

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 6 October 2005

Item No:	06
Address:	Land Opposite Entrance To The Towers Station Road Soberton Hampshire
Parish/Ward	Soberton
Proposal Description:	Erection of stable block and equestrian use of land
Applicants Name	Mr & Mrs Bower
Case No:	05/01554/FUL
W No:	W19443/01
Case Officer:	Mr Neil Mackintosh
Date Valid:	22 June 2005
Delegated or Committee:	Committee Decision
Reason for Committee:	4 or more representations contrary to the Officer's recommendations have been received
Site Factors:	Countryside East Hampshire AONB

See Item 14 of PDC Committee agenda 08/09/05, copy attached as Annex A to this report

The Committee deferred a decision on this item pending the investigation of alternative sites. This has been done but no suitable alternative site has been found. This exercise will be explained fully in Committee but the main problem is vehicular access to alternative sites.

The most obvious solution is to site additional stabling within the yard to the rear of the applicant's house, Manor Farmhouse. However, both accesses to this site are substandard, with very limited visibility. It is not considered appropriate, nor safe, to add to the use of these access points. The Committee will be shown photographs but, in summary, the situation is as follows;

The main access has a flint wall to one side, part of the curtilage of the listed Manor Farmhouse, and a high hedge to the other, which is outside the applicant's control. It is also opposite the junction of Station Road and Cutts Arch.

The secondary access has a high flint wall to one side, a continuation of the one referred to above, and a telephone box to the other side.

Two further alternative accesses were considered, to the north of that proposed in the current application. These exist but are narrow and would need considerable alteration to bring them up to modern standards. These access points are considered to be less suitable than that proposed because of the alignment of the road, proximity to the speed limit sign, and because the necessary alterations, close to mature trees, would adversely affect the appearance of the AONB.

In addition to the previous report, it is necessary to add that the views of Soberton Parish Council have now been received and these read as follows;

'The Parish Council at its meeting on 19th July decided to comment on the proposals as follows;

1. Traffic – There remains considerable concern regarding traffic and the safety of pedestrians and horses if access as shown is permitted. There are alternatives. There is another field entrance further north on Station Road which could be utilised.
2. Development in Countryside – We note the application is partly for personal use by the applicants and partly livery. Can any consent be conditional and tied to Manor Farm?'

These issues have been addressed above and in the previous report.

Recommendation

APPROVE – subject to the conditions set out in Annex A.

Annex A

Site Description

- Large countryside plot in the AONB
- The site is elevated from the lane and is partially visible through a row of mature trees
- These trees characterise all boundaries surrounding the site
- The land level slopes gently southwards
- There is an existing access to the site off Station Road which involved the removal of some trees
- Immediately to the south of the site is an area of trees and scrubland which contains several badger setts
- The nearest building is Tower Farm immediately opposite the site, and The Towers, a converted large house, is approximately 100m to the south west.
- A dwelling know as "The Bowery" is located approximately 140m north of the site

Relevant Planning History

- W19443 – Erection of stable block and equestrian use of land (*application refused 9/5/2005*)

Proposal

- As per Proposal Description
- The proposal is for 8 stables including a tack room and a food store within one 'U' shaped building
- The proposed building is 24m long and 11m deep with each section being 4.8m wide
- The maximum height of the building will be 2.7m
- The building will be constructed of brown stained timber with a green felt roof
- An access drive will also be incorporated plus 4 parking spaces
- It is proposed that four of the stables will be used for private use by the applicant while the remaining four will be for commercial livery purposes

Consultations

Engineers:Highways:

- No objections subject to conditions regarding access, turning space and location of gates and restriction of use to commercial livery, and no other commercial use.

Landscape:

- Much happier with new location of stables as it will have less visual impact from the lane and is set away from the existing mature trees on the boundaries
- I would require the planting of locally indigenous vegetation and a hedgerow behind the trees to provide screening
- This hedgerow should be immediately behind the car parking and behind the stable block, to ensure that tree roots are not compromised during the planting
- Proposal is acceptable subject to conditions relating to retention of trees and hedgerow planting

Others (East Hampshire AONB Officer):

- Revised location is marginally better than previous scheme, however most of the previous concerns remain and as such the objection remains
- The site falls within the proposed South Downs National Park as well as the AONB
- The impact of the vehicles on the local road network is a concern
- Horse boxes entering and leaving the site would be a hazard to other road traffic
- Concern that additional paraphernalia associated with equine uses, such as sand schools, jumps, horse boxes etc will have a detrimental impact on the appearance of the land
- Possible damage to trees from works to the access and drive are still of concern

Representations:

Soberton Parish Council

- No comments received at the time of writing

Neighbour Representations

- **7 letters of objection, on grounds of:**
- Site falls with AONB and was previous green belt land
- Impact on landscape character
- Impact on neighbouring properties by way of increased noise, odour and flies
- The new access should have had planning permission before it was constructed
- Increased traffic generation due to lack of public transport
- The land forms Grade III Agricultural land which should be protected from development
- The design, appearance and layout is similar to previous application which was refused
- Concern about floodlighting and the impact on amenity that would result

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- Impacts on badgers, bats and birds
- The location of the access is opposite the Towers which would create a traffic hazard
- Impact on trees and associated wildlife
- The location of existing stables at School Hill and the applicant's empty buildings at Manor Farm are sufficient to accommodate horses
- Insufficient information to assess the environmental impact
- Inadequate parking provision
- Previous landscape officer's concerns have not been met including lack of tree survey
- Highway safety of drivers, pedestrians and horse riders
- Inaccuracies in the plans and maps submitted
- Concerns over how the use can be controlled so as not to become commercial operation
- Riders will not use bridleways and footpaths, but rather Station Road
- Horses cause damage to highway
- Proximity of site to Soberton village
- There are better alternative sites which would have less impact on traffic
- **1 letter of support, on the grounds of:**
- Enforcement section investigated works to front wall and were later satisfied with repairs carried out
- Hampshire Police previously sent a wildlife liaison officer to inspect the site and was satisfied that no wildlife had been destroyed
- DEFRA have also visited the site and were satisfied as they are actively encouraging farmers to diversify their operations including horse livery
- There are no plans for floodlighting
- Smells, flies and manure have never been a problem from the existing Manor Farm
- The so-called 'redundant' buildings at Manor Farm are being used for a variety of farm uses

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- R3, C1, C2

Winchester District Local Plan

- C1, C2, C7, C8, C24, EN5, T9, RT4, RT8, RT10

Winchester District Local Plan Review Deposit and Revised Deposit:

- DP3, DP5, C1, C7, C11, C27, RT7, RT10, T2

Supplementary Planning Guidance:

- Equestrian Development
- Soberton Village Design Statement

National Planning Policy Guidance/Statements:

- PPS 7 The Countryside – Environmental Quality and Economic and Social Development

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area
- Residential amenities
- Highways
- Comments on representations

Principle of development

- The site falls within East Hampshire AONB and policy C7 states that development should not be intrusive or harmful to the character of the area
- PPS7 (paragraph 32) encourages the support of equine activities that maintain environmental quality and countryside character

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- Proposal RT.8 of the adopted local plan and Proposal RT.10 of the local plan are generally positive towards stables where they do not result in harm to the landscape appearance of the area, have good relationships with surrounding bridleways and do not cause detrimental impacts on highway grounds and on the amenities of nearby residential properties.

Impact on character of area

- The area is predominantly rural characterised by agricultural fields and farm-related buildings
- This type of development is acceptable within the countryside where it complies with the relevant policy criteria
- The landscape architect has assessed the application and is satisfied the re-positioning of the stables, combined with the incorporation of the new hedgerow, will have an acceptable impact on the countryside landscape

Residential amenities

- The proposed development will be heavily screened from the public realm
- A condition imposed will ensure no floodlighting will occur on-site
- A condition imposed will request further details on how the applicant will deal with the storage and disposal of manure – these details will be assessed by the LPA in cooperation with Environmental Protection to ensure no adverse impact on residential amenity

Highways

- The highway officer has assessed the application and is satisfied that the proposed development is acceptable subject to conditions
- The highway officer strongly recommends restricting the use to private and commercial livery only so as to avoid the adverse traffic impacts associated with a riding school or training facility

Comments on representations

- The applicant has responded to a number of the concerns raised by the objectors in relation to unauthorised works, impact on wildlife, floodlighting, loss of agricultural land and alternatives buildings that could be used
- This involved a number of the government departments visiting the site and providing constructive and positive feedback
- The Council is satisfied that the development is acceptable provided it remains for private and commercial livery purposes only
- The previous landscape objections have been removed
- The loss of Grade III agricultural land needs to be carefully balanced with other policy considerations and the feedback from DEFRA which encourages agricultural diversification and includes horse livery related developments

Recommendation

APPROVE – subject to the following condition(s):

Conditions/Reasons

01 The development hereby permitted shall be begun before the expiration of five 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.

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02 No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the stables hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

03 In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars, and paragraphs (a) and (b) below shall have effect until the expiration from the date of the occupation of the building(s) for its permitted use.

a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

b) If any tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.

c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with details to be submitted and approved in writing by the Local Planning Authority before any equipment, machinery, or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To ensure the protection of trees which are to be retained.

04 A new hedgerow shall be planted and established as shown on the approved plans. The plants shall be a staggered row with 600mm between rows and planted at 600mm centres. Species shall be a native mix unless otherwise agreed in writing with the Local Planning Authority. The new planting shall be completed before the end of the first planting season following the completion of the development hereby permitted.

Reason: In the interests of the visual amenity of the area.

05 The gradient of the drive shall not exceed 8% within 6 metres of the edge of the adjoining carriageway.

Reason: In the interests of highway safety

06 Before the development hereby approved is first brought into use, the access shall be constructed with a non-migratory surfacing material for a minimum distance of 10 metres from the highway boundary.

Reason: In the interests of highway safety.

07 Prior to the completion of development a cut off drain shall be provided to prevent the egress of surface water onto the public highway.

Reason: In the interests of highway safety.

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08 Before the development hereby approved is first brought into use, a turning space shall be provided within the site to enable vehicles using the site to enter and leave in a forward gear. The turning space shall be retained and kept available for such purposes at all times.

Reason: In the interests of highway safety.

09 Any gates provided shall be set back a minimum distance of 10 metres from the edge of the carriageway of the adjoining highway.

Reason: In the interests of highway safety.

10 Details of the facilities for the storage of horse manure and its means of disposal from the site shall be submitted to and approved in writing by the Local Planning Authority before the use of the stables is commenced. The facilities shall be provided and thereafter maintained in accordance with the approved details.

Reason: In the interests of the amenities of the locality.

11 No floodlighting whether free standing or affixed to an existing structure, shall be provided on the site at any time.

Reason: In the interests of the amenities of the locality.

12 The stable block hereby permitted shall only be used for the purposes of private and commercial livery and shall not, at any time, be used for any commercial riding or training purposes.

Reason: To restrict the use of the stables in the interests of highway safety and local amenity.

Informatives

This permission is granted for the following reasons:

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

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

Hampshire County Structure Plan Review: R3, C1, C2

Winchester District Local Plan Proposals: C1, C2, C7, C8, C24, EN5, T9, RT4, RT8, RT10

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP3, DP5, C1, C7, C11, C27, RT7, RT10, T2

With regard to Condition 3, any work of tree surgery which is agreed with the Local Planning Authority should be undertaken by a professional Tree Surgeon who is capable of carrying out the instruction of tree work to British Standard 3998.

The applicant is requested to contact the Chief Environmental Health Officer with regard to the requirements of the Riding Establishment Acts 1964 and 1970.

The removal of manure from the site shall take place on a regular basis and under no circumstance shall be burnt.