

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 20 April 2006

Item No: 01
Address: North Park Farm Mayles Lane Knowle Fareham Hampshire PO17
5LJ

Parish/Ward Wickham

Proposal Description: Change of use of existing house to B1 office usage

Applicants Name Mr L F Hoare

Case No: 06/00153/FUL

W No: W11824/08

Case Officer: Mrs Julie Pinnock

Date Valid: 2 February 2006

Delegated or Committee: Committee Decision

Reason for Committee: 6 or more representations contrary to the Officer's recommendations
have been received

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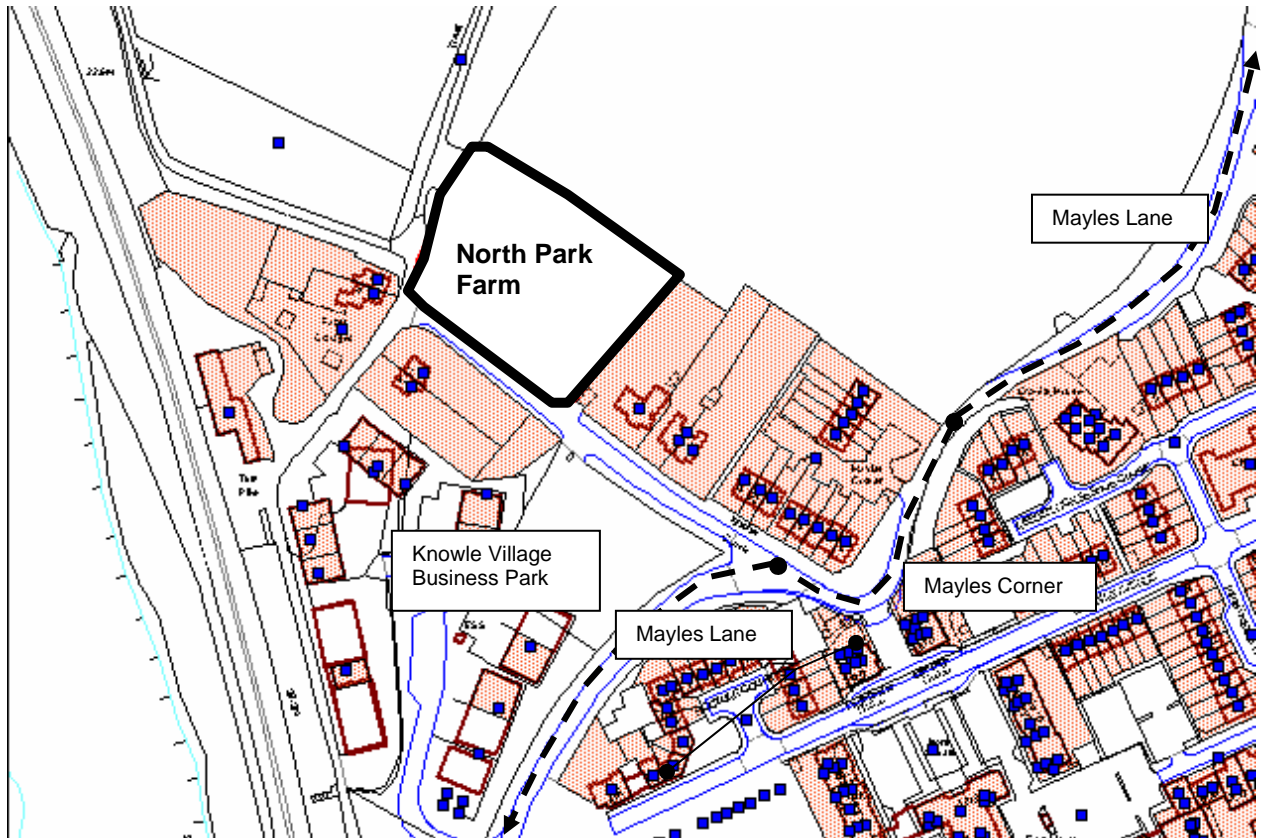
SITE LOCATION PLAN

Case No: 06/00153/FUL

W No: W11824/08

Address: North Park Farm Mayles Lane Knowle Fareham Hampshire

Proposal Description: Change of use of existing house to B1 office usage



Site Description

- North Park Farm is a two storey residential dwelling.
- Access to the front is served between existing converted farm buildings which have been converted into office use called North Park Business Centre.
- North Park Farm is attached to the office building along its western elevation.
- Access to the rear of the dwelling is to the rear of the converted office building, between these, and a barn and garage on the north side
- The main vehicular access is to the rear of the site, which has large gates leading to the rear garden and parking area
- There is also parking to the front of the dwelling.

Relevant Planning History

- W11824/03 - Change of use from residential to offices - Application Permitted - 21/03/1994
- W11824/05 - Variation of condition 06 of Planning Permission W11824/03, hours of use for units 1,2,4 and 5 - Application Refused - 24/11/1997
- W08655/01 - Conversion of barn to dwelling - North Park Farm Mayles Lane Knowle Fareham Hampshire PO17 5LJ - Application Permitted - 22/08/1985
- W08655/06 - Change of use from stables to offices - North Park Farm Mayles Lane Knowle Fareham Hampshire PO17 5LJ - Application Permitted - 12/10/1989

Proposal

- The proposal seeks to change the use of this existing two storey dwelling into B1a Office use
- The proposal incorporates 13 car parking spaces, 9 to the rear, and 4 to the front of the building
- An existing conservatory to the rear is to be removed

Consultations

Engineers: Highways:

- No highway objection – comments that no new access or alterations to existing access are to occur, and the layout plan indicates there is an existing gravel parking area capable of accommodating 9 car parking spaces
- Advises that it is unlikely that the proposal will cause demonstrable harm to users of the adjoining highway

Environmental Health:

- No adverse comment to make, also suggest informatives to deal with hours of working during any construction, and that no materials shall be burnt at the site

Landscape:

- No objection – comments that there is no landscape impact as site is not visible from surrounding area

Representations:

Wickham Parish Council

- No objection

Letters of representations have been received from 6 Neighbours who all object to the proposal for the following reasons:-

- Increase in traffic in Mayles Lane, which has insufficient width, no footpath or street lighting
- Unsuitable for increasing size of lorries that use it, ruining verges and garden fences
- Mayles Lane is used as a regular bus route, and there are often difficulties when vehicles want to pass each other

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- Entrance into North Park Farm is single width and unable to cope with service vehicles/lorries who swing onto drive and verge of 3 Farm Cottages
- Entrance close to Grade II listed building which stands lower to the road and therefore occupiers of 3 Farm Cottage feel threatened by the amount of traffic passing, also vibrations through dwelling
- Existing units 1 and 2 within North Park Business Centre have in the past year made a substantial increase in traffic using the entrance
- North Park Farm is a tastefully restored barn, it should not be turned into offices but remain residential
- Many vacant offices and units in the area already
- Object to more business enterprise in a rural area
- Acknowledge need for employment for growing population at Knowle, but infrastructure should be in place prior to these developments

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB3, EC1, T.2, T.5

Winchester District Local Plan

- E.1, H.1, H.4, NC.22, T.9

Winchester District Local Plan Review Deposit and Revised Deposit:

- E.1, H.2, NC.1, T.1, T.4

Supplementary Planning Guidance:

- Parking Standards 2002

Other planning guidance

- Wickham Village Design Statement

National Planning Policy Guidance/Statements:

- PPS 1 Delivering Sustainable Development
- PPG 4 Industrial and Commercial Development by Small Firms
- PPG 13 Transport

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Highways
- Comments on representations

Principle of development

- The site is situated within the settlement boundary of Knowle where the principle of small scale employment generating activities is acceptable, subject to detailed criteria specified in policy E.1 of the adopted and emerging local plan.
- Planning permission was previously granted for the change of use of this dwelling to office in 1994, which has now expired (ref W11824/03).
- The approval was subject to a number of conditions, and in particular limiting the use of the building to B1(a) office and restricting the hours of work to 0730 to 1800 Monday to Friday and 0730 to 1300 Saturday with no work to take place at the site Sundays or recognised public holidays.
- In 1997 an application was refused to vary the working hours to 2200 weekdays and 1800 on Saturday and Sundays due to the "...detrimental effect on the occupiers of adjacent residential properties by reason of noise, nuisance and disturbance from staff and vehicles leaving the premises and site which is increased by a narrow road".
- The Winchester District Local Plan was adopted in 1997 therefore the decision to allow a change of use of this dwelling pre-dates current policy. It is therefore necessary to re-

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- examine the policy context in assessing this application.
- E.1 of the adopted and emerging local plan allows for: (i) B1, B2 or B8 uses; (ii) provided the proposal can be satisfactorily accommodated in terms of scale, density, character and design in relation to the settlement and site; (iii) it would not place an undue burden on the local road network or generate traffic of a type or amount inappropriate for local or rural roads and nearby properties or settlements; (iv) is accessible by public transport....; and (v) it is not detrimental to the amenities or the operation of adjoining users, particularly with regard to noise, traffic generation and hours of operation.
 - Policy H.4 of the adopted local plan resists the loss of existing residential dwellings within settlements, however this policy is not carried forward in the emerging local plan.
 - Therefore whilst adopted policies would indicate that the loss of this dwelling should be resisted, the emerging local plan has now reached an advanced stage and carries significant weight in decision making, and a reason for refusal on this ground would be difficult to defend at appeal.
 - The Wickham Village Design Statement advocates that future development at Knowle Village should be confined within the existing settlement area to maintain a physical separation and keep Wickham itself within its natural boundaries.

Highways

- It is acknowledged that Mayles Lane is rural in character, the majority of the road itself being situated within the countryside, and serving the surrounding countryside, however it does serve a number of residential dwellings at Dean and Totsome Villas, new dwellings at Mayles Corner, existing dwellings along Mayles Lane, the business park (formerly known as the piggeries), North Park Business Centre, Turnpike Engineering and Ravenswood House.
- It also serves a bus route that leads into the Berkeley Homes development in Knowle Village via a bus gate – the bus gate enables pedestrian access into the village, but restricts other vehicular access.
- No new vehicular access is proposed for this development, and the applicant can provide adequate car parking to serve the proposal.
- The highway engineer has fully assessed the proposal, and raises no highway objection to the proposal; it would be difficult therefore to substantiate a highway reason for refusal.

Comment on representations

- Local resident's objections centre on highway matters with serious concerns regarding increased traffic along Mayles Lane as a result of the proposal.
- Policy E.1 of the adopted and emerging local plan do require development not to generate traffic of a type or amount inappropriate for local or rural roads and nearby properties or settlements. However the highway engineer raises no highway objection, and therefore a reason for refusal based on the type or increase in traffic using Mayles Lane would be difficult to sustain.
- It is considered that the change of use of this dwelling to an office use would not be likely to generate additional levels of noise or activity that would materially harm the living conditions of near neighbours or the setting of a nearby grade II listed building.
- B1 uses are typically considered acceptable in residential areas, although Officers recommend a condition to restrict the change of use to office, as other B1 uses i.e. B1b (research and development, studios, laboratories, high tech); or B1c (light industry), could have a greater impact on near neighbours amenity.
- A condition to restrict opening hours to match the other B1 offices within North Park Business Park is recommended.
- It has been suggested that whilst there are other vacant units within the area, this development should be refused. It is considered that this matter could not reasonably form the basis for a refusal as local plan policies allow for this change of use.

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Recommendation

APPROVE – subject to the following condition(s):

Conditions/Reasons

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

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

02 The development hereby permitted shall be used for B1 (a) Office and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning Use Classes (Amendment) Order 2005, or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without modification.

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

03 The hours of work shall be confined to 0730 to 1800 Monday to Friday and 0730 to 1300 on Saturday. No work shall take place at the site on Sundays or recognised public holidays.

03 Reason: To protect the amenities of the occupiers of nearby properties.

Informatives

01. 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.

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

Hampshire County Structure Plan Review: UB3, EC1, T.2, T.5

Winchester District Local Plan Proposals: E.1, H.1, H.4, NC.22, T.9

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: E.1, H.2, NC.1, T.1, T.4

03. All works including demolition and construction should only be carried out between the hours of 0800 and 1800hrs Monday to Friday and 0800 and 1300hrs Saturday and at no time on Sunday or Bank Holidays. Where allegations of noise from such works are substantiated by the Health and Housing Service, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

04. No materials should be burnt on site. Where the Health and Housing Service substantiate allegations of statutory nuisance, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through burning of materials is a direct offence under The Clean Air Act 1993.