

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 21 February 2007

Winchester City
Council
Planning Department
Development Control

TEAM MANAGER
SIGN OFF SHEET

Committee Decision

Case No:	06/03339/FUL	Valid Date	10 November 2006
W No:	15923/04	Recommendation Date	5 February 2007
Case Officer:	Mrs Jane Rarok	8 Week Date	5 January 2007
		Committee date	21 February 2007
Recommendation:	Application Permitted	Decision:	Committee Decision

Proposal: Change of use of buildings from agricultural to B1 and B8 uses

Site: Selhurst Poultry Farm Heath Road Soberton Heath Hampshire

Open Space Y/N	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
NO	NO	NO	YES	NO	Y/N	YES

COMMITTEE ITEM SIGN OFF		
APPROVE Subject to the condition(s) listed	REFUSE for the reason(s) listed	
	Signature	Date
CASE OFFICER		
TEAM MANAGER		

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 21 February 2007

Item No:	Item 7
Case No:	06/03339/FUL / W15923/04
Proposal Description:	Change of use of buildings from agricultural to B1 and B8 uses
Address:	Selhurst Poultry Farm, Heath Road, Soberton Heath, Hampshire
Parish/Ward:	Soberton
Applicants Name:	Mr N Wallis
Case Officer:	Mrs Jane Rarok
Date Valid:	10 November 2006
Site Factors:	
Recommendation:	Application Permitted

General Comments

This application is reported to Committee at the request of Soberton Parish Council, whose request is appended in full to this report.

Site Description

The site is located in Soberton Heath, an area subject to Countryside policies in the Local Plan. It has an area of 9175sq.m and boundaries with rear gardens of properties fronting Heath Road and Forester Road. The site is accessed via an unmetalled road from Heath Road between The Liberties housing development and the Recreation Ground.

The site is in lawful agricultural use and currently consists of 9 buildings, 6 of which are timber poultry sheds and one a concrete block construction with corrugated iron roof. Building 6 is made up of a variety of materials. Two of the timber sheds (marked nos. 1 and 2 on the block plan are in lawful use as joinery workshop for the production of handmade kitchen units. The remainder remain empty although appear, on visual inspection by the Council's Building Control Officers, to be capable of reuse without significant alteration.

The boundaries to the south and west of the site are made up of mature tree and hedgerow screening. The north boundary is open facing the belt of trees screening the recreation ground and the east open pastoral countryside.

Relevant Planning History

- W15923/01 change of use from agricultural units to use for manufacturing of hand made kitchens (retrospective) – permitted 7/9/2000
- W15923/03 erection of five bedroom house and detached garage – refused 3/1/07

Proposal

Change of use of four former poultry sheds shown as buildings numbers 4, 5, 7 and 8 on the block plan (in lawful agricultural use), to B1 Industrial and B8 storage uses. It is also proposed to erect a post and rail fence around the boundary of the site.

Three of the four buildings, which are the subject of this application, are modest wooden structures with asbestos roofs. The fourth (no. 8) is of a concrete block construction with corrugated iron roof. The buildings were formerly used as poultry sheds.

The access is as existing from Heath Road running adjacent to the Liberties and following the made-up track to the site.

Consultations

Building Control

Units visually appear in a satisfactory condition for the proposed purpose. Building Regulations application necessary which will include a full structural survey.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 21 February 2007

Environment Agency

No objection subject to a condition relating to surface water drainage. NB: The Agency's request to impose this condition was subsequently withdrawn following the submission of information, by the applicant and/or his agent, to the satisfaction of the Agency.

Hampshire & Isle of Wight Wildlife Trust

Awaiting comments with regards to the potential for roosting bats on site.

Highways Engineers

No objection given the relatively small floor area proposed, a B1/B8 use will, on the basis of the TRICS database, result in low levels of traffic generation. Visibility splays at the Heath Road junction area acceptable.

Representations:

Soberton Parish Council – object:

- Development does not take account of adjacent residential uses;
- Inappropriate use in the countryside;
- Buildings are in poor state of repair and should have been removed by a condition attached to previous application W15923/01 [Officer comment: This was not stipulated as a condition attached to that approval]
- Use will generate considerable car and lorry movements in a quiet countryside area;
- Not sited in an area zoned for employment;
- Buildings have no architectural merit;
- Building are inappropriate for conversion for B1 or B8 use;
- No right of access to the application site [Officer notes: applicant has submitted HM Land Registry Title indicating a right of way over the access track]

Four neighbour representation – object:

- Does not accord with Village Design Statement;
- Additional traffic would be a danger to the pedestrians using the recreation ground and adjacent houses;
- Highway safety concerns regarding large commercial vehicles using the local roads;
- Noise nuisance and possible pollution from uses;
- Prejudice possible further recreational development of the land to the rear of the Liberties;
- No local employment need for an employment use on the site;
- Concern that there may be bats on site.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB3 E12, E13, C1, C2, EC3

Winchester District Local Plan Review Deposit and Revised Deposit:

- DP3, CE10, CE11, CE17,

Supplementary Planning Guidance:

- Soberton Village Design Statement

National Planning Policy Guidance/Statements:

- PPS 7: The Countryside – Environmental Quality and Economic and Social Development

Planning Considerations

Principle of development

This proposal seeks to reuse four redundant poultry sheds. The site is within designated countryside set to the rear of residential development frontage along Heath Road and Forester Road. Two identical sheds within the ownership of the applicant have been in use as a workshop (B1) since permission was granted in 2000.

National advice, in the form of PPG4: Industrial, Commercial Development and Small Firms, requires LPAs take a "positive approach" in assessing such applications "unless there are specific and significant [material] objections" (para. 15). It acknowledges that small-scale industrial and commercial activities can coexist alongside residential communities without causing "unacceptable disturbance" through increased traffic, noise, and pollutions.

This advice is reflected in policy CE17 of the Winchester District Local Plan Review 2006, which encourages the reuse of non-residential buildings in the countryside for employment generating activities and specifically cites B1 and B8 uses, as is proposed.

This proposal accords with this criteria in that the buildings appear to be permanent and of sound construction. They do not appear to require substantial reconstruction to be fit for uses within Use Classes B1 (light industrial) and B8 (warehouse). Similarly, the buildings are of a relatively modest size, on average 95sq.m per unit and this will naturally curtail the degree and intensity of commercial activity.

It is considered that the relatively modest size on the four individual units and the uses proposed (warehouse/workshops) will limit the environmental impact of the development including traffic generation and noise. Any approval can be appropriately conditioned to control hours of operation and weekend working in order to protect the amenities of the nearby properties (condition 3).

The proposal accords with Transport Policies T3 and T4, and the Council's Highways Engineer notes that the site has sufficient parking and turning facilities, with acceptable access from the main highway.

Two identical former poultry buildings are already in employment use for the manufacture of hand-made kitchens since retrospective approval in September 2000. These buildings are to the south-west of the existing site.

Impact on character of area/residential amenities

In terms of its location, the site is not considered to be remote. It is within the built up area of Soberton Heath and shares boundaries with residential properties fronting Heath Road and Forrester Road. However, the distances between the site and these residential properties are sufficient (at 80m+) to negate sufficiently any potential noise impacts. As discussed above, commercial activities within B1 and B8 of the Use Classes Order are generally accepted to be compatible uses in close proximity to residential properties.

The buildings are currently in-situ and the visual impact of this proposal will remain relatively unchanged. Again, concerns about the potential for noise can be addressed via an appropriate condition restricting the hours of operation (condition 3).

Traffic

The Local Planning Authority's Highway Engineer has reported that low traffic generation is associated with the size and type of accommodation proposed and that the visibility splays at the Heath Road junction are considered acceptable in this instance. The existing access, whilst made-up, is not a smooth surface and this will effectively limit the speed at which vehicles are

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 21 February 2007

likely to travel at.

The fall back position with this application is that the sheds could be returned to poultry rearing. The applicant's agents state that the number of vehicle movements would not be greater than that of the lawful use, which is consistent with the Highways Engineer's comments. The exception to this is the presence of articulated lorries transporting poultry on a regular basis. The small scale nature of this proposal at 418m.sq is unlikely to generate equivalent sized vehicles.

Ecology

It has been suggested in a letter of representation that bats have used the buildings for roosting. The applicant has obtained a Phase I Bat Survey, carried out by an independent specialist. All buildings on site have been surveyed, including those which do not form part of this application, ie buildings 1, 2 and 6. The report suggests that 3 of the buildings identified as 3, 8 and 9 on the plans have no potential to support roosting bats. It goes on to state that buildings 4, 5 and 7 have the potential to support bats, although no conclusive evidence of bat use was recorded. There is a caveat in this report: January is the time when bats have dispersed to winter hibernation sites and it has not been possible to confirm beyond reasonable doubt that bats are present or absent from buildings 4, 5 and 7.

The survey also notes the presence of Barn owl pellets within Building 5 and recommends that Barn owl boxes should be erected on the other buildings on site to offer a range of replacement roosting/nesting locations.

The survey recommendation for a Phase II Bat Survey prior to the commencement of development can be conditioned and it is considered that this should not prevent the development from being permitted (condition 05).

Other matters

The Council's Open Space Officer has been in preliminary discussions with Soberton Parish Council regarding the possibility of providing a children's play area and tennis courts on the land to the rear of The Liberties housing estate. As part of their objection, the PC state that the increase in traffic associated with this proposal is incompatible with a public open space use. Their proposal has not yet come to the planning application stage and therefore it is speculative and cannot be considered as having a material bearing on the consideration of this proposal. Notwithstanding this, the existing access to this site severs the physical link between the Recreation Ground and the field to the rear of the Liberties. This application must be judge on its merits and in accordance with current national and local planning guidance. The proposal for additional play areas and tennis courts are not the subject of a current planning application and therefore should not prejudice the assessment of this application.

Recommendation

APPROVE

Conditions/Reasons

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

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

2 No materials shall be burnt on site.

Reason: to protect the amenity of the occupiers of nearby properties and in the interests of public health.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 21 February 2007

3 No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site other than between the hours of 0800 and 1800, Monday to Friday and 0800 and 1300 Saturdays and at no time on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the nearby properties.

4 Prior to the commencement of the development hereby approved, plans illustrating the car parking layout and surface constructions shall be submitted to and approved in writing by the Local Planning Authority. That area shall not be used for any purposes other than the parking, loading, unloading and turning of vehicles.

Reason: To ensure that adequate on-site parking facilities are made available

5 No development shall commence before a Phase II survey of the buildings for bats and owls has been carried out and a corresponding report, including proposed mitigation measures as appropriate, has been submitted to and approved by the local planning authority. The development shall not be carried out other than in accordance with the approved mitigation measures (if required).

Reason: In the interests of nature conservation.

6 No working or storage shall take place anywhere on the site except within the confines of the building hereby permitted.

Reason: To protect the amenities of occupiers of nearby properties

Informatives:

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.

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

Hampshire County Structure Plan Review: UB3, E12, E13, C1, C2, EC3

Winchester District Local Plan Proposals: DP3, CE10, CE11, CE17,