

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA 27 July 2005

**Item No:** 05  
**Address:** Crosslanes Farm Warley Lane Morestead Winchester Hampshire

**Parish/Ward** Owslebury

**Proposal Description:** Erection of 1 no. one bedroom dwelling

**Applicants Name** Mr And Mrs Horn

**Case No:** 05/01162/FUL

**W No:** W19564

**Case Officer:** Mrs Jill Lee

**Date Valid:** 18 May 2005

**Delegated or Committee:** Delegated Decision  
**Reason for Committee:** Parish Council submitted representations contrary to officer recommendation

**Site Factors:** None identified.



### Site Description

- The application site is located on Warley Lane, Morestead.
- The site is on rising land and is laid out to paddocks with post and rail fencing.
- There are two buildings on the site, one of which contains hay and a lorry horse box and one of which contains stables and a tack room.

### Relevant Planning History

- There is no formal planning history on the site but the current owners confirm that the buildings were existing on the site when they purchased it in 2000. Previously the site was in mixed use but has always had stables and horses.

### Proposal

- As per Proposal Description
- It is proposed to erect a small dwelling to accommodate the stud manager. The property will be single storey, contain one bedroom and have a floor area of 68m<sup>2</sup>.
- The property will be constructed on a brick plinth and will be designed in such a way that the slate roof will come down to the ground.

### Consultations

#### Engineers:Drainage:

- Refer to EA no objection subject to their approval and building regs.

#### Engineers:Highways:

- No objection subject to sight line condition.

#### Environment Agency:

- No objection in principle.

#### Landscape:

- Building does not impact on trees. Site is open and would benefit from some additional native planting, either hedgerow or trees. Parking area unclear need to be careful of proximity to tree depending on method of construction.

#### Southern Water:

- No response received.

#### County Land Agent.

- Stud business started in 1981 in Bishops Waltham. Searched for suitable site with residential accommodation but could not find anything. Current site acquired in 2000 and stud business has been running there since that time. The business is run on a full time business and employs 3 people. The Applicants live in Owslebury. It is proposed that a one bedroom unit be erected to provide accommodation for the stud assistant so that there can be 24 hour presence on the site which is necessary for the safety and welfare of the horses.
- The application complies with the requirements of PPS7 Annex W. The application is genuine and there is an established existing functional need for a worker to be readily available at most times to ensure that essential levels of husbandry, welfare and supervision are provided which is likely to be required also outside normal working hours because of the nature of the enterprise being carried out.
- I consider that the site of the proposed dwelling is appropriate as is the size.

### Representations:

#### Owslebury Parish Council

- Object to the application for the following reasons;
- Contrary to the development plan.
- No permission for change of use to stud.

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- No consent for access.
  - No details shown for disposal of horse waste.
  - New commercial developments should be located close to existing residential properties.
  - Keeping of horses does not justify granting a new house in the countryside.
- No letters of representation have been received from neighbours.

**Relevant Planning Policy:**

Hampshire County Structure Plan Review:

- C1, C2, R2

Winchester District Local Plan

- C1, C2, C15, RT3

Winchester District Local Plan Review Deposit and Revised Deposit:

- C1, C17, C19, RT3

National Planning Policy Guidance/Statements:

- PPS 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
- Highways
- Public open space provision
- Comments on representations

Principle of development

- The site is located within the countryside where new residential development is only normally acceptable when it is for agricultural or related uses requiring a rural location.
- In the case of the application the stud business is an established business which has a functional requirement for a 24 hour presence on site.
- The siting and size of the proposed dwelling is appropriate to meet this need and has been supported by Hampshire County Councils Land Agent.
- The principle of the development is therefore acceptable as it meets the necessary criteria.

Impact on character of area

- The proposed dwelling is small containing 68m<sup>2</sup> of accommodation. It is designed to sit on a brick plinth and will have a roof which is constructed of slate and comes down to the ground. The windows will be constructed in oak frames and there will be a small area of render around the window frames.
- The design will minimise the impact of the building and help it fit into the landscape. It is proposed to condition some additional planting to help to screen the building from views from the west but the site is otherwise very well screened and the proposed building will not impact within the wider landscape.

Highways.

- The access to the site is existing but the visibility is quite poor so the highways engineer has requested that the visibility be improved, and this has been conditioned.

Public open space provision.

- At the time of writing this report no provision for payment towards public open space provision has been secured so the recommendation is subject to the proviso that provision be made for POS prior to the decision being issued.

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Comments on representations.

- The Parish Council has objected to the application. They raise issues as to whether the site has consent for the stud business in the first place. It is a fact that there is no planning history relating to this. The stud has been run from this site for 5 years and previous to this there were horses kept on the land and this is backed up by the existence of the stables which are now being utilised by the stud.
- A business such as a stud needs a rural location with land and preferably an existing residential property. The Applicant could not find such premises and so moved on to the application site. The use is utilising existing buildings, had an application for the change of use to stud been received it may well have been granted consent, the location and existing buildings being generally suitable.
- The stud has been running for 5 years with no complaints about horse waste and this cannot be conditioned as part of this application as it is for the dwelling and not the use.
- The need for a dwelling on the site has been accepted and the form and size of the dwelling is considered to be acceptable to serve the needs of the unit.

**Planning Obligations/Agreements**

In seeking the planning obligation for public open space 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 (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):**

**APPROVE – subject to a Section 106 for:**

- 1. A financial contribution of £967.00 towards the provision of public open space 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 The occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed in the stud business occupying the plot edged red and blue on the approved plan, or a widow or widower of such a person, or any resident dependants.

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

03 No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the dwelling 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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03 Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

04 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.

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

05 Before the development hereby approved is first brought into use, visibility splays of 2.0 metres by 23 metres shall be provided at the junction of the access and public highway. The splays shall be kept free of obstacles at all time and no structure, erection or vegetation exceeding 600mm in height above the level of the adjacent highway shall be permitted within the splays.

05 Reason: In the interests of highway safety.

06 No development, or works of site preparation or clearance, shall take place until details, including plans and cross sections of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto, have been submitted to and approved in writing by the Local Planning Authority.

06 Reason: To ensure a satisfactory relationship between the new development and adjacent buildings, amenity areas and trees.

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 A, B, C, E of Part 1 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 maintain a good quality environment.

08 Prior to any work commencing on site details of the method of construction and finish of the proposed car parking area shall be submitted to and approved in writing by the Local Planning Authority.

08 Reason: To ensure that the trees are not adversely affected by the development.

### **Informatives**

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

Hampshire County Structure Plan Review: C1, C2, R2

Winchester District Local Plan Proposals: C1, C2, C15, RT3,

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: C1, C17, C19, RT3