

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA

Winchester City  
Council  
Planning Department  
Development Control

TEAM MANAGER  
SIGN OFF SHEET

## Committee Decision

<b>Case No:</b>	08/01041/FUL	<b>Valid Date</b>	21 July 2008
<b>W No:</b>	08993/09	<b>Recommendation Date</b>	21 August 2008
<b>Case Officer:</b>	Mrs Julie Pinnock	<b>8 Week Date</b>	<b>15 September 2008</b>
		<b>Committee date</b>	<b>01 October 2008</b>
<b>Recommendation:</b>	<b>Application Refused</b>	<b>Decision:</b>	<b>Committee Decision</b>

**Proposal:** Alterations and extension to plant centre, parking and new access

**Site:** Hangar Nurseries Thompsons Lane Owslebury Winchester Hampshire

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

DELEGATED ITEM SIGN OFF		
	REFUSE for the reason(s) listed	
	Signature	Date
<b>CASE OFFICER</b>		
<b>TEAM MANAGER</b>		

**AMENDED PLANS DATE:-**

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**Item No:** 4  
**Case No:** 08/01041/FUL / W08993/09  
**Proposal Description:** Alterations and extension to plant centre, parking and new access  
**Address:** Hangar Nurseries, Thompsons Lane, Owslebury, Winchester, Hampshire  
**Parish/Ward:** Owslebury  
**Applicants Name:** Humbees of Marwell  
**Case Officer:** Mrs Julie Pinnock  
**Date Valid:** 21 July 2008  
**Site Factors:** Countryside  
**Recommendation:** Application Refused

### General Comments

This application is reported to Committee because the applicant is a Councillor.

### Site Description

Humbees (part of a larger site known as Hangar Nurseries) is situated in the countryside and comprises a horticultural use for the production of plants, with planning permission for ancillary retail sales for an area not to exceed 100sq.m. and with the sale of retail stock limited to plants and associated ancillary items, including pots and compost. The retail sales area was approved

The site is situated on the east side of Thompsons Lane, and comprises a series of polytunnels used to protect non-hardy plants, and a standing out shaded area.

There are currently two vehicular accesses from Thompsons Lane, one to the south west and one to the north east of Thompsons Lane.

The western boundary adjacent to Thompsons Lane has a mature belt of trees on the highway verge, with a ditch between the trees and the application site. There is a change in levels within the site between the car park area and the buildings.

The application site measures 1.5 hectares with the existing polytunnels in two blocks, with a combined floor area of 2208 sq.m.

To the north west of the site is the vehicular access to Marwell Zoo and the Safari Lodge Hotel. To the east of the site is Hangar Nurseries, in the same ownership as the application site, which comprises a series of polytunnels and a residential dwelling which is tied by a condition to ensure occupation by an agricultural worker.

### Proposal

The proposal is to add a building of 840 sq.m. in front of the existing polytunnels to provide a customer coffee shop with kitchen, staff and customer toilets, two office areas, and a display area for the sale of non-nursery goods, and a till area. The total public area proposed within the building is 680 sq.m.

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The main existing vehicular access to the south of the site is proposed to be retained, but used as a goods entrance only. The access to the north east is proposed to be closed, and a new vehicular access is proposed more centrally, which will access the existing gravel unmarked car park, which is to be more formally laid out to provide 129 car parking spaces and 5 disabled spaces.

### Relevant Planning History

**93/00817/OLD** - Agricultural workers dwelling - Permitted - 15/06/1993.

Condition 2 of this approval restricts the occupation of the dwelling to a person employed, or last employed, in agriculture.

**00/02810/OLD** - (Amended description) 3 polytunnels, 1 glass house/propagation area, potting shed and two covered shaded areas, landscaping and new access - Permitted - 02/06/1999.

Condition 10 restricted the use of these buildings to agricultural purposes only, and that no products are sold to the public on the site.

**01/01443/FUL** - Removal of Condition 10 of Planning Permission 00/02810/OLD (The development hereby permitted shall be used for agricultural purposes only and at no time may any products be sold to the public on the site) - Permitted - 23/10/2001.

Conditions 2 and 3 of this planning permission restricted the size and location of the retail sales areas, and the type of goods which could be sold. The full wording of these conditions is as follows:-

2. Retail sales and displays shall take place only within the land edged green on the approved plans and not on any other area of the land edged red or blue on the approved plans. The retail sales area shall not exceed 100 square metres. All retail stock, other than nursery plants, must be stored only within the land edged green on the approved plans.

Reason: To define the terms of the permission and to ensure that retail sales remain ancillary to the agricultural use of the land.

3. All retail stock shall be restricted to plants and associated ancillary items, including pots and compost.

Reason: To ensure that retail sales remain ancillary to the nursery operation on the site and to prevent the establishment of a general retail use on the site.

### Consultations

Engineers: Drainage:

No objection – Recommends conditions to require a drainage strategy for the car park if a new hard surface is proposed, and requires details of the proposed watercourse crossing.

Engineers: Highway:

Recommends refusal – Comments that the site is located within a rural area, remote from any significant settlement or public transport services. The vast majority of trips to the site will be via private car which is contrary to the aims of PPG13 and the Winchester District Local Plan (Review). Also raises concern as the new access does not show the detailed arrangements and the visibility splays are not shown, which will have an effect on the vegetation along the site frontage. Also comments that part of the access and the visibility splays are not within the application red line, and therefore the officer is unable to

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consider whether the required visibility splays are achievable.

Historic Environment Officer : Archaeology:

No objection - Advises that site lies immediately adjacent to the site of a medieval park pale boundary (deer park boundary), this section being designated a Scheduled Monument. The building and new access are proposed at a significant distance south west of the scheduled area and therefore the officer does not consider that the proposal will have an adverse effect upon the setting of the Scheduled Monument. However, the officer does recommend consultation with Natural England.

Landscape:

No objection – Recommends condition to require a comprehensive landscape plan including new trees within the tree belt and planting to the car park.

English Heritage:

Does not wish to comment - Recommends application be determined in accordance with national and local policy guidance and on the basis of the Council's specialist conservation advice.

## Representations

Owslebury Parish Council - No objection

The Parish Council suggests conditions to restrict opening to normal day to day hours and that an alcohol licence is not granted.

## Relevant Planning Policy

Hampshire County Structure Plan Review:

T5

Winchester District Local Plan Review

DP.1, DP.3, DP.4, DP.9, CE.5, CE.13, CE.16, T.1, T.2, T.3, T.4, T.5

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPS 6 Planning for Town Centres

PPS 7 Sustainable Development in Rural Areas

PPG 13 Transport

PPG 16 Archaeology and Planning

## Planning Considerations

Principle of development

Paragraph 3.29 of PPS6 requires a sequential approach to extensions to existing retail development in edge of centre and out of centre locations where the gross floor space of the proposed extension exceeds 200 sq.m. Para 3.4 lists the issues for consideration, advising that applicants should demonstrate:

- a) the need for the development;
- b) that the development is of an appropriate scale;
- c) that there are no more central sites for the development;
- d) that there are no unacceptable impacts on existing centres;
- e) that locations are accessible.

This approach meets the aims of PPS7 which seeks to focus development, which is likely to generate large numbers of trips, in or next to towns or other service centres that are

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accessible by public transport, walking and cycling, in line with the policies in PPG13.

The countryside policies of the Local Plan make no provision for retail uses, with the presumption against such uses in an unsustainable location.

The only policy that could be considered to be relevant is CE.16 which allows for new rural enterprises which form part of farm diversification, where the proposal is:

- (i) consistent with the characteristics of the holding and is likely to be sustainable for the foreseeable future;
- (ii) involves the re-use of existing buildings where possible;
- (iii) can accommodate additional traffic without harming the character of rural roads; and
- (iv) respects the local landscape character.

The supporting statement explains that there is an extant planning permission to erect a propagation house and potting shed with a floor area of approx 684 sq.m., and this revised proposal only results in a net increase in floor area of 156 sq.m. Whilst this is correct, the approved buildings are restricted to agricultural uses, with the exception of an area not greater than 100 sq.m. for retail sales, with the goods limited to plants and associated ancillary items, including pots and composts, and not for general retail use at the site. The current proposal is for non-residential use and is not consistent with national or local plan policies. Therefore, the principle of development is not acceptable.

Impact on character of area and neighbouring property

The proposed building is 20m by 42m with a series of pitched roofs to a maximum ridge height of 5.5m.

The building will be visible in longer views to the south along the B3047 Main Road, from where you will see the side elevation, a series of pitched roofs adjacent to the existing polytunnels.

The building will be visible in passing views along Thompsons Lane, to the west and the north, as Thompsons Lane curves to the east past the site. The building is large, although it will be seen against the existing polytunnels, and is at a lower level than the car park area.

To the east of the site is Hanger Nursery, and the tied agricultural workers dwelling, both of which are within the applicant's ownership. The proposed building is screened from the east by the existing polytunnels.

It is not considered that the proposal adversely impacts on the character of the area or adversely affects the amenity of neighbouring properties.

Landscape/Trees

No topographical survey has been submitted with the application, and the tree survey submitted does not show the proposed development in relation to the existing trees at the site.

The tree survey indicates that eight trees in the tree belt adjacent to Thompsons Lane are category R trees, which should be removed for reasons of sound arboricultural management. Three of these trees appear to be within the new access; however, in

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addition, it appears that two category B trees will be lost which are categorised as being of moderate quality, capable of making a significant contribution in excess of 20 years. Furthermore, it would appear that the new access may impact on the long term health of adjacent trees. No arboricultural impact or method statement has been submitted to explain how these trees would be retained and protected during development and a reason for refusal is recommended in respect of this matter.

In addition to the above concerns, it appears that the tree belt adjacent to Thompsons Lane is not within the application site, and is outside the control of the applicant.

#### Highways/Parking

The site has a large informal parking area to the front of the existing polytunnels, and the proposal seeks to formalise the parking in this area by providing marked-out parking bays and disabled parking.

The Highways Engineer has no objection to the principle of a new access, however, he does recommend refusal of the proposal on the basis that the proposal results in inappropriately located development outside the urban area, which would lead to additional car journeys. He also recommends refusal as the visibility splays are not within the application site, and the required splays have not been detailed on the submitted drawings. There is concern that the required splays will result in the loss of vegetation and mature trees.

The officer advises that no traffic data has been supplied for the existing use at the site, although he has noted the restriction of 100 sq.m. of retail sales that is allowed, with the remainder of the site restricted to agricultural/horticultural purposes.

A traffic assessment has been submitted with the application, which suggests that the development involved in this application will not, of itself, be likely to result in any significant increase in customer traffic, but that customers will extend their stay. It also suggests that the increase in floor area of that approved but not built (156 sq.m.) will not result in any measurable increase in traffic

The officers disagree with this suggestion. Clearly, the authorised use of the existing polytunnels, with the propagation unit and potting shed which could be built, were restricted to agricultural/horticultural purposes only, with restricted retail sales. The increase in non-nursery goods retail sales, with toilets and a café, will attract visitors to the site as a destination journey in its own right, with the vast majority of trips to the site being made by private car.

Notwithstanding the above concerns, if the proposal were acceptable the applicant would be required to make a financial contribution towards Hampshire County Council's adopted Transport Contributions Policy. However, due to a lack of information on the potential traffic impacts of the proposal, it has not been possible to calculate the appropriate contribution figure. A reason for reason is recommended, to deal with this matter.

The proposal is contrary to PPG13, and the transport policies of the Local Plan.

#### **Recommendation**

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Application Refused for the following reasons:-

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**Reasons**

1. The proposal is contrary to national policy in PPS6 and PPS7 and Policy CE.16 of the Winchester District Local Plan (Review) in that the proposed retail sales area with café would result in an unsustainable form of development outside a recognised settlement boundary to the detriment of the vitality and viability of existing centres. The applicant has not demonstrated through a sequential approach that the proposal is acceptable in this location.
2. In the opinion of the Local Planning Authority the proposal involves development that cannot be reconciled with national planning policy guidance in PPG13 in that it would result in development that would be inappropriately located away from existing urban areas and would thus over-rely on the private car for access and transport purposes. This would result in an unacceptable increase in the number and length of car journeys to the detriment of the environment and the locality. The proposal therefore conflicts with Policy T5 of the Hampshire County Structure Plan Review and Policies T.1, T.2, T.3, T.4 and T.5 of the Winchester District Local Plan (Review).
3. The proposal is contrary to Policy DP.9 of the Winchester District Local Plan Review in that it fails to make adequate provision for improvements to transport and the highway network in accordance with Hampshire County Council's Transport Contributions Policy 2007, such provision being required in order to mitigate for the additional transport needs and burden imposed on the existing network arising from this development.
4. Inadequate visibility splays are provided at the junction of the access(es) with the highway and this would cause danger and inconvenience to users of the adjoining highway.
5. The proposal is contrary to Policies DP.1, DP.3 and DP.4 of the Winchester District Local Plan Review in that there is no Arboricultural Impact Assessment and Method Statement relating to existing trees at the site. Without this information the Local Planning Authority is not satisfied that the trees can be retained as part of the development and their loss would be harmful to the visual amenity of the area.

**Informative**

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 2006: DP.1, DP.3, DP.4, DP.9, CE.5, CE.13, CE.16, T.1, T.2, T.3, T.4, T.5