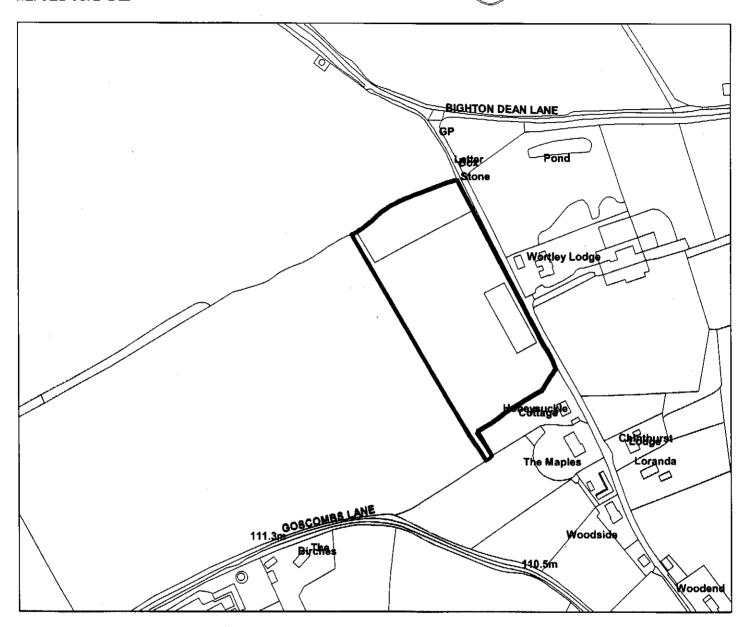
Land To North Of Honeysuckle Cottage Winchester 12/02340/FUL



Legend

Scale:

1:3333



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Organisation	Winchester City Council
Department	Winchester GIS
Comments	
Date	20 February 2013
SLA Number	100019531

Item No: 5

Case No: 12/02340/FUL / W05500/28

Proposal Description: Continued use of agricultural land for personal equestrian

purposes; erection of stables and barn.(RESUBMISSION)

Address: Land To North Of Honeysuckle Cottage Sutton Wood Lane

Bighton Hampshire

Parish, or Ward if within Bighton

Winchester City:

Applicants Name: Mr M Shergold
Case Officer: Mrs Megan Osborn
Date Valid: 6 November 2012

Site Factors: Countryside

Recommendation: Application Permitted

General Comments

This application is reported to Committee at the request of Councillor Cook, whose request is appended in full to this report.

This application is a resubmission of a previously refused application for 'Continued use of agricultural land for personal equestrian purposes, retention of manege and erection of stables and barn, installation of waste-water treatment and associated landscape' (12/01290/FUL). This application was refused for the following reasons:

- 1 The proposed development would be contrary to saved policies CE5 and RT11 of the Winchester District Local Plan 2006 Review in that it would represent the overdevelopment of the site through the erection of an inappropriate scale of buildings and hard surfaced areas which would adversely impact on the rural character of the lane and would harm the Bighton Woodlands landscape character area.
- 2 The proposed development would be contrary to saved policies CE5, DP3 and DP4 of the Winchester District Local Plan 2006 Review in that the partial removal of hazel hedgerow will allow for uninterrupted views of the 14m wide hard surfaced entrance and extensive gravelled car parking area which would be visible from the lane. In addition the existing hedge being mainly deciduous will allow for the proposals to be more visible during the winter months. The hedgerow will also require cutting back to allow for the erection of the proposed stable block which will further exacerbate the adverse impact on local rural character.
- 3 The proposed development is contrary to saved policy RT11 of the Winchester District Local Plan 2006 Review in that the site is not well related to the existing bridleway network and therefore the intensification of the use of the site is likely to cause or exacerbate conflicts between equestrians, vehicles or pedestrians.
- 4 The more intensive use of the site and proposed development including 6 stables a four bay barn, toilet and parking areas is likely to lead to lighting being sought on the site which would be unacceptable in this rural location.

This application amends the amount of stables from six to four and the four bay barn to a three bay barn. It also alters the location of the parking bays and proposes a reduced

amount of hardstanding and increased amount of landscaping. Since this application was received further amended plans have been received which show a reduced amount of hard standing and further distance between the southern boundary and the parking area.

Site Description

The application site comprises a field on the western side of Sutton Wood Lane Bighton. The field is close to the junction with Bighton Dean Lane. It has residential properties opposite and to the south and open fields to the north and west. The site slopes down from the road and has a vehicular access onto Sutton Wood Lane.

The field is mainly grazing paddocks but also has a manege which was constructed without the benefit of planning permission.

The site comprises approximately 2 hectares. The paddocks are divided by post and rail fencing. There are some mature trees to the western boundary, hedging to the southern boundary with Honeysuckle Cottage and the eastern road boundary.

Proposal

The proposal is for the continued personal use of the site for equestrian purposes including the retention of the manege and the erection of four stables, a three bay barn, toilet facilities, manure storage area, hard surfaced car parking area, waste water treatments plant and landscaping. The site benefits from an existing vehicular access. The plans also include the provision of a new pedestrian / horse access onto Sutton Wood Lane in the north east corner of the site.

This is a resubmission of the previous application (12/01290/FUL) which reduces the scheme from six stables to four stables and the four bay barn to a three bay barn and an increased amount of landscaping proposed.

Relevant Planning History

12/01290/FUL - Continued use of agricultural land for personal equestrian purposes, retention of manege and erection of stables and barn; installation of waste-water treatment and associated landscaping. Refused, 17th September 2012.

Consultations

Engineers: Highways:

No objections were raised on highways grounds on the previous application.

There are already a number of equestrian uses in the vicinity of this site and the highways officer is not aware of any apparent problems that the current equestrian use has created.

The highways officer notes that there is concern with regards to a new access being created, however this is a pedestrian /horse gate and as such would not create any vehicular traffic movements and would not be subject to the same visibility requirements. The provision of such an access is therefore acceptable from a highway point of view.

If minded to approve the application a suitably worded condition should restrict the use of the site to a personal one, on order to keep traffic movements to a minimum (Condition 4).

Head of Landscape:

The existing manege is in a tranquil, rural location with existing vehicular access from Sutton Wood Lane. Mature, indigenous boundary trees and hedgerows are a key feature of the rural lane network in the area. The mature hazel hedge along the site frontage provides effective screening and containment of the manege during the summer months.

The site lies within the Bighton Woodlands landscape character area (Winchester District Landscape Character Assessment 2004). It highlights an increase in paddocks and 'horsiculture' as a key issue; landscape strategies include the need to 'conserve the predominantly remote and quiet rural character of the area'; also to 'conserve the historic rural character of lanes, footpaths and drove roads throughout the area and resist any road improvements that would threaten these features'.

Landscape officers previous concerns:

'The proposed stable block is considered to be too close to site frontage which may have an adverse impact on existing boundary hedgerow next to the lane. The minimum distance shown on the revised plan is 5.25m. As this is still considered to be close to planted frontage, confirmation will be required that there will be no proposed change of level or adverse impact on trees and hedgerow before considering approval.

Visibility splays will require the cutting back and removal of part of the existing hedgerow either side of vehicular access which will have an adverse impact on the rural character of the lane. Advise reducing size of bellmouth to maintain character of lane which should be feasible as it is for personal and not commercial use.

The partial removal of hazel hedgerow with proposed tarmacadam bell mouth and uninterrupted view of parked cars will further exacerbate impact on local rural character. The revised plan now shows only 3no parked cars adjacent S boundary which is more acceptable. Advise restricting the number of parking bays as shown as a condition if minded to grant consent.

Gravel parking area is proposed to site boundary. Revised plan shows some new planting 'where required' adjacent proposed parking area. However, there remains insufficient space for the establishment of a mature indigenous boundary hedgerow along the SE boundary of neighbouring property. Advise moving parking bays further back from boundary ie min 2.00m.

There are no bridleways within the immediate vicinity to link up with this proposed activity. New route now proposed for horses 'via grassed area opposite' to Barnetts Wood Lane (ref D&AS p6). Advise plan to show new route and to confirm whether this needs to be included in the red line boundary as it is an important addition to the application.

Lighting may be required for this use which would be unacceptable in this location. Advise further information to confirm whether security lighting or similar will be required (NB reference only to an internal toilet light in D&AS).

The proposals would be visible from the lane; views would be more prominent with the

removal of existing hedgerow (or part of) especially during the winter months as there is so little evergreen vegetation along the frontage. Additional hedging proposed on revised plan; details will be required as a condition if minded to grant consent.'

In light of the above comments, the landscape officer therefore required further amendments to the proposed scheme. Amended plans were submitted and the landscape officers was satisfied that the amendments were acceptable subject to conditions relating to the landscaping and use of the site (Conditions 8 and 9).

Representations:

Bighton Parish Council:

The parish accept the revised plans for the proposed stables, barn and landscaping on the condition that this is for personal use only and there will be no request for a dwelling in the future.

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

- Inappropriate surrounding roads for the development proposed.
- There are no bridleways in the vicinity.
- The barn is overdevelopment of the site / structure proposed is very large.
- The use of the narrow lane by vehicles and horses is dangerous.
- Gateway proposed is too near to the junction with Bighton Dean Lane and Sutton Wood Lane.
- Development would result in light pollution.
- Would be visible from Sutton Wood Lane and Goscombe Lane.
- The entrance is dangerous.
- There is not sufficient visibility.
- The number of stables could increase.
- Proposal result in visual, noise, light and smell nuisance.
- Proposal result in creeping development into the countryside.
- Concern that more horses would appear on the site.

4 letters of support received.

- This proposal is good for the local equestrian community.
- This is preferred to houses in the countryside.
- In keeping with the character of the area.
- Development would not be seen from the road as the hedge is Blackthorn.
- No increase in traffic.
- Less than 5 mins walk from network of bridleways, RUPP's (Road used as a public path) and BOAT's (byway open to all traffic).
- Would improve current situation on the site.

Relevant Planning Policy:

South East Plan 2009:

CC6, C4

Winchester District Local Plan Review

DP3, DP4, CE5, T4, RT11

Winchester District Local Plan Part 1, Joint Core Strategy 2012

MTRA4

National Planning Policy Guidance/Statements:
National Planning Policy Framework – section 7, Section 8
Other Planning guidance
Equestrian Development – Supplementary Planning Guidance
Winchester District Landscape Character Assessment 2004.

Planning Considerations

Principle of development

On 11 February the Council received confirmation from the Planning Inspector dealing with the Council's new Local Plan that the Winchester Local Plan Part 1 – Joint Core Strategy is sound subject to the Council accepting a number of modifications to the Plan recommended by him. The Council will now be recommended to formally adopt the Plan, incorporating the Inspector's changes, in March 2013.

At the present time the saved policies of the Winchester District Local Plan Review 2006 remain part of the development plan for the purposes of decision making for planning applications and therefore these policies should be taken into account. However, the policies set out in the Joint Core Strategy are now material considerations which should be afforded significant weight, given that the Plan has been found sound by the Inspector (subject to modifications being made).

Where there is any inconsistency between the Joint Core Strategy and 2006 Local Plan officers' advice is that the Joint Core Strategy should be given greater weight as these policies are up-to-date and comply fully with current evidence and the National Planning Policy Framework March 2012. Furthermore, the Joint Core Strategy also introduces additional requirements for certain types of development, such as provision of affordable housing on all residential schemes, in order to meet the Council's corporate aims and the relevant policies should be afforded significant weight when applications are decided.

When the Council formally adopts the Joint Core Strategy it will also 'un-save' a number of policies in the 2006 Local Plan and they will therefore no longer form part of the development plan. At this point those policies will not be material when making planning decisions. Some policies in the 2006 Local Plan will remain saved even after the Joint Core Strategy is adopted as they deal with development management issues and these will still form part of the development plan until Winchester Local Plan Part 2 is adopted in 2015.

The application site is within the countryside and the Bighton Woodlands Landscape Character Area. The principle of equestrian development within the countryside is permitted provided it satisfies policies of the Winchester District Local Plan Review and the Winchester District Local Plan Part 1 – Joint Core Strategy.

Policy MTRA 4 in the Winchester District Local Plan Part 1 – Joint Core Strategy refers to development in the countryside defined as land outside the built up areas covered by policies MTRA 2 and 3. The local planning authority will permit development which has an operational need to a countryside location. It is considered that a countryside location is required for keeping horses, and therefore the principle is acceptable.

Within the Winchester District Local Plan 2006 Review the following saved policies apply to this application, CE5, DP3, DP4, RT11.

CE5 states that development that fails to respect the landscape character will not be permitted. This site falls within the 'Bighton Woodlands' Landscape Character area in the Landscape Character Assessment 2004. This area is highlighted as having an increase in paddocks and 'horsiculture' which is a key issue; landscape strategies include the need to 'conserve the predominantly remote and quiet rural character of the area'; also to 'conserve the historic rural character of lanes, footpaths and drove roads throughout the area and resist any road improvements that would threaten these features'.

DP3 (ii) requires new development to respond positively to the character and appearance of the locality in terms of its scale, design and layout. The proposed stable block and barn have been reduced in scale from the previously refused application. The stable block now proposes four stables and the barn proposed now has three bays. It is therefore considered that the proposed development is acceptable in relation to the amount of land available on this site. The British Horse Society recommends 1 hectare of land per 2 horses when they live off the land. There are four stables proposed, which is therefore considered acceptable for four horses on the land. The three bay barn proposed in the permission, has not been labelled as to what this would be used for, however the equestrian supplementary planning guidance states that 'a feed store and hay/straw stores for bulk supplies must be provided separate from the other areas' and therefore this is considered acceptable. The size of the barn has also been reduced and it is therefore considered more acceptable in relation to the keeping of four horses on 2 hectares of land. The scale of the development is therefore acceptable in relation to the aims of policy DP3.

DP4 resists development that would result in the loss of trees and hedgerows. The proposed stables are located further away from the side boundary with Sutton Wood Land with a buffer of over 5m and the existing hedge to remain and to be reinforced with additional hedging where required. There is also much more landscape proposed on the site with significantly less hard standing. It is therefore considered acceptable in relation to the rural character in which this site is located.

RT11 deals with equestrian related developments within the countryside. It requires proposals, where possible, to make use of existing buildings and that development should not involve the erection of new buildings which may harm the landscape appearance of the area. Policy RT11 also requires equestrian developments not to have an adverse effect on the appearance of the landscape by the use of inappropriate construction materials, boundary treatments, floodlighting and other infrastructure or surfacing materials.

It is considered that the reduction in scale of the proposed buildings are now considered to be of appropriate materials for the rural location, are acceptable in relation to the surrounding countryside location and the reduction of hardstanding and increased amount of landscaping proposed would protect any prominent views of these buildings from the public highway and result in a development that would not detract from the landscape character of the surrounding area.

The principle of development is therefore considered acceptable.

Impact on character of area and neighbouring property

The proposed development will comprise the retention of a large manage, the

construction of a block of 4 stables which would measure just over 11m in length against the hedge with a 7.75m return into the site and 2.9m high to the ridge. The three bay barn, which would be located opposite the stable block, would measure just over 11m by 6.75m with a height of 3.4m. The barn would contain toilet facilities but other than that the proposed use of this space is not specified. Externally, the application proposes to use the same vehicular access with an existing11m wide area of porous tarmac with rolled gravel bell mouth and a small gravel parking area in the site with space for three cars.

The application site has an area of approximately 2 hectares and the manage takes up approx. 1200m² which leaves an area of approx. 1.8 hectares of grazing land, which is just under the recommended allowance to feed four horses kept on grass according to the British Horse Society standard. However it is worth noting, that the barn will be able to accommodate various storage incidental to the private equestrian use including storage of feed. A condition is recommended to ensure that the barn is used for these purposes (Condition 4).

The scale of the development is considered justified in relation to the size of the site and it is considered that the bulk and design would not detract from the overall rural character of the surrounding area. Both buildings are low rise (the stables approx. 2.9m to the ridge and the barn approx. 3.4m to the ridge) and set back within the site away from the access and located behind a dense buffer of hedge approx. 5m from to boundary to the road to the east. The view from Sutton Wood Lane would be of the existing hedge along the Lane, the proposed further planting directly in front of the access into the site and a minimal amount of hard standing for the parking and turning of cars entering from the access off Sutton Wood Lane set back approx. 2m from the southern boundary.

Given the scale of the buildings proposed and along with the landscaping and minimal hard standing it is considered that a development of this nature is considered acceptable in relation to the rural 'horsiculture' nature of this area, and the proposal will not impact on the character of the area.

The site is bounded by Sutton Wood Lane to the east, with the dwelling Wortley Lodge on the other side of the road. To the south of the site is the property Honeysuckle Cottage with other houses beyond this and to the north and west are open fields. It is therefore considered that due to the location of this site, within a rural setting and the existing use of the site for the grazing and exercising of horses the proposed buildings would not result in any material planning harm to the surrounding neighbouring amenities.

Landscape/Trees

There is further landscaping proposed and a smaller area of hard standing on the site it is therefore now considered acceptable in relation to the landscape character subject to (Conditions 8 and 9).

On refusing the previous application, there was a concern about the potential for harm as a result of floodlight. A condition is recommended to prevent floodlighting which has overcome the previous reason for refusal (Condition 7).

There has been concern that car parking will occur in the landscape areas, given the reduction in this application of the hard surface areas. A condition is recommended to ensure that parking occurs within the designated areas (Condition 10).

Highways/Parking

The site is served by an existing vehicular access and the highway officer is satisfied that the existing access is acceptable and does not result in any highway safety issues.

The proposal also seeks a new pedestrian / horse access to the north east boundary. This results in a break in the hedge line. This does not require the introduction of visibility splays. A single gate with a long handle lift latch is proposed. No details of this gate have been provided. A new 3.6m gate is also proposed at the existing access 9m from the carriageway edge, which replaces one much closer to the highway edge. This would enable a vehicle to pull in off the highway to open the gate to access the site. No details of these gates have been provided and therefore a condition is recommended to ensure the height and detailing is appropriate. (Condition 8).

The nearest byway is the Bighton RB718 (north-westwards along Sutton Wood Lane and then eastwards along Bighton Dean Lane) is approx. 700m away when measured from the existing vehicular access, and approx. 550m from the proposed pedestrian / horse access.

Recommendation

Application Permitted 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.
- 1 Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).
- 2 No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the development 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.
- 2 Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.
- 3 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.
- 3 Reason: In the interests of the amenities of the locality.
- 4 The buildings (stables and barn) hereby permitted shall not be used other than for the stabling of horses or storage of horse paraphernalia for private recreation purposes and it shall not be used for commercial livery or DIY livery or in connection with any riding school or commercial horse breeding uses.

- 4 Reason: For the avoidance of doubt as to the scope of this planning permission.
- 5 No more than four horses shall be kept on the site at any one time.
- 5 Reason: for the avoidance of doubt and to ensure adequate stabling and grazing land for the four horses proposed.
- 6 The paddock associated with the stables hereby permitted shall not be used for the storage or siting of horse transport vehicles, horse boxes and shelters, caravans, mobile stables or any other structures, vehicles or chattels unless otherwise agreed in writing by the Local Planning Authority.
- 6 Reason: In the interests of the amenities of the locality.
- 7 No floodlighting, whether free standing or affixed to an existing structure, shall be provided on the site at any time.
- 7 Reason: In the interests of the amenities of the locality.
- 8 No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

These details shall include the following, as relevant:

- means of enclosure including new post and rail fencing to the southern boundary, and the gates to the existing vehicular access and pedestrian / horse access.
- hardsurfacing materials

Soft landscape details shall include the following as relevant:

- planting plans
- written specification (including cultivation and other operations associated with plant and grass establishment
- schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate
- implementation programme
- 8 Reason: To improve the appearance of the site in the interests of visual amenity.
- 9 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before the use hereby permitted is commenced and prior to the completion of the development or in accordance with the programme agreed with the Local Planning Authority. If within a period of five years after planting any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.
- 9 Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

- 10 The parking area shall be provided in accordance with the approved plans and no further parking spaces shall be provided on the landscaped area of the site.
- 10 Reason: To ensure appropriate provision of parking and to ensure that the landscaping areas are not eroded with informal parking.

Informatives:

1 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:-

- 2 Winchester District Local Plan Review 2006: DP3, DP3, CE5, RT11 South East Plan 2009: CC6, C4
- 3 In accordance with paragraphs 186 and 187 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;
- offering a pre-application advice service and,
- updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

 In this instance the applicant was updated of any issues after the initial site visit.
- 4 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.
- 5 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 Bank Holidays. Where allegations of noise from such works are substantiated by the Environmental Health and Housing Department, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

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

Request from Councillor: Simon HB Cook

Case Number: 12/02340/FUL

Site Address: , Sutton Wood Lane, Gundleton. The land to the North of

Honeysuckle Cottage

Proposal Description: Continued use of agricultural land for personal equestrian purposes, erection of stables and barn

I requests that the item be considered by the Planning Development Control Committee, because there are two material planning reasons to consider as follows;

- (a) Highways- the road is very narrow and is unsuitable for any significant increase in equestrian activity requiring the regular transit of horses in large vehicles.
- (b) Policy- The construction any new building in the countryside on a green field site is contrary to Planning Policy, unless there is sufficient justification to make an exception.

This site has been subject to previous planning applications and one involved the construction of a house. These applications were refused largely on Policy grounds. Therefore the Planning Committee should be given the opportunity to consider if there are sound reasons to allow this particular application, while refusing previous applications.

- Whilst requests will be accepted up to the determination of the application, Members should make their request as quickly as possible and preferably within the publicity period of the application. Otherwise the case may be determined under delegated powers soon after the expiry of the publicity period. The committee date for the application will depend upon when the request is received in relation to the committee cycle.
- It would be helpful if Members can indicate their preferred outcome to avoid it going to Committee unnecessarily