

WINCHESTER CITY COUNCIL  
 DEVELOPMENT CONTROL DELEGATED OFFICER REPORT  
 DATE OF RECOMMENDATION 26 October 2006

*Winchester  
 City Council  
 Planning  
 Department  
 Development  
 Control*

**TEAM MANAGER  
 SIGN OFF SHEET**

<b>Case No:</b>	06/01916/FUL	<b>Valid Date</b>	30 May 2006
<b>W No:</b>	00913/34	<b>Recommendation Date</b>	26 October 2006
<b>Case Officer:</b>	Mr James Jenkison	<b>8 Week Date</b>	<b>25 July 2006</b>
<b>Recommendation:</b>	Application Permitted	<b>Decision:</b>	

<b>Proposal:</b>	Change of use of building for maintenance of go-karts
<b>Site:</b>	Land Adjoining Three Oaks Botley Road Bishops Waltham Hampshire

Open Space Y/N	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N

DELEGATED ITEM SIGN OFF	
<b>Approve</b> Subject to the condition(s) listed	<b>Refuse</b> for the reason(s) listed
<b>Signed &amp; Date:</b>	

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**AMENDED PLANS DATE:-**

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**Item No:** 04  
**Case No:** 06/01999/FUL / W00913/35  
**Proposal Description:** Erection of single storey side extension; new gates and flank wall; demolition of existing boundary wall to be replaced with hedge  
**Address:** Three Oaks Boarding Kennels and Cattery, Botley Road, Bishops Waltham, Southampton, Hampshire  
**Parish/Ward:** Bishops Waltham  
**Applicants Name:** Mr Colin Stoneman  
**Case Officer:** Mr James Jenkison  
**Date Valid:** 30 June 2006  
**Site Factors:**  
**Recommendation:** Application Permitted

### **General Comments**

This application is reported to Committee at the request of Bishops Waltham Parish Council. They consider the proposal to be undesirable development in the countryside and requested that the application be heard by committee because of enforcement issues/previous history.

A concurrent application has been submitted for the erection of single storey side extension; new gates and flank wall; demolition of existing boundary wall to be replaced with hedge (Item 5 on the Agenda).

### **Site Description**

The site is a field in the countryside adjacent to a dog kennels business, a contractors yard and a sewage works. The building and field is owned by the occupiers of 'Three Oaks' on the adjacent land, who also operate the dog boarding kennels.

The field was once used as a greyhound racing track and more recently there had been motor-cross racing on the land.

However, this activity ceased 5 or 6 years ago and the land remains unused as a field. The building is single storey and is currently used for maintaining the go-carts and is located at the north-east corner of the site.

There are other residential properties further north clustered to the east of the contractor's yard.

### **Relevant Planning History**

None.

### **Proposal**

As per Proposal Description

The applicant's son is a go-cart racer and uses the building to clean and maintain his own go-carts (this does not involve engine repair or maintenance) as well as to receive lessons and instructions from a trainer.

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**Consultations**

Engineers: Highways

The highways engineer raised no objection subject to a suitably worded condition that restricts the building to a personal use only and that no commercial activity occurs (Condition 1).

Environmental Health:

Environmental Health noted there had been a long history of complaints about the adjacent dog kennels and the use of go-carts and quad bikes on the land and therefore requested a personal use condition (Condition 1) and a condition requiring noise insulation of the building (Condition 2) if any plant or machinery were used on the premises.

**Representations:**

Bishops Waltham Parish Council objected to the proposal as it would represent an undesirable industrial development in the countryside. The Parish Council's comments are appended in full at the end of this report.

**Relevant Planning Policy:**

Hampshire County Structure Plan Review:

C2

Adopted Winchester District Local Plan Review 2006:

CE17, CE24, CE28, RT13, RT16

**Planning Considerations**

Principle of development

The Local Plan policies are intended to generally restrict new development in the countryside to that which requires a countryside location.

Recreational uses are acceptable in principle but will only be allowed where they are at a scale and nature which are appropriate to their rural setting.

In this instance the building is small and the proposed use of the building is the result of a very unique hobby where the owner's son is a go-cart racer and uses the building to clean and maintain his own go-carts (but which does not involve engine repair or maintenance) as well as to receive lessons and instructions in the building from a trainer. In effect, therefore, this building is used in association with the neighbouring dwelling of Three Oaks but is outside its residential curtilage.

Impact on character of area

This is a relatively low key use that will only take place within this modest building, and the impact outside the site is small and does not result in harmful levels of noise and disturbance.

Furthermore, this application would not permit the use of the field for the racing of go-carts and there have been no complaints received by the enforcement department in relation to this type of activity.

The main issue is the potential for additional noise to occur in this countryside location in the event this use is allowed. If a wider range of activities were to be carried out in the building it would have to be sound insulated and a condition has been recommended to ensure this is undertaken if required (Condition 2).

There would also be a highways safety matter of concern if the building were not used simply for a hobby but were to be operated on a commercial basis and a personal use condition is recommended to ensure that this does not occur without a further approval of the Council (Condition 1).

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**Recommendation**

**APPROVE– subject to the following condition(s):**

**Conditions/Reasons**

1 The building shall not be used other than for the purposes of the maintenance of go-carts and incidental personal training and shall be undertaken only by Dean Stoneman for non-commercial purposes and shall not enure for the benefit of the land. When the building ceases to be occupied by Dean Stoneman the use hereby permitted shall cease and all materials and equipment brought onto the site in connection with the use shall be removed.

Reason: The building and land are in the countryside where development is strictly controlled and a general use for recreational or ancillary residential purposes would be likely to harm the character of the countryside.

2 No plant or machinery shall be operated or panel beating or engine testing activity undertaken within the building unless the building is sound insulated in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the activity taking place.

Reason: To protect the amenities of occupiers of nearby residential properties

**Informatives**

1. The development is not in accordance with the Policies and Proposals of the Development Plan set out below but there are other material considerations which indicate that the determination should be made other than in accordance with Development Plan as set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004. The use is a unique hobby of low intensity associated with the adjacent residential property and would not prejudice the administration of Local Plan policies if approved.

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

Hampshire County Structure Plan Review: C2

Adopted Winchester District Local Plan Review 2006: CE17, CE24, CE28, RT13, RT16

3. This permission relates only to the building only and not the surrounding land.