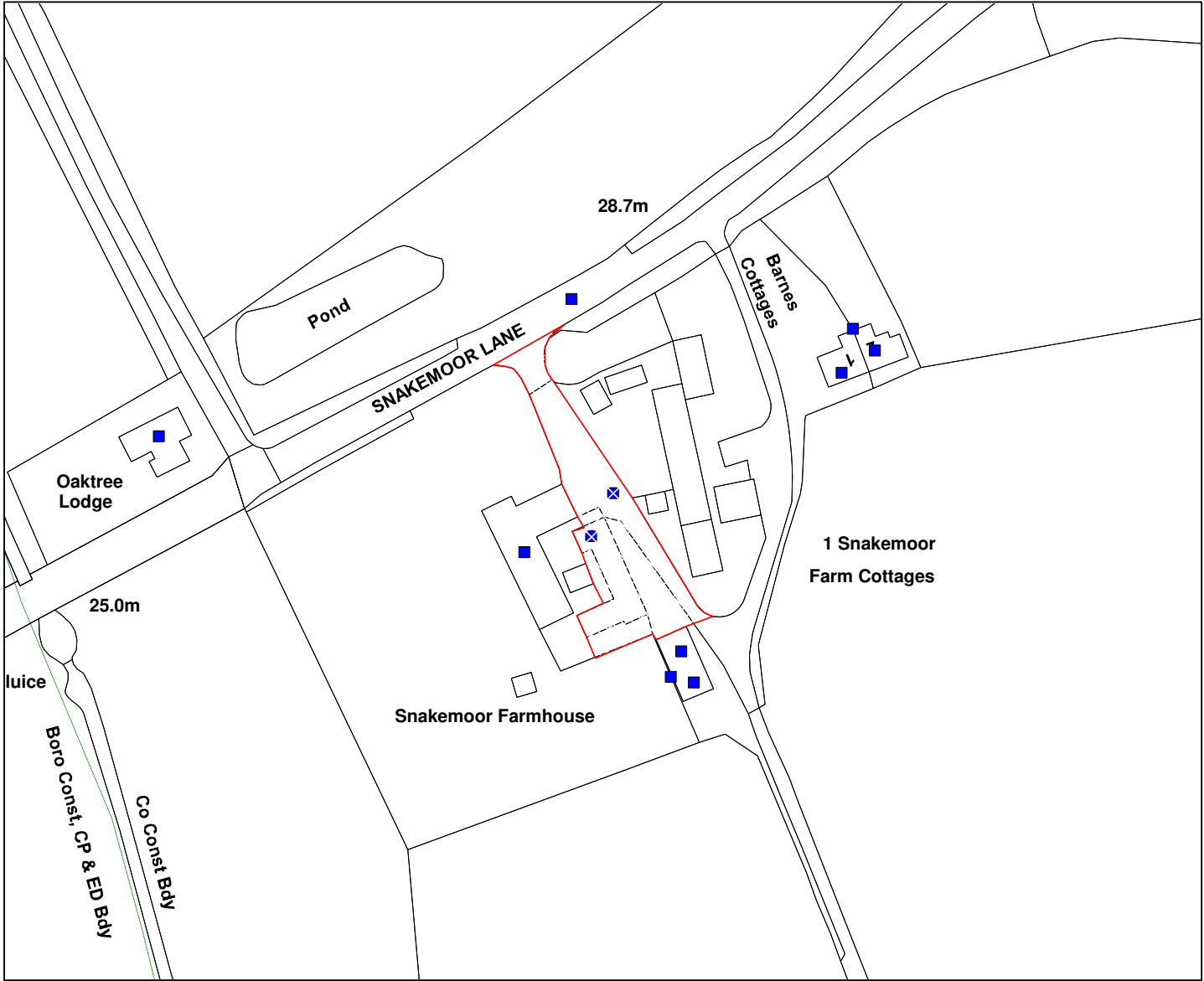


Snakemoor Farm, Durley

09/00043/FUL



Winchester
City Council



Legend

Scale: 1:1250



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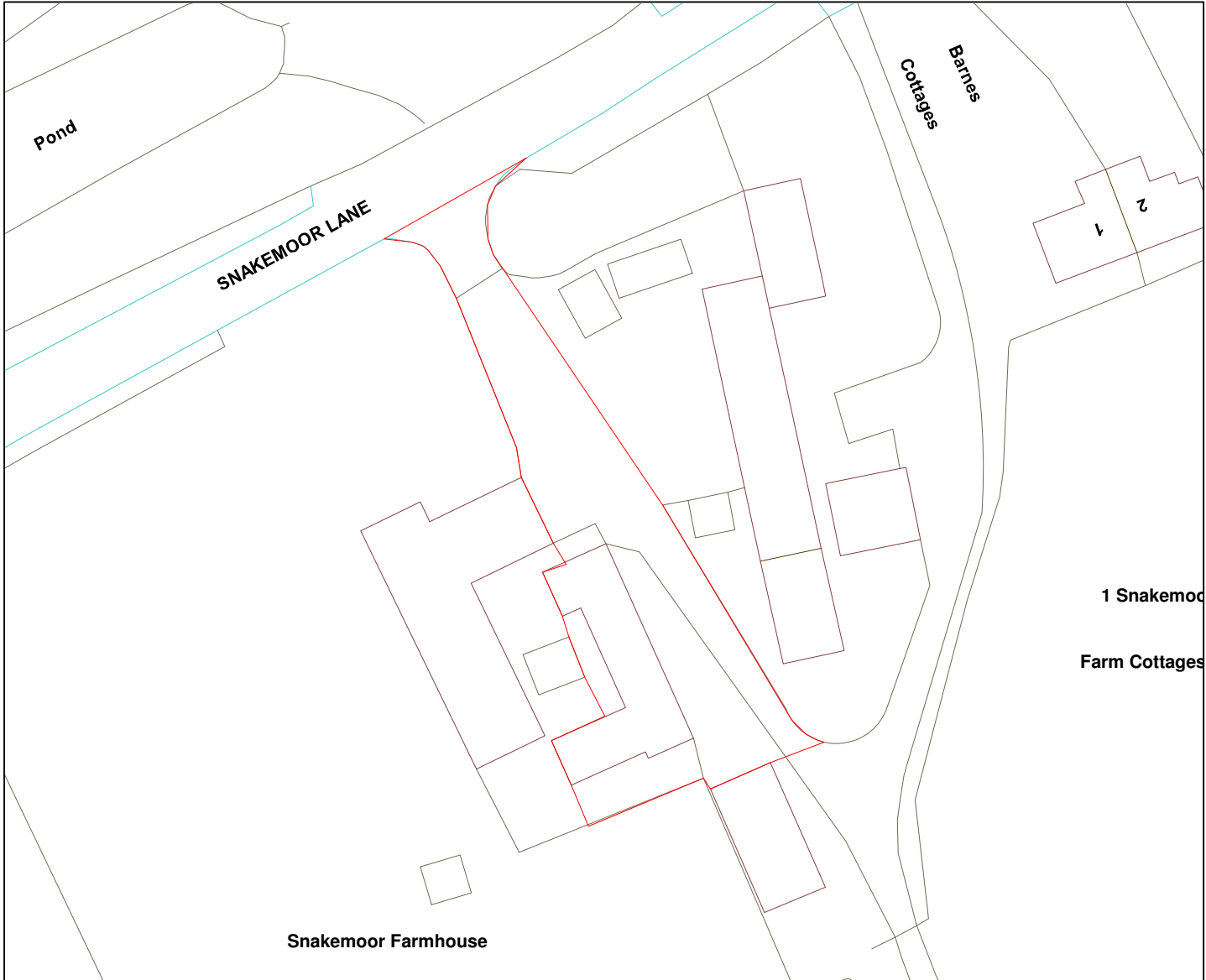
Organisation	Winchester City Council
Department	Development Services
Comments	
Date	19 March 2009
SLA Number	00018301

Snakemoor Farm, Durley

09/00043/FUL



Winchester
City Council



Legend

Scale: 1:625



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Organisation	Winchester City Council
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Comments	
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WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

*Winchester City
Council*
Planning Department
Development Control

Committee Item

TEAM MANAGER
SIGN OFF SHEET

Case No:	09/00043/FUL	Valid Date	12 January 2009
W No:	02216/05	Recommendation Date	11 March 2009
Case Officer:	Mr James Jenkison	8 Week Date	9 March 2009
		Committee date	2 April 2009
Recommendation:	Application Permitted	Decision:	Committee Decision

Proposal:	Alterations to partially built two storey building to form single storey building to provide 2 no. holiday accommodation (RESUBMISSION)
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Site:	Snakemoor Farm Snakemoor Lane Durley Southampton Hampshire
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Open Space Y/N	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
no	no	Y/N	1	no	no	yes

APPROVE Subject to the condition(s) listed		
	Signature	Date
CASE OFFICER		
TEAM MANAGER		

AMENDED PLANS DATE:- 10 March 2009.

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Item No: 4
Case No: 09/00043/FUL / W02216/05
Proposal Description: Alterations to partially built two storey building to form single storey building to provide 2 no. holiday accommodation (Resubmission)
Address: Snakemoor Farm Snakemoor Lane Durley Southampton Hampshire
Parish/Ward: Durley
Applicants Name: Mr Ben Boyes
Case Officer: Mr James Jenkison
Date Valid: 12 January 2009
Site Factors:
Recommendation: Application Permitted

General Comments

This application is reported to Committee at the request of Durley Parish Council, whose request is appended in full to this report as Appendix 1.

The amended floor and elevation plans submitted on 10th March 2009 substitutes a slate roof for an obscure glazed polycarbonate glass roof over that part of the building where the entrance to the two holiday apartments would be located.

The proposal seeks to partially retain an unauthorised building, which is subject to an Enforcement Notice for complete demolition, and use it for a pair of tourist accommodation units. The Enforcement Notice was appealed and the appeal decision is appended in full to this report as Appendix 2. The appeal was dismissed, with the appeal Inspector noting harm to the immediate neighbour's amenity, and that the two-storey building had the appearance of a substantial detached house greatly in excess of the existing farm dwelling and that this made it out of character with other buildings on the holding. The applicant had not, at that time, provided sufficient details for a farm diversification scheme, and the Inspector noted other activity on the site. In relation to the effect upon Snakemoor Farmhouse, the Inspector concluded that the unauthorised building constructed at the time would present a large expanse of unrelieved brickwork which would create an uncomfortable sense of enclosure due to the bulk and height of the building, resulting in a serious loss of amenity to the neighbouring residence through loss of light and outlook. In reaching this conclusion and upholding the Enforcement Notice, the Inspector noted that the unauthorised building was significantly larger than the earlier agricultural outbuildings that existed in a similar position.

Site Description

The application site comprises approximately 0.07 hectares of land encompassing the access to Snakemoor Farm and an unauthorised L-shaped building which is subject to the Enforcement Notice. Whilst the notice has not been complied with and the applicant has been successfully prosecuted for non-compliance, the roof tiles have been removed and the wall has been reduced in height.

The unauthorised building is part of a group of buildings that form the historic core of Snakemoor Farm. To the east of the application site, and facing it across the access and

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farmyard, is a long, predominantly single storey, farm building used for horse stabling, which has two-storey residential accommodation at its southern end.

To the west-south-west of the unauthorised building is Snakemoor Farmhouse, which originally formed part of the farm complex, but which has been separated from the holding and is used as a separate unit of residential accommodation. Subsequent to its subdivision, Snakemoor Farmhouse had been enlarged to a substantial two-storey dwelling, also with an L-shape footprint.

The access of the application site continues south to a complex of modern farm buildings that have been constructed in the fields beyond, in order to better accommodate the modern farming practices required by the farm holding.

Proposal

The proposal is to reduce the height of the unauthorised building to single storey level and to use it as two units of tourist accommodation. It differs from the previously withdrawn application (08/00161/FUL), in that the wall heights have been lowered and the roof line has been better articulated by placing a small porch between both units of accommodation. The reduced wall height would prevent additional accommodation being created in the roofspace of the proposed development.

Relevant Planning History

05/02923/FUL - Barn conversion to 2 no. self-contained units of holiday accommodation (Part retrospective) - Refused - 24/02/2006. This proposal sought to retain the original two-storey unauthorised building.

06/02635/FUL - Retention of building for use as two self-catering units of holiday accommodation (Resubmission) - Refused - 17/11/2006. This proposal sought to retain the original two-storey unauthorised building.

08/00161/FUL - Alterations to partially built two storey building to single storey building to provide 2 no. holiday units - Withdrawn - 22/12/2008. This proposal had a higher wall height than the proposed wall height subject to this application.

Historically, there was a barn located on the site which, by 2005, had substantially collapsed and the remainder was demolished. A new, unauthorised building was partially constructed on the site (with walls and roof constructed) which was greater in size than the original and which required planning permission. The building had been constructed to residential standards and to a height of two storeys. The location of the unauthorised building at the common side boundary with Snakemoor Farmhouse (a neighbouring residential property) was considered to be harmful to the amenities of that neighbouring dwelling and the character of the countryside and an Enforcement Notice was issued on 15th June 2006 to take effect on 20th July 2006. The Enforcement Notice was appealed and the appeal was dismissed on 17th April 2007 (a copy of the appeal decision is attached as Appendix 2). Planning applications have been submitted to regularise the building and, apart from 08/00161/FUL (withdrawn), have been refused planning permission due to the harm to the amenities of the adjoining residential property and rural character of the area.

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Consultations

Engineers: Highways:

The Highways Engineer did not consider the proposal to contain any significant highways issues and it would be unlikely to impact on highway safety.

Representations:

Durley Parish Council

Objected to the application, as it would set a precedent for future cases.

One letter was received objecting to the original submission, for the following reasons:

- Design out of character with farmhouse setting, particularly the glazed link.
- Glazed link will cause potential light pollution to window of habitable room in neighbouring house.
- Mass of proposal would have an overbearing impact on neighbouring residential property.

Reasons not material to planning:

The guttering of the proposal will overhang the neighbour's boundary and the foundations will underlie the boundary.

Relevant Planning Policy:

National Planning Policy Guidance:

PPS7

Winchester District Local Plan Review

CE16, RT18

Planning Considerations

Principle of development

PPS7 and Policy CE16 encourage farm diversification, including tourist accommodation in the countryside and this may be in the form of replacement buildings, with Policy CE16 noting that new buildings should be located within an existing building group and respect the local landscape character. Policy RT18 promotes short-term tourist accommodation in the countryside provided it is totally screened from public viewpoints, and whilst the proposal will be visible from the road through the access, it will be explained that the circumstances are such that the proposal will not be harmful to the amenities of the countryside. The Planning Inspector was not satisfied with the farm diversification proposal at the time of the appeal but, since that time, the applicant's accountant has clarified that the farm (including rent from the cottages) generates only a small profit which provides only a limited income for the applicant and that the EU subsidy will be reducing over the coming years. The accountant has provided estimates that show that the projected income from the proposed tourist accommodation units will ensure the viability of the farm unit.

The construction of a pair of tourist accommodation units as part of a farm diversification scheme is therefore considered to be acceptable, in principle, and consistent with Policy CE16.

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Enforcement

The proposal would not extinguish the Enforcement Notice to demolish the building, but it would, in effect, authorise a building of reduced size, enabling some of the existing structure to be retained as part of an alternative development. In planning policy terms, the proposal represents a new proposal that must be assessed on its own merits, regardless of the building that once existed on the site. This is because much of the original building had collapsed and the rest was eventually demolished prior to the construction of the unauthorised two-storey building which is the subject of the Enforcement Notice upheld on appeal. Should permission be given for the proposed building, it is recommended that it should be with a planning obligation which will require the removal of all of the existing structure except that part which is authorised by this proposal.

Design/layout/Impact on the character of the area.

The proposed building is a single storey structure which includes the use of red bricks, timber weatherboarding and clay tiles in its design. These are all traditional materials which will assist in ensuring the building can blend in with the rest of the farmyard, with the view from the access being of a structure that would have the appearance and profile of a single storey shed, and doors and windows in the front elevation designed in a manner commensurate with such a use.

The appearance of a functional rural building is assisted by the low eaves level and a building footprint which would not be interpreted as an obviously residential design, which would be unacceptable in the farmyard context of the site. The chimneys would identify the residential use of the building but this is not considered to detract from the overall rural design characteristic of the building. Additionally, the open porch separating the two units of tourist accommodation is now proposed to be constructed in slate rather than obscure glazed polycarbonate.

The proposed development will not be totally screened from public views, because it is part of an existing farmyard complex which has already been subdivided (Snakemoor Farmhouse has been separated and is occupied as a separate residential property), with an end elevation facing towards the access from Snakemoor Lane. Historically, a building existed on the site of the proposal and, by locating the proposal in a similar position, it reflects the historic layout of the farmyard and places the proposal within an existing complex of buildings rather than in an isolated location or in a prominent position. Essentially, the design and location of the proposed building would not draw attention to itself when viewed from the access and is compliant with the provision of Policy CE16 of being sited unobtrusively within an existing group of buildings.

The proposed development is therefore considered to be appropriate for its context and is not considered to cause material harm to the rural landscape.

Impact on neighbouring property

The proposal presents long walls along the north side boundary with Snakemoor Farmhouse. The boundary is indented and reflects the line of the original buildings that were located here.

The main living areas and habitable rooms of Snakemoor Farmhouse are orientated to the west and south, away from the application proposal and towards extensive private garden areas. Nevertheless there are a number of windows and doors facing east

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towards the application site. The house itself has been enlarged, with a detached triple garage with store over being granted permission in 2005, and a subsequent application to convert an existing integrated garage and store to accommodation being granted in 2007. Like the application proposal, the house forms an L-shape, with both buildings creating a courtyard within the ownership of Snakemoor Farmhouse.

On upholding the enforcement notice requiring the demolition of the existing unauthorised two-storey building on the site, the Inspector considered that it was harmful to the residential amenities of Snakemoor Farmhouse by virtue of its height and bulk. The application proposal is substantially different from that which the Inspector considered unacceptable, having a single storey height and with a different design which breaks up the mass of the roof. Furthermore, this proposal will not have windows facing towards Snakemoor Farmhouse and Condition 3 will prevent future window insertion in the walls and roof. The lower height of the building will allow views over the roof of the proposed building from the 1st floor level of Snakemoor Farmhouse and will ensure that the proposal is not overbearing or intrusive to a materially harmful degree.

This single storey building is located to the east of Snakemoor Farmhouse and will cast some shadow in morning hours. However, the shadow will not be cast over the main outdoor living area of Snakemoor Farmhouse and the level of overshadowing over the remainder of the property is not considered to be materially harmful. The single storey height of the building will also ensure that any overshadowing of ground floor windows of Snakemoor Farmhouse will not be materially harmful, with the main sidewall of the proposal situated approximately 8.5 metres from the main sidewall of Snakemoor Farmhouse.

The proposal would act as a building screen between Snakemoor Farmhouse and the farmyard area of Snakemoor Farm and, in this respect, would have a positive value in helping to protect the residential amenities of Snakemoor Farmhouse.

Highways/Parking

The farm courtyard here is able to accommodate sufficient car parking for the proposed use and existing uses, including storage for 4 cycles under the entrance porch.

Other Matters

The gutter of the proposal will overhang the property of Snakemoor Farmhouse and a small buttress will also be located on the neighbours land. However, a Certificate B has been submitted with the application and the planning regulations have been complied with in this respect.

Recommendation

Application Permitted subject to the following conditions and a legal obligation to require removal of all parts of the existing building which do not form part of the building permitted by this grant of planning permission upon implementation of this consent:

Conditions

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

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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 development 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. 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 any of the elevations or roof of the development hereby permitted.

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

4. The holiday accommodation units hereby permitted shall be used for holiday accommodation only, which shall be limited to any one occupier occupying a unit for a maximum period of 4 weeks and for no more than 3 times per year, with a break between each occupation anywhere on the site, by the same occupier, of 4 weeks. A register of the names of the occupiers of each of the holiday accommodation units and their arrival and departure dates shall be kept by the developer and shall be produced to the Local Planning Authority upon reasonable notice.

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

5. 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.

6 No development shall commence before a method statement and schedule of works detailing how the proposed development is to be implemented shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To demonstrate how the existing building is to be modified in accordance with the permission hereby granted.

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Informatives

1. This permission is granted for the following reason:

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:-

Winchester District Local Plan Review 2006: CE16, RT18