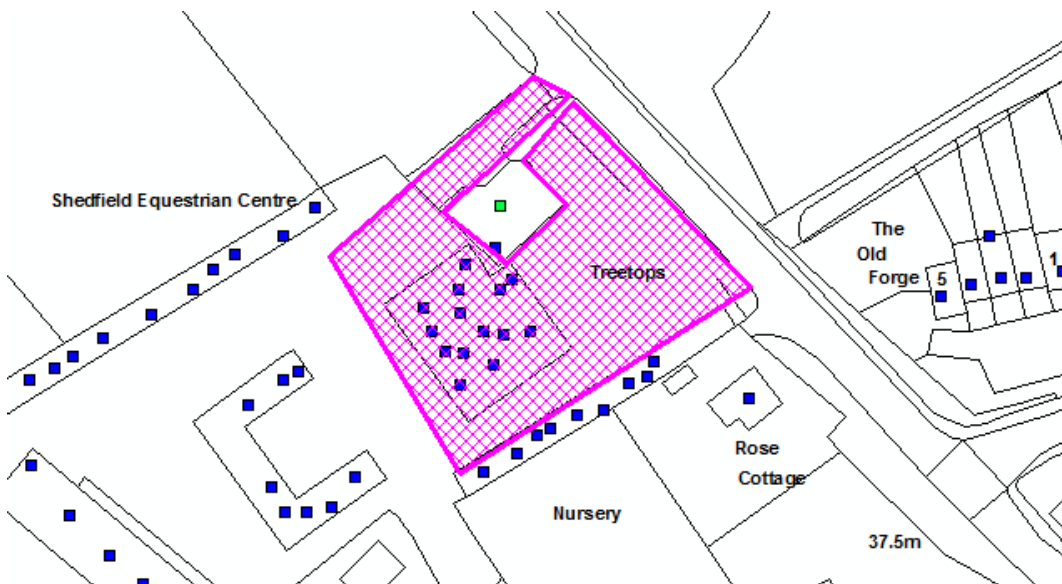


WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 21/00422/FUL
Proposal Description: Construction of a first floor extension to the existing equestrian shop.
Address: Shedfield Equestrian Centre, Botley Road, Shedfield, SO32 2HN
Parish, or Ward if within Winchester City: Shedfield Parish Council
Applicants Name: Shedfield Equestrian
Case Officer: Rose Lister
Date Valid: 16 February 2021
Recommendation: Permit

Link to Planning Documents : <https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple&searchType=Application>

Pre Application Advice: None



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General Comments

The Parish Council's request for the application to be determined by Planning Committee is included in Appendix 1

The application is also reported to Committee due to the number of objections received contrary to the officer's recommendation.

Site Description

The application site is located within the wider Shedfield Equestrian complex, at the front of the site. The site is accessed off Botley Road with the existing building set back approximately 100m from the road. There is a level change on the site making the road significantly higher than the site.

There is an existing single storey building currently housing the existing shop and offices for the equestrian centre.

It is noted that there are enforcement issues within the wider site. These are being addressed by the Enforcement Team and are not part of the area within the red line plan. As such these issues are not a material matter in the consideration of this case and have not been addressed as part of this application.

Proposal

The proposal is for an additional floor to the existing building to allow the expansion of the existing shop on the ground floor. The existing offices would be moved into the proposed additional floor and staff welfare facilities would also be included.

Relevant Planning History

00/00563/FUL - (AMENDED DESCRIPTION) The sale of equine feed and requisites from the existing farm shop – refused, appeal allowed 11 July 2001

12/00107/LDC - Mixed use (agricultural, commercial equestrian and residential) of the land and buildings comprising Shedfield Equestrian Centre (CERTIFICATE OF LAWFULNESS) – permitted 26 October 2012

18/01236/FUL - (RETROSPECTIVE) Single storey extension to indoor arena to create reception/lobby area – permitted 3 July 2018

19/01832/FUL - Creation of incidental overnight accommodation comprising 3no. flats within an existing equestrian building – pending consideration

Consultations

Head of Programme: Place - Drainage:
No objection

Hampshire County Council - Highways:
No objection

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Service Lead: Community – Landscape Team:

No objection subject to condition 4

Representations:

Shedfield Parish Council

- The site is subject to an enforcement case and no further development should be permitted until this has been completed
- Over development of the site
- No need for further buildings on the site
- Flooding
- Parking
- Access
- Overlooking
- Site need holistic redevelopment to improve and reduce impact on wider landscape and Botley Road.

9 letters received from 8 addresses objecting to the application for the following reasons:

- Building is larger than originally approved under 2001 appeal
- Unlawful buildings on the wider site
- Offices within the building are not part of the retail use
- Signage should be removed
- Internal road layout is dangerous
- Site is overdeveloped
- Insufficient parking
- Inadequate access
- Poor design
- No need for additional retail space
- No economic benefit
- Noise
- Impact on rural character of the area

1 letters of support received.

- Would provide an economic benefit to the area

One additional support letter has been submitted however no planning reason was included and therefore this has not been taken into consideration.

Relevant Planning Policy:

Winchester District Local Plan Part 1 – Joint Core Strategy

MTRA1, MTRA4, CP8, CP9, CP13, CP16, CP17, CP19, CP20

Winchester Local Plan Part 2 – Development Management and Site Allocations

DS1, DM1, DM10, DM12, DM15, DM16, DM17, DM18, DM19, DM20, DM23, DM24.

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National Planning Policy Guidance/Statements:
National Planning Policy Framework

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 development is not situated within a settlement boundary and therefore countryside policies apply. Policy MTRA4 allows for the onsite expansion of existing businesses. The retail use of the site has been confirmed in 2001 in association with the equestrian business and therefore 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.

Impact on character of area and Design/layout

The proposal would see an additional storey on the existing single storey building to allow the existing retail use to expand on the ground floor. The existing offices would then move onto the first floor. Staff welfare facilities would also be provided on the proposed first floor.

A new structural frame would be created to support the development. The additional storey would comprise of a mansard roof design adding approximately 3m to the height of the building, at the highest point. The design would include 10 dormer windows to serve the office/welfare area. The design is low key and the materials would reflect the equestrian nature of the wider site. It is considered that the change in materials to painted brick would maintain the existing character of the area.

There is an open character to this section of Botley Road with the site being located within a natural dip in the topography of the area, therefore the site is highly visible in the street scene. It is considered that the existing site does not contribute to the rural character of the area and this application offers an opportunity to improve the site and its impact on the area. It is therefore considered that materials and additional landscaping along the road frontage is appropriate to secure via condition (conditions 3 and 4).

The site is located within the countryside, as such light spill is a material consideration. It is considered that the business is restricted to standard working hours (8:30-5pm). In addition, to limit light spill a condition is considered reasonable to restrict operation hours in line with this to between 8am and 6pm (condition 5).

Concerns have been raised in regard to over development of the site. The area within the red line plan is approximately 0.2 ha. It is noted that other buildings are located on the wider site however these are outside of the red line plan and therefore not the subject of this application. Notwithstanding this, the cumulative impact on the site is a material consideration. The site in general is comprised of single storey buildings, it is considered that the introduction of the proposed storey would be more prominent however the scale is in keeping with the character of the street scene. The roof design ensures that the

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additional height is minimised and limits the impact. It is therefore considered that the proposal would not result in overdevelopment of the site.

The proposal would not result in a larger foot print and therefore it is considered that there is adequate space within the red line to accommodate the proposed development.

The site is covered by a TPO area. There are no trees within the red line plan and therefore it is not considered that the proposal would result in detrimental impacts to trees on the site.

The proposal therefore complies with policies DM15, DM16, DM23 and DM24 of the LPP2.

Impact on neighbouring property

There are 2 dwellings neighbouring the site; The Conifers to the south and Rose Cottage south east. Due to the level changes in the area the neighbouring dwellings are significantly higher than the application site.

Concerns have been raised regarding overlooking. The boundary of Rose Cottage is located approximately 15m from the building and approximately 20m from the dwelling. It is considered that there are 2 windows and a conservatory facing the proposed extension. The windows are obscure glazed however the conservatory is clear glazed. It is considered that the proposal would not result in direct overlooking due to the intervening distances involved.

Similarly, the boundary of The Conifers is located approximately 40m from the building. It is not considered that the proposal would result in overlooking due to the intervening distance between The Conifers and the proposal site.

In addition, due to the intervening distances between the proposal and neighbouring dwellings, an adverse overshadowing and overbearing impact is not demonstrated.

There are other properties in the area including on either side of the Botley Road. The proposal would also be visible from properties on Church Road. However, due to the separating distance and intervening features such as the roadway or buildings, an adverse impact on neighbouring amenity is not found.

Further concerns have been raised in regard to noise. It is considered that the proposal would be within the lawful use of the site. The proposed extension would not in itself generate noise through the existing uses and is not of a scale to introduce further significant noise to the site. Therefore it is considered the proposal is acceptable in this respect.

In addition, as detailed in the Highways section, the development does not result in a material detrimental impact upon the public highway in regard to traffic generation and an adverse impact on neighbouring amenity from traffic impact is not found.

The proposal therefore does not result in adverse harm to residential amenity and is in compliance with policy DM17 and DM20 of the LPP2.

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Highways/Parking

The site benefits from an existing access off Botley Road which is considered to be acceptable. It is noted that concerns have been raised regarding the access and uplift in traffic movements. Given the nature and context of the site and the scale of the development, it is not considered that this proposal would lead to a material detrimental impact upon the public highway in regard to traffic generation. Hampshire County Council as Highways Authority have raised no objection to the proposal.

It is considered that the site provides 18 parking spaces for the retail and office use of the building. A parking assessment has been submitted that has indicated that this is adequate to serve the proposed additional floor space and the Highways Officer raised no objection. It is therefore considered that the amount of parking provided on site is acceptable and the site can continue to be accessed in a safe manner. The proposal is therefore in compliance with policy DM18 of the LPP2.

Drainage

Concerns have been raised in regard to drainage and flooding. The site is within Flood Zone 1 and therefore is at low risk of flooding. The site is covered with hardstanding as existing and the proposal would not generate additional surface water. The site is linked to mains drainage for foul water and no additional staff would be employed as a consequence of the application.

It is therefore considered that the proposal is acceptable in this respect and complies with policies CP17 of the LPP1 and DM17 of the LPP2.

Ecology

The application has been supported by a bat survey. The survey identified one area of the site that would have low potential for bat however upon investigation no evidence of bats were found. Recommendations for bat boxes to be installed and to limit external lighting have been made and are considered to be appropriate to condition.

No evidence of nesting birds was found within the building.

The application is therefore considered to be acceptable in this respect in accordance with policy CP16 of the Local Plan Part 1.

Other Matters

Planning Balance

The proposal would see an additional storey to the existing building. Policy MTRA4 allows for the onsite expansion of existing businesses. The business has been established on site for some time. It is noted that the existing building is larger than the approved area indicated within the 2001 application however this application offers the opportunity to regulate the size. It is considered that the existing level of parking is acceptable for the proposed level of retail however as the building would be categorised under Class E of the Use Classes Order it is considered appropriate to limit the size of the retail space to the ground floor only so that the level of parking provided remains acceptable.

The proposed extension would also be considered under Class E of the Use Classes

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Order, albeit in an ancillary role to the main equestrian use of the site, and therefore a condition restricting the proposed extension to office and staff welfare uses only is also considered to be appropriate.

The building is considered to be of an appropriate scale to not result in overdevelopment of the site and additional planting is proposed via condition to limit the impact on the street scene.

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 as statutory planning authority for the council.

Conclusion

The proposal accords with the Development Plan and the following policies CP8, CP9, CP13, CP16, CP17, CP19, CP20, DS1, DM1, DM10, DM12, DM15, DM16, DM17, DM18, DM19, DM20, DM23, DM24.

Recommendation Permit 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.

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

2. The development hereby approved shall be constructed in accordance with the following plans:
 - W20-020 102
 - W20-020 101
 - SUR-01

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. 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

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Authority. Development shall be carried out in accordance with the approved details.

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

4. A detailed scheme for landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development commences.

The scheme shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner.

If within a period of 5 years from the date of planting, any trees, 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.

Reason: To improve the appearance of the site in the interests of visual amenity.

5. The use hereby permitted shall only operate within the following times: 0800-1800.

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

6. Details of any external lighting of the site shall be submitted to, and approved in writing by the Local Planning Authority prior to the occupation of the extension hereby permitted.

Reason: To protect the character and appearance of the countryside; and to ensure that the ecological value of the site is not adversely impacted upon by the development.

7. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 as amended (or any Order revoking and re-enacting that Order with or without modification), the use of the extension hereby permitted shall only be for office and staff welfare facilities and no other use within the Class E Use Class.

Reason: In the interests of the amenities of the locality

8. The retail use of the site shall not exceed 580sqm (as shown on the approved plan W20-020 101).

Reason: In the interests of highway safety and to ensure adequate parking for the site.

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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:-

Winchester District Local Plan Part 1 – Joint Core Strategy

MTRA1, MTRA4, CP8, CP9, CP13, CP16, CP17, CP19, CP20

Winchester Local Plan Part 2 – Development Management and Site Allocations

DS1, DM1, DM10, DM12, DM15, DM16, DM17, DM18, DM19, DM20, DM23, DM24.

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.

4. The applicant is advised that this application does not include details of signage and additional applications for advert consent may be required.

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 recognised public holidays. Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

6. During Construction, 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.

7. Please be respectful to your neighbours and the environment when carrying out your development. Ensure that the site is well organised, clean and tidy and that facilities, stored materials, vehicles and plant are located to minimise disruption. Please consider the impact on your neighbours by informing them of the works and minimising air, light and noise pollution and minimising the impact of deliveries, parking and working on public or private roads. Any damage to these areas should be remediated as soon as is practically possible.

For further advice, please refer to the Construction Code of Practise

<http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-considerate-practice>

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8. Please be advised that Building Regulations approval may be required for this development. Please contact WCC Building Control Department for more information (T: 01962 848176, E: buildingcontrol@winchester.gov.uk)

9. The applicant is advised that one or more of the Conditions attached to this permission need to be formally discharged by the Local Planning Authority before works can commence on site. Details, plans or samples required by Conditions should be submitted to the Council at least 8 weeks in advance of the start date of works to give adequate time for these to be dealt with. If works commence on site before all of the pre-commencement Conditions are discharged then this would constitute commencement of development without the benefit of planning permission and could result in Enforcement action being taken by the Council.

The submitted details should be clearly marked with the following information:

- The name of the planning officer who dealt with application
- The application case number
- Your contact details
- The appropriate fee.

Further information, application forms and guidance can be found on the Council's website - www.winchester.gov.uk.

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Appendix 1 – Shedfield Parish Council Comments

Please return this form to the Case Officer: Rose Lister

From: Shedfield Parish Council

Case No: 21/00422/FUL

Closing Date for comments: 08 April extended to 14 April 2021

Proposal: Construction of a first floor extension to the existing equestrian shop.

Location: Shedfield Equestrian Centre Botley Road Shedfield SO32 2HN

LISTED BUILDING GRADE:

Comments:

Shedfield Parish Council object to this application as follows:-

A major enquiry by enforcements is currently underway as a result of a significant number of serious breaches of regulations. No further development on the site should be permitted until the outstanding issues have been resolved.

The proposal would result in overdevelopment of the site.

There is no demonstrable need for further buildings on the site.

There is a history of flooding on the site which requires investigation.

Traffic movements both within the site and access to and from the A334 are excessive, with limited parking available.

The centre is not in keeping with the position within the village and the site should be subjected to a program of organisation in order to improve the appearance from the road, including removal of signage.

If approved, it should be a condition that the premises are non-residential.

There is a risk that neighbouring properties will be overlooked by the development.

Request for application to be considered by Committee:

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

If the Case Officer is minded to approve the application, Shedfield Parish Council would request that it is considered by Committee

Signed: T S Daniels
Planning and Projects Officer

Date: 14 April 2021

Case No: 21/00422/FUL