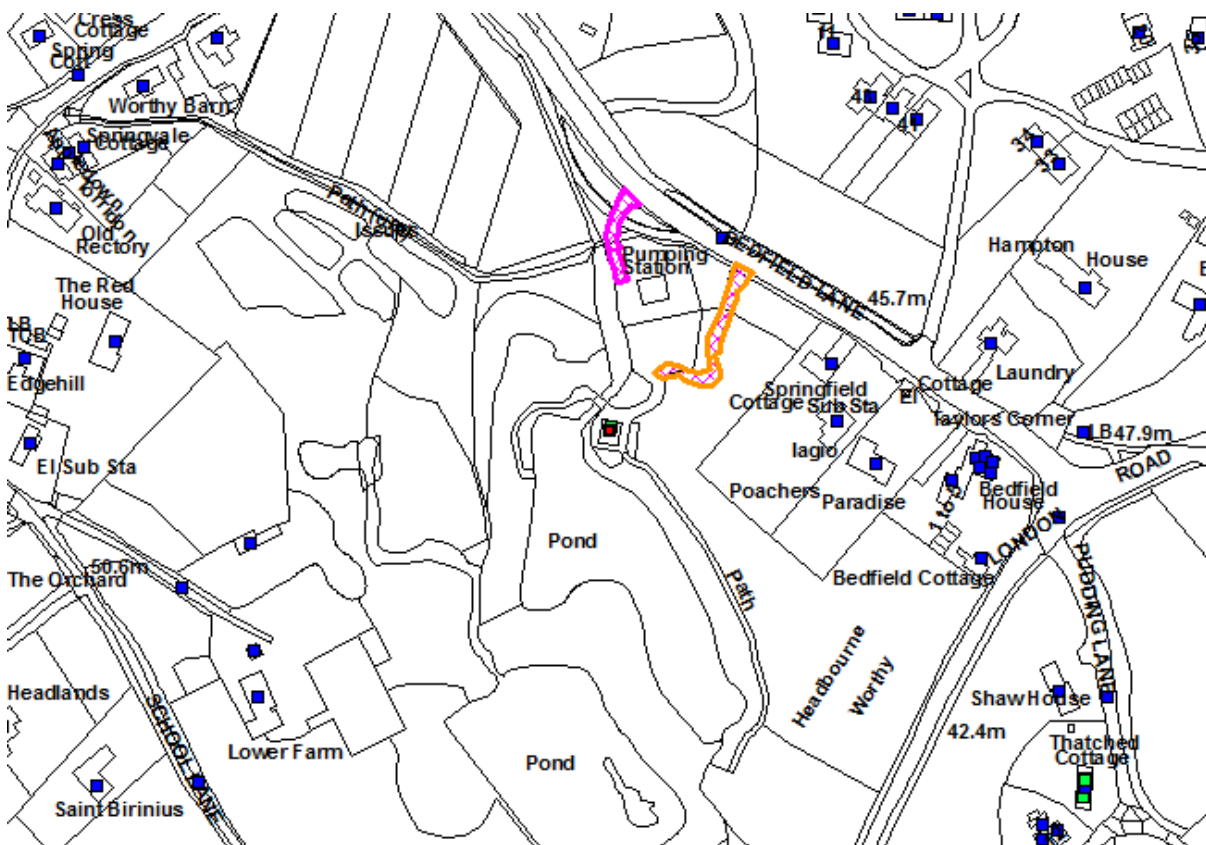


Item No: 02
Case No: 17/02806/FUL
Proposal Description: New access with the public highway and track to existing parking area
Address: Church Paddock Fishery Bedfield Lane Headbourne Worthy Hampshire
Parish, or Ward if within Winchester City: Headbourne Worthy
Applicants Name: Mr & Mrs Dean
Case Officer: Mrs Katie Nethersole
Date Valid: 3 November 2017
Site Factors:

Recommendation: Permit



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General Comments

Application is reported to Committee as the number of objections, received contrary to the officer's recommendation.

Amended plans received 16th April 2018 – to widen the entrance following discussions with Hampshire Highways and Highways Engineer. The amendments were not considered to be 'material' as minor in nature and therefore were no re-advertised for further comment.

Site Description

The site is located to the south west of the settlement of Headbourne Worthy and to the west of Bedfield Lane and is within the defined settlement gap. It is accessed by a driveway that also serves access to a pumping station owned by Southern Water. The site itself is set at a lower level than the road and is bounded by mature trees. Church Paddock Fishery is a recreational fishing lake and leisure facility and totals 2 hectares in area. The site is enclosed by a variety of fencing and is well screened from the adjacent road and area by mature trees and hedgerows to the boundaries.

Proposal

The proposal is for a new vehicular access to the south of the existing. It is required by the applicants as they currently utilise the existing access that is shared with and owned by Southern Water. This can cause problems with access to the site as vehicles attending the pumping station sometimes block access to the site. The proposed new access would be utilised by staff, visitors and maintenance contractors. It is proposed that the applicants would retain their rights of access to use the existing access for larger vehicles or for emergencies but the main access would be through the new one.

The access would be a bellmouth which would be constructed to provide a dropped kerb to the road, utilising a suitable surfacing material to prevent migration of any loose material to the public road.

It is proposed that the route of the access would be the shortest route to minimise the required levelling, provide a suitable gradient, keep the width of the track to a minimum in accordance with the relevant standards and retain and protect the existing hedging around the car park. The access track would be a single track with a passing bay located to provide adequate sightlines with the bellmouth entrance to allow drivers to proceed in either direction.

The existing car park is proposed to remain as is and it is not intended to expand or provide any further parking on site.

Relevant Planning History

98/00349/FUL - Erection of a fishing lodge and provision of a car park with 10 spaces - RETROSPECTIVE. PER 2nd June 1998.

03/00945/FUL - Extension to fishing hut, new access track and enlargement of lake. WDN 19th August 2003.

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09/01361/FUL - Extension to lake, new sluice gate and extension to existing boundary bund (RETROSPECTIVE). PER 3rd December 2009.

10/02161/FUL - Demolition of existing fishing hut and erection of a new hut in the same footprint (RETROSPECTIVE). PER 3rd March 2011.

11/00802/FUL - 2 No fishermen's huts and a mower shed; Retrospective approval for a pole supporting an owl; overhead lamp and security camera plus an area of new decking and 4 disabled parking bays. PER 9th June 2011.

12/00738/FUL - Erection of Yurt as tea room and construction of footbridge. REF 25th February 2013.

13/01917/FUL - Erect a function room with ancillary accommodation incorporating a trout smoker (RESUBMISSION). WDN 12th November 2013.

Consultations

Engineers: Highways: No objection

Head of Landscape: No objection subject to landscape condition

Ecology: No objection subject to the recommendations being conditioned and details for replacement planting

Trees: No objection subject to condition for tree replacement details

Representations:

Headbourne Worthy Parish Council

- The Parish council have objected to the application due to concern about highway safety, ease of access. They consider the proposed access to be unnecessary.

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

- Inadequate visibility splays
- Gradient of access is steep, could cause problems for some users
- Loss of trees
- Increase in noise
- Loss of rural amenity

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

- New access could lead to further housing development

No letters of support received.

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy

MTRA3, MTRA4, CP18, CP20

Winchester Local Plan Part 2 – Development Management and Site Allocations

DM15, DM16, DM17, DM18, DM23

National Planning Policy Guidance/Statements:

National Planning Policy Framework

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Planning Considerations

Principle of development

MTRA3 of the LPP1 allows for new development in settlements with no defined boundary (such as Headbourne Worthy) if it meets a community need and is appropriate in scale and design. It should also conserve the settlement's identity, countryside setting and should protect local settlement gaps.

MTRA4 of the LPP1 only permits certain types of development including that which has an operational need for a countryside location; or for the expansion and redevelopment of existing buildings to facilitate the expansion on site of established businesses or to meet an operational need. It is considered that the proposed access is required for the business to ensure that access is not impeded, as it is with the existing access.

CP18 of the LPP1 seeks to retain the generally open and undeveloped nature of defined settlement gaps. Only development that does not physically or visually diminish the gap will be permitted.

CP20 of the LPP1 seeks to conserve and enhance the landscape setting and local distinctiveness.

DM15 of the LPP2 seeks to ensure that development respects the qualities, features and characteristics that contribute to the distinctiveness of the local area. Development will be permitted provided that they conserve or enhance open and green areas and existing trees and hedgerows.

DM17 of the LPP2 allows for new development provided that it provides a safe and secure environment that is accessible by all.

DM18 of the LPP2 ensures that new development allows for access to and movement within a site in a safe and effective manner including turning facilities as appropriate. It should make provision for access to the site in accordance with the relevant standards and required visibility splays.

It is considered that the proposal complies with these policies and is therefore considered acceptable.

There is no intention to alter the parking provision on site.

Design/layout

It is proposed to create and provide a new vehicular access to the existing site to provide improved access facilities. The application provides information and evidence to support the need for a new access as the existing one is sometimes blocked by vans attending the pumping station.

The access will be positioned south west of the existing one and approximately 38 metres away from it. It will be a bellmouth design with a passing place to enable space for passing vehicles.

Amended plans have been received following discussions with the Highways Engineer and Hampshire Highways to widen the access to allow space for refuse vehicles and fire engines. The visibility splays remain the same as the original plans.

The access will be laid to tarmac to prevent the migration of loose material on to the adjacent road. The track itself would be laid to loose chippings that are considered suitable to the character of the area and the low key use, and would be porous to ensure that there is no increased flooding risk from the site.

Impact on neighbouring property

The proposed access is not considered to have any negative impact on the amenities of the neighbouring properties. The Highways Engineer has confirmed that the visibility splays are adequate and there are no concerns regarding highway safety therefore the proposals will not cause any danger to other road users.

Impact on character of the area

The site is in an area which is fairly rural in nature and there is mature tree planting and landscaping either side of Bedfield Lane. It is located south-west of Headbourne Worthy and within the defined settlement gap between Kings Worthy and Headbourne Worthy. There is a gentle slope downwards from Bedfield Lane to the site itself. It is considered that although the access track will alter the immediate character of the site it should be viewed in the context of the rest of the lane which has two other access tracks in the area characterised by native vegetation and a number of driveways where the character is more domestic in appearance.

It is considered that the proposed access and track would not have a detrimental impact on the character of the area or settlement gap and is therefore acceptable.

Landscape/Trees

The site is located in Bedfield Lane which is characterised by native vegetation and trees on both sides with an access point to the fishery on the south side of the lane. The proposed access will result in the loss of some trees in a small area of woodland. The trees that are proposed to be removed are not considered to be of any significant merit. The submitted information details that in order to mitigate the loss of significant trees there will be robust tree planting on site post development.

The submitted landscape plan shows an appropriate approach to replanting on each side of the proposed track but it does not indicate exact details. Therefore condition no. 4 is recommended to ensure that satisfactory number of trees is proposed to be planted.

Highways/Parking

Both the Council's Highway Officer and the Hampshire Highways Officer have reviewed the proposals in terms of highway safety and any potential impact on the surrounding highway network. It has been considered that the second means of access would be acceptable as the visibility is sufficient and the junction geometry is acceptable.

The new access road has been designed to accommodate a large service vehicle with a passing place were it to meet a car travelling in the opposite direction. It is considered that the proposed new access is acceptable from a highway point of view subject to conditions 3 and 5 requesting details of the specifications and implementation of the agreed visibility splays.

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Other Matters - Ecology

An ecology report has been submitted with the application which confirms that there is no potential for bat roosts arising from the trees proposed to be removed. The report has identified limited potential for nesting birds and that suitable mitigation can be put in place to enable the development to proceed. The Ecology Officer has advised that the proposal is acceptable subject to a condition ensuring that the recommendations in the Ecology report are adhered to and a tree planting plan – conditions 6 and 4.

Conclusion

In conclusion the proposed access and track are considered to be acceptable in terms of highway safety and impact on the character of the area and neighbouring properties. The proposals are compliant with the relevant planning policies and there is no sufficient reason to refuse the proposed scheme.

Recommendation

subject to the following condition(s):

Conditions

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

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

2. The development hereby approved shall be constructed in accordance with the following plans:

- Drawing no. WIN-KB-1036.01 Rev A Location Plan
- Drawing no. 6115/01 Topographic Survey
- Drawing no. 020.0287.001 Rev C Visibility Splays
- Drawing no. WIN-KB-1036.01 Rev B Site Location Plan – Planting
- Drawing no. Eco 4 – Tree Replacement Strategy
- Drawing no. 020.0287.007 Fire Tender Tracking
- Drawing no. 020.0287.006 Refuse Tracking
- Drawing no. 020.0287.002 Rev D Proposed Access

Reason: For the avoidance of doubt, to ensure that the proposed development is carried out in accordance with the plans and documents from which the permission relates to comply with Section 91 of the Town and Country Planning Act 1990.

3. The proposed access and drive, including the footway crossing, shall be laid out and constructed in accordance with specifications to be first submitted to and approved in writing by the Local Planning Authority.

NOTE – A licence is required from Hampshire Highways Winchester, Bishops Waltham Depot, Botley Road, Bishops Waltham, SO32 1DR prior to commencement of access works.

Reason: To ensure a satisfactory means of access.

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4. A detailed scheme for landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To improve the appearance of the site in the interests of visual amenity.

5. Before the development hereby approved is first brought into use, the visibility splays as shown on drawing no. 020.0287.001 Rev C shall be provided at the junction of the access and public highway. The splays shall be kept free of obstacles over 600mm above the level of the carriageway in perpetuity.

Reason: To the interests of highway safety

6. The recommendations set out in the submitted Ecology Report written by Vesper Conservation and Ecology Limited dated 28th March 2018 shall be adhered to in perpetuity.

Reason: In the interests of protecting and promoting ecology on site

Informatives:

1. In accordance with paragraphs 186 and 187 of the NPPF, 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.

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

Local Plan Part 1 - Joint Core Strategy: MTRA3, MTRA4, CP18, CP20

Local Plan Part 2 – Development Management and Site Allocations: DM15, DM17, DM18, 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

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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. 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>

6. 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.