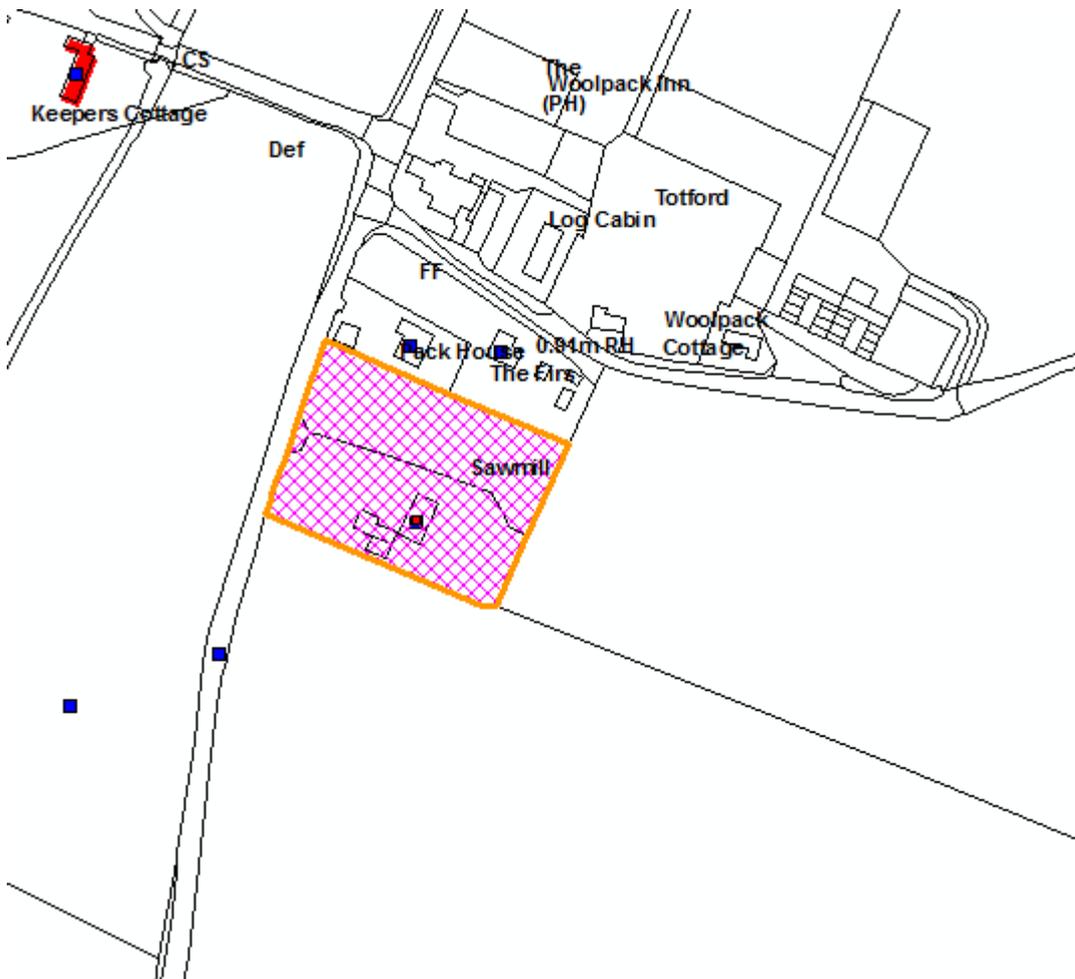


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**Case No:** 19/01509/FUL  
**Proposal Description:** Construction of single dwelling with associated landscaping and parking, following demolition and removal of existing buildings and structures  
**Address:** Totford Saw Mill Totford Lane Northington Alresford Hampshire  
**Parish, or Ward if within Winchester City:** Northington  
**Applicants Name:** Mr & Mrs J Gibbs  
**Case Officer:** Verity Osmond  
**Date Valid:** 10 July 2019  
**Recommendation:** REFUSAL

**Pre Application Advice: No**



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**General Comments**

The application is reported to Planning Committee due to the number of public comments received in support of the application which is contrary to the Officer recommendation for refusal.

The application is also called in by Councillor Gordon Smith, this request is attached at Appendix A.

**Site Description**

The application site is not located within a defined settlement boundary and is located on the very north-eastern of the Winchester District Boundary in the Countryside. The site is located on the northern side of Basingstoke Road (B3046) from which it is accessed.

The appeal site is approximately 0.5ha and has a lawful B2 use. It has been used historically as a sawmill, and is currently used in connection with the applicant's ground working business. There is a sawmill, pole barn, Nissen hut, three containers and a portacabin on site. The site slopes up slightly to the rear and features an area of grass to the northern section of the site, an access track running through the centre of the site and areas of gravel hardstanding.

**Proposal**

The application is submitted to demolish and remove the existing building and structures and construct one new dwelling with associated landscaping and parking.

The new dwelling will be located in the position of the existing sawmill building and will front onto Basingstoke Road. The proposed new dwelling will have 4 bedrooms over two floors and will feature an area for parking and turning of cars in front of the building.

**Relevant Planning History**

17/01299/FUL Replacement of existing lawful commercial (B2) buildings. Appeal for Non Determination Dismissed 03.04.2018.

16/01073/FUL Replacement/extension of existing lawful commercial buildings. Withdrawn 29.11.2016.

10/00268/FUL –Demolition of existing sawmill and associated outbuildings and replacement with a new detached dwelling house together with new access and driveway. Refused 09.06.2010. Appeal Dismissed 14.12.2010.

08/00447/LDP –Proposed use of building as Sawmill. Permitted 19.12.2008.

**Consultations**

Natural Environment Service Lead : Ecology: No objection to application subject to conditions

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Environment Service Lead: Drainage Engineers: No objection to application subject to conditions

The site is within Flood Zone 1 and is at very low risk of surface water flooding. The geology is chalk. Foul drainage is proposed to drain to a package treatment plant and drainage field. Percolation test results are required. Soakaways are proposed for surface water drainage, infiltration testing is required.

Environment Service Lead: Landscape: Concerns that in this setting a domestic dwelling with associated amenity landscape would contravene policies DM23 and DM15 resulting in potential detrimental effects to the countryside. If permission is granted, conditions should be attached to ensure substantial screening around the building and a landscape management plan

**Representations:**

Basingstoke and Deane Parish Council

- No objection to application

Northington Parish Council

- No objection to application

0 representations received objecting to the application.

9 representations received in support of the application stating the following reasons:

- Proposal will bring the site back into use
- It will remove a nuisance B2 use
- The building is in keeping with the surrounding area and sensitive to its setting
- Proposal will bring young family back into the area
- It would be better to use the site for a new dwelling in the countryside rather than an industrial use.

**Relevant Planning Policy:**

Winchester Local Plan Part 1 – Joint Core Strategy

Policy DS1 – Development Strategy and Principles

Policy MTRA 4- Development in the Countryside

Policy CP9 – Retention of Employment Land and Premises

Policy CP11 – Sustainable Low and Zero Carbon Built Development

Policy CP13 – High Quality Design

Policy CP16 – Biodiversity

Winchester District Local Plan Part 2 : Development Management and Site Allocations

DM1 – Location of New Development

DM15 – Local Distinctiveness

DM16 – Site Design Criteria

DM17 – Site Design Principles

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DM18- Access and Parking  
DM23 – Rural Character

National Planning Policy Guidance/Statements:  
National Planning Policy Framework

Other Planning guidance  
High Quality Places SPD.

## **Planning Considerations**

### Principle of development

Paragraph 47 of the NPPF requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. The provision of new residential accommodation is provided in accordance with Joint Core Strategy MTRA 1, 2 and 3. The strategy also then deals with the use of buildings in the countryside. The application is not located within a defined settlement boundary and hence is outside the areas defined within MTRA 1, 2 and 3, and the relevant policy is MTRA 4 which provides for the following types of development:

- Development which has an operational need for a countryside location such as for agriculture, horticulture or forestry; or
- Proposals for the reuse of existing rural buildings for employment, tourist accommodation, community use or affordable housing (to meet demonstrable local housing needs). Buildings should be of permanent construction and capable of use without major reconstruction; or
- Expansion of redevelopment of existing buildings to facilitate the expansion onsite of established businesses or to meet an operational need, provided development is proportionate to the nature and scale of the site, its setting and countryside location; or
- Small scale sites for low key tourist accommodation appropriate to the site location and the setting.

Development proposed in accordance with this policy should not cause harm to the character and landscape of the area or neighbouring use, or create inappropriate noise/light and traffic generation. This policy therefore does not provide for new housing within the countryside and the proposal is contrary to the aims of the Development Plan.

The Local Plan provides a clear strategy for managing the provision of residential development and land use in line with the NPPF with an up to date Development Plan comprising Winchester District Local Plan Part 1 Joint Core Strategy and Winchester District Local Plan Part 2 (Development Management and Site Allocations). The Local Planning Authority can demonstrate a 7.1 year (2019 – 2024) supply of deliverable housing sites with a 5 % appropriate buffer, as set out in paragraph 73 of the National Planning Policy Framework.

Of pertinence to this case is application 17/01299/FUL which was dismissed at Appeal and is therefore a material consideration also to be taken into account in considering the merits of the application. The application sought the expansion of the B2 use by replacing the existing lawful commercial buildings on the site. The Inspector dismissed the appeal with  
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the main issue being the effect of the proposed development on the living conditions of neighbours, with particular reference to noise.

The applicant contends that as this application was dismissed, the only other option for the site is to erect a new dwelling. As noted the appeal decision is a material planning consideration and it is for the Local Planning Authority to determine what weight should be attached to it, and whether that or any other material planning consideration would outweigh the significant weight of the Local Plan and the strong presumption against the siting of new residential dwellings in this location as contrary to the development strategy for new housing. One dismissed appeal is unlikely to give rise to the proposal being the only option for a site or for allowing a non plan-led approach to the siting of new dwellings in the countryside.

The Inspector decided the previous appeal on its own merits which were different to the merits of this application as a new dwelling was not under consideration. At that particular time there was insufficient evidence, particularly in relation to noise attenuation and general B2 use class, to allow the Inspector to be confident that that the proposal would not have a harmful impact on the occupiers to the north of the site. This does not prevent another application being submitted for a more specific B2 use, or any other use allowed under MTRA 4, with appropriate noise attenuation measures in the future.

Policy CP9 of Local Plan Part 1 resists the loss of existing B1, B2, B8 use classes across the district; losses will only be permitted where retaining a business use would not be reasonable. In the 2010 dismissed appeal decision relating to the application site 10/00268/FUL, the Inspector, in considering whether a residential use would be acceptable, found that the loss of the employment use would conflict with the achievement of the sustainable forms of development in conflict the policies of the Development Plan. The Inspector also found that some future industrial/storage interest cannot be ruled out on the site, if properly controlled, owing to the useful shape and size of the appeal site not too far removed from Winchester.

In regards to this current application, the applicant has submitted a viability report which states that the site cannot reasonably be used for an expansion of the existing business or any of the other criteria of Policy MTRA 4. The viability report has been assessed by WCC Estates Team who do not disagree with findings of the report; however it is noted that no marketing information has been submitted with the application. Therefore it is not possible to understand the potential for the future use of the site by other Development Plan led uses, so a lot less weight can be afforded to the future concerns as a material consideration. It is necessary to understand if and how the site was marketed for sale robustly, and at a reasonable price, in its current use or any other use, and whether there was any interest from potential buyers.

The viability report is speculative in this respect and whilst the findings indicate that retaining the business use would not be reasonable in accordance with Policy CP9 of Local Plan Part 1, the evidence base for this is very limited therefore it is not considered that this outweighs the fundamental conflict of the proposal with Policy MTRA 4 of Local Plan Part 1 which as noted above carries a very significant weight. The Council can provide a 7.1 year housing land supply and has an up to date Development Plan which seeks to restrict development in the countryside and focus sustainable development within defined settlement boundaries. The application proposes to provide 1 new unit of residential accommodation within a countryside location for which there is not considered

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to be an overriding justification. In principle, the proposal is not acceptable as it conflicts with Policy MTRA 4 of Winchester District Local Plan Part 2.

Design/layout

The following sections of the report consider the other relevant policies that have been assessed in the consideration of the planning application, notwithstanding that it is not acceptable in principle.

The new dwelling will be a two storey, 4 bedroom property constructed with low eaves and a hipped roof. The dwelling will be located in the south western corner of the site and will be visible from the main carriageway. The front elevation has a double height glazed feature on a square bay projection. This large expanse of glazing is considered to be an overly domestic element which will be prominent from Basingstoke Road. The materials to be used in the construction of the dwelling are considered to be acceptable to the rural context.

The proposed new dwelling will be cut into the surrounding landscape. It would be cut into the slope to create a terrace upon which the house would stand, with its ridge line set 0.3m below the ridge line of the sawmill building.

Impact on Character of the Countryside

The existing use of the site as a sawmill has been long established and is considered to form part of the local landscape. The current buildings are rural in appearance and are not considered to detract from the Upper Itchen Valley Landscape Area or from views along or enjoyment of the Wayfarers Walk public footpath. The location is rural with the sensitive water course of the River Itchen about 120m to the north west and the Wayfarers Walk very close by. Views to the site from the public path, in particular where it joins the road between Northington Down and Totford and as it follows the road, are evident.

The proposed introduction of a new dwelling within this location is considered to detract from the rural nature of views throughout the area by introducing a building which is clearly domestic in its appearance. The lack of planting integrated into the scheme is considered to conflict with the Landscape Character Assessment which seeks to encourage the use of indigenous planting to integrate new development with the surrounding countryside landscape. The remodelling of the landscape and creation of a terrace is considered to introduce incongruous, highly domestic, features which would have an unacceptable effect on the rural character of the area and would conflict with Policy DM15 and DM23 of Winchester District Local Plan Part 2.

In this setting a domestic dwelling with associated amenity landscape and re-engineered topography, would contravene policies DM23 and DM15. The introduction of a new dwelling which does not follow a plan led system is intrinsically harmful to the interests of the countryside, and would result in the introduction of domestic and incongruous features which would detract from the rural landscape and from views along the public footpath and the Upper Itchen Valley Landscape Area. The proposed new dwelling would therefore have a harmful impact to the surrounding countryside over and beyond that already established with the existing use of the site which contains buildings which are inherently rural in their design.

Impact on neighbouring property

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The design and layout of the new dwelling are not considered to have a significant impact on neighbouring amenity. The dwelling would be situated over 30 metres away from the nearest neighbouring property to the north of the site, and the low eaves help reduce the mass of the dwelling at a first floor level. The dwelling is not considered to result in any harmful overlooking, overshadowing or overbearing impact on neighbouring amenity in accordance with Policy DM17 of Local Plan Part 2.

Support letters have been received which state that a new residential property would have a far lesser impact on neighbouring amenity than the existing use or the any future uses. In establishing the current impact of the site on neighbouring amenity, the Inspector under application 17/01299/FUL assessed the nature of the existing buildings on site, in their flimsy construction and open nature which was considered to make them unsuitable for many industrial operations and processes. The Inspector concluded that the balance of probability, the likelihood of this site becoming a persistent 'bad neighbour use' in its current format is slim.

There is therefore no evidence which shows that the current use has any overriding environmentally harmful impacts to the amenities of the area or the residents which would therefore outweigh the strong presumption of the Development Plan against a new dwelling in this countryside location. In relation to concerns about future uses, any perceived potential harm is considered to be speculative and would need to be properly assessed if an application for such a use is submitted to the Local Planning Authority.

#### Highways/Parking

The proposed new dwelling would be served by the existing access to the site. The proposal would result in fewer traffics movements than the current lawful use and there is sufficient space within the site for the parking in accordance with standards advised in Manual for Streets and the Residential Parking Standards SPD. There is also sufficient space within the site for the parking and turning of vehicles in accordance with LPP2 policy DM18.

#### Nitrates

A separate appropriate assessment in relation to the nitrate issue has been completed and is attached to this case. The proposal demonstrates that there is likely to be an additional 3.12 Kg/N/year discharging into the Solent catchment. If Committee is minded to approve the application contrary to the Officer recommendation, the applicant has agreed that a Grampian Condition can be attached to the consent to ensure that a mitigation strategy is submitted to and approved in writing by the Council prior to the occupation of the development.

#### Other Matters

Of pertinence to this application proposal in the context of the surroundings are matters pertaining to heritage noting that there is a listed building, Keepers Cottage, to the north west of the application site. As such due regard has been given to Section 66 of the Planning (Listed Buildings and Conservation Areas Act 1990) which confirms that "special attention shall be paid to the desirability of preserving or enhancing the character or

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appearance of the Listed Building/Structure. In relation to this application, given the distance between the proposed new dwelling and the listed building which measures at over 150 metres, the proposal is not considered to result in any substantial harm to the listed building or its setting.

Due regard should be given to the Equality Act 2010: Public Sector Equality Duty. Public bodies need to consciously think about the three aims of the Equality Duty as part of the process of decision-making. The weight given to the Equality Duty, compared to the other factors, will depend on how much that function affects discrimination, equality of opportunity and good relations and the extent of any disadvantage that needs to be addressed. The Local Planning Authority has given due regard to this duty and the considerations do not outweigh any matters in the exercise of our duty.

### Conclusion

The proposed development is contrary to the Development Plan as it would result in a new dwelling within the countryside for which there is no over-riding justification. The proposal is contrary to Policy DS1, MTRA 4, CP9 of WDLPP1, DM1, DM15, DM16, DM23 of WDLPP2.

### **Recommendation**

REFUSE subject to the following reasons:

1. The proposed development is contrary to Policy MTRA 4 of Winchester District Local Plan Part 1 as it would result in a new dwelling in the countryside for which there is no overriding justification. The Council has a housing land supply well in excess of 5 years and the creation of a new dwelling in this location would undermine the Council's spatial strategy for development in the District and would therefore fail to accord with Policy DS1 of Winchester District Local Plan Part 1 and Policy DM1 of Winchester District Local Plan Part 2.
2. The creation of a new dwelling within the countryside is contrary to Policy DM15 and DM23 of Winchester District Local Plan Part 2, as it would introduce unacceptable and incongruous domestic features into a countryside setting which would have a demonstrably harmful impact on the appearance of the area to the detriment of its rural character.

### **Informatives:**

1. The Local Planning Authority has taken account of the following development plan policies and proposals:-  
Winchester District Local Plan Part 1 (2013): DS1, CP13, CP9, MTRA 4, CP11, CP16  
Winchester District Local Plan Part 2 (2017): DM1, DM15, DM16, DM17, DM18, DM23  
Winchester District High Quality Places Supplementary Planning Document  
Manual for Streets  
Residential Parking standards SPD

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2. In accordance with paragraph 38 of the NPPF (July 2018) , Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:

- offer a pre-application advice service and,
- update applicants/agents of any issues that may arise in the processing of their application, where possible suggesting alternative solutions.

## **APPENDIX A**

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City Councillor's request that a Planning Application be considered by  
the Planning Committee

<b>Request from Councillor:</b> Russell Gordon-Smith (Alresford and the Itchen Valley)
<b>Case Number:</b> 19/01509/ful
<b>Site Address:</b> Totford sawmill
<b>Proposal Description:</b> residential dwelling
<b>Requests that the item be considered by the Planning Committee for the following material planning reasons:</b> The viability study submitted by the applicant demonstrates that it is not possible for the site to be re-developed as an economically feasible rural business site, as required by planning policy. This report has been prepared by a reputable consultant and I believe needs to be accepted as realistic in its conclusions. These leaves the option of allowing the unsightly tin sheds and other detritus on the site to slowly decay and create a rural eyesore. The other option would be to allow the site to be developed as a new residence. The visual impact study submitted supports the idea that this will not be deleterious to the landscape character of the area. (as a chartered landscape architect, myself, I rather concur with this opinion.) Local opinion as witnessed by various comments submitted seems to be favourable to this latter option. I would therefore suggest that there are good planning reasons for this case to be considered by the Planning Committee.