

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 25 October 2007

WINCHESTER CITY COUNCIL	PDC 719
PLANNING DEVELOPMENT CONTROL COMMITTEE	
Development Control Applications	25.10.2007

THE AVAILABILITY OF BACKGROUND PAPERS

In deciding what recommendation to make on each of the following applications, the Director of Development 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;

- 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.

Recommendation codes

REF = Refused

PER = Permitted

LEG = Permitted, subject to legal agreement

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DEVELOPMENT CONTROL COMMITTEE SUMMARY

Item No: 1	Location: Four Dell Farm, Poles Lane, Otterbourne, Winchester, Hampshire, SO21 2DY Case No: 07/01434/FUL Ref No: W13437/08 Proposal: Change of use to B1 usage (office/light industrial with ancillary storage)	Recommendation PER
Item No: 2	Location: Industrial Units, Poles Lane, Otterbourne, Winchester, Hampshire. Case No: 07/01722/FUL Ref No: W13437/09 Proposal: External cladding (RETROSPECTIVE)	Recommendation PER
Item No: 3	Location: Rutledge, 29 Main Road, Littleton, Winchester, Hampshire, SO22 6QQ Case No: 07/02100/FUL Ref No: W011111/09 Proposal: Erection of 1 no. three bedroom detached house and 2 no. two bedroom semi-detached bungalows (RESUBMISSION)	Recommendation PER
Item No: 4	Location: 14 Clifton Road, Winchester, Hampshire, SO22 5BP Case No: 07/02031/FUL Ref No: W12121/05 Proposal: Detached two bed dwelling following demolition of existing ancillary unit	Recommendation PER
Item No: 5	Location: Hawks Nest Farm, Bishops Wood Road, Mislingford, Fareham, Hampshire, PO17 5AS Case No: 07/00908/FUL Ref No: W14766/05 Proposal: Installation of 2 no. milk silos	Recommendation PER
Item No: 6	Location: Land Adjacent To Silkstead Farm, Silkstead Lane, Hursley, Hampshire Case No: 07/01724/FUL Ref No: W16379/05 Proposal: (AMENDED DESCRIPTION) Change of use of land, stables and hay barn to commercial livery usage with the addition of a staff room (RESUBMISSION)	Recommendation PER

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Item No:
7

Location: The Fox and Hounds, Peach Hill Lane, Crawley, Winchester, Hampshire, SO21 2PR

Case No: 07/01836/FUL

Ref No: W11601/12 **Recommendation** PER

Proposal: New boundary wall, alterations to enlarge existing access for vehicles and alterations to existing beer garden inc. pergola

Item No:
8

Location: The Fox and Hounds, Peach Hill Lane, Crawley, Winchester, Hampshire, SO21 2PR

Case No: 07/01860/LIS

Ref No: W11601/11LB **Recommendation** PER

Proposal: New boundary wall, alterations to enlarge existing access for vehicles and alterations to existing beer garden inc. pergola

Four Dell Farm, Otterbourne

07/01434/FUL



Legend

Scale: 1:5000



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Organisation	Winchester City Council
Department	Development Services
Comments	
Date	11 October 2007
SLA Number	00018301

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Item No: Item 1
Case No: 07/01434/FUL / W13437/08
Proposal Description: Change of use to B1 usage (office/light industrial with ancillary storage)
Address: Four Dell Farm, Poles Lane, Otterbourne, Winchester, Hampshire
Parish/Ward: Compton and Shawford
Applicants Name: Mr J G Venn
Case Officer: Mr Neil Mackintosh
Date Valid: 7 June 2007
Site Factors: Countryside
Recommendation: Application Permitted

General Comments

This application is reported to Committee because of the number of objections received

A retrospective application for the re-cladding of a nearby building, reference W13437/09, is also to be considered at this meeting and is included elsewhere on this agenda.

Site Description

The building which is the subject of this application is located adjacent to the access drive to Four Dell Farm. The drive curves uphill from Poles Lane and the building is visible from this road, although it is partially screened by hedging and a small copse. The building cannot be seen from public rights of way to the rear of the farm group.

The building is circa 465 sq.m. in floor area and is approximately 4m high to the ridge. The walls are constructed from white brick and the roof is covered in cement fibre sheets. Corrugated metal covers the gable ends. The building has been used for stabling but most of the southern elevation is now open, to form storage bays for farm equipment.

There are large aprons of concrete and compressed stone around the building and behind are other, larger, buildings that are now used for B2 (general industrial) and B8 (storage) Uses.

Proposal

The proposal is to convert the building for B1 (business) Use, which could comprise offices, light industrial or research and development.

Relevant Planning History

W13437/04 - Change of use from existing farm buildings to storage and general industrial use (B2 and B8), permitted Jan. 2005

W13437/05 - Change of use from agricultural to storage and general industrial use (B2 and B8), permitted Jan. 2007

W13437/06 - Change of use of agricultural building to farm shop, permitted Mar.2007

W13437/09 – Retrospective application for cladding of building, current.

W13437/10 - Change of use of land from agriculture to storage (retrospective), withdrawn.

W13437/11 - Development and operation of facility for the production of recycled aggregates and other recycled materials (Hampshire County Council application), permitted Sep.2007

W13437/12 - Use of land for storage and transfer of waste materials associated with highway

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maintenance works and ancillary storage of highway maintenance materials (Hampshire County Council application), current.

Consultations

Engineers: Highways:

There is an over-provision of car parking

"I have mentioned in previous responses concerning this application site that it is not considered to be in a sustainable location well served by public transport but the public highway network leading to and from the site is generally good and, in my view, is capable of carrying the additional volumes of traffic and type of vehicles that is likely to be generated by a general industrial site".

"I suggest that you may wish to consider the sustainability of allowing continued incremental development on this site and whether or not this accords with planning policy".

Representations:

Compton and Shawford Parish Council – comment – support planning applications for the diversification of redundant farm buildings, however there should be no outside storage. Also note that there is an overprovision of car parking and question the sustainability of the site. Hours of work should be limited in order to limit traffic generation during unsociable hours.

Otterbourne Parish Council – comment – as above

18 letters received objecting to the application for the following reasons:

- Non-agricultural development must be firmly discouraged
- Would fail to respect the local landscape character
- Fails to preserve and enhance the countryside
- Would result in the loss of good agricultural land
- Increase in HGV traffic
- Increased highway danger in Poles Lane and through Otterbourne, Compton and Hursley.
- Residential development would be more acceptable and in keeping

Relevant Planning Policy:

Hampshire County Structure Plan Review:

T5

Winchester District Local Plan Review

CE5, CE17, DP3, DP4, T1

National Planning Policy Guidance/Statements:

PPS 7 Sustainable Development in Rural Areas

PPG 13 Transport

Other Planning guidance

Movement, Access, Streets and Spaces

Parking Standards 2002

Winchester District Landscape Assessment

Planning Considerations

Planning permission was granted, earlier this year, for this building to be converted into a farm shop. However, the owner believes that the limitations imposed on this consent were too restrictive and has decided to seek an alternative use for his farm building.

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Principle of development

This application must be determined on its merits and should be assessed in relation to PPS7 and the Development Plan, in particular, against Policy CE17 of the Winchester District Local Plan. This Policy allows for the conversion of non-residential buildings in the countryside to employment-generating activities, provided that;

- (i) the building is in keeping with the locality and the proposal will enhance the area,
- (ii) the building is of permanent and sound construction and will not require substantial works,
- (iii) the proposal will retain any features of interest on the site,
- (iv) the scale and nature of the activity can be accommodated without detriment to the character of the locality and it is not in a remote location,
- (v) the extent of the site can be clearly defined to prevent expansion and
- (vi) the type of traffic generated can be accommodated without harming the character of rural roads.

The officers consider that this proposal does comply with all of the above criteria and the following explains why in more detail.

Design/layout

The existing building is of sound construction and, although no specific details of conversion works have been supplied, it would appear to be a suitable building for light industrial starter units or similar.

The amount of car parking originally proposed was excessive and an amended plan, showing fewer spaces, has been submitted to address this issue. A condition should be attached to any permission to ensure that all of the site that is outside the building is retained for this purpose and is not used for external storage (Condition 6).

Impact on character of area and neighbouring property

A B1(business) use is, by definition, acceptable in this location in terms of the impact upon nearby residential properties. It is a use that is capable of being carried out in a residential area without detriment to amenity by reason of noise, dust etc.

Such a use will not be detrimental to the occupiers of Four Dell Bungalow or any other residence in the vicinity.

There is an opportunity to improve the appearance of the building by judicious choice of cladding materials.

Landscape/Trees

There is a small copse between the application site and Poles Lane that will partially screen the cars parked in front of the building. However, this area could benefit from management and additional planting. Both of which can be the subject of a planning condition.

Highways/Parking

Parking on the site has been reduced to 1 space per 30 sq.m., which is in line with the County's maximum standard. The Highway Engineer has commented that the access and the roads leading to and from the site are 'generally good' but questions the sustainability of the site.

The applicant has prepared a Site Travel Plan, which shows that it is possible to access the site by means other than the private car. It might be unlikely that some of these suggested routes would be used but the requirement of Policy CE17(iv) is that the location should not be '*remote*'. It would be difficult to argue that this was the case, particularly as, within the past 3 years,

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planning consent has been granted for far larger buildings on the site to be converted to B2/B8 Uses.

Policy T5 of the Structure Plan requires that *'the transportation requirements of the development can be accommodated'* and Policy T1 of the Local Plan requires that the site *'is, or could be, served efficiently by public transport, cycling and walking'*.

Other Matters

As with the current, retrospective application for the cladding of a nearby building, this application was submitted at the same time as four other planning applications for the Four Dell Farm site. (See Relevant Planning History section above). One of these applications, /09, will be dealt with by this Committee and /10 has been withdrawn. However /11 and /12 are County Matters and fall within the jurisdiction of Hampshire County Council. No. /11 has been granted planning permission and /12 may have been dealt with by the time of the PDC meeting.

Winchester City Council has received many letters of objection to these applications from residents of Otterbourne, Compton, Shawford and Silkstead. Many letters object in general terms to the development of this site as an 'industrial estate' and, in particular to the additional heavy goods vehicles that are generated by the uses of this site. Large vehicles visiting and leaving the nearby waste transfer site in Poles Lane have long been the cause for concern, particularly to Otterbourne residents. They are now aware of lorries passing through their villages on the way to Four Dell Farm.

Although the representations received must be taken into account, very few of the householders actually object specifically to the re-cladding of this building, although they do refer to this planning application reference number. In fact, the two Parish Councils involved support the application in principle.

The re-use of this building must be considered on its own merits and, as the proposal complies with national and local policy, the presumption is in favour of granting permission.

Recommendation

Application Permitted subject to the following condition(s):

Conditions

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 Plans and particulars showing the detailed proposals for all the following aspects of the development shall be submitted to and approved by the Local Planning Authority in writing before the development commences:-

- landscaping including a landscape design showing the planting proposed to be undertaken, the means of forming enclosures, the materials to be used for paved and hard surfaces and the finished levels in relation to existing levels;
- details and samples of any external cladding materials to be applied to the building;
- details of cycle parking facilities:

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- the provision to be made for the drainage of foul and surface water.

Reason: To secure a satisfactory form of development.

3 The development hereby permitted shall be used only for B1(business) Uses and for no other purpose (including any other purpose in Class B 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).

Reason: In order to limit the use and occupation of the building in accordance with the terms of the application and in the interest of the amenities of the area.

4 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before the use hereby permitted is commenced and prior to the completion of the development or in accordance with the programme agreed with the Local Planning Authority. If within a period of five years after planting any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

5 There shall be no outside storage or working at the premises.

Reason: In order to protect the character and appearance of this countryside location.

6 The car park shall be constructed, surfaced and marked out in accordance with the approved plan before the development hereby permitted is brought into operation. That area shall not thereafter be used for any purpose other than the parking, loading, unloading and turning of vehicles.

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

Informatives:

1. 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.

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

Hampshire County Structure Plan Review: T5

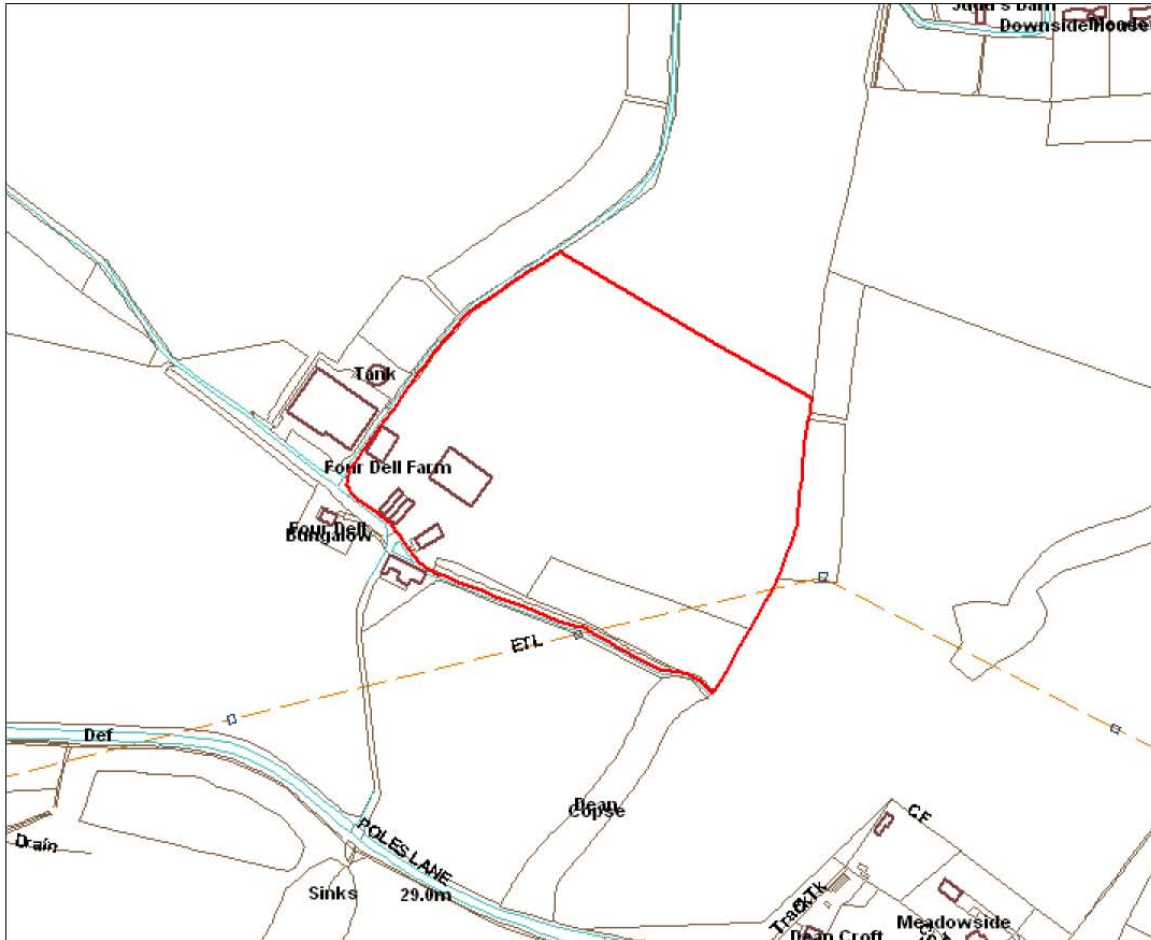
Winchester District Local Plan Review: CE5, CE17, DP3, DP4, T1

3. The applicant is advised that, if signage is required, the preferred method for this development is one sign, to avoid the proliferation of signs. Advertisement consent is required, and the applicant is advised to discuss proposals for signage prior to the submission of an application.

Industrial Units, Poles Lane, Otterbourne



07/01722/FUL



Legend

Scale: 1:5000



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Organisation	Winchester City Council
Department	Development Services
Comments	
Date	11 October 2007
SLA Number	00018301

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Item No: Item 2
Case No: 07/01722/FUL / W13437/09
Proposal Description: External cladding (RETROSPECTIVE)
Address: Industrial Units, Poles Lane, Otterbourne, Winchester, Hampshire
Parish/Ward: Compton And Shawford
Applicants Name: R And W Plant (Chantacre) Ltd
Case Officer: Mr Neil Mackintosh
Date Valid: 10 July 2007
Site Factors: Countryside
Recommendation: Application Permitted

General Comments

This application is reported to Committee because of the number of objections received

An application for the change of use of a nearby building from agricultural to B1(business) Use, reference W13437/08, is also to be considered at this meeting.

Site Description

The application site consists of a 2,500 sq.m building that is situated within a group of former agricultural buildings approximately 250m to the north of Poles Lane, Otterbourne.

The building is in an elevated position in relation to Poles Lane, but is screened from that direction by a row of trees. To the rear of the site is a public footpath that crosses a field before following woodland strips to east and west. Further north and further uphill, a public bridleway which forms a continuation of Shepherds Lane passes in an east-west direction.

There are views of the application site from both of the public rights of way and in the winter the building is visible from Poles Lane through the trees.

Proposal

This is a retrospective application for the application of cladding to a former agricultural building that was granted change of use to B2 (general industrial) and B8 (storage and distribution) Uses in 2005.

The only dwelling in the immediate vicinity is Four Dell Bungalow, which is owned by the owner of the surrounding farm.

Relevant Planning History

W13437/04 - Change of use from existing farm buildings to storage and general industrial use (B2 and B8), permitted Jan. 2005

W13437/05 - Change of use from agricultural to storage and general industrial use (B2 and B8), permitted Jan. 2007

W13437/06 - Change of use of agricultural building to farm shop, permitted Mar. 2007.

W13437/08 - Change of use to B1 usage (office/light industrial with ancillary storage), current.

W13437/10 - Change of use of land from agriculture to storage (retrospective), withdrawn.

W13437/11 - Development and operation of facility for the production of recycled aggregates and other recycled materials (Hampshire County Council application), permitted Sep.2007

W13437/12 - Use of land for storage and transfer of waste materials associated with highway

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maintenance works and ancillary storage of highway maintenance materials (Hampshire County Council application), current.

Consultations

Enforcement:

"This application was generated by Enforcement Team. Please determine in accordance with policy"

Landscape:

"The cladding here is not the main issue, as it is consistent with the other adjacent buildings".
"In landscape terms the buildings are very reliant on the existing hedgerows and tree cover to assimilate them into this elevated site in a relatively open landscape. I am concerned that the woodland strip to the rear and to the north-east of the site is being cleared in some areas for other land uses and is not being managed. As a result the woodland and trees are falling into a semi-derelict state. There are also footpaths which run along the length of the woodland and its loss would open up views of all the large, intrusive buildings on the site."

Representations:

Compton and Shawford Parish Council – objects

1. Contrary to policy. "The cladding makes the building look like part of an industrial estate rather than a farm in the countryside and hence conflicts with paragraphs (i) and (iv) of Policy CE16"
2. "The City Council needs to take firm action against unauthorised developments and must not be seen as a 'soft touch' by giving the developers the impression that they can do anything they like and will always get retrospective permission if anyone kicks up a fuss"

Otterbourne Parish Council – objects

"The external cladding of the building is the same as that of an industrial development and does not respect the countryside location and rural landscape character."

CPRE – objects

"The whole operation is entirely alien to this site and surrounding area in open countryside and a misuse of good agricultural land".

Local MP – adds support to the objections raised by constituents and local Councillors.

65 letters received (in some cases two letters from the same household), objecting to the application for the following reasons:

- The external cladding has been erected without planning permission.
- Why should companies be allowed to go ahead and apply afterwards?
- Cladding is not in keeping with farm buildings and looks more like an industrial estate
- Represents a re-characterisation of the site and not just farm diversification
- Object to increased noise pollution and heavy lorries in this quiet area of countryside
- Increase in heavy traffic through Otterbourne and Shawford
- Places undue pressure on many of the roads leading to the farm
- Represents expansion of the site for industrial use
- Trees have been removed in order to allow buildings to be constructed

Relevant Planning Policy:

Hampshire County Structure Plan Review:

None

Winchester District Local Plan Review

CE5, CE17, DP3, DP4

National Planning Policy Guidance/Statements:

PPS 7 Sustainable Development in Rural Areas

Supplementary Planning Guidance

None

Other Planning guidance

Farm Buildings: A Design Guide for Hampshire

Planning Considerations

Planning permission was granted in 2005 for the use of this building for employment generating purposes. This was in accordance with PPS7 and the Countryside Policies of the Development Plan. In particular, the application complied with parts (i) and (ii) of Policy CE17 (and its equivalent at the time) in that;

“(i) the form, bulk and general design of the existing building(s) are in keeping with the locality”
and

“(ii) the existing building is of permanent and sound construction, is not derelict and can accommodate the proposed use without substantial re-construction.”

However, the building was sold by the farmer and the new owner decided to re-clad the building. This has materially affected the external appearance of the building and planning permission was required.

Principle of development

The re-cladding of this building did not involve ‘*substantial re-construction*’ therefore it is not suggested that this operation was contrary to Policy CE17. Instead, the result of the re-cladding operation must be considered on its own merits i.e. whether the process of re-cladding was, in itself, contrary to policy and whether the process was harmful to interests of acknowledged importance. A theme of all countryside policy is that the countryside should be protected for its own sake and that any development should maintain or enhance the local environment.

Impact on character of area and neighbouring property

The building has been clad in dark green, plastic-coated, profiled steel in place of the corrugated cement-fibre material that was on the original farm building. The original material had assumed a greyish colour with age, and was not overly offensive to the eye.

The material that has been used for re-cladding is, in fact, recommended in ‘Farm Buildings – A Design Guide for Hampshire’. The colour helps to reduce the apparent bulk of the building and integrates it into the landscape. As the building is on a plateau cut into the hillside its bulk is absorbed into a setting of trees and fields. The front (southern) elevation of the building is more obtrusive, as windows and doors have been inserted in the central section. However, there are no public views of this elevation from rights of way or roads.

The re-cladding of the building does not detract from the amenities of the only neighbour, in Four Dell Bungalow.

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DEVELOPMENT CONTROL COMMITTEE AGENDA 25 October 2007

Other Matters

This application was submitted at the same time as four other planning applications for the Four Dell Farm site. (See Relevant Planning History section above). One of these applications, /09, will be dealt with by this Committee and /10 has been withdrawn. However /11 and /12 are County Matters and fall within the jurisdiction of Hampshire County Council. No. /11 has been granted planning permission and /12 may have been dealt with by the time of the PDC meeting.

Winchester City Council has received many letters of objection to these applications from residents of Otterbourne, Compton, Shawford and Silkstead. Many letters object in general terms to the development of this site as an 'industrial estate' and, in particular, to the additional heavy goods vehicles that are generated by the uses of this site. Large vehicles visiting and leaving the nearby waste transfer site in Poles Lane have long been the cause for concern, particularly to Otterbourne residents. They are now aware of lorries passing through their villages on the way to Four Dell Farm.

Although the representations received must be taken into account, very few of the householders actually object specifically to the re-cladding of this building, although they do refer to this planning application reference number. They also object because this application is retrospective.

The re-cladding of the building must be considered on its own merits and, as the building already has consent for B2/B8 Use, the only policy issue is whether the new appearance of the building harms the character or appearance of the countryside. In the opinion of the officers it does not.

Recommendation

Application Permitted

Conditions

None

Informatives:

1. 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.

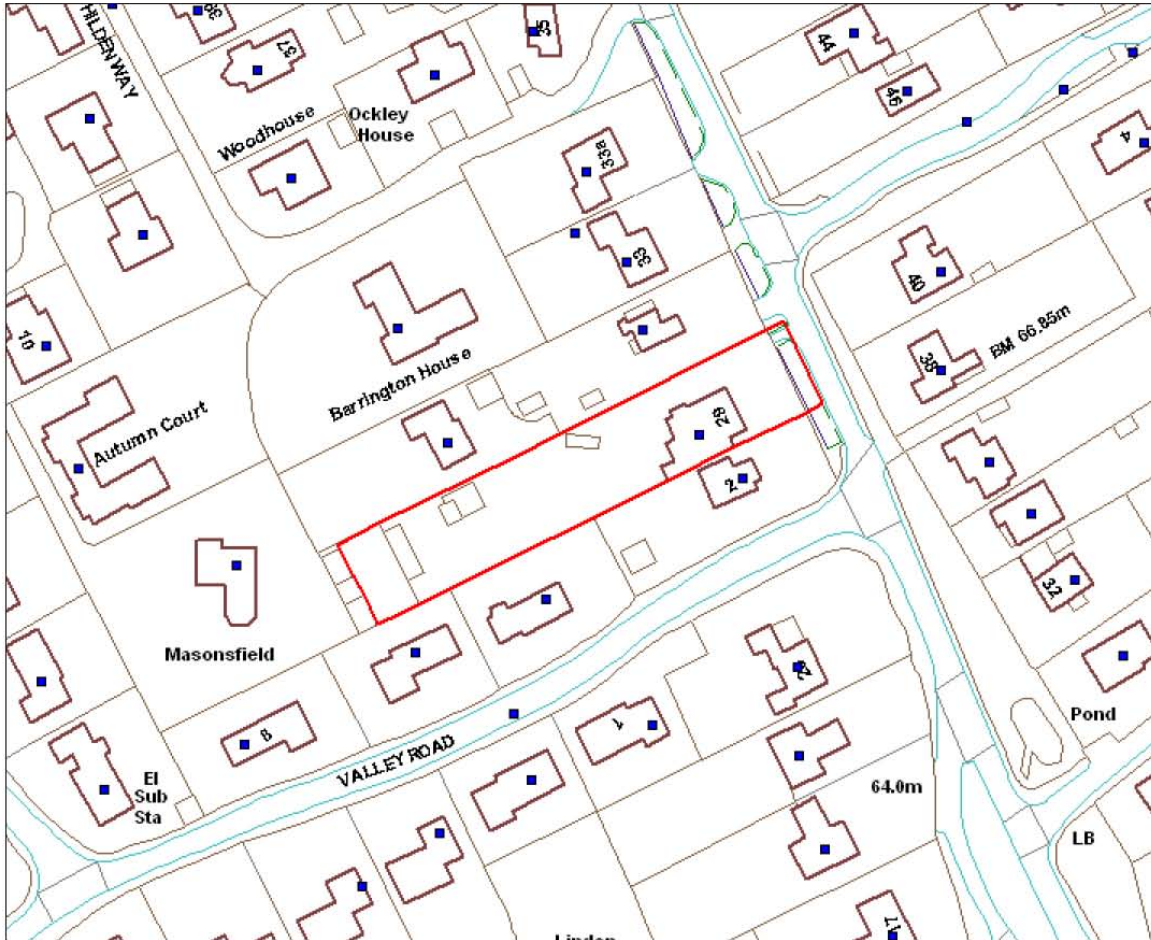
2. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Hampshire County Structure Plan Review: None

Winchester District Local Plan Review: CE5, CE17, DP3

Rutledge, Littleton

07/02100/FUL



Legend

Scale: 1:1250



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Organisation	Winchester City Council
Department	Development Services
Comments	
Date	11 October 2007
SLA Number	00018301

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Item No:	Item 3
Case No:	07/02100/FUL / W01111/09
Proposal Description:	Erection of 1 no. three bedroom detached house and 2 no. two bedroom semi-detached bungalows (RESUBMISSION)
Address:	Rutledge, 29 Main Road, Littleton, Winchester, Hampshire
Parish/Ward:	Littleton And Harestock
Applicants Name:	Mr And Mrs R Hammond
Case Officer:	Mrs Jill Lee
Date Valid:	23 August 2007
Site Factors:	TPO
Recommendation:	Application Permitted

General Comments

This application is reported to Committee at the request of Littleton and Harestock Parish Council, whose request is appended in full to this report and because of the number of objections received.

An application for similar development was considered by the Committee in February this year and was subsequently refused by a Planning Viewing Sub-Committee for reasons of overdevelopment with inadequate amenity space, an overbearing effect on 4 Valley Road and a cramped layout.

The current scheme has sought to take into account these reasons for refusal as well as other factors discussed at the time of the Viewing Sub-Committee. The bungalow closest to Valley Road has been pulled forward and so is not now directly behind 6 Valley Road and in addition the roof has been lowered in height by approximately 1m. The staggering of the building line has also resulted in more garden area for bungalow 2. House 1 has been reduced to three bedrooms from four. The ridge height has been reduced by approximately 1m and the ridge reduced in length by using a hipped end on the side of 4 Valley Road to reduce the impact of the built form. The dormers on the previous scheme have been replaced by roof lights. The garage has been omitted and the parking spaces moved to the other side of the building. Thus the garden area for plot 1 has been increased to approximately 130m². The access road alignment has also been modified to allow for the retention of the group of boundary *leylandii* trees at the suggestion of the Viewing Sub-Committee. The access onto the main road remains the same.

Site Description

The application site covers an area of approximately 0.1 hectare and accords with the density range identified in PPS3 and Policy DP3 of the Winchester District Local Plan Review. The site is located on the western side of Main Road in the settlement of Littleton in an area characterised by detached houses, some of which are on small plots and some, as in the case of the application site, on larger plots. The site currently contains a large two storey house with a substantial garden, swimming pool with associated building and stables towards the rear of the site.

The site is well contained by existing hedges and vegetation which will help to minimise the impact of the proposed building. The site is surrounded on all boundaries by existing two storey residential properties and lies at a slightly higher level than the properties on Valley Road and slightly lower level than Number 31A Main Road.

The existing house is to be retained and so the appearance in the street scene will remain the same.

Proposal

The current proposal is for the redevelopment of the rear garden of the existing dwelling by the erection of 2 two bedroom bungalows and 1 three bedroom house at two storeys. It is proposed to utilise the existing access onto Main Road. The proposed dwellings will have two parking spaces each. A new double garage and two parking spaces have been suggested for the existing dwelling and the details of these will be the subject of a separate application. The dwellings are to be traditionally built with brick elevations with some tile hanging, plain clay tiles for the roof of the new house and natural slate for the roof of the bungalows. The proposed new house will be 12.5m. from the rear wall of Number 4 Valley Road and 10m. from the side wall of 31A Main Road. The two bungalows which are semi – detached will be between 26m. and 32m. from the dwelling closest to the rear of the site, 9.8m from number 6 Valley Road and 9m to the closest point of number 31A Main Road. There is a gap of between 16m and 20m between the proposed bungalows and the new house. The proposed density is 30DPH which is in accordance with PPS3 and Policy DP3 of the Winchester District Local Plan Review. This relatively low density has taken into account the constraints of the site being surrounded by existing residential development and the lower density of the development surrounding it.

Relevant Planning History

Previous applications for the redevelopment of the site have either been withdrawn or refused because of the potential for adverse impact on the occupiers of adjacent residential properties and because of unresolved drainage issues. The currently submitted application has sought to resolve these issues and also provide additional information regarding the relationship of the proposed dwellings with those adjacent to the site. Attention has also been paid to the issue of possible overlooking from first floor windows of the proposed house.

W01111/05 – residential redevelopment, application withdrawn 7 Sept 2005, but would have been refused due to adverse impact of the buildings on the neighbours and lack of supporting information with the application.

W01111/06 – Residential redevelopment, refused 15 May 2006 for reasons of lack of information and no open space.

W01111/07 – Residential development 3no dwellings, refused by Planning Viewing Sub-Committee on 6 Feb 2007 for reasons of overdevelopment of site, cramped layout and inadequate amenity space to plot 1 and overbearing relationship with 4 Valley Road. The decision notice is appended to this report. This application is now the subject of an appeal.

W0111/08 – Residential development 3no dwellings, withdrawn due to discrepancies in the plans.

Consultations

Engineers: Drainage:

No objection to the application. Need to forward to EA for comment.

Engineers: Highways:

No sustainable highway objection was found at the time of the VSC when the previous scheme was refused. The highway implications of this current application have not changed and there are no highway objections. Standard conditions have been imposed. (Conditions 7, 8, 9 and 10)

Landscape:

No objection to the application. Important hedges are to be retained. Leylandii to be retained. Space for new landscaping subject to conditions. (Conditions 3 and 4)

Environment Agency:

Application has a low environmental risk. Unable to make a full response due to workload prioritisation.

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Southern Water:

No adverse comments to make on the application.

Representations:

Littleton and Harestock Parish Council – object to the application.

The scheme does not take into account the reasons for refusal by the Viewing Sub-Committee of the previous application, which were overdevelopment of the site, insufficient amenity space, overbearing to neighbouring properties and not conforming to DP3 ii, vii and viii.

Should be looking at density below 30 DPH.

Should respond in design, scale and layout to character and appearance of environment.

Has an unacceptable effect on 1 and 4 Valley Road and 31A Main Road.

Does not include sufficient amenity space.

Does not comply with Littleton Village Design Statement, is not sympathetic, would dominate landscape and significantly change character of the village. Insufficient landscaping. Access does not comply with Manual for Streets, need x distance of 2.4m. Main Road is not a home zone and is not a low speed situation.

Councillor Jackson has objected to the application, citing her letter of objection on the previous application.

- Overdevelopment of the site
- Too high density
- Lack of amenity provision
- Overbearing effect of development
- Not in keeping with VDS
- Inadequate access provision.

Councillor Learney – has objected to the application for the following reasons.

- The resubmission has no significant variations over previously refused scheme
- Massing of the house and positioning of the bungalows unacceptable.
- Inadequate green space
- Amenity of houses on both sides of development affected.
- House overbearing
- Traffic movements to bungalows unacceptable
- Inadequate visibility.

22 letters received objecting to the application for the following reasons:

- No significant changes from previous refusal.
- Inadequate visibility
- Dangerous access onto busy road
- Density too high
- Out of character with neighbourhood
- Overbearing to neighbours
- Noise disturbance to neighbours
- Insufficient amenity space
- Wheelie bins might be left out to obscure road
- No visitors parking will lead to on-road parking.
- Loss of privacy
- Does not comply with VDS
- Changes to house on plot 1 not sufficient to overcome objections
- Some discrepancies in plans
- Where will contractors vehicles park

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- Not enough facilities for more houses.
- Overdevelopment of the site.
- Inadequate cycle / bin storage

10 letters of support received.

- Layout is acceptable and applicant has taken objections into account
- Development will not be seen from surrounding roads and impact on street scene is negligible.
- In favour of smaller dwellings which may be more affordable
- Proposal is attractive and makes efficient use of large garden.

Relevant Planning Policy:

Winchester District Local Plan Review

DP3, DP5, DP6, H3, H7, T4, RT4.

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPG 3 Housing

Supplementary Planning Guidance

Littleton Village Design Statement

Planning Considerations

Principle of development

The application site is located within the settlement boundary of Littleton where the principle of residential development is acceptable, subject to normal development control criteria. The application also has to be considered against the criteria of PPS3 and the need to make good use of previously developed land. The site is a currently garden area for the house to be retained and so in terms of policy is previously developed land. The application is for three dwellings and so there is no requirement for affordable housing. There is a requirement for 50% of the total number of houses to be small units of either 1 or 2 bedrooms and floor area under 75m². One of the proposed houses is 3 bedrooms but the other two are 2 bedrooms and are under the required floor space threshold and so comply with this policy requirement.

Government and Local Plan policies also require new development to be suitable in terms of density, design, layout, materials and respect the character of the area. The current scheme has been designed to overcome the previous objections to the application, with the principal changes outlined in the general comments section at the start of this report, and is considered to be acceptable in policy terms. The amenity of neighbours has been considered and additional levels and sections submitted to show the relationship between the new and the existing houses. Space has been made within the site for landscaping and parking has been provided to full standard. The applicant has not made provision for contributions towards public open space in accordance with Policy RT4, but this will be secured by the proposed legal agreement, to be entered into before permission is granted.

Design/layout

The site is surrounded by existing residential development and so there are many constraints which affect its development. Tandem development, as proposed, is not unusual in the area. The next door site has been developed in such a way although with one large house rather than three. The existing access onto Main Road is being utilised and whilst there is currently an access way which runs partly along the southern boundary, this will be realigned to the north. The proposed bungalows to the rear of the site have been designed as single storey to minimise any adverse impact on neighbours and the roof height lowered from the previously refused

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scheme. Because these buildings are single storey they will not give rise to overlooking and will not cause loss of light to neighbouring properties or garden areas. It is not considered that the buildings will be overbearing now that the roof has been reduced. The amount of garden area available to bungalow 2 has also been increased from the previously refused scheme, even though this was not a reason for refusal.

The 3 bedroom house has been reduced in bulk and height and the roof designed to incorporate a hip on the side of 4 Valley Road to reduce the impact of the building. The two first floor windows closest to 4 Valley Road have been changed to roof lights and so any perceived overlooking has been reduced and this again deals with the overbearing nature of the previously proposed house on this plot. This property also benefits from good screening from a substantial hedgerow which runs along the southern boundary.

Impact on character of area and neighbouring property

The relationship of the proposed building with the existing surrounding dwellings has been carefully considered by the applicant. The two dwellings to the rear of the site have been reduced to single storey with a lowered ridge line and so will not adversely affect any neighbours. They will not cause overlooking, loss of light or be overbearing. The 3 bedroom dwelling has been designed so that there are no habitable room windows at first floor that directly overlook either neighbours' windows or gardens. The buildings are to the north of the properties on Valley Road and so will not overshadow or cause loss of light and this is important, given how short their private rear garden areas are. The two storey dwelling is opposite the parking and turning area of Number 31A Main Road but is also at a distance of 5m to the boundary and this relationship is considered to be acceptable. The existing *leylandii* trees have now also been retained which will help to screen the proposed dwelling on plot 1 from 31A Main Road.

The new development will not be easily viewed from the road as the existing dwelling is to be retained, so impact on the street scene is minimal.

The density of the development is at the bottom end of the recommended densities for previously developed land. There are no overriding constraints such as trees within the site which would demand a lower density development. The existing constraints of the surrounding development have been addressed and it is considered that 30 DPH can be accommodated within the site, making efficient use of the land available without an unacceptable level of detriment to neighbours or the character of the area.

Landscape/Trees

The existing hedges are the most important landscape features within the site and it is proposed to keep these as they provide an important screening function. Their retention has been conditioned (Condition 4). It is also proposed to provide some additional planting within the site, particularly to the western boundary which currently has no screening. The landscape features within the site are important to close neighbours only and have no wider importance. It is also proposed to retain the *leylandii* trees on the northern boundary to provide additional screening, which is something that was identified at the time of the previous Viewing Sub-Committee.

Highways/Parking

Parking is to be provided to full standard with each of the proposed dwellings having 2 parking spaces; the 3 bedroom house will have two car parking spaces. A double garage with two spaces is being provided for the house which is to be retained. The access will utilise the existing access point onto Main Road. The access remains the same as that considered by the Viewing Sub-Committee, who considered that there were no sustainable highways objections at that time and there have been no material changes in circumstances since this time. Therefore the access arrangements are considered to be acceptable.

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Planning Obligations/Agreements

In seeking the planning obligation and/or financial contributions for public open space the Local Planning Authority has had regard to the tests laid down in Circular 05/2005 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

That provided the applicant makes provision for a contribution of £5491 towards public open space provision then;

Application Permitted subject to the following condition(s):

(Note: If the Legal Agreement is not completed within 6 months then the application may be refused without further reference to Committee)

Conditions

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 development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the dwellings, boundary walls, driveway and parking areas 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.

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

3 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.

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

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4 The existing hedgerows to the site boundaries shall be retained and protected during construction and maintained at a minimum height to be agreed in writing with the Local Planning Authority before development commences and where necessary reinforced with appropriate species. Details of the protective fencing shall be submitted to and agreed in writing by the Local Planning Authority prior to development commencing, development shall be undertaken in accordance with the agreed details. The new planting shall be completed before the end of the first planting season following the completion of the development hereby permitted.

Reason: To protect the privacy and amenity of neighbours and in the interests of the visual amenities of the area.

5 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 Part 1 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

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

6 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 first floor windows other than those expressly authorised by this permission shall, at any time, be constructed in any elevation of the dwelling on plot 1 hereby permitted.

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

7 Details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the duration of the construction period. No lorry shall leave the site unless its wheels have been cleaned sufficiently to prevent mud being carried onto the highway.

Reason: In the interests of highway safety.

8 Details of provisions to be made for the parking and turning on site of operative and construction vehicles during the period of development shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the construction period.

Reason: In the interests of highway safety.

9 The parking area including the garage shall be provided in accordance with the approved plans before the dwelling is first occupied and thereafter permanently retained and used only for the purpose of accommodating private motor vehicles or other storage purposes incidental to the use of the dwelling house as a residence.

Reason: To ensure the permanent availability of parking for the property.

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.

Reason: In the interests of highway safety.

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11 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.

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

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:-

Winchester District Local Plan Review: DP3, DP5, DP6, H3, H7, T4, RT4.

14 Clifton Road, Winchester

07/02031/FUL



Legend

Scale: 1:1000



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Organisation	Winchester City Council
Department	Development Services
Comments	
Date	11 October 2007
SLA Number	00018301

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DEVELOPMENT CONTROL COMMITTEE AGENDA 25 October 2007

Item No: Item 4
Case No: 07/02031/FUL / W12121/05
Proposal Description: Detached two bed dwelling following demolition of existing ancillary unit
Address: 14 Clifton Road, Winchester, Hampshire, SO22 5BP
Parish/Ward: Winchester Town
Applicants Name: Mr R Bevin
Case Officer: Mr Tom Patchell
Date Valid: 15 August 2007
Site Factors: Conservation Area
Recommendation: Application Permitted

General Comments

This application is reported to Committee because of the number of objections received

This planning application has been submitted following the dismissal of an appeal for a similar proposal in 2004 (W12121/02) and the subsequent refusal of planning applications reference numbers W12121/03 and W12121/04.

These three planning applications were refused for the following reasons:

W12121/02

1. The proposed development does not accord with the requirements of policies UB3, R2 of the Hampshire County Structure Plan 1996-2011 (Review), EN5, HG7, HG8, RT3 of the Winchester District Local Plan, and DP3, HE5, HE8, RT3 of the Winchester District Local Plan Review, in that:-

(a) The proposal fails to provide sufficient detail showing the existing and proposed development in the context of surrounding development, levels and landscape features. The proposed dwelling, by virtue of its design, would detract from the character and appearance of this part of the Conservation Area.

(b) Development is proposed on land outside the applicant's control.

The glazed opening in the eastern elevation, at first floor, is considered to overlook the private amenity space of the neighbouring Lesney Cottage and St Mary's House to the detriment of neighbour's residential amenity.

2. The proposal is contrary to Policy R3 of the Hampshire County Structure Plan, Proposal RT3 of the Winchester District Local Plan, and Proposal RT3 of the Winchester District Local Plan Review, 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.

The appeal Inspector accepted that a dwelling could be accommodated on the site without detriment to the amenities of the adjoining occupants, but concluded that the proposed design and appearance of the dwelling would fail to preserve or enhance the character and appearance of the surrounding Conservation Area.

The Inspector found that the addition of a chimney, which is not reflected in the existing building; the

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combination of the traditional and contemporary design, such as extensive areas of glazing; the treatment of fenestration which responded to the internal arrangement of the proposed dwelling rather than the prevailing rhythm and proportions of the windows; and the inclusion of a large flat roofed dormer within the south elevation, would be incongruous and intrusive.

W12121/03

1 The proposal is contrary to the policies of the Hampshire County Structure Plan and the Winchester District Local Plan Review 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 and it would undermine this Plan's policies for recreational open space provision within the District and is therefore contrary to Policy RT.3 of the adopted Winchester District Local Plan Review.

(No Open Space)

2 The applicant has failed to provide cycle parking facilities for the occupants of the proposed dwelling. It is important that measures to encourage alternative means of transport are provided given that no car parking is provided for the dwelling. The development is therefore contrary to Policy T.4 of the adopted Winchester District Local Plan Review and Hampshire Parking Strategy and Standards.

W12121/04

1 The proposal is contrary to the policies of the Hampshire County Structure Plan and the Winchester District Local Plan Review 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 and it would undermine this Plan's policies for recreational open space provision within the District and is therefore contrary to Policy RT.3 of the adopted Winchester District Local Plan Review.

(No Open Space)

2 The applicant has failed to provide adequate storage of refuse and recyclables for the proposed occupants of the dwelling and is therefore contrary to Policy DP3 of the adopted Winchester District Local Plan Review.

Current proposal

The current proposal has taken into consideration the comments of the appeal Inspector through a simplified and uniform design and the omission of dormer windows.

With regards to the previous concerns about the location of the bin store and cycle store, these have been overcome by storage areas being created within the proposed dwelling.

Site Description

The character of the surrounding area is of large detached properties, some of which have been subdivided into flats/apartments. Each dwelling is surrounded by a 1.8 - 2 metre high brick wall, with a vehicular access on to Clifton Road.

The front elevations of each dwelling front onto the open area of Oram's Arbour. The rear boundary walls are adjacent to Middle Road, with many of the adjoining properties having outbuildings/garages opening onto this highway.

The existing building is set within the north-west corner of the site and is a simple gable ended wooden shed with a single storey mono-pitched extension to the garden elevation.

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To the south of the building is the communal amenity area for the flats. (14 Clifton Road)

Proposal

The proposal involves the demolition of the existing building and its replacement with a two storey brick 2-bedroom dwelling.

The proposed dwelling is set immediately adjacent to Middle Road and the northern boundary with the adjoining dwelling.

The height of the proposed dwelling would be approximately 7 metres, 2.6 metres higher than the existing building. The height of the proposed dwelling is approximately 0.5 metres higher than that which was previously proposed on application . The proposed footprint (5.8m by 6.5m) is similar to that of the existing shed.

Relevant Planning History

W12121/02 Demolition of existing garage/ store and erection of 1 no. two bedroom dwelling with alterations to existing access - 14 Clifton Road Winchester Hampshire SO22 5BP - Application Refused, 15 Jan 2004 - Appeal Dismissed, 30 Nov 2004

W12121/03 Demolition of existing ancillary building and erection of a detached two bedroom dwelling - 14 Clifton Road Winchester Hampshire SO22 5BP - Application Refused, 21 Nov 2006

W12121/04 Demolition of existing ancillary building and erection of detached two bedroom dwelling (RESUBMISSION) - 14 Clifton Road Winchester Hampshire SO22 5BP - Application Refused, 26 Apr 2007

Consultations

Engineers: Highways: Support

Previous concerns with regards to the provision of cycle and bin storage and the access have been overcome.

Environment Agency: No objection in principle

Southern Water: No objection. Southern Water can provide foul sewage disposal. Southern Water can provide a water supply.

Building Control: No objection

Doors and toilet do not appear to be designed with disabled access in mind.

Unprotected area (windows and boarding) is a problem unless the property has a part share in the communal garden.

Not sure if staircase will comply with relevant regulations.

Escape windows will be required from bedrooms.

Possible ventilation issues.

(These proposals, in their present form, would be unlikely to receive building regulations approval, however this is not a material planning consideration. Whilst alterations to the scheme could well result in building regulations approval being gained, it is likely that this would have ramifications for the design of the scheme and a new application may have to be submitted. The applicant is aware of this but still wants this application determined on its planning merits.)

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Representations:

City of Winchester Trust: Object

- Restricted accommodation.
- Still to gain agreement of the landowners to allow access onto the shared amenity land.
- Too big for the character of Middle Road.
- Disproportionately tall for its ground area.
- Two-bedroom accommodation is too cramped; studio accommodation with a bedroom gallery would be a better solution.

13 letters received objecting to the application for the following reasons:

- Increase in vehicles parking in Middle Road.
- Overdevelopment of the tiny plot.
- Height would be out of scale.
- No amenity land available for the dwelling.
- Loss of privacy from first floor roof-lights.
- Proposed dwelling would dominate the character and appearance of Middle Road.
- Dominant and overbearing effect to the occupants of adjoining dwellings.
- No other independent conversion/new build dwellings in Middle Road.
- Lack of on-site parking, without the agreement of the existing owners of 14 Clifton Road.
- Fails to preserve or enhance the character or appearance of the surrounding Conservation Area.

Reasons not material to planning and therefore not addressed in this report

- Unhygienic to keep bins within the proposed dwelling.
- No agreement for any vehicles visiting the proposed dwelling to turn within 14 Clifton Road.
- Has been no vehicular access to the existing building, from Middle Road. It was originally built as a pony stable in the 1850s.
- The proposed dwelling is given an address in Middle Road.

5 letters of support received.

- Overcome previous concerns as outlined in the reasons for refusal.
- In keeping with the traditional styles found in surrounding buildings.
- No overlooking of adjoining dwellings.
- No car parking proposed due to the close proximity of the town centre and public transport.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

H1, H2, H4, E16, E 17

Winchester District Local Plan Review:

DP.3, HE.4, HE.5, H.1, H.3, RT.3, T.1 and T.4

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPG15 Planning and the Historic Environment

PPS 3 Housing

Planning Considerations

Principle of development

PPS3: 'Housing' advises Local Planning Authorities that they should secure an appropriate mix of dwelling size, type and affordability in housing developments and avoid those that make an inefficient

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use of land. More intensive housing development in and around existing centres and close to public transport nodes should be provided. Local Planning Authorities should avoid developments that make inefficient use of land (those of less than 30 dwellings per hectare net) and should aim to provide densities between 30 and 50 dwellings per hectare net.

This is a brownfield site close to the town centre and public transport links.

PPS3 also emphasises that new development should respond positively to the character, scale and appearance of the surrounding area, and have a high standard of design.

PPG15: Planning and the Historic Environment, states that new development should preserve or enhance the character and appearance of the surrounding Conservation Area. Local Plan policies state that development should not detrimentally affect the amenities of the adjoining properties.

As the proposed development is located in a sustainable location, it is acceptable to have no parking, however, it would need to be demonstrated that cycle parking could be provided.

Design/layout

The design of the proposed dwelling has taken into consideration the comments of the appeal Inspector's decision letter dated 30th November 2004 by proposing a uniform design and simplified fenestration.

Impact on character of area and neighbouring property

The appeal Inspector accepted that a dwelling could be provided on this site without detriment to the amenities of the adjoining occupants.

It is proposed to have two velux windows within the roof of the dwelling. One will face onto Middle Road and whilst the other will face the adjoining property, it is set 1.8 metres above the floor level and will therefore not overlook the neighbour. Neither of the first floor windows proposed would therefore result in a loss of privacy to the adjoining occupants.

The simplified design and appearance of the proposed dwelling would preserve the character and appearance of the surrounding Conservation Area.

Although the proposal involves an increase in height of approximately 2.6 metres, there are higher buildings fronting Middle Road than that proposed. This would not therefore be out of keeping with the character of the area or overly dominant.

The increased height would not result in a detrimental loss of light to the occupants of the adjoining dwellings as the distances to the nearest dwellings are 10 and 20 metres respectively and any loss of light would not be significantly greater than that from the existing building.

Other Matters

The use of the amenity land and parking etc, are private matters for the applicant to establish with the owner(s) of the adjoining land.

The area around Oram's Arbour is not included within any Local or Neighbourhood Design Statement.

Planning Obligations/Agreements

In seeking the financial contributions for recreational public open space, the Local Planning Authority has had regard to the tests laid down in Circular 05/2005 which requires the obligations to be necessary;

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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.

Provided the applicant is prepared to make the following public open space contributions:

Play contribution - £904

Sports contribution - £904

Recommendation

Application Permitted subject to the following condition(s):

(Note: If the Legal Agreement is not completed within 6 months then the application may be refused without further reference to Committee)

Conditions

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 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, before the development is occupied

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

3 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 dwelling hereby permitted without the prior written consent of the Local Planning Authority.

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

4 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 and B of Parts 2 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

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

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

Reason: To protect the character and appearance of the Conservation Area.

6 Full details of all new windows and doors (which shall be constructed of timber) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work. The windows and doors shall be installed in accordance with the approved details, before the development

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is occupied.

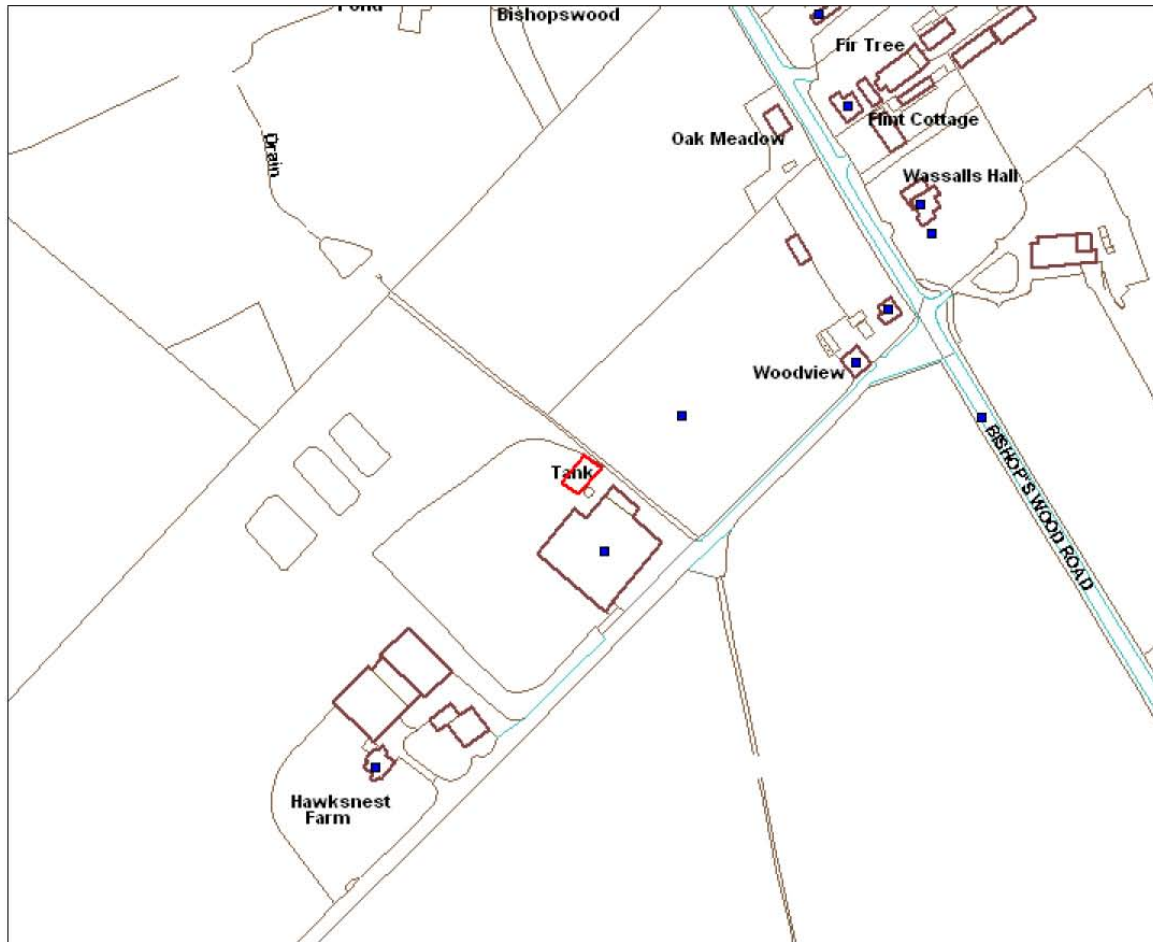
Reason: To protect the character and appearance of the Conservation Area.

Informatives

1. 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.
2. The Local Planning Authority has taken account of the following development plan policies and proposals:-
Hampshire County Structure Plan Review: H1, H2, H4, E16, E 17
Winchester District Local Plan Review Proposals: DP.3, HE.4, HE.5, H.1, H.3, RT.3, T.1 and T.4
3. A formal application for connection to the water supply is required in order to service the development. Please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (tel: 01962-858600), or www.southernwater.co.uk
4. A formal application for connection to the public sewerage system is required in order to service the development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (tel: 01962-858600), or www.southernwater.co.uk

Hawks Nest Farm, Mislingford

07/00908/FUL



Legend

Scale: 1:2500



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Organisation	Winchester City Council
Department	Development Services
Comments	
Date	11 October 2007
SLA Number	00018301

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 25 October 2007

Item No: Item 5
Case No: **07/00908/FUL / W14766/05**
Proposal Description: Installation of 2 no. milk silos
Address: Hawks Nest Farm, Bishops Wood Road, Mislingford, Fareham,
Hampshire
Parish/Ward: Swanmore
Applicants Name: Watson Dairies Ltd
Case Officer: Lorna Hutchings
Date Valid: 23 April 2007
Site Factors: None
Recommendation: Application Permitted

General Comments

This application is reported to Committee because of the number of objections received.

The application was considered by Members at the Committee of 3 July 2007 where officers recommended approval. However the Committee was concerned about the potential increase in capacity of the additional silos, notwithstanding the intended use by Watsons Dairies which is outlined below, and how this could potentially increase traffic trips or effluent to the detriment of highway safety and the amenities of the area. The application was therefore deferred to allow further investigation into potential future capacity of the site with additional consultation with Environmental Protection and the Environment Agency. These matters are addressed in detail below.

Two further letters of representation were received since the application was last considered by Committee on 3 July, which are summarised below.

Site Description

The site comprises a small area of land behind existing and approved silos within an established milk processing complex.

At the site exists a bottling plant comprising a number of single storey shallow pitched steel framed and clad buildings with 4 no. existing milk silos, with a 2 further approved behind (not built), painted dark brown, and other associated plant in front.

Access to the site is from Bishops Wood Road to the east off a concrete access track. There is parking to the northeast side of the buildings and structures separated by hedging and mature trees.

The complex is set on a levelled area within generally rising land to the northwest, with a dense mature belt of trees as a backdrop.

Proposal

Provision of 2 no. new silos 12m high and 4m wide (as existing) for organic milk processing, located immediately behind existing silos (to northwest).

Relevant Planning History

W14766/01 Extension to milk bottling complex - Application Permitted – 26 June 1997
(Committee).

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W14766/03 Extension to existing cold store; erection of new cold store and 2 no. milk silos; demolition of existing agricultural buildings and levelling of area to provide lorry and car parking - Application Permitted – 24 June 2005. (Committee).

Consultations

Engineers: Highways:

Recommend approval – From the information now provided, the processing of organic milk will replace that part of the regular milk processing lost as a result of suppliers switching to the production of organic milk. It is therefore unlikely that the proposals will interfere with the safety of highway users using the adjoining public highway. Although not intended, even if capacity doubled as a worst case scenario (increase in milk silos from 4 to 8 used at maximum capacity) then it is considered that the access and roads are capable of accommodating such vehicle movement without demonstrable harm to highway users.

Landscape:

Recommend approval – the location proposed is the best as it is less intrusive to cluster the silos together. If possible, existing planting should be supplemented.

Environmental Health:

No complaints of noise have been made and one complaint received in 2005 about odour relating to the lagoons. Regarding enforcement, as of 12 July 2007 Watsons have been given a permit to operate subject to the Pollution, Prevention and Control (England and Wales) Regulations 2000. The permit is issued by EA and any enforcement matters, including complaints, are now enforced by them alone.

Environment Agency:

Remedial measures have been put into place in order to address odour nuisance and previous increase in capacity. Now in the process of issuing pollution prevention permit and consent to discharge. There have been no complaints recently.

Representations:

Swanmore Parish Council – Supports, no comments given.

14 letters received objecting to the application for the following reasons:

- Lorry traffic increase down already congested and inadequate roads, highway hazard to other road users, erosion of road, environmental degradation, noise, pollution.
- Additional development (lagoons) required exacerbating smell problem.
- Increase in production inevitable.
- Industrial development not appropriate in rural location.
- Unsightly buildings out of character.
- Loss of enjoyment of local rural area.

Reasons not material to planning and therefore not addressed in this report

- Light pollution from existing buildings

Since the 3 July Committee meeting, as noted above, 2 further letters of objection have been received and grounds include increase in traffic, number of tankers used must be more or at least will generate more trips and questions raised regarding the location of organic milk farmers, when the dairy farmers will convert to organic milk production and if employment is local at the farm.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

T5.

Winchester District Local Plan Review

CE5, CE13, CE18, T1.

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPS 7 Sustainable Development in Rural Areas

PPG 13 Transport

Supplementary Planning Guidance

None

Planning Considerations

Principle of development

It is considered that the proposal is acceptable in principle under Policy CE13 which allows development necessary for agriculture in a rural location in so much as the development relates to the processing of milk, which is an activity which supports farming in the area, albeit it is not agriculture 'per se'.

The proposal is for 2 additional silos specifically for the processing of organic milk collected from local dairy farmers at Landford and Exton. Furthermore, the additional silos are acceptable in principle under Policy CE18 as they are within an established processing complex for rural enterprise which is appropriate within this location, assuming that there would be no material increase in traffic movements (see below).

Impact on Landscape Character.

The silo structures in general are in keeping with the rural character of the area as they are common features in such locations.

They will be set at the same level and are of the same design and colour as the existing silos and will be sited tightly behind them so that visual impact will be minimal.

Currently the silos are visible behind the buildings, from the road to the south over some distance, from Bishops Wood Road and a public footpath to the south.

The buildings are grouped together and in front of a significant backdrop of trees. The additional 2 silos will benefit from this, and will be viewed within the context of the existing silos and buildings, so it is considered that the proposal will result in no material visual harm.

Impact on Highways

This is a matter of some concern locally and, as noted above, was a concern of the Committee previously. The applicants indicate that they do not intend to increase overall production but want to convert some of their production to organic milk due to increasing consumer demand and the opportunity for additional income due to higher organic milk prices. The organic food production regulations require complete separation between non-organic and organic products and so new silos are required and the existing silos cannot be used for this purpose.

At present 2 tankers leave the site to collect milk from farms daily and it is proposed that one of these existing trips will change to pick up from the organic dairy source. The applicant has reiterated that this is their intention.

Additional details have been provided which fully outline the processes involved and nature of the business and importantly show that these tankers make 11 trips out and 11 trips in to the site at fairly regular intervals through the day and night from 3am to 9.30pm with the latest trip in at

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1.30am, based on the current situation with 4 no. silos as below:

<u>Time Out</u>	<u>Time In</u>
3am	8:30am
6am	8:30am
6am	9:30am
6am	10:30am
10am	12:30pm
11am	1:30pm
Noon	2:30pm
3:30pm	10:30pm
4:00pm	7:30pm
9:00pm	1:00am
9:30pm	1:30am

With a further 2 no. silos approved in 2005 and with the proposed 2 no. organic silos, it is considered that, even if the number of trips were to double as a result of potential capacity increases, which is not the applicants stated intention, the roads and access are suitable to accommodate safely such additional traffic.

The highway engineer has revisited the site and undertaken measurements along Bishops Wood Road between the site access and the junction of the A32. The average width of the carriageway is approximately 5.5m which is sufficient to allow two heavy goods vehicles to pass simultaneously. In addition, the majority of the road has good intervisibility for approaching drivers, allowing adequate time for drivers to see slow down and move over as may be necessary. Traffic accident data provided by HCC indicates there have been no personal injury accidents during the past three years that have involved heavy goods vehicles either in the vicinity of the site access or the neighbouring road junctions.

Given the width of access roads and wide site access, in addition to the lack of evidence of accidents with HGVs, even if the existing number of HGV trips were to increase, it is considered that the proposal would not cause demonstrable harm to highway safety and it would therefore be difficult to sustain a reason for refusal at appeal.

In addition, given the rural location of the property but relatively short distance to the A32 to the south, it is considered that the amenity of the area would be unlikely to be materially harmed by the proposed level of traffic, or with a potential increase assuming the worst case scenario, should the proposed organic silos be used at an increased capacity requiring more trips.

The nature of the milk production business is one where the capacity of the processing plant needs to be flexible to deal with however much or however little milk the dairy farmers produce on a daily basis and whichever products are in demand. There are also complexities of the utilisation of the silos in terms of cleaning, rotation, raw and semi processed products being contained and so the silos are always required to have plenty of spare capacity.

In light of the above, the recommendation is to approve the application.

Other amenity issues

The applicant has confirmed that, further to the comments of the Environment Agency, the new system that is being installed consists of bacterial injection which basically eats the bacteria within the effluent that causes odour. This treatment greatly reduces the odours that are present and the plant is currently being installed.

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Recommendation

Application Permitted subject to the following condition(s):

Conditions

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 The external surfaces of the silos hereby permitted shall be painted dark brown to match the colour of the existing silos at the site, unless otherwise agreed in writing by the Local Planning Authority.

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

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.

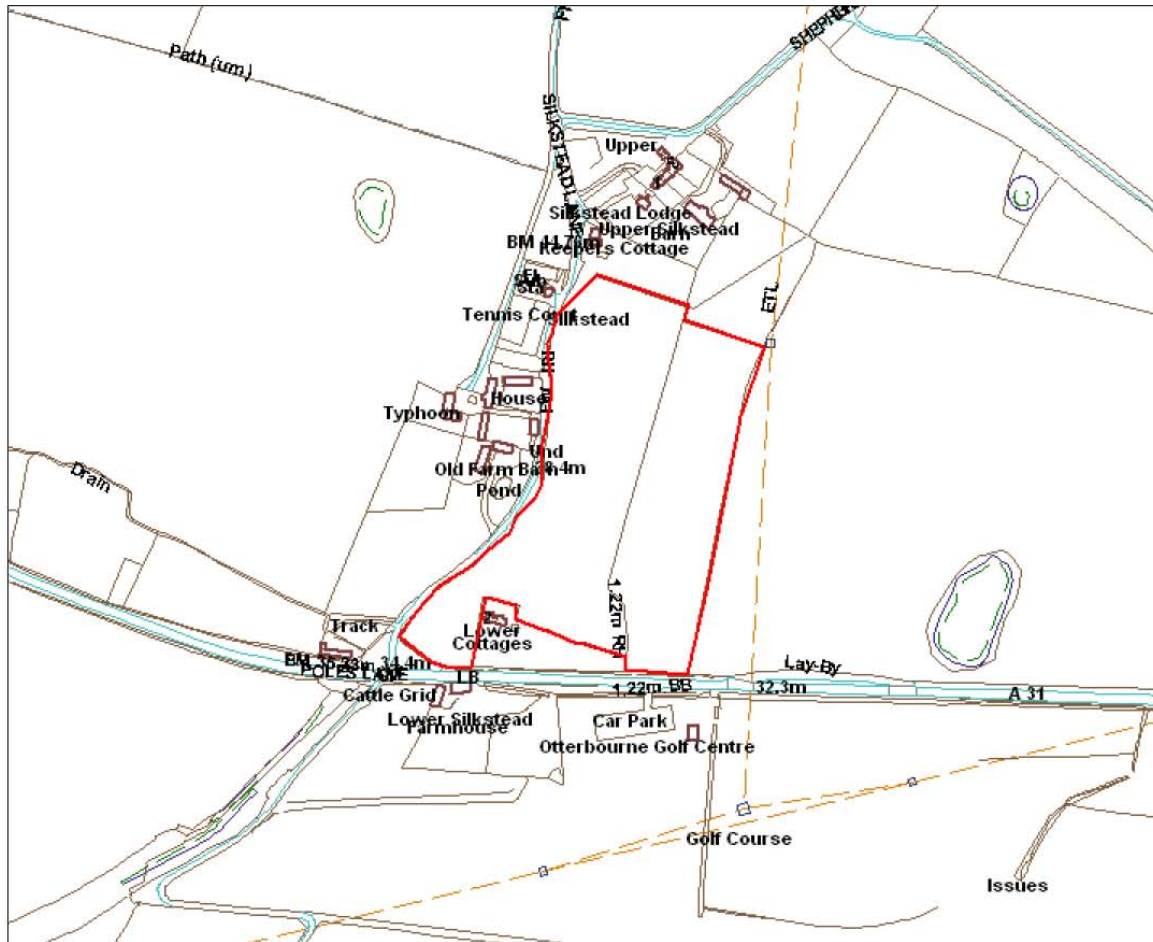
The Local Planning Authority has taken account of the following development plan policies and proposals:-

Hampshire County Structure Plan Review: T5.

Winchester District Local Plan Proposals: CE5, CE13, CE18, T1.

Land adj to Silkstead Farm, Hursley

07/01724/FUL



Legend

Scale: 1:5000



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Organisation	Winchester City Council
Department	Development Services
Comments	
Date	11 October 2007
SLA Number	00018301

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 25 October 2007

Item No: Item 6
Case No: 07/01724/FUL / W16379/05
Proposal Description: (AMENDED DESCRIPTION) Change of use of land, stables and hay barn to commercial livery usage with the addition of a staff room (RESUBMISSION)
Address: Land adjacent to Silkstead Farm, Silkstead Lane, Hursley, Hampshire
Parish/Ward: Compton and Shawford
Applicants Name: Mr and Mrs Hehmet-Ali
Case Officer: Elaine Walters
Date Valid: 16 July 2007
Site Factors: Within 50m of Listed Building

Recommendation: Application Permitted

General Comments

This application is reported to Committee because of the number of objections received. Compton and Shawford Parish Council object to this application and their comments are appended to this report.

This application is a resubmission. An application earlier in 2007 was withdrawn (W/16379/04), it sought to vary a condition which related specifically to the stables on site only and not the accompanying land. This current application has been re-advertised to clarify that the change of use of the land and stables, to commercial equestrian use, is sought.

Site Description

The application site comprises two parcels of land, forming a 9.3Ha (23 acre) holding which currently has a private equestrian use.

The main holding is 5.3Ha (13 acres) It lies on the corner of Poles Lane and Silkstead Lane and vehicle access is taken off Silkstead Lane. The second parcel of land is a 4Ha (10 acre) field, to the north of Silkstead Lodge on Shepherds Lane.

The existing buildings on site consist of a 4-bay stable block and a hay store with an attached WC and a rest room, this rest room is proposed to be used a staff room. These buildings are on the main southern parcel of land, adjacent to the main vehicle access. The buildings are constructed from black-stained weatherboarding with slate roofs.

Levels rise toward the north, up from Poles Lane. There is a second, field gate access adjacent to the corner of Poles Lane and Silkstead Lane. There is a further field gate access from Poles Lane just opposite the Otterbourne golf course entrance.

Proposal

This application seeks full planning permission to change the use of the land and buildings on site to carry out commercial livery and this would include full or DIY livery or a mix of both. The applicant has now submitted a supporting letter and an extract from a Business Plan for the proposed commercial livery use here. Initially there would be a maximum of 6no. horses kept on site in connection with the commercial use. In addition, the applicant can keep her own 2 horses at the site.

Relevant Planning History

W16379 - Four stables and haystore, refused June 2000

W16379/01 – Change of use of land for personal recreational horse keeping and erection of 3no. stables, tackroom and haystore, permitted September 2000

W16379/02 - Single storey extension to existing stables, permitted 2004

W/16379/03 Extension to existing stables to construct one bedroom dwelling REF 2006

W/16379/04 Relief of Condition 12 of planning permission W16379/01 (land owners horses only) to allow a commercial livery use. Withdrawn April 2007

Consultations

Engineers: Highways:

No objection – it is unlikely that the increased traffic generation resulting from this application will cause sufficient demonstrable harm to warrant a highway reason for refusal.

It is likely there will be an increase in the number of horse journeys using Silkstead Lane, especially to the north of the existing vehicle entrance. However, Silkstead Lane has a limited length of publicly adopted highway and beyond this it separates into various private roads and bridleways and is therefore not open as a through route for the general public. Due to the horizontal and vertical alignment of the road, together with the limited number of properties that are accessed from Silkstead Lane, the traffic volume and speeds are considered to be low.

Between Silkstead Lane/Poles Lane junction and the vehicular entrance to this site there are 3 no. passing bays that should allow two vehicles to pass simultaneously. In addition, there are 3 no. entrance gateways that provide an opportunity for a horse being ridden to take refuge from a passing vehicle. Along this southern section of Silkstead Lane the intervisibility between various classes of road user is considered to be good, thereby enabling the successful use of the passing bays without causing significant delay or harm to road users.

To the north of the site's entrance on to Silkstead Lane, the vertical and horizontal alignment becomes more tortuous, with reduced intervisibility between road users. As a consequence of this reduced visibility it is expected that vehicle speeds will reduce accordingly due to drivers feeling more uncomfortable driving at higher speeds. There are 5 private gateway entrances located along the northern section that might be used as refuge areas by horse riders should the need arise to avoid approaching traffic.

The visibility splays at the junction of the vehicle entrance to the site onto Silkstead Lane in either direction are considered acceptable. The visibility splay looking east at the road junction of Silkstead Lane with Poles Lane from a minor road "x" distance of 2.4m complies with the recommended standards and is considered acceptable. The visibility splay looking to the west currently measures at 2.4 metres by 145 metres approx.. However, this splay can be significantly improved by the cutting down and trimming back of vegetation, either growing in or over the extensive highway verge areas on either side of this junction. As this area is dedicated as public highway land it will be possible for Hampshire County Council to undertake these works without requiring or affecting land in third party ownership. Should this work occur it is likely that the required standards of 2.4 metres by 215 metres could also be achieved looking to the west. As it is the responsibility of the Highway Authority to maintain adequate visibility splays on highway land it would therefore be difficult to sustain a highway reason for refusal on the basis of lack of visibility at the Silkstead Lane/Poles Lane road junction. It should also be noted there have been no recorded accidents at this junction during the past three years.

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The TRICS database does not contain traffic generation figures for stables, either D.I.Y. or full livery. However, from previous experience it is anticipated that each horse at DIY livery will generate a daily average of 4 trips.

Rights of Way Officer: Hampshire County Council:

No objection, however every additional equestrian facility increases the pressure on the existing bridleway network.

The Rights of Way Officer requested a S106 Agreement to secure a contribution towards the future maintenance of the nearby bridleway network. However, in the absence of an adopted Development Plan policy, or other local policy, it would be unreasonable to require the applicant to make such a contribution.

Representations:

Compton And Shawford Parish Council: Objects.

This Condition 12 was imposed following a [committee] site meeting and reflects both the concerns of local residents and the narrow access road was deemed inadequate for the traffic which would be generated by use for commercial livery, which would conflict with pedestrians and the amenity of the area.

There is nothing in this latest application to indicate the reasons for imposing Condition 12 have been addressed.

Otterbourne Parish Council:

This constitutes a site area and business of considerable size. Generation of traffic would be significant. It would result in an increased number of large vehicles, such as horse boxes and delivery lorries, through the village of Otterbourne.

11 letters received raising concerns and objecting to the application for the following reasons:

- Traffic: there will be a marked increase in vehicles, horse boxes and horses on this narrow single track road which is not suitable for extra traffic. Traffic will increase 7 days a week.
- Highways: the junction of Poles Lane and Silkstead Lane is dangerous for slow vehicles such as horse boxes.
- The original permission for equestrian use was determined at a Committee site visit and was to be for personal use only. Nothing has changed since this personal condition was imposed.
- Additional hard standing will be required on both parcels of land to allow horse boxes to turn and park. This will harm the visual amenity of the area.
- There is not a network of bridleways but only 1.
- Sight lines at the site entrance are not good.
- There is no local need there are 2 livery stables in Compton.
- The change of use will cause additional noise and disturbance especially on the weekends.
- Neighbours windows are only 10m from this site. The smells and flies harm nearby residential amenity.
- It would harm the rural character of the area.
- There has been no neighbour notification to the owners of 6 dwellings most affected by the northern site and there has been no site notice erected here.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

T5

Winchester District Local Plan Review:

DP3, CE5, CE17, CE28, RT11, T2

National Planning Policy Guidance/Statements:

- PPS7 Sustainable Development in Rural Areas

Supplementary Planning Guidance

Equestrian Development

Planning Considerations

Principle of development

Under the provisions of Policy RT11 in the Local Plan the proposal for change of use to commercial livery is acceptable in principle. PPS7 supports new rural business uses. No new buildings or facilities are proposed on site. There are only 4No. stables on site at present, there is also a mobile field shelter suitable for 2No. horses, kept adjacent to the hedge, near the southwest corner of the site. The applicant proposes using the stables and the field shelter for commercial livery and to use the existing rest room as a staff room.

The original application for equestrian use of this land, and the erection of stables and haystore (W16379/01) had a condition (Condition12) which stated the stables shall not be used for commercial purposes. However, this does not prevent the applicant applying for a change of use to commercial livery in the future, provided they demonstrate that local amenities and highways safety are not materially harmed.

In a supporting letter the applicant stated that their land could support 12No. horses at commercial livery, (including their own horses). However, the stables and field shelter can only accommodate 6No. horses on site, therefore the applicant has agreed to limit the commercial livery to 6No. horses initially. At a later date, if the business is successful and expanding, the applicant may apply for additional horses, shelters or stables and these applications would be judged on their merits. The applicant can also continue to keep their own horses on site.

The applicant's supporting letter states that full or part livery is likely to be most successful and appropriate here but DIY livery, with separate owners looking after their own horses, is included in the Business Plan.

Highways/Parking

The impact on highway safety has been carefully considered.

Following visits to the site and in the light of objections from local residents, it was considered that the increased traffic generation here will not cause sufficient demonstrable harm to warrant a highway reason for refusal.

Impact on character of area

The proposal will result in an intensification of use of the existing site, but this in itself would not cause material harm to the visual amenity of the area.

Existing hedging screens the site from the public roads in the area.

Any additional hard standing will require a separate planning application which would be considered on its merits.

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Impact on neighbours' amenity

Whilst this commercial change of use may increase potential noise and disturbance, particularly at the weekend when owners would visit and exercise their horses, it is not considered sufficiently harmful to neighbours' amenity to warrant refusal of the application because of the low key nature of the use. No new buildings or exercise facilities are proposed on site. Riders will use the bridleway networks to exercise their horses.

Other Matters

Only 6No. neighbours were notified of the application. However, a site notice on the main entrance was erected and this was considered sufficient to advertise the proposal.

Recommendation

Application Permitted, subject to the following condition(s):

Conditions

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 The use of the site for commercial equestrian purposes as hereby approved shall be limited to not more than 6 horses at commercial livery on the site at any one time.

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

3 Within one month of the date of this permission, 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. The facilities shall be provided and thereafter maintained in accordance with the approved details.

Reason: In the interest of the amenities of the locality.

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

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

5 The land associated with the use hereby permitted shall not be used for the keeping of horse transport vehicles, horse boxes, caravans, mobile stables or any other structures, vehicles or chattels, unless authorised in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the area.

Informatives:

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

Hampshire County Structure Plan Review: T5

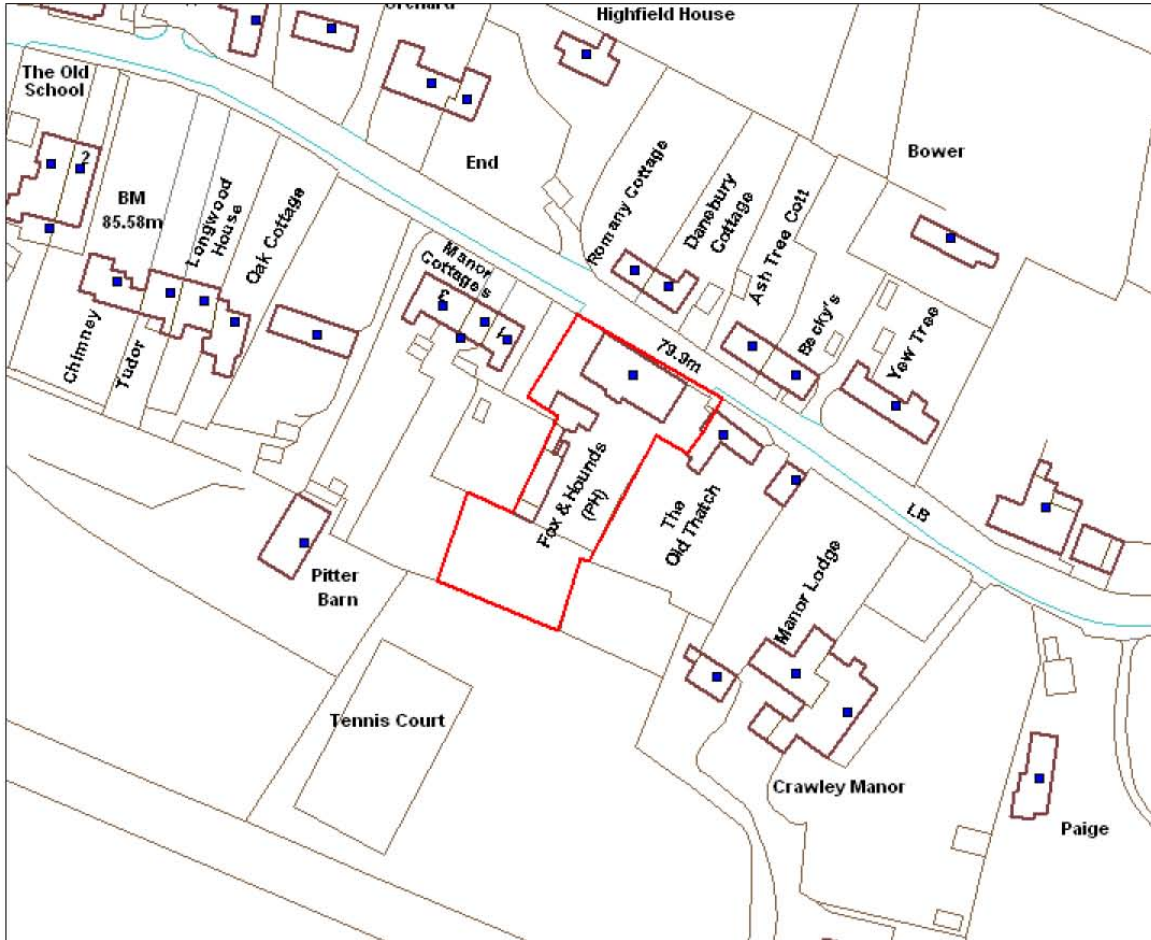
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Winchester District Local Plan Revised 2006: DP3, CE6, CE17, CE28, RT11, T2

2 The applicant is advised that planning permission will be required for the creation of any additional hardstanding on site.

The Fox and Hounds, Crawley

07/01836/FUL



Legend

Scale: 1:1250



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Organisation	Winchester City Council
Department	Development Services
Comments	
Date	11 October 2007
SLA Number	00018301

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 25 October 2007

Item No: Item 7
Case No: 07/01836/FUL / W11601/12
Proposal Description: New boundary wall, alterations to enlarge existing access for vehicles and alterations to existing beer garden inc. pergola
Address: The Fox And Hounds, Peach Hill Lane, Crawley, Winchester, Hampshire
Parish/Ward: Crawley
Applicants Name: Enterprise Inns Plc
Case Officer: Elaine Walters
Date Valid: 23 July 2007
Site Factors: Crawley Conservation Area
Recommendation: Application Permitted

General Comments

<p>This application is reported to Committee because of the number of objections received. There is a Listed Building Consent application for this development under consideration which is included elsewhere on this agenda (07/01860/LIS).</p>

Site Description

The Fox and Hounds pub is a grade II listed building. Built in the early 19th Century, in an elaborate half-timbered Tudor style, the two storeys of the building jetty out over the pavement in front of the pub.

The site lies within the conservation area of Crawley.

The pub fronts on to Peach Hill Lane, the main street through the village. At present there are driveways on either side of the building, with the eastern access leading to the main pub car park and beer garden beyond. The western access leads to two parking spaces, which lie between a holiday accommodation chalet and a raised grassed seating area, which is set with picnic tables. This western access is further from the main road junction into the village.

The pub is surrounded by traditional dwellings lining Peach Hill Lane, the main street.

Proposal

It is proposed to block off the western vehicle access with a new flint wall, this will extend to form a new retaining wall to the raised bank at the side of the pub.

An open sided pergola is to be erected to the western side of the pub, to form a smokers' shelter and a covered dining area.

Part of the low wall at the eastern entrance to the pub, adjacent to Old Thatch, has already been demolished; this work was proposed to widen the access. A temporary shelter has been erected in the car park for smokers.

Relevant Planning History

None relevant

Consultations

Conservation:

The principles of the proposals are acceptable, but the drawings were very sketchy and not of sufficient detail.

Additional detailed drawings have been submitted, showing the construction of the pergola.

Engineers: Highways:

This proposal is unlikely to interfere with the safety of users of the adjoining highway network, subject to condition 4.

Environmental Protection:

No adverse comments to make. Any noise issues will be dealt with under either the Licensing Act 2003 or the Environmental Protection Act 1990 as appropriate.

Representations:

Crawley Parish Council:

No comments.

6 letters received raising concerns and objecting to the application for the following reasons:

- Vehicle Entrance: Most vehicles use the wider western access which is to be blocked. The single access will have to serve as entrance and exit. Vehicles coming and going will meet head on and they will have to reverse out if the car park is full. Refuse collection and delivery lorries will have to park in the road. How would a fire engine access the accommodation units to the rear? Forcing traffic through a single entrance will increase noise and disturbance to neighbours
- Parking: The road is extremely narrow. Pub cars park on the road, blocking it e.g. for buses and ambulances. The existing 9 spaces are inadequate on site. This proposal will exacerbate congestion in the village.
- Noise and disturbance: The enlargement of the beer garden for smokers, with the extension in licensing hours, will increase noise late at night. The side beer garden has 8 benches now, there is a larger beer garden at the rear, why extend this side beer garden? Customers drinking outside will be more difficult for the landlord to monitor and control.
- Planning application rules: The public notices were not posted correctly. One was on the back of the main door. Another, in front of the pub, was late going up.
- Work started to enlarge the entrance on 23 August, demolishing a wall that may be listed and may belong to Old Thatch adjacent.
- Neighbours' drains lie close to the boundary and may be damaged if cars pass too close.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

E16

Winchester District Local Plan Review

DP3, HE5, HE14, HE16, SF6

National Planning Policy Guidance/Statements:

PPG 15 Planning and the Historic Environment

Supplementary Planning Guidance

Crawley Village Design Statement

Planning Considerations

Principle of development

Policy SF6 allows for the development of new, extended or improved facilities and services within settlements, therefore the principle of this covered canopy within the pub garden is acceptable

Policy DP3 of the Local Plan requires amongst other things, that a proposal “in terms of design, scale and layout, responds positively to the character and appearance of the local environment” and “does not have an unacceptable adverse impact on adjoining land, uses or property”.

The principle of altering the pub access and erecting structures adjacent to a listed building in a conservation area is acceptable. The impact of the proposal has been carefully considered.

Design/layout

The applicant states the blocked access and the pergola are required to: (i) meet the new legislation banning smoking inside and (ii) improve Health and Safety as, at present, the main access road runs between the pub and the side beer garden.

The alternatives to the proposed siting of the smokers' shelter have been carefully assessed. The rear beer garden is too far from the pub to be practically used for a smokers' shelter, also it cannot be overseen from the pub and it is used as a children's play area at present. The car park immediately to the rear of the pub cannot accommodate a shelter without loss of parking spaces. The existing side beer garden is on a steep bank, thus the proposed site for the smokers' shelter is appropriate although it requires the blocking of one access.

Impact on the character and setting of the listed building and character of conservation area

The pergola is a small structure measuring nine square metres in floor area and three metres high (maximum). Additional detailed drawings have been submitted, showing the construction of the pergola which would consist of oak posts with a monopitch roof.

Whilst the pergola will be visible in public views, it is an open sided structure, constructed in traditional green oak, with a matt fabric roof awning. The appearance of the pergola is considered to be unobtrusive and will not harm the setting of the listed building or the character and appearance of the conservation area.

Details of the proposed awning; seating; any lighting and heating equipment have been conditioned (Condition 3).

The partial demolition of the low flint wall, at the eastern entrance to the pub, has been carried out without the necessary listed building consent and it is dealt with in the corresponding listed building application, included elsewhere on this agenda.

A new flint wall is proposed to block off the western vehicle access. This will extend to form a new retaining wall to the raised bank at the side of the pub. The height, design and traditional materials proposed for this wall are in keeping with the appearance of the listed building. A sample panel of flint work is required to be constructed on site, under Condition 4.

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Noise and disturbance

Whilst the use of the pub garden for outdoor activity already occurs, this pergola provides a shelter for patrons outside and may intensify the use of the outside area. Environmental Protection have considered the provision of the smokers' shelter and have raised no objections but have indicated that if any problems did arise they could be dealt with under the Licensing Act or the Environmental Protection Act.

Also, the proposal stops off the existing vehicle access along this boundary and this is an environmental improvement in this respect.

With regard to traffic, the pub does not have a formal in/out arrangement. Cars can drive in and out of the eastern access at present. Closing the western access would mean that patrons would use the eastern access. However, it is considered that blocking the western access would not be likely to cause a significant increase in traffic noise or disturbance that would materially harm the amenities of the neighbours to the east. The capacity of the car park has not increased and visitor numbers are not likely to rise significantly following the proposed works.

Landscape

Details of the proposed landscaping, including fencing and hard surfacing, are to be agreed with the Local Planning Authority (Condition 3).

Highways/Parking

The impact of blocking an access is considered not to cause harm to parking and highway safety.

Other Matters

The neighbour states the low flint wall, at the eastern entrance to the pub, may belong to them and the widened vehicle access may damage their drains. However, these are civil matters which are not material planning considerations. The applicant has stated they own all the land to which the application relates.

Recommendation

Application Permitted subject to the following condition(s):

Conditions

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 development shall take place until details and samples of the materials to be used in the construction of the flint and brick front wall, 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.

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

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3 No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include the following, as relevant:

- existing and proposed finished levels or contours;
- details of proposed handrails and fencing, including elevation drawings at scale 1:50;
- details of the proposed housing and mounting of the retractable awning, including elevation drawings at scale 1:50;
- details of proposed seating, lighting, (including levels of luminance) and heating equipment to be installed on the new patio and inside the pergola;
- hard surfacing materials:

Soft landscape details shall include the following as relevant:

- planting plans;
- schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate;
- implementation programme:

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

4 The proposed access and drive, including the 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 Hampshire Highways Winchester, Central Depot, Bar End Road, Winchester, SO23 9NP prior to the commencement of access works.

Reason: To ensure satisfactory means of access.

Informatives

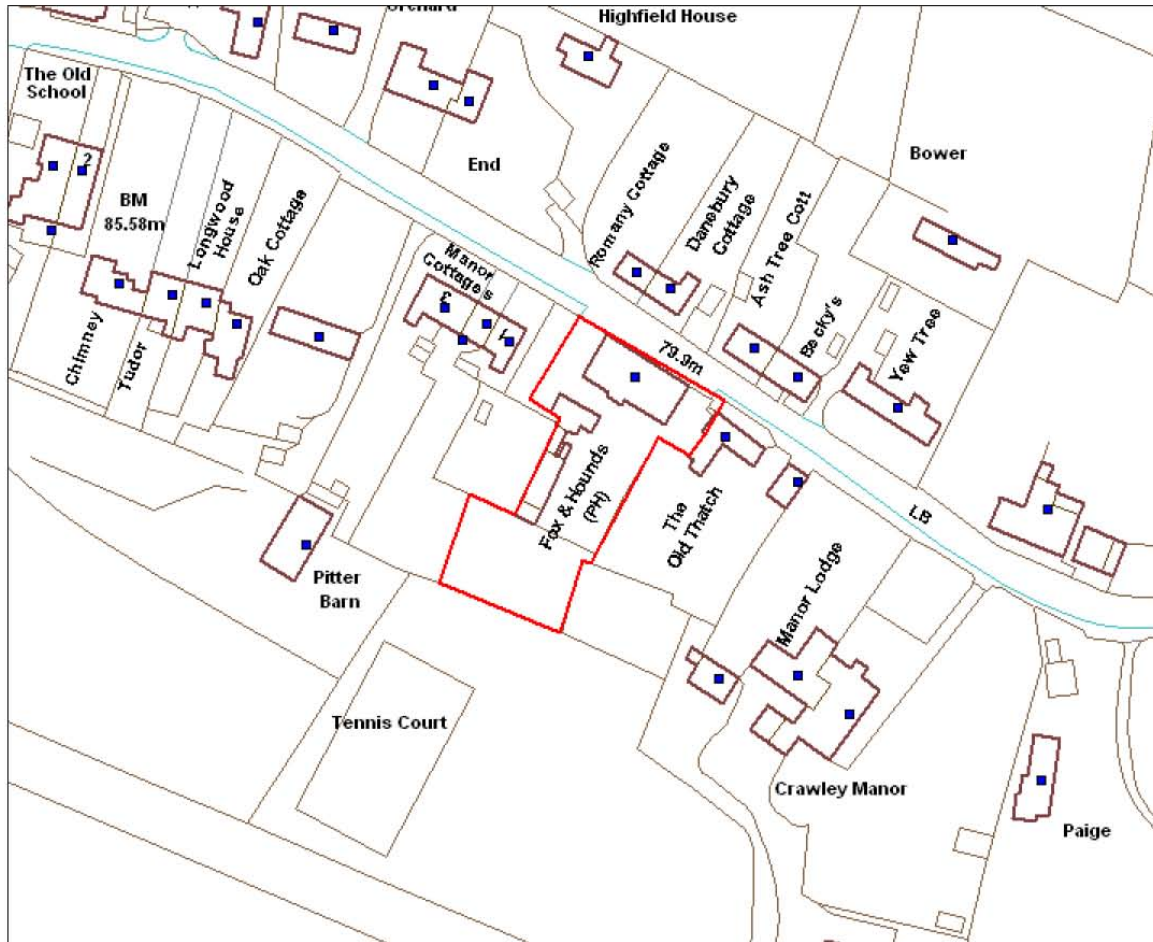
1. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Hampshire County Structure Plan Review: E16

Winchester District Local Plan Review: DP3, HE5, HE14, HE16, SF6

The Fox and Hounds, Crawley

07/01860/LIS



Legend

Scale: 1:1250



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Organisation	Winchester City Council
Department	Development Services
Comments	
Date	11 October 2007
SLA Number	00018301

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Item No:	Item 8
Case No:	07/01860/LIS / W11601/11LB
Proposal Description:	New boundary wall, alterations to enlarge existing access for vehicles and alterations to existing beer garden [AMENDED DESCRIPTION]
Address:	The Fox And Hounds, Peach Hill Lane, Crawley, Winchester, Hampshire
Parish/Ward:	Crawley
Applicants Name:	Enterprise Inns Plc
Case Officer:	Elaine Walters
Date Valid:	23 July 2007
Site Factors:	Listed Building
Recommendation:	Application Permitted

General Comments

This application is reported to Committee because of the number of objections received. There is an application for full planning permission for this development under consideration which is included elsewhere on this agenda (07/01836/FUL).

Site Description

The site lies within the conservation area of Crawley.

The Fox and Hounds pub is a grade II listed building. Built in the early 19th Century, in an elaborate half-timbered Tudor style, the two storeys of the building jetty out over the pavement in front of the pub.

The pub fronts on to Peach Hill Lane, the main street through the village. At present there are driveways on either side of the building, with the eastern access leading to the main pub car park and beer garden beyond. The western access leads to two parking spaces, which lie between a holiday accommodation chalet and a raised grassed seating area, which is set with picnic tables. This western access is further from the main road junction into the village.

The pub is surrounded by traditional dwellings lining Peach Hill Lane, the main street.

Proposal

A new flint wall is proposed to block off the western vehicle access. A new external smoking area will be formed in place of this western access, with a new pergola which is included on the current planning application.

A new flint wall retaining wall is proposed to the raised bank, at the western side of the pub.

Part of the low wall at the eastern entrance to the pub, adjacent to Old Thatch, has already been demolished by the applicant; this work is included on this listed building consent application in order to widen the vehicle access.

A new 1.6m picket fence is proposed from the rear corner of the pub, to the west. This will enclose the new external seating/smoking area.

Relevant Planning History

None relevant

Consultations

Conservation:

The principles of the proposals are acceptable, but the drawings were very sketchy and not of sufficient detail.

Additional detailed drawings have been submitted, showing the construction of the pergola (included on the current planning application).

Engineers: Highways:

This proposal is unlikely to interfere with the safety of users of the adjoining highway network, subject to Condition 4.

Environmental Protection:

No adverse comments to make. Any noise issues will be dealt with under either the Licensing Act 2003 or the Environmental Protection Act 1990 as appropriate.

Representations:

Crawley Parish Council:

No comments.

6 letters received raising concerns and objecting to the application for the following reasons:

- **Vehicle Entrance:** Most vehicles use the wider western access which is to be blocked. The single access will have to serve as entrance and exit. Vehicles coming and going will meet head on and they will have to reverse out if the car park is full. Refuse collection and delivery lorries will have to park in the road. How would a fire engine access the accommodation units to the rear? Forcing traffic through a single entrance will increase noise and disturbance to neighbours
- **Parking:** The road is extremely narrow. Pub cars park on the road, blocking it e.g. for buses and ambulances. The existing 9 spaces are inadequate on site. This proposal will exacerbate congestion in the village.
- **Noise and disturbance:** The enlargement of the beer garden for smokers, with the extension in licensing hours, will increase noise late at night. The side beer garden has 8 benches now, there is a larger beer garden at the rear, why extend this side beer garden? Customers drinking outside will be more difficult for the landlord to monitor and control.
- **Planning application rules:** The public notices were not posted correctly. One was on the back of the main door. Another, in front of the pub, was late going up.
- **Work started to enlarge the entrance on 23 August, demolishing a wall that may be listed and may belong to Old Thatch adjacent.**
- **Neighbours' drains lie close to the boundary and may be damaged if cars pass too close.**

Relevant Planning Policy:

Hampshire County Structure Plan Review:

E16

Winchester District Local Plan Review

DP3, HE5, HE14, HE16, SF6

National Planning Policy Guidance/Statements:

PPG 15 Planning and the historic environment

Supplementary Planning Guidance

Crawley Village Design Statement

Planning Considerations

Impact on the character of the listed building

The partial demolition of the low flint wall, at the eastern entrance to the pub, does require listed building consent. The partial demolition has been carried out without consent. However, this application seeks to regularise this work.

It is considered that the demolition of part of this low flint wall does not have a significant impact on the setting of the listed building. This was a modest section of wall, measuring 1.5m in length, which projected into the eastern driveway of the pub. This portion of wall had been damaged by a lorry and has been rebuilt in recent years; therefore there is no loss of historic fabric. The neighbour states that this dwarf wall may belong to them and the widened vehicle access may damage their drains, however, these are civil matters which are not material planning considerations. The applicant has stated that they own all the land to which the application relates.

The new picket fence to the rear of this western seating area is a minor development, which will not detract from the setting of the listed building.

A new flint wall is proposed to block off the western vehicle access. This will extend to form a new retaining wall to the raised bank at the side of the pub. The height, design and traditional materials proposed for this wall are in keeping with the appearance of the listed building. A sample panel of flint work is required to be constructed on site, under Condition 4.

Recommendation

Application Permitted subject to the following condition(s):

Conditions

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

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

2 No development shall take place until details and samples of the materials to be used in the construction of the flint and brick front wall, 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.

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

3 Any alterations and repairs to brickwork shall be carried out utilising matching materials, brick bond and jointing details to those on the existing building. If there is some doubt as a range of different mortars and jointing details have been used on the existing building, then details are to be agreed in writing with the LPA prior to the commencement of work. A lime putty mortar shall be used unless otherwise agreed in writing by the Local Planning Authority.
(See advice notes on Mortars and Pointing attached).

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Reason: To maintain the character of the listed building.

4 Prior to the commencement of works a sample panel (of flintwork with brick coping) shall be constructed for the consideration of the Local Planning Authority. When a panel has been completed that meets with the approval of the LPA and such approval has been confirmed in writing, then the development hereby approved shall be finished in a manner identical to the approved panel.

Reason: To ensure the detailing and materials maintain the architectural interest of the building.

5 No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include the following, as relevant:

- existing and proposed finished levels or contours;
- details of proposed handrails and fencing, including elevation drawings at scale 1:50;
- details of the proposed housing and mounting of the retractable awning, including elevation drawings at scale 1:50;
- details of proposed seating, lighting, (including levels of luminance) and heating equipment to be installed on the new patio and inside the pergola;
- hard surfacing materials:

Soft landscape details shall include the following as relevant:

- planting plans;
- schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate;
- implementation programme:

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

Informatives:

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

Hampshire County Structure Plan Review: E16

Winchester District Local Plan Review: DP3, HE5, HE14, HE16, SF6