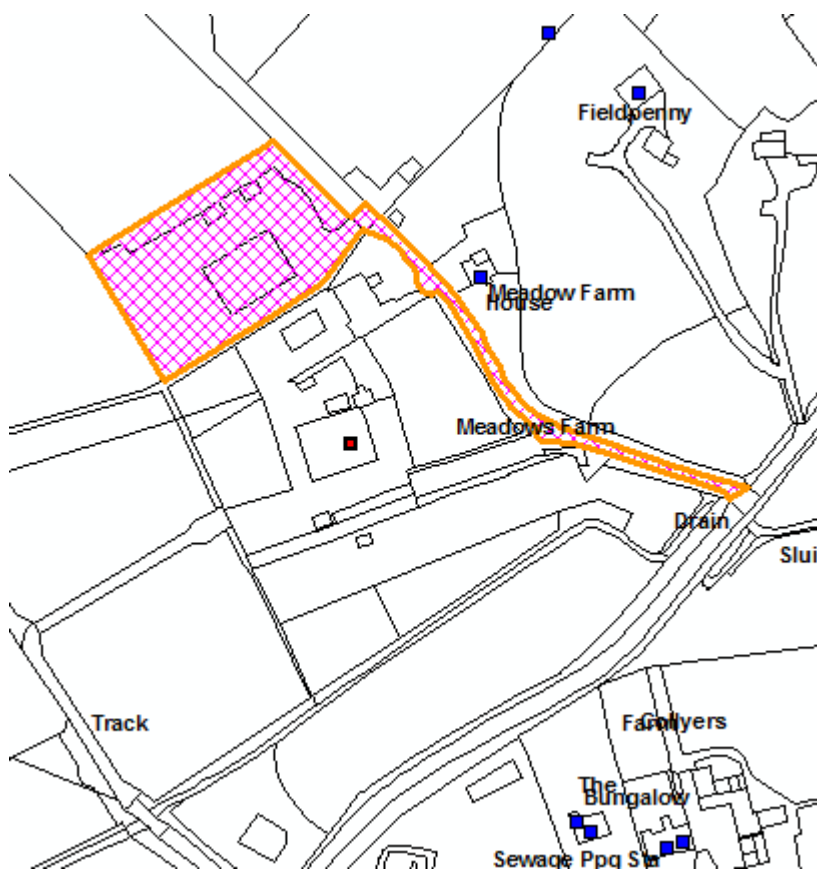


WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Case No:** 18/01806/FUL  
**Proposal Description:** (RETROSPECTIVE) (AMENDED DESCRIPTION) Proposed use of first-floor mezzanine and partial use of ground floor of (northwest) agricultural storage building for office purposes (Class B1)  
**Address:** Meadows Farm, Ervills Road, Worlds End, Hambledon, PO7 4QU.  
**Parish, or Ward if within Winchester City:** Denmead  
**Applicants Name:** Mr J. Chambers  
**Case Officer:** Robert Green  
**Date Valid:** 27 July 2018  
**Recommendation:** Application Permitted



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**General Comments**

The application is reported to Committee due to the number of public representations received contrary to the Officer's recommendation.

The application is also reported at the request of Denmead Parish Council, whose correspondence is attached as an appendix to this report.

**Site Description**

Meadows Farm is an agricultural holding accessed from Ervills Road in Worlds End. From the roadway, an access track leads toward the application site and provides access to the remainder of the farm. A dwelling house which is not associated with the farm holding sits to the east of this track.

The wider farm holding extends a considerable distance and contains 3 existing buildings which are in close proximity to one another, with various points to the barns along the length of the track providing access to these buildings and the surrounding area.

The application concerns the larger northern building which provides agricultural storage. This barn and its associated hard surfacing are a recent addition to the farm area, having obtained permission for its construction in 2014.

The application site is bordered by a combination of boundary treatments. A brick wall and automatic gates face the east, whilst a timber boarded fence borders the public right of way which runs to the south of the area. A bund and timber fence divide the site from the rest of the farm to the north, whilst fencing borders the site to the west.

A public right of way runs from Ervills Road along the access track, and separates to the south of the application site, running across the remainder of the holding.

The area is rural in character with a combination of large residential dwellings and farmland.

**Proposal**

The proposal applies for retrospective permission to partially use the agricultural storage building for office purposes (under Class B1).

The conversion concerns the western end of the building and contains a staff room and meeting room on the ground floor with office space on a mezzanine level above. The remainder of the barn would continue in its current use as an agricultural storage building, which is overlooked by internal windows within the office space.

Car parking would be provided within the enclosed space of the barn compound.

**Relevant Planning History**

14/02601/APN - Erection of agricultural barn – No Objection raised and issued  
15.12.2014

**Consultations**

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WCC Engineers: Drainage:

- The site is within Flood Zone 1 and is at a very low risk of surface water flooding.
- The development will not affect existing flood risk.

WCC Engineers: Highways:

- The application does not include any highway implications and no objection is raised.

WCC Head of Environmental Protection:

- No adverse comments subject to conditions restricting hours of operation, timing of deliveries and a lighting plan.

Hampshire County Council (Rights of Way)

- Requests pre-commencement details on the resurfacing of the access track which is a Public Right of Way  
*Note: The resurfacing of the access track was removed from the proposal during the course of the application.*

**Representations:**

Denmead Parish Council

- Not in keeping with policy MTRA4, maintenance highway vehicles may enter the site at inappropriate times.
- Lighting would cause a disturbance to wildlife habitats.
- Future concreting may raise pressures on TPO tree [*NOTE: Following receipt of comments, the applicant has removed the resurfacing of the access track from the application and the proposal description was updated accordingly.*]

25 letters from 20 addresses received objecting to the application for the following reasons:

- Increase in traffic and noise
- Lighting on barn
- Expansion of industrial premises
- Potential use at unsociable hours
- Potential for heavy good vehicles

Comment from Cllr Stallard

- Impact of lighting
- Impact from increased vehicle traffic
- Would cause disruption and inappropriate noise/light and traffic generation.

Reasons aside not material to planning and therefore not addressed in this report

- Opinion of applicant
- Alleged enforcement breaches not related to the application site.

18 letters from 18 addresses received supporting the application for the following reasons:

- Small businesses should be encouraged

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- Existing buildings being used in a productive way
- Provides job opportunities
- Prevents commuting
- Reduction in countryside crime rate by having people in a rural location during the day.

**Relevant Planning Policy:**

Winchester Local Plan Part 1 – Joint Core Strategy

- MTRA4 – Development in the Countryside
- CP8 – Economic Growth and Diversification
- CP16 – Biodiversity

Winchester Local Plan Part 2 – Development Management and Site Allocations

- DM15 – Local Distinctiveness
- DM16 – Site Design Criteria
- DM17 – Site Development Principles
- DM18 – Access and Parking
- DM23 – Rural Character

Denmead Neighbourhood Plan

- Policy 1 – A Spatial Plan for the Parish

National Planning Policy Guidance/Statements:

National Planning Policy Framework 2018

**Planning Considerations**

Principle of development

The application site is outside of a defined settlement boundary and is therefore within the countryside under development plan policies.

In this area, policy MTRA4 (Development in the Countryside) of the Local Plan Part 1 allows proposals which have an essential or operational need for a countryside location.

In addition, the policy accepts that there are a number of occupied buildings within the countryside which are an accepted part of the landscape, and it is considered appropriate for them to be used productively for re-use or re-development for an alternative purpose.

Policy MTRA4 therefore allows *proposals for the reuse of existing rural buildings for employment purposes*.

This application uses an existing building in the rural environment and proposes the conversion of part of this building for employment purposes.

Therefore, the proposal complies with the criterion of policy MTRA4 and the principle of the development is acceptable.

Policy MTRA4 also notes that development proposed in accordance with the policy

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should not cause harm to the character and landscape of the area or neighbouring uses or create inappropriate noise/light and traffic generation. These elements are assessed further in this report.

Design/layout

The internal conversion of part of the building for office purposes results in the inclusion of external windows on the western elevation of the barn and an entrance door along the southern wall which contains an overhanging porch. Despite these introductions, the barn building maintains its rural appearance and long-distance views to the building show what would be expected in a rural environment.

The conversion to offices does introduce the additional need for car parking for office workers, and the Highways impact has been assessed later in the report. From a design and layout perspective, the area surrounding the barn maintains sufficient space to provide parking facilities for employees which, due to the boundary treatments, are largely hidden from the public realm.

Impact on character of area and neighbouring property

The area surrounding the application site is rural in character and Policy DM23 (Rural Character) of LPP2 plays an important part in the assessment of the application.

As the application involves the internal conversion of an existing structure, an increase in the visual and physical impact of the development does not materially increase as a result of this application.

A key characteristic of the rural environment is the tranquillity of the area which is particularly important on this site due to the amount of public rights of way which cross the area. This application would allow the retention of an office facility which, whilst intensifying the use of the site, does not propose a use which would be adversely harmful to the tranquil nature of the surrounding environment. The enjoyment of the rural environment from the public right of ways which cross the site are not harmed by the introduction of an office facility to the building and the Rights of Way Officer does not raise an objection to this part of the application.

In addition, condition 06 has been included to obtain details of the lighting arrangements for the barn at the request of the Environmental Health Officer. This is to ensure that excessive lighting is not introduced as a result of the office use.

Meadow Farm House is located outside of the ownership of the applicant and is 56m from the barn building at its closest distance, and approximately 71m from the part of the barn which contains the office use. Environmental Health have been consulted during the course of the application and have recommended the inclusion of conditions restricting hours of operation and timing of deliveries.

These conditions have been included (04 and 05) to protect the amenities of neighbouring occupants. Condition 03 has also been included to ensure this part of the building remains in B1 use and is not converted in the future to a more intensive use without a planning assessment.

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Landscape/Trees

Two trees protected by a Tree Preservation Order (TPO) sit to the west of the access track; both are outside of the application site but within the ownership of the applicant. Originally, the application also included the resurfacing of the access track from Ervills Road up to the application site and comments of concern were raised regarding the impact on the protected trees.

Upon reviewing the comments and following communication with the agent of the application, this aspect of the application was removed and an updated planning statement resulted in the proposal description being amended during the course of the application concerning solely the conversion to office use.

Highways/Parking

The introduction of an office facility to the site introduces the requirement for parking facilities for employers. As detailed previously in this report, sufficient space exists surrounding the barn to provide parking for the offices.

Whilst this inevitably results in increased use of the access track to travel to the northern barn, the Highway Officer does not consider this increase to create a significant highway implication and no objection is raised on these grounds.

Other Matters

Comments have raised concern regarding the alleged use and potential future use of the site for commercial reasons.

Whilst these concerns are acknowledged, this application is seeking to allow the use of part of an existing rural building for office purposes which complies with local policies which govern development in the countryside. Site meetings and consequent unannounced site visits have demonstrated that the remainder of the barn contains agricultural equipment in compliance with its expected use.

If the site is to be used for a purpose other than its permitted agricultural use class, this would require its own application which would be assessed on its merits at that time if required.

Therefore, as each application is assessed and decided on its own merits, this application for the conversion of part of an agricultural building for office purposes is compliant with the development plan and does not create material planning harm which justifies refusing the application.

**Recommendation**

Application Permitted subject to the following condition(s):

**Conditions**

1 The development must continue to operate in accordance with the following plans: Site and Location Plan [drawing SD-1839-00 Revision D] received 31.07.2018,  
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Plans and Elevations [drawing SD-1839-01 Revision A] received 31.07.2018

- 1 Reason: In the interests of proper planning and for the avoidance of doubt
- 2 The change of use to B1 hereby permitted must only apply to the ground floor and mezzanine level as shown on drawing SD-1839-01 Revision A.

The remainder of the building must remain in an agricultural use.

2 Reason: To ensure the terms of the application are clear in the interest of proper planning and for the avoidance of doubt.

3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the development hereby permitted (as defined by condition 02) shall be used only for purposes within Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to those Classes in any Statutory Instrument revoking and re-enacting that Order with or without modification) and for no other purpose(s).

3 Reason: To restrict the use of the premises in the interests of the local amenity and to restrict the potential permitted development changes provided by the General Permitted Development Order allowing the Local Planning Authority to assess potential future alterations to this part of the building.

4 The use hereby permitted shall only open to employees within the following times 0630 till 2100hrs Monday to Friday and at no time on Saturdays, Sundays or recognised public holidays.

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

5 No deliveries shall be taken at or dispatched from the site except between the hours of 0630 and 2100 Monday to Friday and at no time on Saturdays, Sundays and recognised public holidays.

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

6 Within 3 months of the date of consent, details of any external lighting of the site shall be submitted to, and approved in writing by the Local Planning Authority.

This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles).

The lighting shall be installed, maintained and operated in accordance with the approved details.

The external lighting will not be switched on between the hours of 21:00 in the evening and 06:30 the following morning.

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6 Reason: To protect the appearance of the area, the environment and local residents from light pollution.

**Informatives:**

1.

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.

In this instance a site meeting was carried out with the applicant.

2.

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

Local Plan Part 1 - Joint Core Strategy: MTRA4, CP8 and CP16

Local Plan Part 2 - Development Management and Site Allocations: DM15, DM16, DM17, DM18 and DM23

3.

This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out above, 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.

4.

All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or recognised public holidays. Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

5.

During Construction, no materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Protection Team, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.

6.

Please be respectful to your neighbours and the environment when carrying out your development. Ensure that the site is well organised, clean and tidy and that facilities, stored materials, vehicles and plant are located to minimise disruption. Please consider the impact on your neighbours by informing them of the works and minimising air, light and noise pollution and minimising the impact of deliveries, parking and working on public or private roads. Any damage to these areas should be remediated as soon as is practically possible.

For further advice, please refer to the Construction Code of Practise

<http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-considerate-practice>

7.

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Please be advised that Building Regulations approval may be required for this development. Please contact WCC Building Control Department for more information (T: 01962 848176, E: [buildingcontrol@winchester.gov.uk](mailto:buildingcontrol@winchester.gov.uk))

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**Appendix 1 – Response from Denmead Parish Council**

Please return this form to the Case Officer: Robert Green

From: Denmead Parish Council

Case No: 18/01806/FUL

Closing Date for Comments: 24.09.2018

Location: Meadows Farm, Ervills Road, Worlds End, Hambledon, PO7 4QU  
Proposal: Proposed use of first-floor mezzanine of (northwest) agricultural storage building for office purposes (Class B1) and resurfacing of existing access drive.

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**Comments:**

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**The Parish Council of Denmead, by a majority decision, raised a STRONG OBJECTION to this proposal and cited the following reasons:**

- The proposed building would be severely detrimental to this important part of the countryside environment and character of Denmead. This has been recognised in previous planning decisions made by WCC since 2004 (vis 04/00217/COU).
- Worlds End is a small hamlet which should be preserved as such and therefore committee members would wish to see the barn only being used for agricultural necessity, in relation to Policy No. CE 17 in Part 1 of the WCC Local Plan.
- The proposed change of use/conversion of the agricultural barn to an employment-generated premises is also not in keeping within Winchester District Local Plan Part 1, Policy MTRA 4, which states that “Development proposed in accordance with this policy should not cause harm to the character and landscape of the area or neighbouring uses, or create inappropriate noise/light and traffic generation”. Members are concerned that potentially large maintenance highway vehicles may access the area during the proposed operational times of 6.30am – 9.00pm, which would cause a significant disturbance to local residents.
- Members do not wish lighting to be used at the premises during the proposed operational hours, as this would cause a disturbance to wildlife habitats. Winchester District Local Plan Part 1, Policy CP16, states “new development will be required to show how biodiversity can be retained, protected and enhanced through its design and implementation...” and seeks only to support development proposals if the benefits of the development clearly outweigh the harm to the habitat and/or species.
- In conclusion, Denmead Parish Council also wish to comment that the Planning Application does not show the existing excessive concrete which is in place around the barn and has also covered the trunk of a significant tree. The concern is that additional concrete may be added, thereby seriously threatening the life of a tree which has a Tree Preservation Order. “Development should not result in the loss or deterioration of special trees and the space required to support them in the long term”, as stated in Winchester District Local Plan Part 2, Policy DM23.

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**Request for application to be considered by Committee:**

(NB: Case Officer to forward form to Head of Planning Control if this section completed)

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**Should there be a conflict of views between Members comments and the Case Officer,**

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**Members would wish for this matter to go to the Development Control Committee.**

Signed: *L J Merriman ~ Deputy Clerk*

Date: 28.09.2018