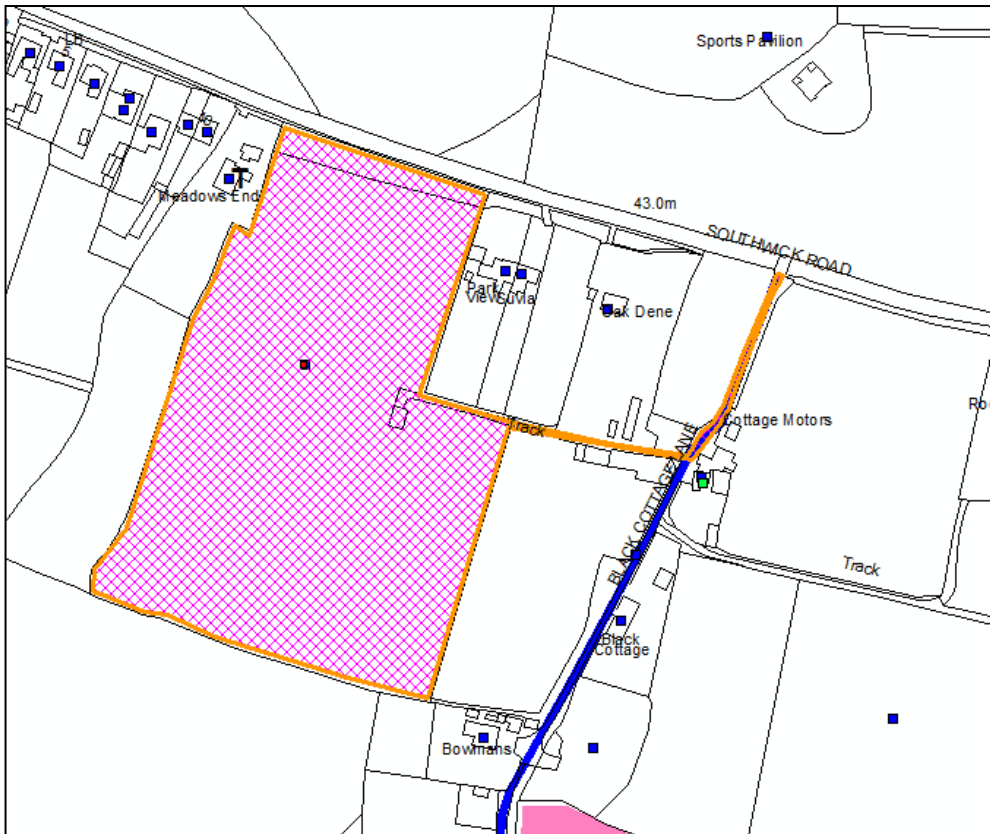


WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Case No:** 22/01136/FUL  
**Proposal Description:** Change of use of agricultural land for equestrian purposes; erection of 2no. equestrian stable buildings and 1no. feed store for private use; new access track off of existing (amended plans and proposal)  
**Address:** Land South West Of Oak Dene Southwick Road Wickham Hampshire  
**Parish, or Ward if within Winchester City:** Wickham And Knowle  
**Applicants Name:** Mr Sean Brosnan  
**Case Officer:** Marge Ballinger  
**Date Valid:** 7 July 2022  
**Recommendation:** Application Permitted  
**Pre Application Advice** No

**Link to Planning Documents**

[Link to page – enter in reference number 22/01136/FUL](https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple)  
<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



© Crown Copyright and database rights Winchester City Council License 100019531

**Case No: 22/01136/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

### **Reasons for Recommendation**

The development is recommended for permission as it is an area identified in the Local Plan where proposals for development will be supported, will not have a significant detrimental impact on the character of the area or the amenities of the neighbouring properties, and does not have an adverse impact on highway safety. The proposal is in accordance with the Local Plan Part 1 Policies DS1, MTRA1, MTRA4, CP13, CP14, CP16; and the Local Plan Part 2 Policies DM1, DM12, DM15, DM16, DM17, DM18, DM19, DM23, DM26, and National Design Guide (2021).

### **General Comments**

Wickham & Knowle Parish Council has requested for the application to be determined by Planning Committee, based upon material planning considerations of the original drawings and proposal and is shown in Appendix 1. Amended drawings were received and re-advertised for publicity, and no further comments received, but the original objection was maintained.

### **Amendments to Plans (and Proposal) Negotiated**

The following drawings submitted within this application were amended to address some of the potential impacts to policy. The original proposal included '4no stables with the 1no feed store for private use, and the new access track off of the existing'. The proposal was amended 25<sup>th</sup> August 2022 to group the stable buildings and amend to 2no stables to be built nearer the proposed location of the feed store, with the new access track off of the existing. Notification letters to Parish and contributors were sent out for an additional publicity period for comment.

This is the list of drawings submitted on the 25<sup>th</sup> August 2022, and re-advertised for comment:

- Proposed Stable Buildings, drawing 204 rev A
- Proposed Site Plan, drawing 201 rev B

The Proposed Site Plan 201 rev B was amended further to include the location of the manure storage of the proposed development on 1 September 2022:

- Proposed Site Plan, drawing 201 rev C

### **Site Description**

The Land South West of Oak Dene (dwelling) is an open, grassed field of approximately three hectares under the same ownership as Oak Dene. The proposal site sits south and between the dwellings that are built closer to the roadside north (Southwick Road) and east of a woodland, and north of other agricultural fields. The site includes an existing (partial) gravelled track that extends off of the existing access from Black Cottage Lane nearer the other buildings to the rear of Oak Dene's residential curtilage (and outside of the proposal site's location plan). The site has low post-and-rail fencing installed for paddocks, and some of the site plan is noted to have boundary hedges that are to be retained near the road and toward a dwelling (Park View). Black Cottage Lane is shared with other business and dwellings, and is also a public right-of-way. Southeast of the

**Case No: 22/01136/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

proposal site across the lane is an ancient woodland and land noted as a Site of Importance for Nature Conservation (SINC) as Fullimore's Copse, approximately 60m from the proposal site. There is a provisional Tree Preservation Order (as of 9 August 2022) within the rear/side garden of Meadows End (residential curtilage). The works proposed within this application are outside of the root protection areas of the pending protected tree and will not be impacted. North of the site across Southwick Road is a boundary for South Downs National Park.

### **Proposal**

The proposal is for a change of use of agricultural/grazing land for equestrian purposes for private use for the applicant and his family. Drawings have been amended for the erection of 2no equestrian stable buildings (with 3 stalls each) and 1no feed store. The stables have been repositioned to be built nearer the stable buildings within the southwest corner of the proposal site. Also, the existing gravelled track will be extended to west and south near the perimeter of the proposal site, using the existing access along Black Cottage Lane. There has been fencing previously installed (and considered permitted development), but no other building works noted within the proposal have started.

### **Relevant Planning History**

There is no planning history within the proposal site. Adjacent the existing track near the Black Cottage Lane access, and within or near the residential curtilage of Oak Dene submitted and approved previously by the applicant:

- **20/00240/FUL** – Retrospective (in part) application for replacement storage building PER 12th May 2020
- **21/00454/HOU** - Demolition of animal pen building and construction of car and storage building PER 12th May 2021

### **Consultations**

#### Hampshire County Council - Highway Authority

No objection, but advised to consult further regarding the right-of-way access with Countryside Planning.

#### Hampshire County Council - Countryside Planning regarding Public Right-of Way (Wickham Footpath 11)

No objection, but recommended advice to be included as an informative (Informative 1).

#### Service Lead for Built Environment - Landscape Officer

Objection received of the original drawings that demonstrated 'scattered development', resulting in an adverse impact to the character setting. Further comments requested details on the fence and access track, but the fence had been installed under permitted development as a low post-and-rail wooden fence, and the access track proposed is to be gravel as the existing track. Drawings were amended to group the buildings together to be located nearer the woodland boundary (within the southwest corner). The existing hedgerow retention and landscape enhancement will be controlled by condition (Condition 3).

**Case No: 22/01136/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

Service Lead for Public Protection - Environmental Protection

No objection, subject to conditions to restrict any external lighting (Condition 4), as well as provide details of the storage and waste disposal of horse manure/stable waste to be approved by the LPA prior the use of the stables commencing (Condition 5).

Service Lead for Built Environment - Archaeology

No objection, subject to conditions to provide a programme of archaeological mitigation works in accordance with Written Scheme of Investigation to be approved prior to commencement (Condition 6). A further condition to be included for a written report to be submitted to the LPA within 9 months following all archaeological fieldworks on site (Condition 7).

**Representations:**

Wickham & Knowle Parish Council objection – ‘Much of the proposed development has been completed. The proposals are contrary to Local Plan policy DM12 Equestrian Development in that the buildings are scattered across the site creating a detrimental impact on the local landscape.’ The objection was received prior to amended details, but is still maintained with the same objections.

3 Objecting Representations received from different addresses citing the following material planning reasons (of the original proposal and drawings):

- The application is part-retrospective: The fence had already been installed previously with existing horses and stable blocks. The east-to-west track has already been created and groundworks have started for the proposed feed store.
- The proposal results in scattered development and contrary to policy.
- The proposed store is not in-keeping with the landscape.
- Movement of potential horse boxes and grain trucks would have an unacceptable impact.
- Insufficient details provided for the soakaway and drainage; risk of flooding
- Original stable location would impact biodiversity within Meadows End residential curtilage and the land adjacent within the proposal site.
- The need for an additional storage building is questionable; there is already stable buildings and a feed store on site.
- It is not logical to provide a feed store so separate from the road access.
- There is existing ‘third-party’ vehicles and caravans stored on site; questions to the use of the site to commercial.

2 further comments received on the amended proposal and plans (submitted 25 August 2022 for consideration).

- Heavy traffic running close and along our garden and copse.
- Combined weight of horses on soil increase flooding from compacted land.
- Biodiversity concerns near Meadows End’s beech hedge, TPO and other trees; existing animals/birds within the adjacent woodland.
- Buildings are positioned further away from existing stables near the entrance to the site, contrary to policy.

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

- Drawings do not show existing buildings within the existing site plan, meaning impact assessment on paper alone is not possible.
- Manure store proposed siting is within 100m of natural drains to the River Meon.

No representation in support were received.

**Relevant Government Planning Policy and Guidance**

National Planning Policy Framework 2021

- Para 7 - the proposal meets the test of sustainable development including the economic, social and environmental objectives.
- Para 47 - planning law requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise.
- Para 85 – development to meet local business and community needs in rural areas outside settlement boundaries (and not well-served by public transport) is sensitive to its surroundings and does not have an unacceptable impact on local roads.
- Para 100 - Planning policies and decisions should protect and enhance public rights of way and access.
- Para 119 - planning decisions should promote the effective use of land in meeting the need for homes and other uses while safeguarding and improving the environment and ensuring safe and healthy conditions.

Winchester Local Plan Part 1 – Joint Core Strategy (LPP1). DS1 – Development Strategy and Principles

DS1 – Development Strategy & Principles

MTRA1 – Development Strategy Market Towns and Rural Area

MTRA 4 – Development in the Countryside

CP13 – High Quality Design

CP14 – Effective Use of Land

CP16 – Biodiversity

Winchester District Local Plan Part 2 – Development Management and Site Allocations

DM1 – Location of Development

DM12 - Equestrian Development

DM15 – Local Distinctiveness

DM16 – Site Design Criteria

DM17 – Site Development Principles

DM18 – Access and Parking

DM19 – Development and Pollution

DM23 – Rural Character

DM26 - Archaeology

Supplementary Planning Document

National Design Guide 2019

High Quality Places 2015

Air Quality SPD September 2021

Equestrian Development SPD 1999

Wickham Village Design Statement 2001

**Case No: 22/01136/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

Other relevant documents

Climate Emergency Declaration Carbon Neutrality Action Plan 2020-2030

Statement of Community Involvement 2018 and 2020

Landscape Character Assessment March 2004 and emerging LCA December 2021

Biodiversity Action Plan 2021

**Planning Considerations**

**Principle of Development**

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 47 of the National Planning Policy Framework (NPPF, 2021) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Policy DM12 (Equestrian Development) of the LPP2 will permit development related to grazing and equestrian works (stables, training areas, riding centres or studs) will be permitted where a countryside location is necessary, provided that the works comply with the Development Plan and makes use of existing infrastructure, respects the landscape pattern to minimise the visual impact by appearance and design, does not involve scattered development of new buildings, does not harm the character of the area with cumulative development or materials/boundary treatments, lighting etc that would have a harmful visual impact, does not have an unacceptable impact on residential amenities, and provides a satisfactory landscaping scheme.

Policy MTRA4 (Development in the Countryside) allows development that has an operational need for a countryside location, which covers equestrian uses.

The principle of development is therefore established.

**Assessment under 2017 EIA Regulations.**

The development does not fall under Schedule I or Schedule II of the 2017 Environmental Impact Assessment Regulations, therefore an Environmental Impact Assessment is not required.

**Impact on Character and Appearance of Area**

Outside defined settlement boundaries, development proposals which accord with the Development Plan will be permitted where they do not have an unacceptable effect on the rural character of the area, by means of visual intrusion, the introduction of incongruous features, the destruction of locally characteristic rural assets, or by impacts on the tranquillity of the environment (Policy DM23 of the Local Plan Part 2).

Policy DM12 of the LPP2 (Equestrian Development) allows development that makes use of existing infrastructure, respects the landscape pattern to minimise the visual impact by appearance and design, does not involve scattered development of new buildings, does not harm the character of the area with cumulative development or materials/boundary treatments, lighting etc that would have a harmful visual impact, does not have an

**Case No: 22/01136/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

unacceptable impact on residential amenities, and provides a satisfactory landscaping scheme.

What is considered significant to the existing land is the open grassed areas with its low post-and-rail fencing that allows for uninterrupted views from the nearby residential gardens and lane toward the views of the woodland located west of the proposal site, and open views toward the agricultural land south of the proposal site. The fences were installed prior to the application submission and considered permitted development. (Building works have not yet started, but horses have been seen within the paddocks for grazing.)

The storage building is proposed to be built of green galvanised steel cladding, similar to the existing building approved near the Black Cottage Lane access (application reference 20/00240/FUL). The building will be 5m in height, 12m in length, and 8m wide. The stable buildings are proposed to be built with shiplap wooden cladding and a slate-effect dual-pitched roof. Each building is 3.6m in height, 8.7m in length and 3.6m wide. Although the use of the land is noted for private use only, a condition will be added to ensure the proposed buildings will be retained for equestrian use only, and not for any other conversion or commercial purposes (Condition 8).

The original proposal was amended to reduce the number of proposed stable buildings down to 2 (but each with 3 separate bays and slightly larger than the proposed versions), and the buildings will be positioned near the proposed storage building. The buildings will be located together within the southwest corner of the site. There is an existing gravelled access track that will be extended to run through near the west boundary and turn south toward the proposed buildings, and will be gravelled just as the existing version. The proposed change of use of the land for private equestrian purposes will not result in a significant change to the existing agricultural/grazing use of the land as previous, and retains the more primary open views of the land from longer distances. The buildings will be grouped nearer the treeline of an existing woodland to retain the unobstructed longer distance views, and is not considered to have a harmful impact on the existing character of the rural area. A condition to retain the hedge planting noted within the site plan (Condition 3) will ensure the existing screening with enhanced native planting will be in place to soften any views from the rear residential gardens or from the roadside (Southwick Road).

Roadside views are restricted with its existing planting and trees, and the stables and other buildings are positioned over 195m away from the road (north); the buildings are approximately 220m from the public Right of Way along Black Cottage Lane (east). The buildings' design and materials are visually conventional within the rural setting and does not impede wider views beyond. The use of the land previously was for agricultural purposes, so changing the use for equestrian purposes with limited building works is considered to be in compliance with DM23 and does not harm the enjoyment of the area from surrounding Rights of Ways to an adverse level. In summary to the area's character, the position of the stables and store building is set back into the site away from the adjacent roads and the ROW, and away from neighbour dwellings, and is considered to not have a harmful impact on the existing area's rural character within the more public views. The materials proposed are what is considered acceptable to incidental buildings

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

for equestrian use. The proposal therefore complies with DM12, DM15, DM16 and DM23 of the LPP2.

**Development Affecting the South Downs National Park**

The application site is located 10 metres from a southern boundary of the South Downs National Park, located across Southwick Road (north). Across the road from the proposal site are trees near the boundary with agricultural land beyond.

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) updated 2021. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

The proposal site is proposed to change from existing agricultural use to equestrian land, with its proposed buildings/stables located approximately 200m away from SDNP across Southwick Road. Therefore the development will not affect any land within the National Park and is in accordance with Section 11a of the National Parks and Access to the Countryside Act 1949.

**Historic Environment: Archaeology**

The works proposed are within land with archaeological potential as it is on alignment of a long distance Roman road which ran from Wickham to Chichester.

The following legislation and policies are taken into account in the assessment and determination of this planning application.

Relevant Legislation

The preservation, conservation, investigation and recording of archaeological interest (Policy DM26 Winchester District Local Plan Part 2; Policy CP20 Winchester District Joint Core Strategy; NPPF Section 16).

Guidance

The consideration and assessment of due regard is required in relation to the relevant legislation and guidance as outlined within the Historic Environment/Archaeology consultation response.

The application site lies within an area of known archaeological potential. Recent archaeological excavations undertaken ahead of development to the west of the site have revealed extensive remains of a Roman roadside settlement together with earlier prehistoric (Bronze Age) features, including cremation burials. These remains continue to the east of the development site, although how extensive the Roman settlement and any

**Case No: 22/01136/FUL**



WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

related remains is, is currently uncertain. Pre-commencement archaeological conditions (Conditions 6-7) have been proposed in order to preserve, conserve, investigate and record any archaeological findings. These conditions ensure the proposal will comply with Policy DM26 Winchester District Local Plan Part 2; Policy CP20 Winchester District Joint Core Strategy; and the NPPF Section 16.

### **Neighbouring Amenity**

The buildings are positioned a significant distance from nearby dwellings (over 150m away). There is an existing gravelled access track along the rear of dwellings Oak Dene, Sulva and Park View residential gardens. Extending this track further west will be near the corner of the residential garden of Meadows End (10m from the rear/side corner; 65m away from the dwelling), and this distance is not considered to have a harmful impact to primary amenity spaces of Meadows End due to the distance of the track from the dwelling. Access will then continue south parallel to the existing woodland located adjacent the proposal site, further away from neighbouring dwellings. There will be a condition in place to restrict any outdoor lighting to the buildings (Condition 4) in order to prevent potential light pollution. The buildings are not considered to have any overbearing, overshadowing or overlooking to any residential amenities. The previous land use was for agricultural purposes that may have allowed for larger machinery's use for cultivation, so the use of the land for grazing with some vehicle traffic a distance away from dwellings could be considered less intrusive than its previous use. The use of the land for equestrian purposes within its existing paddocks and limited vehicle access is not expected to have a harmful impact to residential amenities, and is therefore in compliance with DM17 and DM18(ii) of the LPP2.

### **Sustainable Transport**

The proposal will have no impact on highway safety because the existing access onto Black Cottage Lane or Southwick Road will not be altered. The change of use is not expected to have a material increase to trips or change the type of vehicle using the access onto Southwick Road. Therefore the proposal complies with policy DM18 of the LPP2.

### **Ecology and Biodiversity**

The proposal will have no impact as it is not development within, bordering or in close proximity to a European Protected Site (i.e. River Itchen SAC, The Solent SAC, SPAs, Ramsar Sites) or is not overnight accommodation affecting Nitrates.

Due to the nature of the development and the distance between the application site and the European Protected Site of the Solent SAC and SPA and the River Itchen SAC, an Appropriate Assessment under the Conservation of Habitats & Species (Amendment) Regulations 2011 is not required.

The Hampshire Biodiversity Information Centre databases and our own WCC internal ecology databases were reviewed. The proposal site sits near a deciduous woodland (located west) but there are no protected mammal or bird species noted near or within the

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

proposal site. It is considered that the proposal therefore complies with LPP1 Policy CP16 (Biodiversity).

### **Sustainable Drainage**

Surface water drainage is proposed to discharge to a soakaway within close proximity to the buildings. The proposal will have no impact because the site is within Flood Zone 1 and the proposed track will be permeable gravel and the soakaway in use, so there is no further concern to drainage or flooding with the proposed development.

The proposal therefore complies with policies CP17 of the LPP1 and DM17 of the LPP2.

### **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.

### **Planning Balance and Conclusion**

The change of use of the land for equestrian use is within undeveloped agricultural land, and the proposed stables and storage building will be positioned within a southwest corner of the site (away from the wider public views through the landscape). The buildings proposed are clustered near one another and utilise materials that is considered appropriate for an incidental to an equestrian building. The extended track utilises an existing access from the public ROW and roads, and is not considered to have a harmful impact to highway safety. The proposal is therefore considered to be in compliance with Policy DM12 as well as other relevant policies within the Local Plan Parts 1-2 and material planning matters do not indicate an alternative approach should be taken.

### **Recommendation**

Application approved subject to the following conditions:

#### **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 as already partially built on site and shown in the following plans received:

- Location Plan (nearby area ownership defined), drawing 201 received 24 May 2022

**Case No: 22/01136/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

- Proposed Layout Plan, drawing 201 rev C amended 1 Sep 2022
- Feed Barn Floor Plan & Elevations, drawing 203 dated 5 May 2022
- Stables Floor Plan & Elevations, drawing 204 rev A amended 25 Aug 2022

Reason: In the interests of proper planning and for the avoidance of doubt.

3. The existing north boundary hedgerow shall be retained and enhanced with native and tree planting as indicated within the Proposed Layout Plan 201 rev C.

If within a period of five years after the proposal is built, the planting becomes seriously damaged, defective or diseased the planting should be enhanced or replanted of the same size within the next planting season, unless otherwise approved by the Local Planning Authority.

Reason: To maintain the vegetation cover and the contribution that vegetation make to the character and amenity of the rural area.

4. No external lighting, whether free standing or affixed to a structure, shall be provided on the site at any time, unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect the appearance of the area, the environment and local residents from light pollution

5. Details of the facilities for the storage of horse manure/stable waste and its means of disposal from the site, shall be submitted to and approved in writing by the Local Planning Authority before the use of the stables is commenced. The facilities shall be provided and thereafter maintained in accordance with the approved details.

Reason: In the interests of the amenities of the locality.

6. No development or any works of site preparation shall take place until the applicant or their agents or successors in title have implemented a programme of archaeological mitigation works, in accordance with a Written Scheme of Investigation that has been submitted to and approved by the local planning authority in writing. No development or site preparation shall take place other than in accordance with the Written Scheme of Investigation approved by the LPA. The Written Scheme of Investigation shall include:

- The programme and methodology of site investigation and recording
- Provision for post investigation assessment, reporting and dissemination
- Provision to be made for deposition of the analysis and records of the site investigation (archive)
- Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: To mitigate the effect of the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations. Policy DM26 Winchester District Local Plan Part 2; Policy CP20 of the Winchester District Joint Core Strategy.

**Case No: 22/01136/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

7. Following completion of all archaeological fieldwork, within 9 months (unless otherwise agreed in writing) a report will be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports and publication. The report shall be submitted to and approved by the local authority.

Reason: To ensure that evidence from the historic environment contributing to our knowledge and understanding of our past is captured and made publicly available. Policy DM26 Winchester District Local Plan Part 2; Policy CP20 of the Winchester District Joint Core Strategy.

8. The proposed stables and storage building hereby permitted shall not be occupied at any time other than for purposes for private, equestrian use only to Oak Dene and shall not, at any time, be used or converted for living accommodation, business, commercial or industrial purposes, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To accord with the terms of the application and to prevent the creation of inappropriate units of accommodation or conversion, possibly leading to over intensive use of the site.

9. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be those as detailed in the Materials section of the associated application forms, as well as noted within approved drawings.

Reason: To ensure a satisfactory visual relationship between the new development and its surroundings.

**Informatives:**

1. The proposed vehicular access to the development site is along footpath 11. Should permission be granted for this application, we request that the applicant is made aware of the following requirements through informatives:

- i. Nothing connected with the development or its future use should have an adverse effect on the right of way, which must always remain available for public use.
- ii. All vehicles would be accessing the site via a public footpath and should give way to public users at all times.

2. The applicant is advised that the preferred method of disposal is the frequent removal of manure from the site. The burning of manure or large scale storage on site will not be an acceptable method. For further information, please contact the Environment Agency on 03708 506 506 to discuss changes to the legislation covering the storage and disposal of Horse Manure.

3. If at any time the premises are used for the Hiring out of Horses (including Riding Establishments) a licence must be issued by the Environmental Protection Team under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018. This includes any business for the keeping of horses to let them out on hire for riding, or for use in providing instruction in riding for payment, or both.

**Case No: 22/01136/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

4. 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](http://www.winchester.gov.uk)

5. In accordance with paragraph 38 of the NPPF (2021), Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:

- offer a pre-application advice service and,
- update applicants/agents of any issues that may arise in the processing of their application, where possible suggesting alternative solutions.

In this instance a site meeting was carried out with the applicant.

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

Local Plan Part 1 Policies DS1, MTRA1, MTRA4, CP13, CP14, CP16

Local Plan Part 2 Policies DM1, DM12, DM15, DM16, DM17, DM18, DM19, DM23, DM26

7. This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out above, 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.

8. 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.

Flexibility of hours may be acceptable due to the Covid-19 emergency in line with the Business and Planning Bill 2019-21: <https://services.parliament.uk/Bills/2019-21/businessandplanning.html>

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. Where construction site working hours are limited by a planning condition you can apply under Section 74B of the Town and Country Planning Act 1990 which provides a temporary fast track to vary existing conditions.

**Case No: 22/01136/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

<https://www.gov.uk/government/publications/construction-working-hours-draft-guidance/draft-guidance-construction-site-hours-deemed-consent>

9. 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.

10. 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>

11. Please be advised that Building Regulations approval may be required for this development. Please contact WCC Building Control Department for more information  
<https://www.winchester.gov.uk/building-control>

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Appendix 1**

Wickham & Knowle Parish Council – objection received 20 July 2022 (prior to amendments received, but same objections maintained after amended drawings and proposal):

Please return this form to the Case Officer: Marge Ballinger

From: Wickham and Knowle Parish Council

Case No 22/01136/FUL

Proposal: Change of use of agricultural land for equestrian purposes, 4 No stables and 1 No feed store for private use; new access track from existing

Location Land south west of Oak Dene Southwick Road Wickham

---

**Object: Much of the proposed development has been completed. The proposals are contrary to Local Plan policy DM12 Equestrian Development in that the buildings are scattered across the site creating a detrimental impact on the local landscape.**


Signed:

Nicki Oliver  
Parish Clerk


Date 20<sup>th</sup> July 2022

Wickham & Knowle Parish Council – email requesting this application to be determined via planning committee 1 August 2022 (prior to amendments received, but maintained):

Mon 01/08/2022 14:44

 Nicki Oliver <clerk@wickhamparishcouncil.org>  
22/01136/FUL Oakdene, Southwick Road

To mballinger@winchester.gov.uk

 22.01136.FUL Land sw of Oake Dene Southwick Road.doc  
35 KB

Please could we make a request that this application is heard by the Planning Committee if the officer recommendation is to approve?

Many thanks

Regards

Nicki Oliver  
Clerk to Wickham & Knowle Parish Council  
tel 01329 835019  
[www.wickhamparishcouncil.org](http://www.wickhamparishcouncil.org)

**Case No: 22/01136/FUL**