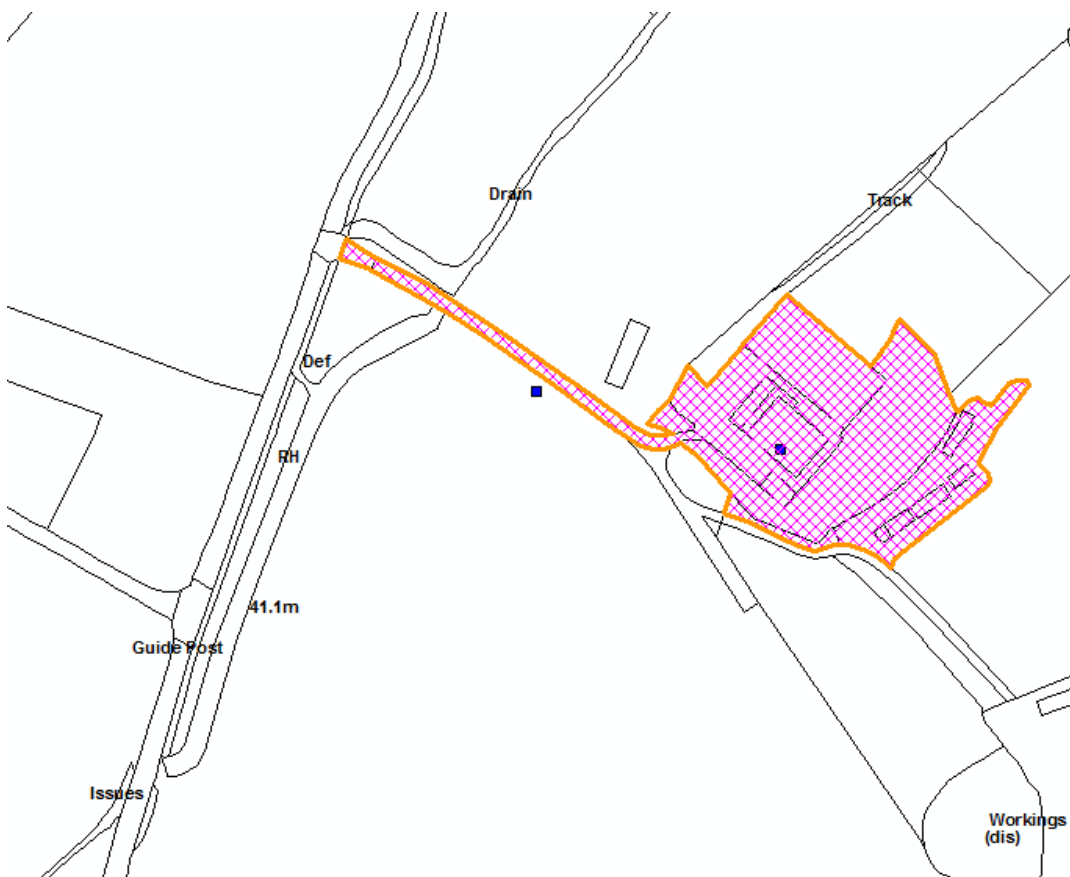


WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Case No:** 19/00423/FUL  
**Proposal Description:** Mobile home to house an equine manager/worker for a temporary period of 3 years.  
**Address:** Bittles Farm Fareham Road Hambledon PO7 4QW  
**Parish, or Ward if within Winchester City:** Denmead  
**Applicants Name:** Mrs Amanda Mitchell  
**Case Officer:** Rose Lister  
**Date Valid:** 26 February 2019  
**Recommendation:** Application Permitted

**Link to Planning Documents :** <https://planningapps.winchester.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PNIUMIBPLBR00>



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**General Comments**

**Parish Council's request for application to be determined by Planning Committee, see Appendix 1**

**Site Description**

The application site is situated up a track leading off Fareham Road, approximately 1 mile from Hambledon and 2.5 miles from Denmead. The whole site is approximately 10 Hectares with approximately 0.4 hectares within the red line. The site is currently paddocks with some agricultural buildings that have been converted for equestrian use. The site has been split into two with the bottom yard having: 12 loose boxes with stores, a stable with 3 boxes, a fodder store and a manege. The top yard is situated up the hill with two ranges, hay stores and shelters. The site is located on a hill with the majority of the existing buildings being hidden within a dip in the landscape. There are mature trees and hedges that run along one side of the track and post and rail fencing being used to separate the paddocks.

**Proposal**

The proposal is for a temporary dwelling for a period of 3 years to house an equestrian worker.

**Relevant Planning History**

03/00623/FUL - Erection of stable, hay store and storage facilities (RETROSPECTIVE) – permitted

07/00883/FUL - New feed store barn – permitted

07/02243/FUL - Erection of stables and hay store (RETROSPECTIVE) – permitted

07/02423/FUL - Feed store barn (Amendment to planning permission W11833/13) – permitted

96/03741/OLD - (AMENDED DESCRIPTION) Conversion of agricultural buildings to a three bedroom dwelling - permitted

**Consultations**

WCC Service Lead for Environmental Services - Engineers: Drainage:

The Drainage engineer stated that the site was situated within flood zone 1 and therefore at low risk of flooding. He requested that details of the drainage be secured by condition 8.

WCC Service Lead for Environmental Services - Landscape

The Landscape Architect stated that the site was situated within the Hambledon Downs landscape character area and recommended condition 3 for the dwelling to be finished in dark colours that would make the building visually recede into the surroundings.

Independent Agricultural Consultant on behalf of WCC - Bruton Knowles: No objection  
Bruton Knowles assessed the proposal against policy DM10 and DM11 of Local Plan 2. Condition 7 has been recommended to address the tenancy issue.

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HCC Highways:

The highways engineers stated that 'This application does not include any significant highway implications' no objections were raised and no conditions were recommended.

**Representations:**

Denmead Parish Council

The Parish Council objected to the application as they consider that the application is contrary to policies MTRA2, MTRA4 and DM10.

1 letter of objection has been received for the following material planning reasons:

- No formal application for the site to become equestrian
- Suspect someone already living on site
- No guarantee that the temporary permission would not become a permanent one.

12 letters of support received including one from the applicant referring to the following material planning reasons.

- The added security of onsite staff would reduce the risk of theft
- Having a worker on site would contribute to the welfare of the horses

**Relevant Planning Policy:**

Winchester Local Plan Part 1 – Joint Core Strategy

MTRA2, MTRA4, DS1, CP8

Winchester Local Plan Part 2 – Development Management and Site allocations

DM1, DM10, DM11, DM15, DM16, DM17,

National Planning Policy Guidance/Statements:

National Planning Policy Framework

Denmead Neighbourhood Plan

**Planning Considerations**

Principle of development

Paragraph 47 of the NPPF requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The application site is situated within the countryside where development is considered under MTRA4.

Policy MTRA 4 allows for development within the countryside provided there is an operation need such as agriculture, forestry and horticulture.

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Policy DM12 states that equestrian operations require a countryside location and housing associated with equestrian facilities should be considered under policy DM11.

Policy DM11 requires that prior to applying for a permanent dwelling a temporary dwelling must first be applied for to allow for the business to prove that there is a requirement for onsite staff and that the business can support this staff.

Applications in reference to this element of the policy must satisfy a number of criteria to be considered acceptable. The Council's Agricultural Consultant (Bruton Knowles) has assessed the application in regard to these criteria.

- a. clear evidence of a firm intention and ability to develop the enterprise concerned;*

The applicant and their family have been running an equestrian DIY livery from this site for approximately 20 years. It is understood that the applicant is intending to develop the business into a part full livery and part DIY with further investment into repairs to the existing and acquiring additional facilities on the site to facilitate the expansion of the business. There are currently 23 liveryes on the site with the majority of these being long standing, upwards of 10 years. There is also a waiting list for the business services. There is currently an informal tenancy agreed for the site however the applicant has indicated that a more formal agreement can be entered into with the land owner. It is considered that this could lead to issues when looking to develop the site; however it is considered that a condition to tie the proposed temporary dwelling to the business would satisfy these concerns.

- b. clear evidence that the proposed enterprise has been planned on a sound financial basis;*

Financial projections have been submitted with the understanding that from 2020 the business would run 14 DIY and 8 full liveryes, with a forecast for 2022 of 12 DIY and 10 full liveryes. It is considered that these figures would allow for a single full time equestrian worker and a part time worker with sufficient resources left to reinvest into the business. While it is expected that the rent for the land would increase in a fixed manner the lack of formal agreement does highlight concerns it is considered that these can be addressed through a condition.

- c. a functional need for the accommodation, which cannot be satisfied by existing nearby accommodation.*

Evidence of the need for a worker has been submitted in the form of a diary of incidents. It is understood that at present of the 23 liveryes on the site 6 are 'assisted' due to ongoing medical issues with the horses that require extra care. This has resulted in overnight stays when required for monitoring and supervision to ensure the health and safety of the horses.

It has been noted that the current lack of on site staff have impacted the business with potential clients not stabling there because of the lack of overnight supervision on site. It is considered that there is a functional need for a residential presence on site or near by. A search of local properties has been undertaken with none available within a 0.5 mile radius to rent or buy.

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Based upon the above advice it is therefore considered that the proposal has satisfied the requirements of the policy and the principle of development is acceptable provided that the development is in accordance with the policies of the Development Plan and unless material planning reasons indicate otherwise.

Design, Impact on character of area and neighbouring property

The proposal is for a temporary mobile home measuring approximately 6m by 12m and 3m in height. The proposed temporary dwelling would be situated adjacent to existing stables towards the top of the hill that Bittles Farm occupies. Other locations within the site that are more screened have been discussed with the applicant and discounted due to other constraints. It is considered that the proposed temporary dwelling would be visible in the streetscene however; it would be read within the context of the farm and equestrian buildings on site and is considered an acceptable addition in this respect.

Landscape/Trees

The site is located in the countryside within the Hambledon Downs. The proposed dwelling would be situated near to top of the hill adjacent to the existing buildings. Concerns have been raised in regard to the colour of the materials given the prominent location of the proposed building. Therefore a condition has been recommended to ensure that the finishing materials are within the darker spectrum and would recede into the landscape.

There is a band of trees to the north of the proposed location of the temporary dwelling. It is not considered that the proposal would have an impact on these trees due to the distances involved.

Highways/Parking

The site is accessed by an existing track off of Fareham Road. It is considered that this is acceptable and there is ample space to park 2 cars on the site in line with the standards within the Residential Parking SPD. The Highways officer raised no objections.

Other Matters

Concerns have been raised in regard to the formal designation of the site for equestrian uses. It is considered that the equestrian enterprise has been on site for some time. While the formal use of the site for equestrian uses has not received planning permission it is considered that as the business has been in place for a significant number of years and it would not be expedient to pursue enforcement action for this, at this time.

Further concerns have been raised in regard to people already living on the site. Bittles farm is a working farm with a other permissions in place for separate enterprises that may allow for overnight accommodation especially during animal birthing seasons. These elements are not part of this application and therefore have not been considered.

Concerns have also been raised in regard to the guarantee any temporary permission would not become permanent. It is considered that policy DM11 and DM12 allow for such development, as has been considered above, provided it can be demonstrated that there is an operational need. This would be assessed at a later time in greater detail following a planning application for this purpose.

Nitrates - Excess levels of nitrates can damage freshwaters and the marine

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environment by a process known as 'eutrophication', promoting excessive growth of algae that chokes other life and leading to harmful effects on the SPA. Development within Winchester District that would result in over night accommodation or excessive amounts of nitrates, such as dwellings, require nitrate calculations to demonstrate a deficit, neutral or surplus of nitrates being generated on site. Developments that would result in a surplus of nitrates therefore require mitigation to prevent harm to the SPAs in the district. As such a Grampian condition in line with the Winchester City Council Position Statement on Nitrate Neutral Development has been agreed to secure appropriate mitigation prior to occupation.

Equality - Due regard should be given to the Equality Act 2010: Public Sector Equality Duty. Public bodies need to consciously think about the three aims of the Equality Duty as part of the process of decision-making. The weight given to the Equality Duty, compared to the other factors, will depend on how much that function affects discrimination, equality of opportunity and good relations and the extent of any disadvantage that needs to be addressed. The Local Planning Authority has given due regard to this duty and the considerations do not outweigh any matters in the exercise of our duty.

**Recommendation**

Application Permitted subject to the following condition(s):

**Conditions**

1. The permission hereby granted shall be for a limited period expiring on 18<sup>th</sup> March 2023 on or before which date the mobile home shall be removed from and the land restored to its former condition in accordance with a scheme of work submitted to and approved by the Local Planning Authority.

Reason: The development is of a type not considered suitable for permanent retention and to provide a period of time to assess the viability of the equestrian enterprise.

2. The development hereby approved shall be constructed in accordance with the following plans:

'Proposed elevations' submitted to the Local Planning Authority 01.03.2019

'Location and Block Plan' submitted to the Local Planning Authority 01.03.2019

Reason: For the avoidance of doubt, to ensure that the proposed development is carried out in accordance with the plans and documents from which the permission relates to comply with Section 91 of the Town and Country Planning Act 1990

3. Before the mobile home is brought on site, details of the design, size, and external colouring shall be approved in writing by the LPA.

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

4. The development hereby permitted shall NOT BE OCCUPIED until:

- A water efficiency calculation which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development,

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and this calculation has been submitted to and approved in writing by the  
Local Planning Authority

- A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European sites by the development and be implemented in full prior to first occupation and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and
- All measures forming part of that mitigation have been secured and submitted to the Local Planning Authority.

Reason: To accord with the Conservation of Habitats and Species Regulations 2017, and Policy CP11, CP16 and CP21 of the Winchester District Local Plan Part 1.

5. The occupation of the mobile home shall be limited to a person solely or mainly working, or last working, in the locality in equestrian, agriculture or in forestry or a widow or widower of such a person, and to any resident dependants.

Reason: The site is in an area where new dwellings are not normally permitted except where there is an overriding need in the interests of agriculture, forestry or equestrian.

6. The use hereby permitted shall be carried on only by employees of Bittles Farm operating the equestrian use of the site.

Reason: To enable the Local Planning Authority to control the use of the land and the particular personal circumstances that the planning permission is founded upon.

7. Detailed proposals for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved details shall be fully implemented before occupation.

Reason: To ensure satisfactory provision of foul and surface water drainage.

**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.

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

Local Plan Part 1 Joint Core Strategy: DS1, MTRA4, CP11, CP13, CP16,  
Local Plan Part 2: DM1, DM2, DM11, DM12, DM15, DM16, DM17, DM23.

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3. In accordance with paragraph 38 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.

**Appendix 1**



WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

Please return this form to the Case Officer: Rose Lister

From: Denmead Parish Council

Case No: 19/00423/FUL

Closing Date for Comments: 8 April 2019

Location: Bittles Farm, Fareham Road, Hambledon, PO7 4QW

Proposal: Mobile home to house an equine manager / worker for a temporary period of 3 years.

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**Comments:**

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**The Parish Council of Denmead, by a unanimous decision, raised a STRONG OBJECTION to this proposal and cited the following reasons:**

- The proposal is contrary to Policies MTRA2 and 4 of WCC's Local Plan Part 1, which states "... should not cause harm to the character and landscape of the area..."
- No sustainable business plan had been submitted with the planning application and the proposal does not comply with the Development Plan, as stated within Local Plan Part 1, Policies DM11 (Equestrian Development) and DM12 (Leisure and Recreation in the Countryside).
- This development does not have an operational need for agriculture, horticulture or forestry dwellings, as stated in Policy MTRA 4 and Policy DM10 Local Plan Part 2.

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**Request for application to be considered by Committee:**

(NB: Case Officer to forward form to Head of Planning Control if this section completed)

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**Should there be a conflict of views between Members' comments and the Case Officer, Members would wish for this matter to go to the Development Control Committee.**

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Signed: *L J Merriman ~ Deputy Clerk*

Date: 26.09.2019