

Report to	Planning Committee
Date	8 August 2011
By	Head of Planning
Local Authority	Winchester City Council
Application Number	11/00745/SFUL
Application	Change of use to training centre (D1 Use)
Address	Marwell Yard, Thompsons Lane, Owslebury, Hampshire
Purpose of Report	The application is reported to the Committee for decision.

Recommendation: That planning permission is refused for the reasons set out in paragraph 8.1 of this report

1. The Proposal and the Site

- 1.1 The site is in the countryside, approximately 1.8 miles south west of the village of Owslebury, opposite the Marwell Zoological Park with access from Thompsons Lane. It is generally well screened with mature trees and hedging on the northern boundary. However there are views into the site through the site access and distant views from the B2177.
- 1.2 The site measures 3.1 hectares and is already in use as the training centre proposed in this application. It includes a yard, part of which is surfaced in concrete with the remainder laid to gravel with a large 5 bay barn on the south side. A number of converted adjacent to the northern boundary are being used as offices and training areas. A bund which was required as part of a site restoration scheme (a requirement of the previous temporary use for storage associated with a utility company and construction company has recently been constructed on the site, and this separates the yard from the remainder of the application site. The field beyond the bund slopes gently towards the southern boundary of the site which has a park pale designated as a Scheduled Monument running along the entire length.
- 1.3 To the north east is a complex of farm buildings which includes a grain dryer, which lies immediately adjacent to the application site. To the south west of the site is a barn, which is used for general industrial use. The closest residential property known as South Lodge is located approximately 400 metres to the north east.
- 1.4 It is proposed to use the site for a training centre (D1 Use), this will be used to train utility company staff in the procedures and legislation that they have to follow / comply with in projects. The training centre will comprise both classroom and practical instruction provided within the converted containers with the practical instruction, including training on a tracked excavator and dumper truck undertaken within the field beyond the bund. The machinery will then be stored within the existing barn on the site. The proposed hours of use are Monday – Friday: 0600-1800 hours and Saturdays: 0730-1300 hours.

2. Consultations

- 2.1 Highway Authority – object: the access and road leading to and from the site are substandard in width to accommodate the increase in traffic which the development would create
- 2.2 English Heritage – the proposed change of use within this application would not have a

significant additional adverse impact on the designated heritage asset of Park Pale, subject to the proposed exclusion zone being implemented to protect the Scheduled Ancient Monument.

- 2.3 Hampshire County Council Ecologist – no objection to the application subject to a condition for the submission of lighting details to be used on the site
- 2.4 Winchester City Council Officers - a noise impact assessment is required in relation to the impact on the nearest residential properties from the mechanical operations on the site; a consent to discharge foul water is required from the Environment Agency.
- 2.5 Owslebury Parish Council - objects very strongly on the following grounds:
 - no justification for this proposed use in the South Downs National Park and the site should be returned to its original use of agriculture;
 - will have an adverse impact on the amenity of neighbouring properties through noise and floodlighting;
 - road is heavily used and this proposal will have a significant adverse impact on highway safety

3. Representations

- 3.1 South Downs Society – object; the proposal will have a visual impact on the users of the current users if the leisure activities; the noise created by the machinery will affect the tranquillity of the National Park and the activity will not protect and enhance the landscape value of the area.
- 3.2 7 letters of objections have been received making the following points:
 - The land should remain in agricultural use and the proposed use will have an adverse impact on the National Park through harming its tranquillity;
 - The traffic within the area is heavy with HGV's using narrow country lanes, this proposal will have an adverse impact on highway safety for both vehicles and pedestrians;
 - This site has been developed without planning permission following the expiry of the temporary permission and they are concerned with the future use of the site;
 - Adverse impact on the amenity of neighbouring properties with regard to noise and light pollution from floodlights;
 - There is a strong demand for agricultural storage space in the area and this application removes this from the local economy.

4. Relevant Planning History

- 4.1 09/02063/HCS - Change of use from agricultural storage to use of land for the storage and transfer of waste materials associated with gas utility works and the ancillary storage of plant, equipment and materials associated with a general construction and civil engineering business, for a limited period – temporary permission granted 8 February 2010. The condition placed on the application required the use to cease on or before 31 March 2011.
- 4.2 06/03453/FUL - Erection of 2 no. hay, machinery and plant equipment storage buildings on land off Thompson Lane – permitted 19 January 2007 – not implemented.
- 4.3 05/02059/APN - Erection of agricultural storage shed – prior approval granted 19 September 2005.

5. Planning Policy Context

- 5.1 The application site is within the SDNP boundary. The two statutory purposes of the SDNP designation are:
 - To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas; and
 - To promote opportunities for the public understanding and enjoyment of the special

qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes. Government policy relating to National Parks set out in PPS7: Sustainable Development in Rural Areas and Circular 2010 is that they have the highest status of protection in relation to landscape and scenic beauty. Conservation of the natural beauty of the landscape and countryside must, therefore, be given great weight in development control decisions.

5.2 The following national policy documents are relevant to this application:

- PPS1 Planning Policy Statement 1 (PPS1) sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system;
- PPS4 Planning for Sustainable Economic Growth which refers to the use of redundant buildings in the countryside
- PPS5 Planning for the Historic Environment which sets out the considerations for determining applications affecting heritage assets
- PPS9 Biodiversity and Geological Conservation sets out guidance to complement other policy regarding conservation, enhancement and restoration of wildlife, geology and biodiversity
- PPG13 Transport

5.3 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area in the South East Plan and the Winchester District Local Plan Review 2006.

5.4 The South East Plan was adopted by the Secretary of State on 6th May 2009 and supersedes the Hampshire County Structure Plan and RPG9. The Coalition Government's revocation of the Plan in July 2010 has been found to be unlawful so the document remains part of the development plan at this time but the intention to revoke it is a material consideration. The following strategic are relevant to this application:

- C2: The South Downs - states that the purposes of designation should be a material consideration in the making of any planning decision that would affect it.
- CC1: Sustainable development – states that the physical and natural environment of the south east is conserved and enhanced
- CC6: Sustainable Communities and Character of the environment – requires new development to respect the character and distinctiveness of landscapes and use innovative design to create a sense of place
- SP3: Urban Focus and Urban Renaissance – states that the prime focus for development in the South East should be in urban areas

5.5 Winchester District Local Plan (Review) 2006 policies relevant to this application are;

- DP1 specifies need for design statements and other explanatory information to support planning applications.
- DP3 sets general design criteria to be met by all new development in order to maintain or enhance the townscape and landscape of the District.
- DP4 defines landscape and built environment criteria to be met by new development in order to maintain or enhance the District's townscape and landscape.
- CE17 relates to change of use of non-residential buildings in the countryside.
- T2 sets out criteria for provision new access required to serve development

6. Planning Assessment

Principle of development

6.1 The site lies in the countryside within the South Down National Park. Whilst policy CE17 of the Local Plan 2006 generally supports change of use/conversion of non-residential buildings

in the countryside to employment-generating activities (B1, B2 or B8 uses) this proposal does not meet the criteria as it is a D1 use. The proposal will not generate employment opportunities in itself as it is to serve existing employers and employees. Moreover, the increase in staff and traffic movements will harm the character of this countryside area. The increased traffic generated by the change of use will create significant harm to the character of the rural road access from Thompsons Lane. Although the site is largely screened from public vantage points, views into the site are available from the access point into the site, it is considered that due to the scale and nature of the proposed use, which incorporates containers and heavy machinery in combination with the associated car parking and vehicle movements will harm the visual character of this part of the National Park. The development does not therefore meet the national policy objectives set out in PPS1, PPS4, PPS7, PPG13 and policy DP.4 of the Winchester District Local Plan Review 2006.

Traffic and Transport

- 6.2 The roads leading to and from the site are of inadequate width to accommodate safely the additional traffic which the proposed development would generate, contrary to Policy T2 of the Winchester District Local Plan (Review) 2006. Additionally the existing access to the site is substandard for the proposed use, in that it provides restricted visibility splays due to mature trees being located either side of the junction. Moreover this is an unsustainable form of development contrary to national planning policy guidance in PPS1, PPS4 and 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.

Amenity of the area

- 6.3 The proposed change of use will result in an intensification of use of the site with increased traffic movements and associated noise and disturbance for neighbouring residents. The Winchester City Council Environmental Protection team note the lack of an acoustic report to accompany the application and have raised concerns regarding noise pollution on site. Thus it is likely that the proposal will cause harm to neighbours residential amenity. Consequently the proposed development is contrary to policy DP3 of the Winchester District Local Plan (Review) 2006.

Archaeology

- 6.4 The application site has a Scheduled Monument known as Park Pale located along the southern boundary of the site. This application proposes a 10 metre exclusion zone to protect Park Pale, which is considered to be an acceptable method to protect the Scheduled Monument, and could be secured by condition, if planning permission were to be granted.

Ecology

- 6.5 The proposed development is not considered to have a significant adverse impact on the ecology of the area, subject to a condition to control the lighting scheme on the site, if planning permission were to be granted.

7. Conclusion and Reasons for Recommendations

- 7.1 The proposal is an unsustainable form of development in the countryside, that would lead to an over-reliance on the private car and an increase in activity and traffic movements which will have an unacceptable impact on road safety, to the detriment of the environment and the locality which will harm the character and tranquillity of this part of the SDNP. Through the lack of a noise assessment the proposal would have an adverse impact on the amenity of neighbouring properties. The proposal would therefore be contrary to national government policy and policies contained within the South East Plan and Winchester District Local Plan(Review) 2006.

8. Recommendations

- 8.1 It is recommended that planning permission be refused for the following reasons:

- (i). The proposal is an unsustainable form of development in that it is inappropriately located away from existing urban areas and will result in an over-reliance 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 which harm the visual character and tranquillity of this part of the SDNP. The proposal is therefore contrary national policy guidance set out in PPS1, PPS4, PPS7 and PPG13, policies C2, CC1 and SP3 of the South East Plan, and policies CE17 and DP4 of the Winchester District Local Plan Review 2006.
- (ii). The roads leading to and from the site are of inadequate width to accommodate safely the additional traffic which the proposed development would generate. Additionally the existing access to the site is restricted by virtue of providing inadequate visibility splays. As such the proposal is likely to have a detrimental impact on highway safety contrary to policy T2 of the Winchester District Local Plan (Review) 2006.
- (iii). The proposed change of use will result in increase traffic movements and associated noise and disturbance for neighbouring properties. An acoustic report has not been submitted therefore it has not been demonstrated that the proposal would not cause harm to neighbours' residential amenity. As such the proposal is contrary to policy DP3 of the Winchester District Local Plan Review 2006.

9. Crime and Disorder Implications

9.1 It is considered that the proposal does not raise any crime and disorder implications.

10. Human Rights Implications

10.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

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Appendices	Location Map
SDNPA Consultees	Monitoring Officer & Senior Solicitor.

Background Documents
 Letters of representation from members of the public
 Observations of Owslebury Parish Council
 Highway Authority comments
 English Heritage comments
 Hampshire County Council Ecology Comments
 Winchester City Council officer comments
 PPS1
 PPS4
 PPS5
 PPS7
 PPS9
 PPG13
 Circular 20/10
 Winchester District Local Plan Review 2006
 South East Plan 2009