

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Item No: 03
Address: Land Off Hatchley Lane Upham Hampshire

Parish/Ward Owslebury

Proposal Description: Construction of horse exercise arena (THIS APPLICATION MAY AFFECT THE SETTING OF A PUBLIC RIGHT OF WAY) (RESUBMISSION)

Applicants Name Mr S D Grant

Case No: 05/01655/FUL

W No: W18030/02

Case Officer: Ms Suzanne Bowman

Date Valid: 29 June 2005

Delegated or Committee: Committee Decision

Reason for Committee: Parish Council submitted representations contrary to officer recommendation

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Site Description

- The site is approximately 2.61 ha with existing vehicle access of Hatchley Lane, in the south west corner of the site. Public footpath no.35 runs from the north west corner of the site to the south, accessed through a series of wooden gates with a latch. Hatchley Lane is a narrow road, bounded by mature hedges and trees. In the south western corner of the site is a small caravan which is used as a mess room. There are 5 mobile fields shelters in a row, parallel to the western boundary.

Relevant Planning History

- W 18030 - Use of land for keeping horses, erection of mobile field shelters, storage building for feed and small caravan for use as a mess room (RETROSPECTIVE) – permitted 02/12/02
- W18030/01 - Construction of horse exercise arena (THIS APPLICATION MAY AFFECT THE SETTING OF A PUBLIC RIGHT OF WAY) – refused 29/03/2005

Proposal

- As per Proposal Description
- The proposed horse exercise arena is located towards the north western corner of the site, near the existing field shelters.
- The arena will provide a dry exercise area for the horses during the winter months.
- The arena will be enclosed by a wooden post and rail fence.
- A native hedge will be planted along two sides of the hedge to provide screening.
- Bark free wood fibre is proposed for the surface of the arena.
- The arena would be for private recreational purposes only, to be used by the horses kept on the property

Consultations

Landscape: no objection

- The proposed siting is better than the previously refused application (W1803/01) and the proposed native hedge will provide screening eventually from the Right of Way.

Environmental Health: no objection

- No adverse comments to make concerning the application.

Representations:

Owslebury Parish Council - objection

- The proposed arena would be very visible and not in keeping with the countryside.
- This would be a permanent structure which would be an intrusion into the landscape and which is out of keeping with this isolate rural area. It constitutes a change of use from farmland to the keeping of horses.
- The mobile stables which do not require planning permission as they are on runners. The use and length of time on site however makes them in actuality not temporary.
- Hardstanding has been put around the shelters and entrance without planning permission.

Letters of representations have been received from one Neighbours

- The existing development makes the use of the right of way unpleasant and difficult.
- The rural nature of the area is spoilt.
- The proposal is intrusive on the right of way and has an adverse impact on the rural area.

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Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB3, R3, C2

Winchester District Local Plan

- EN5, RT8, C1, C2

Winchester District Local Plan Review Deposit and Revised Deposit:

- DP3, C1, C1, RT8

Supplementary Planning Guidance:

- Equestrian Development – Supplementary planning guidance

National Planning Policy Guidance/Statements:

- PPS1 – Delivering Sustainable Development
- PPS7 – Sustainable Development in Rural Areas

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area/spatial characteristics/street scene
- Comments on representations

Principle of development

- The proposal site is located within the countryside, outside the settlement boundaries of Upham.
- Small scale equestrian use is, subject to details, broadly acceptable in countryside policy terms. This use of the site has already been established by the previous consent (W18030).
- Given that planning permission has been granted for the keeping of horses on the site, the principle of a horse exercise arena is acceptable, provided it is not used for commercial purposes and it does not detract from the landscape setting.

Impact on character of area

- This application follows the refusal of W18030/01. Following discussions with the landscape officer, the applicants have chosen a location in the field that will have the least impact on the landscape. They have also proposed additional planting to further reduce any intrusion within the countryside.
- The horse exercise arena has been sited to avoid a depression in the land and is not able to be sited any closer to the existing field shelters.
- The siting of the horse exercise arena is now considered to be acceptable and is not visually intrusive.
- The arena will not be visible from the public realm as the proposed hedging along two sides of the arena together with the existing vegetation along the northern boundary of the site will provide screening in views from the right of way and Hatchley Lane.
- The planning permission would be subject to a condition to restrict any floodlighting on the site to protect the character and amenities of the area.
- The horse exercise arena is small scale and will only be used by the owners own horses. It will not be used for commercial purposes.

Comments on representations

- The proposal does not constitute a change of use as planning consent has already been granted for the keeping of horses on this site.
- Suitable screening has been provided to ensure the horse exercise arena does not impact on the countryside.
- Planning consent has previously been granted for the mobile field shelters on the site.
- The right of way will remain unobstructed.
- The horse exercise arena will not be visible from the right of way as the proposed planting will provide screening.

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- The rural nature of the area will not be spoilt. The proposed exercise arena is small scale and very low key.

Recommendation

APPROVE

Conditions/Reasons

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

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

02 The horse exercise arena hereby permitted shall only be used by horses in the ownership of the applicant and his relatives, unless agreed in writing by the Local Planning Authority. No commercial equestrian uses such as livery, training of horses, riding lessons, etc, are to be operated from the site.

02 Reason: To prevent the commercial use of the site in the interests of highway safety and local amenity.

03 No floodlighting shall be installed on the horse exercise arena without the prior consent of the Local Planning Authority in writing.

03 Reason: In the interest of visual amenity of this area of countryside.

04 Details of the proposed surfacing for the horse exercise arena are to be submitted to and approved in writing by the Local Planning Authority.

04 Reason: In the interest of visual amenity of this area of countryside.

05 A native hedgerow shall be planted along the western and eastern side boundaries of the horse exercise arena to screen the development from the public footpath and Hatchley Lane. 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. If within a period of 5 years from the date of planting, any 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. The new planting shall be completed before the end of the first planting season following the completion of the development hereby permitted.

05 Reason: In the interest of visual amenity of this area of countryside.

Informatives

01. 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.

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

Hampshire County Structure Plan Review: UB3, R3, C2

Winchester District Local Plan Proposals: EN5, RT8, C1, C2

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP3, C1, C1, RT8