

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA 27 July 2005

**Item No:** 01  
**Address:** Three Oaks Farm, Furzeley Corner Denmead Waterlooville  
Hampshire PO7 6TS

**Parish/Ward** Denmead

**Proposal Description:** Change of use of chicken shed to storage

**Applicants Name** Mr And Mrs R O'Malley

**Case No:** 05/00649/FUL

**W No:** W05328/12

**Case Officer:** Sylvia Leonard

**Date Valid:** 25 April 2005

**Delegated or Committee:** Committee

**Reason for Committee:** At the request of a councillor

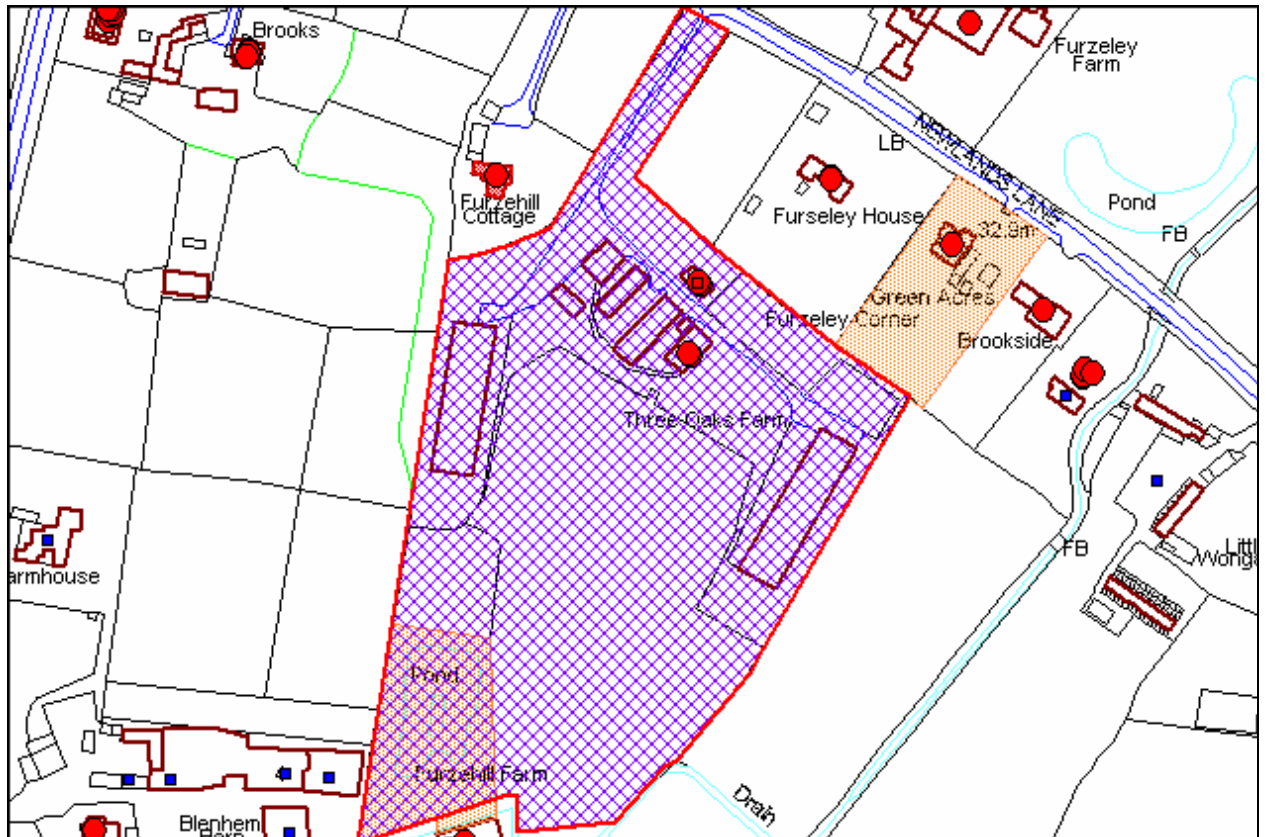
**Site Factors:**

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**SITE LOCATION PLAN**

**Case No:** 05/00649/FUL      **W No:** W05328/12  
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**Site Description**

- The site is located on the south side of Newlands Lane, at Furzeley Corner, within countryside designation
- It is accessed from Newlands Lane and contains livery stables, an owners bungalow, two vacant agricultural buildings which were formally used for poultry farming, and a recreational fishing business
- The application premises are sited adjacent to the eastern site boundary and comprise a detached, single storey, pitched roof building with timber clad walls and corrugated roof
- It is accessed via the main site access drive, via a track that runs between the owner's bungalow and the stables
- There is a paddock to the east side of the site and residential properties to the north

**Relevant Planning History**

- W05328 – Change of use from agriculture to livery stables – PER – 01.05.80
- W05328/01 – Use of land as site for caravan for night watchman in association with poultry farm – PER – 09.05.80
- W05328/02 – Erection of bungalow – REF- 16.04.82
- W05328/03 – Retention of caravan as night watchman's accommodation – PER- 08.06.82
- W05328/04 – Erection of bungalow- REF- 29.12.83
- W05328/05 – Continued use of site for caravan – 16.08.84
- W05328/06 – Retention of mobile home (renewal of /05) – PER- 19.09.89
- W05328/07 – Agricultural dwelling – REF- 30.01.92
- W05328/08 – Retention of mobile home –PER- 05.11.92
- W05328/09 – Agricultural dwelling – PER- 09.03.93
- W05328/10 – Use of building for storage and distribution of flowers (Retrospective) – PER – 10.05.94
- W05328/11 – Recreational fishing in existing ponds (retrospective) – PER – 20.01.05

**Proposal**

- As per Proposal Description
- Seeks retrospective permission to use the vacant chicken shed building for storage
- No external alterations to the building are proposed
- The premises are used for the storage of household/hardware items by a small company who then sell the goods at auction
- There is only one transit van visiting the site per day, and usually only on 3 days of the week
- The hours of operation are between 9 am and 5 pm

**Consultations**

Enforcement:

- Need to judge on grounds of highways, traffic and neighbours
- There is another large chicken shed on the site (barn on the western side) and its use should be clarified as there may be a cumulative impact
- There is an open enforcement file on this site and the barns and the enforcement section will need a copy of the decision
- There has also been log storage on the site which would indicate additional traffic movements

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Engineers:Highways:

- No details of parking have been provided, although the applicant states that the floor area of the building is 550 sq m
- 6 car parking spaces and 1 lorry parking space would be required
- Visibility at the site access junction with Newlands Lane is currently restricted, however, this can be improved with the trimming of vegetation which currently overhangs the public highway
- A condition can ensure that details of the parking are submitted to the LPA prior to commencement and the parking will need to be retained for perpetuity
- A condition should also be applied to ensure that adequate visibility splays are provided at the junction of the access and Newlands Lane

**Representations:**

Denmead Parish Council:

- No objection – subject to condition
- A condition should be applied that the use hereby permitted shall be carried on only by the applicant and shall not enure for the benefit of the land
- When the premises cease to be occupied by Mr O ' Malley, the use hereby permitted shall cease and all materials and equipment brought onto the site in connection with the use shall be removed

Councillor Allgood:

- Requests that the application go to Planning Committee
- The site is not suitable for industrial use

Letters of representations have been received from 2 neighbours:

- The proposed change of use to storage is not in accord with the Development Plan classification of the land for agriculture
- The use of heavy traffic in Newlands Lane would be a potential problem
- Proximity of commercial building to neighbouring residential property
- A planning impact study should be carried out on the whole of the site to assess the level of disturbance and disruption and assess the ability of the site infrastructure, including roads, drains and electrical, to cope with the proposal
- The impact of the potential development of the second shed on the site should also be considered
- A commercial use of the site would not fall within the Development Plan agricultural and recreational designation for the site
- Building may not be suitable for the proposed use and may present a fire risk
- Electrical installations need to meet current regulations
- The existing tenant may change – concern that hazardous materials may be stored in future or use may become more commercial in nature
- Burning of commercial waste should be prevented
- Building needs to meet the relevant health and safety regulations for storage buildings
- Opening times should be restricted
- The creation of more hardstandings would impact on site appearance
- Concerned about the status of the dwelling on the site, which was originally approved in conjunction with the chicken houses
- Concerned about the protection of neighbouring amenity from the fishing business
- Possible conflict of health and safety given the mix of uses on the site
- Any development should have minimum impact on the local community

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**Relevant Planning Policy:**

Hampshire County Structure Plan Review:

- C1, C2, UB3, E7, E16, T2, T5, T6, EC3

Winchester District Local Plan

- C.1, C.2, C.3, C.13, EN.5, EN.15, T.9, T.11, T.12
- Winchester District Local Plan Review Deposit and Revised Deposit:
- C.1, C.2, C.16, DP.3, DP.14, T.2, T.4, T.5

Supplementary Planning Guidance:

- None

National Planning Policy Guidance/Statements:

- PPS 1 Delivering Sustainable Development
- PPG 4 Industrial and Commercial Development by Small Firms
- PPS 7 Sustainable Development in Rural Areas
- PPG 13 Transport

**Planning Considerations**

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the countryside
- Detailed design
- Residential amenities
- Highways

Principle of development

- PPS7, WDLP proposal C.13 and WDLPR proposal C.16 support the principle of the use of non-residential rural buildings to employment-generating uses (B1, B2 or B8) subject to a number of criteria, which include the requirement for the building to be of permanent and sound construction, not derelict and able to accommodate the use without substantial reconstruction
- The building is in a sound state of repair and the use is already taking place within it
- No external alterations are proposed

Impact on character of the countryside

- The site lies within an area identified as a 'strategic gap' in the WDLP
- There would be no detrimental impact on the visual character of the area since the proposal utilises an existing building, which it is not intended to alter, and the existing access would be used
- Some vegetation overhanging the public highway would need to be cut back to provide the required visibility splay and this is acceptable
- The necessary car and lorry parking can be provided on site without detriment to the visual amenities of the area

Detailed Design

- No alterations to the building are proposed

Residential Amenities

- There are residential properties to the north side of the site but the proposal would not have any significant impact on their amenities given the distance between the building/ access drive and the neighbours; the mature vegetation along the northern side boundary and the low-key nature of the storage operation (which can be controlled to

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remain so by means of conditions making the use personal to applicant, restricting the delivery hours, controlling the position of the parking area, restricting the use to class B8 only and prohibiting external lighting and external storage )

Highways

- The existing access drive would be used
- Visibility at the junction of the access drive and Newlands Lane is currently restricted but can be improved sufficiently by the trimming of the vegetation which currently overhangs the public highway
- The low amount of additional vehicular activity – approximately 3 visits per week by a transit van - is not considered likely to have any adverse impact on highway safety
- The use would require 6 on-site car parking and 1 lorry parking space to comply with the parking standards for the proposed use and this can easily be accommodated on the large site

**Recommendation**

**APPROVE – subject to the following conditions:**

**Conditions**

01 No goods, plant or material shall be deposited or stored in the open (or displayed for sale in the open) on the site without the prior consent in writing of the Local Planning Authority

01 Reason: To protect the amenities of the area

02 No deliveries taken at or dispatched from the site and no vehicle movements on the site, other than between the hours of 8am to 6pm Monday to Friday and between 8am to 1pm Saturdays and at no time on Sundays or Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority

02 Reason: To protect the amenities of the occupiers of nearby properties

03 No floodlighting/external lighting whether freestanding or affixed to an existing structure, shall be provided on the site at any time without the prior written consent of the Local Planning Authority

03 Reason: In the interests of the amenities of the locality

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

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

05 No external elevational alterations shall be carried out to the storage building without the prior approval of the Local Planning Authority

05 Reason: In the interests of protecting the visual amenities of the locality

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06 Within one month of the date of this permission, a plan showing the proposed car and lorry parking layout shall be submitted to, and approved in writing by, the Local Planning Authority. The car park shall be constructed, surfaced and marked out in accordance with the approved plan within 2 months of this permission. The area shall not thereafter be used for any other purpose other than the parking and turning of vehicles.

06 To ensure that adequate on-site parking and turning facilities are made available

07 Within 2 months of the date of this planning permission, visibility splays of 2.4 metres by 90.0 metres shall be provided at the junction of the access and the public highway. No structure, erection or vegetation exceeding 0.6 metres in height above the level of the adjacent highway shall be permitted within the splays

07 Reason: In the interests of highway safety.

08 The use hereby permitted shall be carried on only by Mr Mediam and shall not enure for the benefit of the land. When the premises cease to be occupied by Mr Mediam, the use hereby permitted shall cease

08 Reason: In the interest 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 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

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

Hampshire County Structure Plan Review: C1, C2, UB3, E7, E16, T2, T5, T6, EC3  
Winchester District Local Plan Proposals: C.1, C.2, C.3, C.13, EN.5, EN.15, T.9, T.11, T.12  
Emerging Development Plan- WDLP Review Deposit and Revised Deposit: C.1, C.2, C.16, DP.3, DP.14, T.2, T.4, T.5V