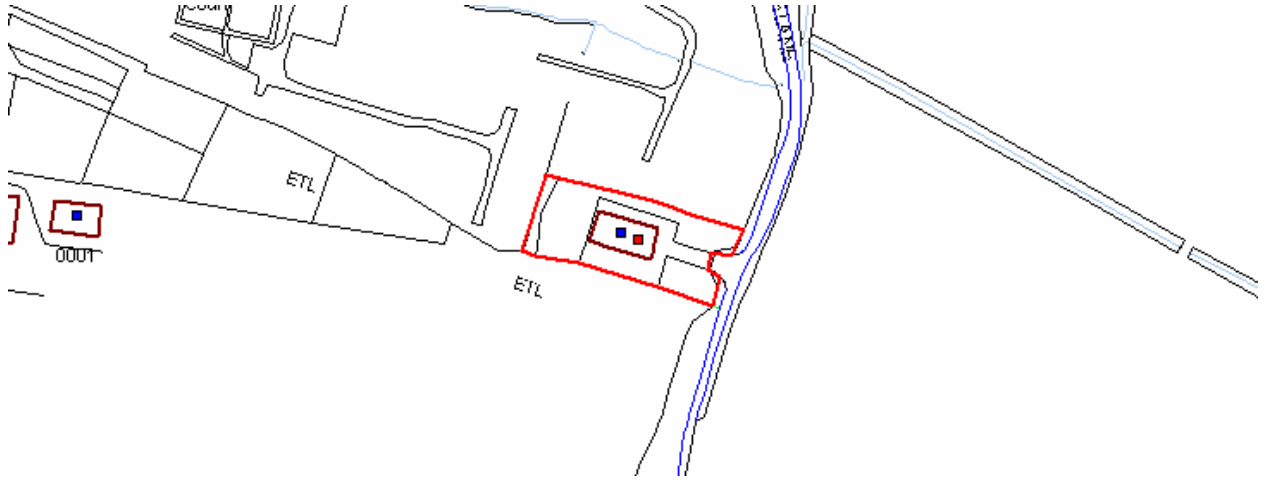
Item No: 17
Address: Larges Yard Blackhouse Lane North Boarhunt Fareham Hampshire
Parish/Ward Boarhunt
Proposal Description: Use of site for B8 open storage
Applicants Name Garnead Ltd
Case No: 04/03244/FUL
W No: W01226/18
Case Officer: Mr Neil Mackintosh
Date Valid: 15 December 2004
Delegated or Committee: Committee
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 LOCATION PLAN

Case No: 04/03244/FUL **W No:** W01226/18

Address: Larges Yard Blackhouse Lane North Boarhunt Fareham Hampshire

Proposal Description: Use of site for B8 open storage



WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 10 February 2005

Site Description

- The site consists of approximately 0.22ha of land to the south of South Hants Country Club, a mobile home and caravan holiday site.
- It contains a former agricultural building, with a floor area of 288 sq.m, positioned centrally on the site. The building is clad in green, plastic coated metal.
- The land is currently occupied by landscaping/engineering equipment and machinery.
- There is a large entrance with metal gates and fence fronting Blackhouse Lane.
- The other side boundaries have sleeper walls.
- There is a large pylon and overhead cables to the South of the site.

Relevant Planning History

- The building was permitted in 1975 and the use was limited to 'the purpose of agricultural distribution warehouse and for no other purpose whatsoever'.
- In 1988 this use had ceased and a personal permission was granted to 'Boarhunt Garage' for the use of the site for the storage and repair of motor vehicles.
- By 1994 this business had expanded to include 24 hour vehicle recovery. This became a cause for complaint from the adjacent Country Club and was the subject of retrospective applications and enforcement action.
- In 1998 Boarhunt Garage moved away and the land was cleared.
- In 1999 Burras Groundworks installed drainage, re-levelled the yard, laid hardstanding, erected walls and fences, re-clad the building and moved in to the site without planning permission.
- Burras Groundworks (now Garnead) use the site for the storage and cleaning of sleepers, metal screening and machinery. This has been the subject of noise complaints from the Country Club.
- In 2002 retrospective applications for (1) the retention of the use of the site as a 'civil engineering contractors yard' and (2) walls, fences and hardstanding were refused by the Planning Committee.
- These matters were the subject of Enforcement Notices and, subsequently, a Hearing.
- On 17 August 2004 the Appeal Inspector corrected and varied (1) and quashed (2)
- The outcome of this is that the use of the land as a civil engineering contractor's yard must cease by 16 April 2005.
- The Notice concerning operational development ie. the walls, fences and hardstanding was found to be invalid.

Proposal

- As per Proposal Description

Consultations

Engineers:Highways:

- No objection – a material increase in traffic is unlikely to occur.

Environmental Health:

- Request a noise report to confirm what activities are proposed on site and how the neighbouring caravan site would be protected from noise disturbance.
- Also request that hours of operation should be limited to 0800 -1800 Monday to Friday, 0800 - 1300 Saturday and at no time on Sundays or Bank Holidays.

Representations:

Boarhunt Parish Council

- Object– similar to previous application that failed at appeal, concerns re.neighbour notification

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 10 February 2005

Letters of objection have been received from the South Hants Country Club and 38 of its users;

- Increase in noise, from vehicles and use of the land.
- Increase in large delivery vehicles.
- Blackhouse Lane is unsuitable for the traffic. Conflict with caravans.
- We should be able to enjoy the peace and tranquillity of this countryside site

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- C1, C2, EC3

Winchester District Local Plan

- C1, C2, C13, EN5, T9

Winchester District Local Plan Review Deposit and Revised Deposit:

- C1, C16, DP3, T1

Supplementary Planning Guidance:

- Boarhunt Village Design Statement
- Movement, Access, Streets and Spaces
- Parking Standards 2002

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG 7 The Countryside – Environmental Quality and Economic and Social Development
- 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/spatial characteristics/street scene
- Residential amenities
- Highways
- Comments on representations

Principle of development

- The use of the land for B8 (storage) purposes, independent of the building, is not in accordance with the Development Plan.
- External storage in connection with a B1 business in an existing building is, however, sometimes acceptable to the Local Planning Authority. In all cases this has to be carefully controlled with regard to siting, screening and height.

Impact on character of area

- Your officers consider that the existing storage use on the site is visually intrusive and harmful to local amenity.
- The location and height of any external storage has to be carefully controlled to avoid these problems.
- Parts of the site are adjacent to mobile homes/caravans and the moving of externally stored materials has potential to create a noise nuisance, to the detriment of the character of the area.

Residential amenities

- The caravans and mobile homes at the Country Club are not 'residential', as such.

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- However, it is accepted that this use is longstanding and that the occupiers should be able to enjoy peace and quiet.
- The use of the building for B8 purposes has potential to damage amenity, by reason of noise generation and visual intrusion.
- The householders in North Boarhunt are at least 125 metres from the site and will not be affected by noise generated on the site or suffer from visual intrusion.

Highways

- Blackhouse Lane is narrow and also serves the Country Club.
- It has a pair of awkward access points to the Southwick Road
- However, for the last 30 years it has served large vehicles accessing the Larges Yard site without any known problem of a serious nature.

Comment on representations

- Addressed above

REFUSE – subject to the following refusal reason:

Conditions/Reasons

01 The proposed development is contrary to Policies C1, C2 and EC3 of the Hampshire County Structure Plan Review and Policies C1, C2, C13 and EN5 of the Winchester District Local Plan, and would be likely to prejudice Proposals C1, C16 and DP3 of the Winchester District Local Plan Review, in that;

a) it fails to conserve or enhance the countryside

b) it does not relate to the adaptation of existing buildings, which is looked upon more favourably, and

c) the Local Planning Authority is not convinced that such a use, independent of the main building, could be carried on without being detrimental to the amenities or the operation of adjoining uses.

Informatives

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

Hampshire County Structure Plan Review: C1, C2, EC3

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

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

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Item No: 18
Address: Little Heathers Outlands Lane Curdridge Southampton Hampshire
SO30 2HD

Parish/Ward Curdridge

Proposal Description: Erection of new garage

Applicants Name Mr And Mrs M Cullen

Case No: 04/03187/FUL

W No: W18509/04

Case Officer: Mr Simon Avery

Date Valid: 7 December 2004

Delegated or Committee: Committee Decision

Reason for Committee: Parish Council submitted representations contrary to officer
recommendation

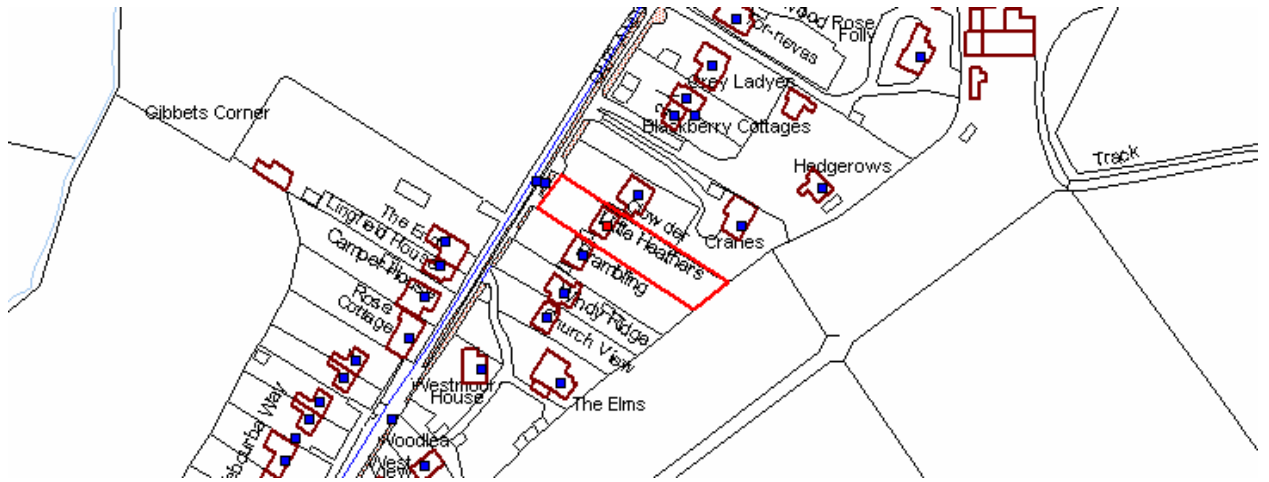
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SITE LOCATION PLAN

Case No: 04/03187/FUL **W No:** W18509/04

Address: Little Heathers Outlands Lane Curdridge Southampton Hampshire

Proposal Description: Demolition of existing garage and erection of new garage



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Site Description

- This property is on Outlands Lane which is accessed off Kitnocks Hill to the north
- The lane is rural in appearance and is surrounded by fields
- The lane contains a mixture of dwelling types and sizes
- This property is a detached bungalow with rendered brick and red clay roof tiles
- It has a large gravel parking area to the front of the property
- Little Heathers and the two properties either side are bungalows of the same size and type
- The land slopes upward from the road so that these properties are quite a bit higher than Outlands Lane
- The boundary between the property and Brambling to the south is enclosed by low wooden fencing

Relevant Planning History

- W18509: Demolish existing conservatory and garage and erect single storey extension to side and rear: PER: 19/09/2003
- W18509/01: Detached single garage: REF 10/02/2004
- W18509/02: Two storey rear extension with one roof light in each side elevation: REF: 01/03/2004
- W18509:03: Erection of a detached single garage: REF: 28/05/2004

Proposal

- As per Proposal Description
- The proposal is for a single garage with a pitched roof
- It will be sited just in front of the bungalow
- It will be rendered and tiled to match the materials of the dwelling

Consultations

- None

Representations:

Curridge Parish Council

- Object:
- The existing garage, now demolished, was in line with the neighbours property, Bramblings, and could not be seen from the main living rooms.
- The new garage position is in front of the smaller dwellings and because of its height and size will be intrusive and overbearing to the smaller property
- The planting/hedging is not shown as continuing along the fence line behind the new garage position thus making the garage very visible and overbearing to Bramblings

One Letter Of Representation

- From a neighbour, objecting on the grounds of:
- Loss of light
- Overbearing
- Detrimental to the street scene
- Detrimental to the rural open character

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB3

Winchester District Local Plan

- EN5, H2

Winchester District Local Plan Review Deposit and Revised Deposit:

- DP3, H3

Supplementary Planning Guidance:

- Curdridge Village Design Statement

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area/spatial characteristics/street scene
- Residential amenities

Principle of development

- This property is within the designated H2 development frontage of Curdridge
- As such, development such as the addition of a garage is acceptable subject to detailed criteria
- Previous applications for a garage were refused
- These applications sited the garage much closer to the road with no boundary planting

Impact on character of area

- The lane is fairly rural in nature
- There is another example of a garage to the north east on this lane which is sited forward of the dwelling
- The garage will be sited close to the dwelling and at a lower level due to the slope of the land
- This will mean that views of the garage will be against the backdrop of the existing cottage
- This will reduce the visual impact of the new structure
- Once the recent Laurel planting matures it will partially screen the garage from view
- Overall, the garage will not have a significantly harmful impact on the character of this rural area

Residential Amenity

- The garage will be sited near the boundary with Brambling, the cottage to the south
- It will be at a lower level with this cottage
- The roof will be visible from the front room of this cottage
- However, it will not be directly in front of this window, and being at a lower level, there will not be a significant loss of outlook or light
- Therefore your officers consider that the impact of the garage on the amenities of the adjoining property will be acceptable

Recommendation

APPROVE – subject to the following condition(s):

Conditions/Reasons

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

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

02 The materials to be used in the construction of the external surfaces of the garage hereby permitted shall match those used in the existing building.

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