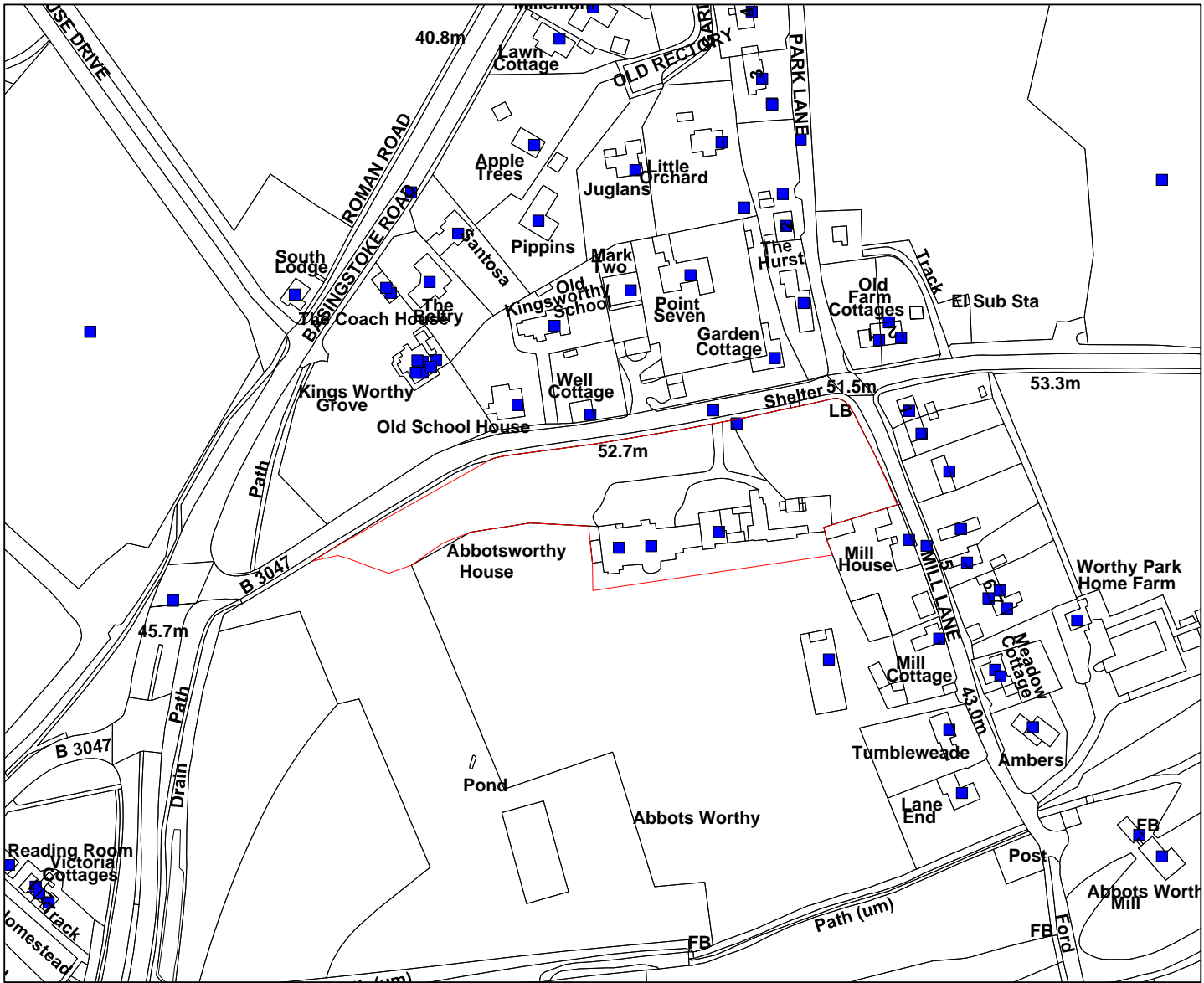


Abbots Worthy House, Abbots Worthy

10/00711/LBC

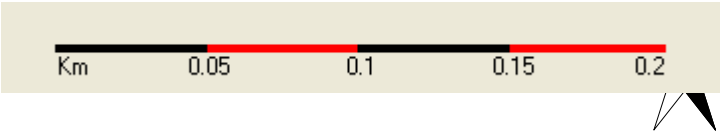


Winchester
City Council



Legend

Scale:



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Organisation	Winchester City Council
Department	Development Services
Comments	
Date	03 November 2010
SLA Number	00018301

WINCHESTER CITY COUNCIL
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Item No: 7
Case No: 10/00711/LBC / W04525/14LBCA
Proposal Description: (REVISED DESCRIPTION) Demolition of buildings that are attached to the main house that previously accommodated the children's day care centre; demolition of the coach house and ancillary buildings
Address: Abbots Worthy House Abbots Worthy Winchester Hampshire SO21 1DR
Parish, or Ward if within Winchester City: Kings Worthy
Applicants Name: Mr M Gardner
Case Officer: Mr Nick Fisher
Date Valid: 7 May 2010
Site Factors:
Conservation Area
South Downs National Park
Within 50m of Listed Building
Listed Wall

Recommendation: Application Refused

General Comments

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

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

This application is also reported to Committee at the request of Councillor Rutter whose request is appended in full to this report.

Site Description

The site is located within the village of Abbots Worthy. The village is without a defined urban settlement boundary and in planning terms can be considered to be in the countryside.

The original house was constructed in the 19th century. In the 20th century most of the original house was demolished and the current large dwelling was built / refaced in a mock regency style. An original Victorian gothic portion remains, there are part three storey extensions attached to the main house, there are further outbuildings to the east.

The house is located within a Conservation Area and is not listed. The prominent flint and brick walls located upon the front (northern) boundary facing the B3047, and side (east) boundary toward Mill Lane is a listed structure that contributes to the character and appearance of the area. Abbots Worthy house is located in approximately 5 hectares of landscaped grounds.

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Proposal

It is proposed to demolish buildings arranged within a courtyard immediately to the east of the main building. A section of the southern (rear) elevation will be retained at ground floor level to form a wall. These buildings have been used in connection with the day nursery at the site. It is also proposed to demolish a freestanding outbuilding.

Relevant Planning History

78/01165/OLD - Conversion of stable block to form new 2 storey dwelling. Permitted 4th July 1978.

79/01028/OLD - Erection of 2 dwellings. Refused 1st June 1979.

80/00724/OLD - Erection of two detached dwellings. Refused 23rd December 1980.

95/00494/OLD - Change of use from residential/nursery school to school. Withdrawn 20th February 1995.

95/00495/OLD - (Amended Description) Change of use from residential to mixed use as residential and day care nursery. Permitted 23rd August 1995.

00/00896/LBC - Partial demolition, conversion and extension to form 20 no residential apartments, erection of 8 no cottages and construction of internal access roads and parking areas. Refused 24th May 2004.

00/00897/FUL - Partial demolition, conversion and extension to form 20 no residential apartments and construction of internal access roads and parking areas. REF 24th May 2004.

Appeal Decision 04/00107/REF - Partially demolish existing house/demolish outbuildings, convert/extend main house and erect replacement wing to form 20 no: apartments, redevelop kitchen garden to form 8 no: low cost housing units, car parking and landscaping. Dismissed 24th August 2005.

00/00898/FUL - Partial demolition, conversion and extension to form 20 no residential apartments and construction of internal access roads and parking areas. Refused 24th May 2004.

00/00899/FUL - Erection of 8 no cottages and construction of internal access roads and parking areas. Refused 11th January 2001.

00/00900/FUL - Erection of 8 no cottages and construction of internal access roads and parking areas. Refused 12th January 2001.

01/00517/FUL - Partially demolish existing house/demolish outbuildings, convert/extend main house and erect replacement wing to form 20 no: apartments, redevelop kitchen garden to form 8 no: low cost housing units, car parking and landscaping. Refused 24th May 2004.

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Appeal Decision - 04/00106/REF - Partial demolition, conversion and extension to form 20 no residential apartments and construction of internal access roads and parking areas. Dismissed 24th August 2005

01/00518/LBC - Partial demolition of outbuildings, conversion and extension to form 20 no residential apartments, erection of 8 no cottages and associated car parking and landscaping. Refused 24th May 2004.

Consultations

Historic Environment: The Conservation Officer objects to the proposal. Edited comments are copied below

“ The impact of the harm caused by loss of the buildings can be weighed against the public benefit of the proposal. In this case there could be an argument that the public benefit is found in the fact that the proposal could help to secure the viable use of the main house and estate by providing income for the restoration of the house as a single family dwelling. This is not the same as ‘Enabling Development’ which is not applied for in this application. In addition, the harm to the conservation area is considered to be fairly small because the existing buildings which are planned for demolition, add little to the character of the conservation area and are not of particular quality

However I have visited the site and can conclude that the particular stable range and staff quarters to be demolished are not of any particular quality or historic value in their own right although there is potential for them to be re-used as stables and accommodation should the owner wish. The accommodation was fully occupied when I visited the site. The buildings are therefore not in a condition which is beyond repair or re-use.

Whilst the demolition of the buildings proposed may be acceptable as part of an overall development proposal, it is not appropriate to demolish the buildings without securing the commencement of the replacement building work. Since the principle of the development may be in question, the determination of this application should not take place until the determination of the development replaces it. In the event that the replacement application is refused, there would be no justification for allowing the demolition to take place as there would be no public benefit.

In principle if this application accompanies a granting of consent for the replacement building, then I raise no objection. However, if the application is to be determined in isolation of the other applications, then I would raise objection since there would be no justification for the loss of significance of a historic asset and there would be no public benefit. The proposal would therefore be contrary to government advice in PPS5 ”.

HE7 of the WDLP Review 2006 deals with demolition within conservation areas. The building is considered to be a designated heritage asset and therefore further guidance is contained within PPS5, policies HE7.7 and HE9.1, HE9.4 are directly relevant to the loss or harm to the heritage asset. Also relevant to the consideration of the case is PPS5 policy HE6. The applicant has referred to PPG15 throughout his justification. Whilst much of the advice contained in PPG15 is still theoretically relevant in terms of understanding historic buildings and the principles to be applied, the application should be determined within the context of PPS5 and not PPG15.

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PPS5 - HE6 requires that the application should be accompanied by sufficient evidence of the significance of the heritage assets involved together with an assessment of the impact of the proposal as part of the explanation of the design concept. Although the application contains an explanation of sorts, it is not very descriptive of the buildings to be demolished. However I have visited the site and can conclude that the particular stable range and staff quarters to be demolished are not of any particular quality or historic value in their own right although there is potential for them to be re-used as stables and accommodation should the owner wish. The accommodation was fully occupied when I visited the site. The buildings are therefore not in a condition which is beyond repair or re-use.

PPS5 - HE7.7 – *“Where loss of significance is justified on the merits of new development, local planning authorities should not permit the new development without taking all reasonable steps to ensure the new development will proceed after the loss has occurred by imposing appropriate planning conditions or securing obligations by agreement.”* I would expect that this would be implemented by condition if the council is minded to grant consent.

PPS5 - HE9.1 - There is a presumption in favour of the conservation of the designated heritage asset. Loss affecting any designated heritage asset should require clear and convincing justification. See my comments above.

PPS5 - HE9.4 – The impact of the harm caused by loss of the buildings can be weighed against the public benefit of the proposal. In this case there could be an argument that the public benefit is found in the fact that the proposal could help to secure the viable use of the main house and estate by providing income for the restoration of the house as a single family dwelling. This is not the same as ‘Enabling Development’ which is not applied for in this application. In addition, the harm to the conservation area is considered to be fairly small because the existing buildings which are planned for demolition, add little to the character of the conservation area and are not of particular quality. This therefore accords with part (ii) of this policy.

Representations:

Kingsworthy Parish Council

There was no objection to the new build, however concerns were expressed regarding the entrance on Mill Lane and the alteration of entrances on the B3047, together with the new driveway and the trees to be removed.

Many of the residents of Abbots Worthy attended the meeting and the majority actively supported the proposals. Councillors were mindful of this local view.

Councillors are clearly aware that the final decision lies with the case officer and the Development Control Committee.

(nb:- All letters received in connection with this application have been summarised below, and the contents have been reported in full. This is for ease of reference.

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

- The new access onto Mill Lane will harm traffic safety;
- The junction from Mill Lane onto the B3047 is dangerous with limited visibility and the increased use of the access should not be allowed.
- The new dwelling will be prominent from dwellings to the east on Mill Lane;
- The new dwelling will harm neighbour amenity due to window to window

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overlooking;

- The new dwelling will set an unwanted precedent for further residential development in Abbots Worthy;
- The existing accesses that serve the dwelling are able to serve the existing and proposed houses;
- The proposal is contrary to countryside development proposals;
- The development will harm / damage the site's listed boundary walls facing Mill Lane. These walls are a unique feature that informs the character of the area and the lane is used by walkers etc using nearby footpaths;
- The development will harm the character and appearance of the area, particularly Mill Lane;
- The house was recently purchased and its price reflected its condition. It is questioned if the building of a new house is required to fund repairs to the main building, and this would seem to be of little benefit to the local community;
- The criteria and financial arrangements to allow an enabling development have not been met;
- The protection of the setting of the building as a large single dwelling within a walled garden should be protected;
- The design and appearance of the new dwelling is not appropriate in relation to nearby dwellings and it will appear to be intrusive;
- Garden Infill development should not be allowed in this location;
- The design of the proposed gates is not appropriate for the area;
- The sealing of the two existing entrances will not enhance or preserve the character of the area;
- The proposal involves the loss of substantial trees, the loss will harm the appearance and character of the area. The removal of trees will increase traffic noise within the area.
- The new access to serve the main dwelling will represent a danger to both motorists and pedestrians.
- The new built form, removal of existing buildings and loss of trees will give rise to increased noise levels in the area;
- The loss of trees will give rise to greater levels of pollution within the area;
- An additional dwelling will result in increased traffic movements within the area;
- The proposal may harm local ecology;

8 letters of support received.

- The main dwelling is not a viable proposition as a family home and some form of development is required to ensure that the house is retained;
- The noise from the nearby main roads harms the future viability of the site;
- The property should remain in private residential use and a residential development is preferable to other institutional / commercial uses. Other owners / potential purchasers have considered institutional and commercial uses at the site and these have not taken place;
- The continued use of the site as a family home is welcomed;
- The proposed house will not harm the character or appearance of the area;
- The proposed house is well designed and of an attractive appearance, the house is sympathetic to the area;
- The proposed house will not harm the character of the setting of the main house;
- The proposed development will ensure that parts of the wall garden area retained;

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- The removal of the children's day care centre will reduce traffic movements previously generated from the site and will improve highway safety;
- The removal of the children day care centre use will reduce noise levels in the area;
- The proposed development will not harm ecology / bio diversity within the area;
- The two existing accesses that serve the dwelling are very narrow and do not allow lorries, refuse vehicles and large emergency vehicles to access the site;
- The grounds (including the walled garden) serving the dwelling are in a poor condition and an institutional use would not enable their repair;
- The house can be considered to be enabling development that will secure the long term future of the house. The proposed development will prevent more intensive form of developments;
- Abbots Worthy house was for sale for a long time and was prone to vandalism, it is good that the new owner wishes to improve the property and this should stop the vandalism / stealing;
- The property is in a very poor condition that is harmful to the character of the area, the proposed development will prevent further deterioration;
- The part of the main house to be demolished is in a very poor condition.

Councillor Rutter :- “ I would like to object to the various planning applications re. Abbots Worthy House on the following grounds:

- The current entrances are not easy, **but are not condemned**, so there is no need to replace them. **All building work to date has passed through** these gates. The proposed entrance through the listed wall in Mill Lane would increase the traffic at a particularly dangerous junction. The sight lines out of the current entrances are far better than the sight lines trying to exit Mill Lane onto the B3047 and would be a safer entry and exit to the property.
- The wrought gates offer **glimpses through to green views, a unique asset in the village**, and stop the wall in total reflecting through traffic sound. The residents in the properties opposite Abbots Worthy House - and there are several - will have their amenity severely damaged by both the increase in sound and pollution, and the closing up of these green views.
- The proposed wooden gates present a sterile, intimidating image and bounce sound back along the road- a popular walking route, for local people walking children in pushchairs, dog walkers and others.
- Traffic exiting from the proposed entrance so near to the junction of the A33 is difficult to predict and will be hazardous, particularly as vehicles often 'u' turn there.
- The destruction of trees to create a new road is unnecessary. Council has a duty to preserve biodiversity of area in *all* applications, and the trees at this location are a particular feature of the area, which has retained its rural character, which will be irreparably damaged by their removal.
- Propose that the condition should be to **build building before the demolition of sections of the wall**, but that renders the new entrances unnecessary
- Creation of a **new entrance in Mill Lane is unnecessary**- there already is one there, lower down Mill Lane

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Hampshire County Councillor Portor . Cllr Portor objects to the proposal and has given the following reasons for doing so:-

Entrances

- The entrances are not condemned, so there is no need to replace them. All building work recently carried out to date has passed through these gates, and a commercial enterprise operated from the site in the past.
- The wrought gates offer glimpses through to green views, a unique asset in the village, and stop the wall in total reflecting through traffic sound.
- The proposed wooden gates and blocked up entrances would present a sterile image and bounce sound back along the B3047 road which is a popular walking route

The new road on the B3047 close to the A33 junction

- Traffic exiting from the proposed entrance so near to the junction of the A33 is difficult to predict and will be hazardous, particularly as vehicles often u turn there. I would like the PD committee to see the siting of the entrance on a full OS map including the A33 junction so they can see the proximity of the junction to the new entrance.
- The destruction of trees to create a new road is unnecessary. Winchester City Council has a duty to preserve biodiversity of the area in all applications
- The extra road could travel out to A33-there is arguably less traffic per day on the A33 at that section than on B3047 (from recent traffic surveys).

Propose that the condition should be to carry out other permissions before the demolition of sections of the wall, but that renders the new entrances unnecessary

Relevant Planning Policy:

Winchester District Local Plan Review

DP1, DP4, CE5, CE10, HE6, HE7

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPS 5 Planning for the Historic Environment

PPS 7 Sustainable Development in Rural Areas

Supplementary Planning Guidance

Supplementary Planning Guidance

Abbots Worthy Conservation Area Technical Appraisal

Kings Worthy and Abbots Worthy Village Design Statement

South Downs National Park Planning Guidelines.

Planning Considerations

Principle of development

The principle of development is not considered to be acceptable and it is considered that the proposed development is contrary to the WDLPR 2006 and guidance within PPS5 : Planning for the Historic Environment.

The comments received from the Conservation Officer are relevant to this case.

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Reference has in particular been paid to policy HE9.4 of PPS5 which says *“Where a proposal has a harmful impact on the significance of a designated heritage asset which is less than substantial harm, in all cases local planning authorities should (i) weigh the public benefit of the proposal (for example, that it helps to secure the optimum viable use of the heritage asset in the interests of its long-term conservation) against the harm; and (ii) recognise that the greater the harm to the significance of the heritage asset the greater the justification will be needed for any loss”*.

It is considered that because the planning application to re-develop / alter parts of the site is contrary to various planning policies and there are justifiable reasons for refusal, there is no justification or reasons in the interests of benefiting the public, to allow the demolition of the extensions to the main dwelling and outbuildings. It is considered that without replacement building work, the demolition of the buildings subject to this application should not be supported because the buildings can be considered to be heritage assets.

Policy HE7 of the WDLPR 2006 should also be borne in mind. It says: *“Within a Conservation Area, consent will only be granted for proposals involving total or substantial demolition of unlisted buildings where the existing building: (i) is of inappropriate structure or design where removal or replacement will preserve or enhance the area; or (ii) makes no positive contribution to the character, appearance or historic interest of the area, either individually or as part of more general views within or from outside the conservation area; or (iii) cannot be repaired or adapted so as to extend its useful life. Conservation Area Consent will also normally be subject to planning permission being granted for the site’s redevelopment. Consent will then be conditional on a contract for the approved development work being let prior to any demolition work being undertaken.”*

If the planning committee should wish to approve the application for planning permission because it is considered to be acceptable, then this application for demolition could be approved subject to the erection of the approved development.

Design/layout

The buildings that it is proposed to demolish are not considered to be of any particular quality or historic value in their own right. The demolition of these buildings will cause little harm to the conservation area, this is because they do not strongly influence the character of the area.

The proposed demolition of the buildings will not harm the appearance, character or setting of Abbots Worthy House or harm the grounds that the building is located within, but consideration should be given to the possibility that the buildings could in principle be repaired and converted as part of a future scheme and that they are not considered to be in such a state of dilapidation that demolition is the only option.

Impact on character of area and neighbouring property

The proposed demolition of the buildings will impose some harm to the character of the area due to the loss of ancillary buildings often associated with houses of this size, but it is considered that this harm is not substantial. The level of harm is not likely to affect the amenity of the occupants of nearby properties.

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Recommendation

Application **refused** for the following reason:-

1 The proposed development is contrary to policies HE6 and HE7 of the Winchester District Local Plan Review 2006 and Planning Policy Statement 5: Planning for the Historic Environment for the following reason:-

In the absence of a tangible level of public benefit there is no justification for the loss of buildings considered to be historic assets. The proposal is thereby contrary to policy HE7 of the WDLPR 2006 and Government policy guidance in PPS5.

Informatives:

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

Winchester District Local Plan Review 2006: DP1, DP4, CE5, CE10, HE6, HE7.