

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA

Winchester City  
Council  
Planning Department  
Development Control

TEAM MANAGER  
SIGN OFF SHEET

## Committee Decision

<b>Case No:</b>	06/02659/FUL	<b>Valid Date</b>	18 August 2006
<b>W No:</b>	13157/07	<b>Recommendation Date</b>	19 December 2006
<b>Case Officer:</b>	Mr James Jenkison	<b>8 Week Date</b>	<b>13 October 2006</b>
		<b>Committee date</b>	
<b>Recommendation:</b>	<b>Application Refused</b>	<b>Decision:</b>	<b>Committee Decision</b>

**Proposal:** Change of use to showmen's permanent quarters

**Site:** Showpeople's Depot Botley Road Shedfield Southampton Hampshire

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

DELEGATED ITEM SIGN OFF		
<b>APPROVE</b> Subject to the condition(s) listed	<b>REFUSE</b> for the reason(s) listed	
	Signature	Date
<b>CASE OFFICER</b>		
<b>TEAM MANAGER</b>		

**AMENDED PLANS DATE:-**

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**Item No:** 06  
**Case No:** 06/02659/FUL / W13157/07  
**Proposal Description:** Change of use to showmen's permanent quarters  
**Address:** Showpeople's Depot, Botley Road, Shedfield, Southampton,  
Hampshire  
**Parish/Ward:** Shedfield  
**Applicants Name:** Mrs L Bond  
**Case Officer:** Mr James Jenkison  
**Date Valid:** 18 August 2006  
**Site Factors:**

**Recommendation:** County Minerals Site  
Application Refused

### General Comments

This application is reported to Committee at the request of the Director of Development.

Shedfield Parish Council also requested that the application go to Committee, and their comments are appended in full to this report.

### Site Description

Shedfield is a dispersed rural community with limited facilities and a predominance of residential and rural economy activities. It has not been defined as a built up settlement or local centre in the Adopted Winchester District Local Plan Review 2006. The main focus is along Church Road, which has a built up appearance.

The site is located in the open countryside, approximately 600 metres from Church Road and  $\frac{3}{4}$  of a mile from the main Winchester Road between Bishops Waltham and Wickham. The surrounding countryside has a strong rural character, with grass paddocks enclosed by mature trees and hedgerows. This character is also evident along Botley Road, although, a gap in the hedgerow in an adjoining paddock affords views of the site. The rural character along Botley Road also tends to be enhanced by the wide spacing between access points and predominance of agricultural fields and woodlands at the road frontage. There is woodland to the west of the site, separated from it by the exposed paddock, and this woodland is designated as a Site of Importance for Nature Conservation. Woodland, which is also a Site of Importance for Nature Conservation, is located directly adjacent to the rear boundary of the wider showmen's site, but not the application site.

The application site, which covers an area of approximately 2900m<sup>2</sup>, is part of a larger area of land (approximately 1.56 hectares) which contains unauthorised pitches for travelling show people. The land of the application site is essentially level land and is covered almost entirely by hard surfacing, and is the most prominently viewed from the site access. A large number of lorries, other vehicles, trailer units, caravans and mobile homes are located on the site, and this is typical of the requirements for travelling show people.

A close boarded fence has been erected across the front of the application site, screening the extent of the hard surface area viewable from the access. In addition, a narrow and rudimentary landscape strip has been planted along the west boundary of the site, adjacent to the main access track leading to other sites to the rear.

A residential property borders the western boundary of the larger site, but not the application site, and the Marriott Meon Valley Hotel And Country Club occupies a large area of land on the north

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side of Botley Road, opposite the application site.

### **Proposal**

The proposal is for the change of use of a nursery to Showman's permanent quarters and represents one of the unauthorised showman's plots on a larger site of unauthorised travelling showmen's quarters.

### **Relevant Planning History**

**93/01387/OLD** - Change of use of land from agricultural to use for travelling Showpeople's depot. Refused 1st July 1993.

**95/01300/OLD** - Continued use of land for travelling showpeople's depot. Refused 30th March 1995. Appeal dismissed.

**98/00123/CHU** - Use of land as travelling showmen's quarters. Refused 2nd April 1998. Appeal dismissed.

**01/00399/FUL** - Use of land as a travelling showmen's site for a period of 12 months and retention of hardstanding for same period. Refused 27th April 2001. Appeal dismissed.

**02/02350/FUL** - Change of use to showmen's Permanent Quarters. Refused 10th January 2003. Appeal dismissed.

**05/01592/FUL** - Change of use to showmen's permanent quarters (RETROSPECTIVE). Local Planning Authority declined to determine application 18th August 2005.

### **Enforcement History.**

Enforcement Notices issued in 1993 for the change of use of the site for the siting of mobile homes and storage of vehicles and the removal of the hardstanding. Appeals dismissed.

Injunctive proceedings approved by Committee 30/3/2006 to secure the cessation of unauthorised activity on the showpeople's site, including the application site.

### **Consultations**

#### Engineers: Highways:

Condition recommended requesting non-migratory surface at access for a distance of 15 metres.

#### Environmental Health:

No adverse comment.

#### Landscape:

Application not supported due to lack of a landscape strategy.

### **Representations:**

Shedfield Parish Council object to the application along with 13 individual objectors for the following reasons:

- Appeal decisions noted significant harm to character and appearance of countryside.
- Light and often heavy industrial work undertaken.
- Applicant part of an organised group of showpeople.
- Land was originally agricultural.
- Turning lorries and heavy goods vehicles onto Botley Road a traffic hazard, with size of fairground equipment meaning road is blocked for minutes at a time.
- Vehicles entering and leaving the site at unsociable hours.
- Detrimental effect on Nature Conservation Area.

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- Barking dogs night and day.
- Views into site from bus coaches.

One letter of support received:

- Plot 1 has worse screening than the writer's plot on the neighbouring land and can be seen from Botley Road.
- If this application approved then an application for another plot will be submitted on the same grounds.

**Relevant Planning Policy:**

Hampshire County Structure Plan Review:

C1, C2

Adopted Winchester District Local Plan Review 2006:

CE27, CE5, DP3

PPS 3 Housing

PPS 7 Sustainable Development in Rural Areas

Circular 22/91 – Travelling showpeople.

Policy CE27 of the Adopted Winchester District Local Plan Review 2006 follows the guidance in Circular 22/91 and PPS7 and sets out 5 criteria (summarised below) to which applications for travelling showpeople's sites should meet if permission is to be granted:

- (i) There is a need which overrides general objections to residential development in the countryside.
- (ii) Site able to accommodate the activity, using acceptable space standards.
- (iii) Site is not intrusive and adequately landscaped to blend with its surroundings.
- (iv) Site not in East Hampshire AONB, Strategic or Local Gap or of ecological, historic or archaeological importance,

and in the case of permanent sites:

- (v) Site within reasonable distance of schools, shops and other community facilities and is able to be provided with essential services.

The explanatory text notes that proposals will be directed towards areas of land which already have buildings or commercial activities and derelict land and should be located close enough to existing settlements to enable residents to make use of local facilities and services, particularly schools and shops. Sites should also avoid conflict with the settled population, particularly in respect of disturbance from equipment and business activity.

**Planning Considerations**

Sites for travelling showpeople require the use, storage and parking of large transportation vehicles to move large fairground equipment which also needs to be stored on the site. Fairground equipment also needs to be set up, tested and maintained. The sites will also contain mobile homes, private vehicles and all other domestic paraphernalia for the living accommodation needs of the travelling showpeople. Travelling showpeople tend to be more settled in winter months, moving about more frequently in the summer. The activity is therefore a mixture of residential and commercial activity.

Winchester City Council has granted planning permission land in Micheldever to be used for occupation by Travelling Showpeople.

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There is a general presumption against new residential development in the countryside, particularly in isolated rural locations remote from services and facilities. There is also a presumption against the development of new commercial buildings and uses on agricultural land, including open storage, although the re-use of existing redundant farm yards and buildings for business purposes is permissible in principle providing certain criteria are met. Rural activities (such as equestrian) and businesses which require a rural location are also encouraged to utilise redundant farmyards and buildings. However, Policy CE27 does exceptionally allow for travelling showpeople's sites in the countryside providing the 5 criteria are met.

The 1991 aerial photograph shows that the site was previously an agricultural field and there have been no prior notification or planning applications for agricultural buildings on the site. The Planning Inspector's report of 2004 found that buildings (regardless of whether they were authorised) were on the site at the stage the land was occupied by the travelling showpeople (1992), but placed little weight on the matter.

The 2004 Planning Inspector's Report is appended in full to this report.

As stated above, Policy CE27 allows for the provision of travelling showpeople's sites in the countryside but only where all of the 5 criteria are met. This application needs to be assessed against the criteria having regard to the planning history of the site.

**(i) There is a need which overrides general objections to residential development in the countryside.**

The latest appeal decision, issued on 8 December 2004, indicated that the Micheldever showpeople's site was too far away to meet the needs of the showpeople at Shedfield, that the appellants had demonstrated local connections and that the need for provision in the area is sufficient to override the general objections to development in the countryside, overcoming criterion (i) of the policy. However, the Inspector also concluded that Shedfield was not necessarily an appropriate site in terms of other policy criteria and that meeting criteria (i) did not alone override the need to meet other policy criteria. The Inspector also noted that it was accepted by the appellants that Shedfield was not necessarily an appropriate site in terms of the other criteria of the policy and cited a previous Inspector's conclusion that there was not a compelling case for the location of this development at this site.

**(ii) Site able to accommodate the activity, using acceptable space standards.**

The Planning Inspector's decision of 2004 found that the site could accommodate the activity.

**(iii) Site is not intrusive and adequately landscaped to blend with its surroundings.**

All of the appeal decisions for the use of the wider site as travelling showpeople's accommodation have been dismissed on the grounds of harm to the character and amenity of the countryside. The Planning Inspector's report of 2004 described the activity at the site as a significant encroachment within its open countryside setting and was of the opinion that landscaping of the site would not overcome this.

The nature of activity on the site means that it tends to be hard surface area for the storage of equipment and trailer units and parking of vehicles some of which are relatively large. A mobile home is also stationed on the site. There is no formal layout to the site and no organised parking and landscaping regime to assist in screening the visual impact of activities, structures, vehicles and trailer units on the surroundings.

There are no trees or other tall landscaping elements located on the site and there are clear views of the land over the close boarded fence along the north boundary, parallel to Botley Road.

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The lack of landscaping, existing or proposed, within the site, and provision of only a close boarded fence at its frontage results in direct views into the site of any structures or vehicles stationed there. Mobile home, lorries and commercial trailer units are not typical rural elements and detract from the countryside setting, particularly when viewed in isolation as there are no buildings in the vicinity of the site (a farm yard with large buildings is visually associated with visiting vehicles such as milk tankers, grain collectors etc).

The colourful nature of fairground equipment, its large size in some cases and the movements associated with testing of such equipment are an urban intrusion in what is a very rural location and there are no landscaping or rural buildings to adequately screen this activity.

The general visual harm caused by heavy goods vehicles in the countryside associated with the use of the site causes an additional harm to the rural amenities of the area and results from these types of activities from these types of vehicles manoeuvring into and out of sites and moving along surrounding rural lanes. It is considered that Botley Road is not a typical rural lane, being classified as an 'A' road and is a travel route within the road network; however it does have a very rural character and function which is undermined by regular manoeuvring of HGV's onto this route from adjacent land. In addition, wide accesses and large areas of exposed hard surfaces are required to facilitate manoeuvring of such vehicles and the need for clear visibility for vehicles at the access results in visual exposure of development and activity on the site from the roadside.

Consideration must be given to the fact that this individual site is part of a larger site for travelling showpeople. Quarters for travelling showpeople are recognised for their group function and Circular 22/91 notes that sites typically have an area set aside for showpeople's accommodation. The showpeople's site at Shedfield is different in this respect in that it has been subdivided into individual plots, discouraging segregation of activities and alternative site layout possibilities. There is therefore a precedent issue which must be considered in this case because if permission is granted for this plot, it would be difficult to resist further applications on adjoining plots, the cumulative effect of which would cause further damage to the rural landscape.

The proposal would represent an undesirable form of ribbon development along Botley Road that would undermine its rural character here.

**(iv) Site not in East Hampshire AONB, Strategic or Local Gap or of ecological, historic or archaeological importance.**

The site is not in the East Hampshire AONB, Strategic or Local Gap or of ecological, historic or archaeological importance.

**(v) Site within reasonable distance of schools, shops and other community facilities and is able to be provided with essential services.**

The Planning Inspector's report of 2004 noted that the policy criteria at the time (criteria iv of Policy C23 of the 1998 adopted plan) was not in dispute.

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Highways/Parking

There are no highways objections to the proposal.

Neighbours representations.

Maintenance activities are an important function of sites accommodating travelling showpeople and the location of such sites adjacent to residential properties can be detrimental to residential amenities, though in this instance the site is separated from the nearest residential property by another unauthorised site occupied by a travelling showperson. It would therefore be difficult to sustain a refusal based upon the impact on neighbour's amenities.

Environmental Health raised no objection to the proposal in relation to dogs and noise.

**Conclusion**

It is evident that this proposal is contrary to the Development Plan including Policy CE27 in the Adopted Local Plan because of the impact of the development on the amenities of the countryside. This has been the conclusion of planning inspectors that have previously dismissed appeals on land which included this site. Whilst the current application only relates to a part of the wider travelling showpeople's site, it is nevertheless considered that the use of this land is still materially harmful to the rural character of the area. It is further considered that there has not been a material change in circumstances since 2004, when the latest appeal was dismissed, and therefore it is appropriate to refuse permission for this development.

**Recommendation**

Application Refused subject to the following reasons:

**Reasons**

1 The proposed change of use of the land would be contrary to PPS7, policies C1 and C2 of the Hampshire County Structure Plan Review and policies CE27, CE5 and DP3 of the Adopted Winchester District Local Plan 2006 in that;

(i) it would result in an undesirable and visually intrusive form of development in the rural landscape detrimental to countryside character and amenities;

2 The proposal would set an undesirable precedent that would make it difficult for the Council to refuse similar applications.

**Informatives:**

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

Hampshire County Structure Plan Review: C1, C2

Adopted Winchester District Local Plan Review 2006: CE27, CE5, DP3