

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA

**Item No:** 10  
**Address:** Scrap Metal Yard, Bishops Lane, Shirrell Heath, Hampshire

**Parish/Ward** Shedfield

**Proposal Description:** Demolition of existing workshop to develop the site for residential development for erection of 1 no. detached three bedroom dwelling and associated parking

**Applicants Name** M & M (Land) Ltd

**Case No:** 05/00709/FUL

**W No:** W13753/02

**Case Officer:** Elaine Patterson

**Date Valid:** 15 March 2005

**Delegated or Committee:** Committee Decision

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

**Site Factors:** Local Gap

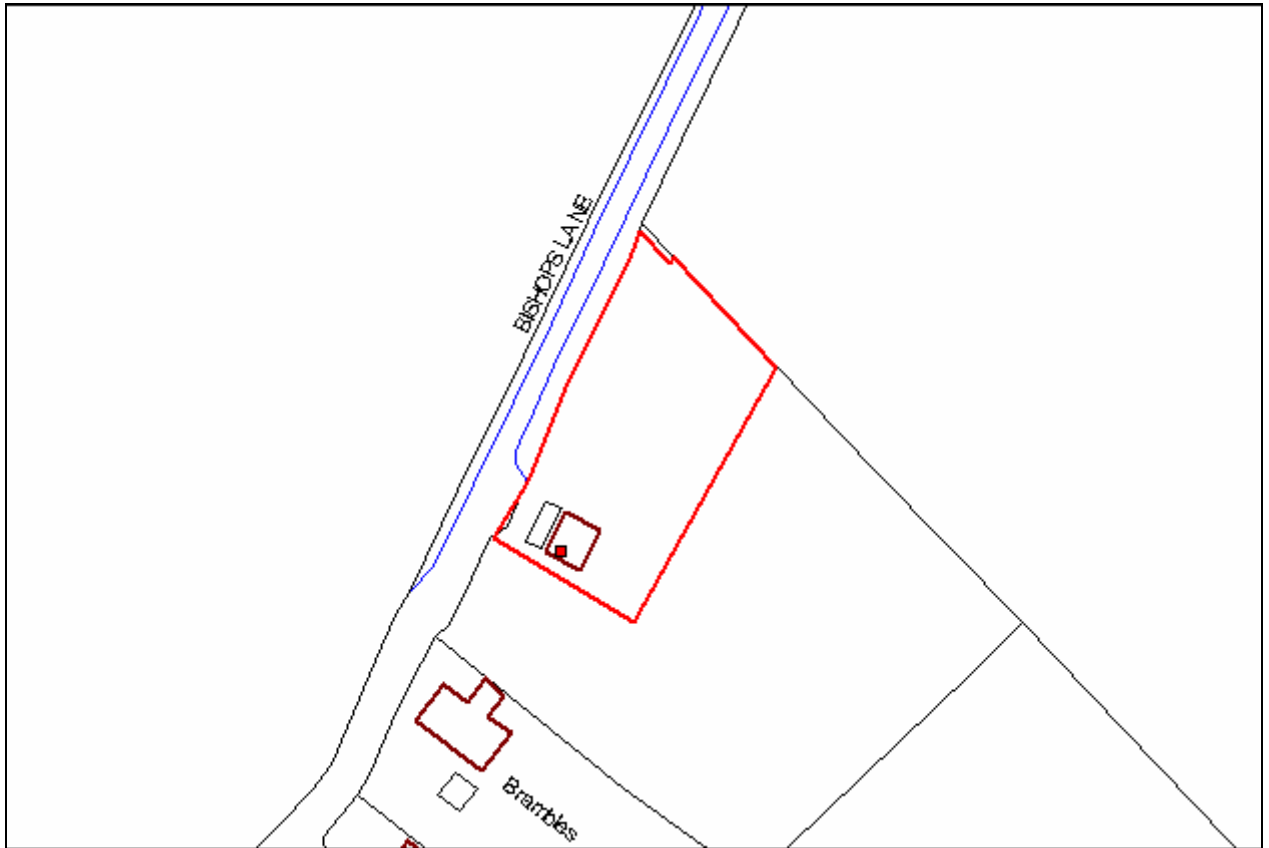
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**SITE LOCATION PLAN**

**Case No:** 05/00709/FUL      **W No:** W13753/02

**Address:** Scrap Metal Yard Bishops Lane Shirrell Heath Hampshire

**Proposal Description:** Demolition of existing workshop to develop the site for residential development for erection of 1 no. detached three bedroom dwelling and associated parking



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**Site Description**

- The site comprises 0.12 Ha of land, which was used as a scrap yard to the front of the site, with a paddock to the rear also in the applicant's ownership.
- Access is along the unmade private road Bishops Lane which serves neighbouring residential properties.
- There is a mature hedge to the front of the site with Bishops Lane.

**Relevant Planning History**

- W13753/01 04/03023/HCS. Demolition of existing building and erection of new building and upgrade existing hardstanding. Objection raised. Application refused by HCS.
- W13753 1 no dwelling and new access (Outline) Refused 1994. Dismissed on appeal
- WLDC/129 "The use of the land [within Schedule 2] for buying scrap vehicles and scrap metal, breaking of scrap vehicles and scrap metal and salvaging spare parts of scrapped vehicles and selling salvaged metals and salvaged vehicle spare parts". Schedule 2 included only the scrap yard to the front of the site and not the paddock to the rear. 20 July 1993.
- W09764/03 Erection of 4 no. dwellings on site of haulage yard and B8 storage site, at Jeffries Yard, Durley. Appeal dismissed. 9 March 2005

**Proposal**

- Permission is sought to erect a detached three bedroom dwelling on the site.
- The dwelling will measure 9.6m to the ridge line and has an internal floor area of 110m2.

**Consultations**

Hants County Council:

- The County Council recently refused planning permission for development ancillary to the use of the site as a scrap yard. It is considered the scrap use is abandoned. The site is unsuitable for a scrap yard due to the impact on the highway and neighbours. The impact of a house would be less than a scrap yard. The site is not suitable for employment land.

Engineers:Highways:

- Bishops Lane is not a public highway. No objections.

Environmental Health:

- Consultation response awaited on contamination report.

Landscape:

- Countryside site. An area of the existing yard appears to have been left around it. As it is contrary to policy I have no comments to make.

**Representations:**

Shedfield Parish Council

- Object:
- This represents an undesirable additional dwelling for which there is no overriding justification in countryside
- This is filling the strategic gap
- The building is over 4m taller than the surrounding buildings
- Does the site as set out in the diagram encroach onto the pumping station

Letters of representations have been received from 10 Neighbours, 6 object to the proposal, 4 support.

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- Letters of objection state in summary:
- An application for a dwelling was refused in 1994 and was dismissed at appeal. Nothing has changed since then.
- The site is remote from shops and schools, there is no lighting or pavements.
- Shirrell Heath continues to fulfil its obligation for housing development: 2 houses on the Post Office site; Cannon Reach on the site of the garage; Forman Homes development adjoining the High St and in-fill housing along Solomon's Lane. Considering this amount of development it is important to safeguard the Local Gap.
- The building on site is not a workshop but a derelict wooden shed, it has no water, electricity or telephone, in fact it was referred to as a storage building in Mr Lomax's previous correspondence.
- All the properties in Bishops Lane are bungalows no more than 4.5 - 5m high. The house proposed is 9.7m high. This extra height would greatly disturb the openness of the area. The footprint proposed is twice the size of the storage shed on site.
- There is an overcapacity of housing in the area with 20 for sale unsold. Further housing especially in the Gap is not required.
- Since the scrap yard application was refused by County on 23 March the site now returns to agricultural land.
- The scrap yard was run in recent years by an elderly gentleman almost as a hobby and was essentially abandoned some 15 years ago.
- Even if the refusals was overturned it is inconceivable for health and traffic reason that a scrap business could be established and run here.
- Further housing will increase traffic in the narrow, unmade cul-de-sac of Bishops Lane, which has a blind junction on to Hospital Road.
- It is unusual that the proposal does not include a garage, this maximised the scope for further development.
- Mr Lomax may apply for a higher density of housing.
- This would set a dangerous precedent.
- There are eight or so paddocks or plots nearby on which development would be difficult to resist.
- A replacement dwelling W06911/08 200m from this site, at Highridge Farm, Shirrell Heath was dismissed at appeal although it had improved traffic access to Hospital Road.
- Letters of support state in summary:
- We only support one replacement building on the footprint of the existing barn.
- There is a problem of an un-restored polluted site with a concrete apron and dilapidated buildings to be addressed.
- No local gap harm, it replaces existing buildings.
- The fields on the northern boundary are the natural green boundary
- A dwelling will have less impact on the rural nature of this area than a scrapyard.
- A 1 1/2 storey building would fit into a natural depression in the land.
- It would remove the problem of what to do with the land and the threat of a scrapyard in this single track unadopted lane.

**Relevant Planning Policy:**

Hampshire County Structure Plan Review:

UB3, C1, C2, H10, E6, R2

Winchester District Local Plan

C.1, C.2, C4, C5, C14, EN.5, EN.7, E.2, H3, RT3

Winchester District Local Plan Review

DP.3, DP5, DP13, E2, C.1, C3, C6, H4, RT3

National Planning Policy Guidance/Statements:

- PPS 1 Creating sustainable communities
- PPG 3 Housing and new paragraph 42 (a) of PPG3

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- PPS 7 Sustainable Development in Rural Areas
- PPG17 Open space
- PPG23 Pollution

### **Planning Considerations**

The main considerations in respect of this application are:

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

#### Principle of development

- New paragraph 42 (a) of PPG3 states: 'Local planning authorities should consider favourably planning applications for housing...which concern...redundant land...in industrial or commercial use, but which is no longer needed for such use, unless...the proposal fails to reflect the policies in this PPG...; the housing development would undermine the planning for housing strategy set out in the regional spatial strategy or the development plan document where this is up-to-date...'This proposed new dwelling in the countryside fails to reflect the policies in PPG3 and would undermine the Development Plan housing policy.
- No overwhelming justification has been submitted for this dwelling in the countryside which is contrary to planning policy.
- The scrap yard has not been fully operational for some years.
- It is only a relatively small area to the front of the total site that is defined in the LDC as scrap yard.
- The proposed house and its surrounding residential curtilage are proposed in the middle of this site of the scrap yard.
- The proposed new dwelling is not well related to the footprint of the existing scrap yard buildings.
- Because of the LDC the site is defined as having an employment use. Local Plan proposal E2 and the supporting text at para. 7.20 is applicable, it states: 'In the countryside the loss of employment sites... to residential use would not be appropriate and low intensity or agriculture related uses may be the only acceptable option if employment sites cannot continue in their existing use.'
- Although Jefferies Yard was a larger site, there are similar material planning considerations. This proposal for 4no. dwellings on an employment site was dismissed on appeal in March 2005. The Inspector concluded that material harm would be caused to the rural appearance of the countryside and there was no overwhelming justification for new dwellings in the countryside, the Inspector did not consider that the benefit of ending the existing uses on site outweighed the harmful impact of housing in this area of countryside.

#### Impact on character of area

- The proposed dwelling proposed at 9.6m in height is out of keeping with the character of development on Bishops Lane. It would detract from the appearance of the Local Gap.
- The proposed dwellings sits in the middle of the LDC defined site.

### **Recommendation**

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

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**Conditions/Reasons**

01 The proposed development is contrary to policies UB3, C1, C2, H10, E6, R2 of the Hampshire County Structure Plan (Review) and proposals C.1, C.2, C4, C5, C14, EN.5, EN.7, E.2, H3, RT3 of the Winchester District Local Plan, and policies DP.3, DP5, DP13, E2, C.1, C3, C6, H4, RT3 of the Hampshire County Structure Plan (Review) in that it would:

a) create an undesirable additional permanent dwelling for which no overriding justification has been provided and no alternative uses have been explored, which is unacceptable in an area of countryside.

b) represent an undesirable permanent structure into an area which is intended to be retained as a Local Gap between Shirrell Heath and Swanmore.

02 Insufficient information has been provided on contamination mitigation on site and the proposed non-mains drainage system, to demonstrate that the site can be developed as proposed, without causing damage to the environment.

03 The mass and height of the proposed dwelling is out of keeping with the character of Bishops Lane and would diminish the appearance of the Local Gap.

04 The proposal is contrary to the policies of the Hampshire County Structure Plan and the Winchester District Local Plan in that it fails to make adequate provision for public recreational open space to the required standard, and would therefore be detrimental to the amenities of the area. The proposal would also be likely to prejudice the Hampshire County Structure Plan (Review), the Winchester District Local Plan and the emerging Winchester District Local Plan (Review), in that it would undermine this Plan's Policies for recreational open space provision within the District.

(No Open Space)

**Informatives**

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

Hampshire County Structure Plan Review: UB3, C1, C2, H10, E6, R2

Winchester District Local Plan Proposals: C.1, C.2, C4, C5, C14, EN.5, EN.7, E.2, H3, RT3

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP.3, DP5, DP13, E2, C.1, C3, C6, H4, RT3