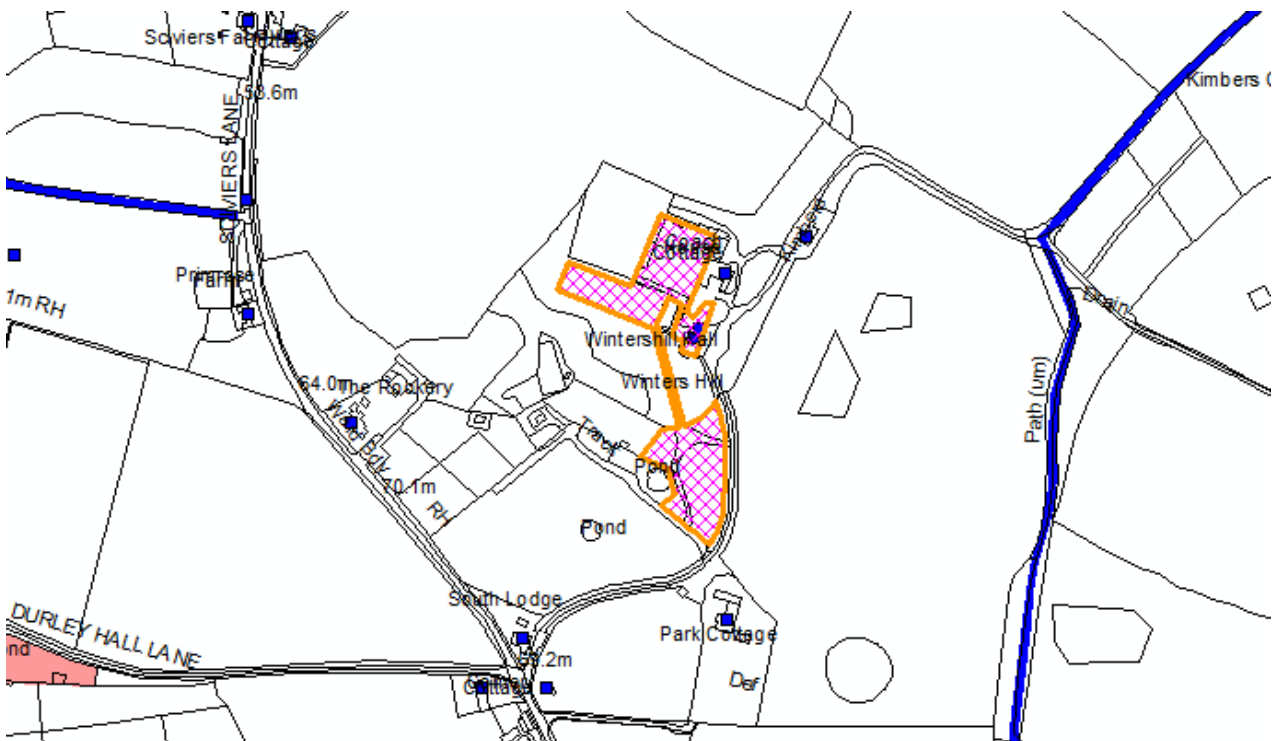


WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 23/01340/FUL
Proposal Description: Change of use to allow 4 weddings a year, 2 community events, 5 indoor catered events and 3 outdoor theatre events alongside associated parking
Address: Winters Hill Hall, Winters Hill, Sciviers Lane, Durley, Southampton, Hampshire SO32 2AL
Parish: Upham Parish Council
Applicants Name: Mr Edward Balfour
Case Officer: Liz Young
Date Valid: 04 July 2023
Recommendation: Permit
Pre Application Advice: Yes

Link to Planning Documents

23/01340/FUL <https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



© Crown Copyright and database rights Winchester City Council Licence 100019531

Case No: 23/01340/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Reasons for Recommendation

As required by LPP1 Policy MTRA4, the proposal would not cause unacceptable harm to the character and landscape of the area or neighbouring uses, or create inappropriate noise/light and traffic generation. The proposal also meets national policy objectives in relation to enabling the sustainable growth and expansion of all types of business in rural areas.

General Comments

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

Amendments to Plans Negotiated

Amended Location Plan received 12 July 2023 updated to show ecological mitigation measures.

Site Description

The application site comprises part of the formal gardens of Wintershill Hall, part of the main house, an area of land to the south and the private access road which runs from Sciviers Lane to the south.

The application site falls wholly within the estate of Wintershill Hall, a post 1810 park listed on the Hampshire Inventory of Historic Parks & Gardens. The site is therefore a non-designated heritage asset along with the accompanying historic house and any related historic outbuildings. The property is not a listed building. These buildings together form a traditional arrangement around the formal walled garden area which lies immediately north of the main house. The setting is predominantly rural and built development in the wider area is limited. The estate comprises open grassed areas with a number of mature trees. Fields and woodland lie to the north and west. A site of Importance for Nature Conservation (SINC) and also a public right of way lie approximately 230 metres to the south east of the application site. The two closest neighbouring residential properties lie within the estate and immediately north of the main house, whilst beyond the estate the closest are located just under 200 metres to the west of the main house.

Proposal

Consent is sought for the change of use of the application site to host four weddings each year. Information which accompanies the application indicates that the maximum number of guests for the weddings will be 250 people. Staffing numbers would vary between the functions but typically involve a catering team of approximately 10 people. Events would include musical entertainment and would typically commence at 12 noon. No wedding guests would stay overnight and music would finish at 11pm. Guests would depart at 11:30 pm.

Case No: 23/01340/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Two alternative locations have been put forward for the marquee, one being within the walled garden area to the rear of Coach House Cottage and the other being on the wider lawn immediately to the rear of the main house. In the case of all events only one marquee would be on site at a time. Temporary external lighting would be provided in association with the wedding uses, although full details of the lighting layout and specification have not been included as part of the application.

In addition to the four wedding each year, the application states an intention to hold some historical local community events such as the Bishops Waltham Garden Fair, Durley Church fete and Illyria open air theatre with the potential in the future for smaller indoor catered events. Further information provided by the applicant in relation to these other uses clarifies their nature and frequency as follows:

- Bishops Waltham garden show once per year, between 10am and 4pm with up to 499 people
- Durley Church Fete once per year, between 10am and 4pm with up to 499 people
- Illyria open air theatre up to three times per year, between 6pm and 9pm with up to 250 people
- Smaller catered events within the house up to five times per year with up to 40 people

The community events are undertaken in accordance with the temporary event notices and would not require the introduction of any form of external lighting or the erection of a marquee (these being limited to the wedding events only).

No operational development is proposed in association with the change of use.

With the exception of the Bishops Waltham Garden Show and Durley Church Fete, all parking associated with the use takes place within an area of land which lies to the south east of the main house (highlighted in yellow on the application plan). In the case of the two other events the parking takes place within the adjacent fields on the estate (outside the curtilage of the house) under permitted development rights.

Information which accompanies the application indicates that the income generated from the various events would fund the management and improvement of various aspects of the wider estate at Wintershill Hall.

Relevant Planning History

None

Consultations

Service Lead for Built Environment (Historic Environment) – No objections raised

Service Lead for Community (Trees) – No objections subject to the implementation of tree protection

Case No: 23/01340/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Service Lead for Public Protection (Environmental Health) – No objections subject to conditions restricting the number of such events taking place along with a condition requiring the submittal and approval of a noise management plan.

Service Lead for Community (Landscape) – No objections raised

Service Lead for Community (Drainage Engineer) – No objections subject to conditions

Service Lead for Community (Ecology)– No objections subject to conditions

Hampshire County Council (Highway Authority) – No objections

Representations:

Upham Parish Council – No comment

6 objecting representations received raising the following:

- Excessive noise from music, vehicles and guests is detrimental to the living conditions of neighbouring properties
- Harmful increase in traffic causing congestion, queues and air pollution
- Harmful impact upon highway safety along rural roads (unsuitable traffic with no pavements) close to the site
- The grassland on the site becomes waterlogged in bad weather and is unsuitable for parking
- A traffic management plan should be provided
- Highways comments incorrectly state that the access to the site lies off a 60mph road (this section of road is subject to a 30mph speed limit).
- Hard surfacing should be provided for up to 150 cars
- Potential impacts upon local ecological interests
- Another wedding venue exists close to the site
- The gravel parking surface exacerbates noise levels
- Concerns that the overall number of weddings each year could increase in future
- Applicant has not consulted with neighbours prior to making the application
- The marquee locations shown do not sufficiently contain noise

2 neutral representations received raising the following :

- The applicant has created a number of benefits for the local community and has created a permissive path through the site.
- Concern that the main house could become a hotel or restaurant
- Event hours are not precise

0 Supporting representations received.

Case No: 23/01340/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Relevant Government Planning Policy and Guidance

National Planning Policy Framework

Chapters 2, 6, 15 and 16

National Planning Practice Guidance

Natural Environment (2019)

Noise (2019)

Winchester Local Plan Part 1 – Joint Core Strategy (2013) (LPP1).

DS1 – Development Strategy and Principles

Policy MTRA1 - Development Strategy Market Towns and Rural Area

Policy MTRA4 - Development in the Countryside

Policy CP8 – Economic Growth and Diversification

Policy CP16 – Biodiversity

Policy CP17 - Flooding

Policy CP20 – Heritage and Landscape Character

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

DM1 – Location of Development

Policy DM15 – Local Distinctiveness

Policy DM16 – Site Design Criteria.

Policy DM17 – Site Development Principles.

Policy DM18 – Access and Parking

Policy DM20 – Development and Noise

Policy DM23 – Rural Character

Policy DM24 – Special Trees, Important Hedgerows and Ancient Woodlands

Policy DM25 – Historic Parks and Gardens

Policy DM31 – Locally Listed Heritage Assets

Supplementary Planning Documents

Upham Village Design Statement (1999)

Hampshire Parking Strategy and Standards (2002)

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 DS1 of the LPP1 is consistent with the NPPF which states in paragraph 11 that decisions should apply a presumption in favour of sustainable development and that for decision taking this means approving development proposals that accord with an up to date development plan without delay.

The application site lies within open countryside and therefore LPP1 Policy MTRA4 is relevant. This policy seeks to ensure development will be limited to that which has an essential need to be located in the countryside, including certain types of open recreational uses which require a countryside location.

Case No: 23/01340/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Policy MTRA4 lists the general development types which will be permitted and (in the case of business, employment and community uses) seeks to ensure these would be accommodated through either the re-use of buildings or the expansion or redevelopment of existing buildings. The proposed development does not specifically meet these criteria. However, it does not involve the introduction of permanent built development with the potential to undermine the rural character of the area.

The very limited frequency of the use would further limit the potential for the proposal to conflict with the requirements of MTRA4 in relation to avoiding harm to the character and landscape of the area or neighbouring uses, or creating inappropriate noise/light and traffic generation. These aspects are considered in further detail below. It is also relevant that the community elements of the proposed use are such that these would serve the local rural community and would typically occur within the open countryside.

With regards to national policy, the general principle of the development is supported by paragraph 84 of the NPPF which seeks to ensure planning decisions enable the sustainable growth and expansion of all types of business in rural areas, the development of community / cultural facilities and meeting places. Paragraph 85 is also of relevance as this recognises that local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. Policy CP8 of the LPP1 expands on these points to support economic development and diversification.

Overall it is therefore concluded that the general principle of the proposed development is acceptable subject to ensuring the proposed development would be in accordance with other relevant policies contained within the Development Plan.

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

Planning policy acknowledges that when considering the character of the area it is necessary to have regard to both visual impacts alongside wider impacts upon tranquillity (such as noise and light pollution). These factors are recognised (by LPP2 policy DM23 in particular) as essential components of rural character. LPP1 Policy MTRA4 is also relevant in that it seeks to ensure proposals should not cause harm to the character and landscape of the area or neighbouring uses, or create inappropriate noise/light and traffic generation.

The proposed erection of a marquee would not amount to operational development in its own right and would not (when considered in isolation) require formal planning consent. Given that the erection of a marquee is required in association with the change of use it would be nevertheless be appropriate to consider its visual impact alongside the other various aspects of the proposal. In considering these impacts, the location of the main parking area and the marquee as indicated on the submitted plans are such that they would not be readily visible from the public realm (including the local public right of way network).

Case No: 23/01340/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

The main parking area is on an area of land which is enclosed by established hedgerow and a number of trees. It is well distanced from the public highway and is well screened. The appearance of parked cars on the site would therefore not give rise to any harmful visual impact upon the wider area, particularly when having regard to the fact that there would be a maximum of 14 events per year.

Both proposed marquee locations would be to the rear of the house and would therefore not impact upon views from the right of way which lies just over 200 metres east of the main house. There is no intervisibility between these two areas. This location would also ensure the principal frontage of the main house would not be adversely affected by the development.

The walled garden marquee location would ensure a high level of containment to the marquee as a result of both the wall itself, the change in ground levels and the range of outbuildings which enclose the eastern edge. The outdoor community events would be confined to the same area as the marquees and would also be well screened from public views.

These factors, would, along with the screening offered by trees in the wider area ensure the change of use (and associated temporary structures) would not have a detrimental impact upon the character of the wider area, the enjoyment of the countryside from the public realm or public rights of way. The visual appearance of the development would therefore be in accordance with LPP2 Policies DM16 and DM23.

With regards to impacts upon rural tranquillity, it is acknowledged that a number of third party concerns have been raised in relation to the impact of additional noise levels resulting from music, guests and vehicles. LPP2 Policy DM23 seeks to ensure proposals should not have an unacceptable effect on the rural tranquillity of the area, including the introduction of lighting or noise occurring as a result of the development, taking account of the relative remoteness and tranquillity of the location.

It is recognised that the relatively rural nature of the location is such that background noise levels are low and that the proposal to host wedding and community events on the site will give rise to additional noise impacts from guests arriving, vehicle noise and music. In considering the overall level of harm, the uses would be confined to no more than 14 occasions per calendar year. Whilst the impact would be notable for the duration of some of these events, the overall extent of the use would be relatively limited. The playing of music would be one of the most significant sources of noise associated with the use and this would be limited to the wedding events which take place on up to four occasions per year. The submission of a noise management plan (as recommended by the Environmental Protection Officer) would also ensure noise levels would be appropriately managed for the lifetime of the use. In this context it is considered that the overall impact of noise resulting from the use would not be unacceptably harmful.

With regards to lighting impacts, in accordance with LPP2 Policy DM23, an appropriately worded planning condition can ensure no external lighting will be introduced to the site until full details of its layout, operation and specification (to be informed by the various recommendations within the submitted ecology report) have been agreed with the Local Planning Authority. External lighting would be limited to the wedding events only (on four occasions each year).

Case No: 23/01340/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Overall it is concluded that the proposed development would not give rise to significant harmful impacts upon the rural character of the area in terms of visual harm or loss of tranquillity and would therefore be in accordance with LPP1 Policy CP13 and LPP2 Policies DM15, DM16 and DM23.

Development affecting the South Downs National Park

The application site is located just over 0.6 km from the South Downs National Park which lies to the north east. The undulating topography of the site and the existence of woodland to the north east are such that there would be no intervisibility between the two areas. The nature and scale of the use is such that it would not give rise to additional recreational impacts upon the National Park designation.

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.

In conclusion 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

The main house, garden and associated outbuildings are identified as a non-designated heritage asset.

The historic environment section of the Planning Practice Guidance outlines the role of the Local Planning Authority in considering the effects of new development that are in the vicinity of or affect the setting of listing buildings and heritage assets.

Paragraph 197 of the NPPF states that in determining applications, Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

With regards to heritage assets, paragraph 199 of the NPPF advises that great weight should be given to the conservation of a heritage asset in considering the impact of a proposal on its significance (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

LPP2 Policy DM31 reflects these requirements and states that where planning permission is required for buildings or structures that have been identified as a locally significant heritage asset, or that are considered worthy of future inclusion on the list, the heritage significance of the asset will be a material consideration when determining the application.

Case No: 23/01340/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

LPP1 Policy CP20 seeks to ensure that development preserves and enhances heritage assets and their settings.

With regards to historic parks and gardens, LPP2 Policy DM25 seeks to ensure development does not have a detrimental impact on the historic significance or distinctive character and appearance of a park or garden of special historic interest or its setting (as identified on National or Local Registers) or result in the loss or deterioration of associated designated and undesignated heritage assets.

The change of use does not necessitate any form of operational development and the historic fabric of the house, associated outbuildings and garden would not be directly or physically impacted by the development. The relatively transient nature of the use and also the overall number of events (up to 14 each year) are such that there would be no significant adverse impact upon the overall significance of the heritage asset or how it is experienced. As identified above, external lighting and the erection of a marquee would only feature in the case the wedding events which would occur on up to four occasions per year.

Having regard to this, along with the confirmation that the income generated from the use would fund improvement around the estate, which is listed on the Hampshire Inventory of Historic Parks & Gardens, it is considered that the proposal would meet national policy objectives of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation and also the requirements of LPP1 Policy CP20 and LPP2 Policies DM25 and DM31 in relation to preserving the setting, character and appearance of Wintershill Hall.

Neighbouring Amenity

The nature of the proposed use is such that (alongside the potential impacts upon tranquillity referred to above) it would give rise to the potential to impact upon the amenities of neighbouring residents through increased noise levels resulting from the both guests to the various events and also music, alongside the increased number of vehicle movements to and from the site from both staff and guests. The proposal will have the potential to have up to 250 wedding guests on site for each of the wedding events and music is likely to be playing up until 11pm in each case. This is a particularly significant issue given the rural context and low background noise levels, alongside the proximity to neighbouring residential properties. Whilst community events would take place during the day, these would involve a significantly greater number of people (up to 500).

NPPF paragraph 174 seeks to ensure planning decisions prevent new and existing development from contributing to, or being put at unacceptable risk from noise pollution (amongst various other things). Paragraph 185 states that new development should be appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health and living conditions. LPP2 policies DM17 and DM20 reflect these requirements and state that proposals should not cause unacceptable levels of pollution to neighbours by means of noise and would not have an unacceptable impact on human health or quality of life. Policy DM20 also requires noise generating proposals to provide an assessment to demonstrate how it prevents, or minimises to an acceptable level, all adverse noise impacts.

Case No: 23/01340/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

The majority of the noise impacts associated with the use would be associated with the wedding events which would be confined to four occasions per calendar year (on account of the associated music and later hours). The Environmental Protection Officer considers the overall extent of this use to be sufficiently limited to ensure it would not give rise to an unacceptably harmful impacts upon the living conditions of neighbouring residential properties subject to the submission and implementation of a noise management plan.

A further consideration is that the areas of land which fall outside the formal gardens of Wintershill Hall could be used to host events for up to 28 days in any calendar year in accordance with the criteria within Class B of Part 4 of Schedule 2 of the General Permitted Development Order. If such a use were to be implemented under permitted development then this would be both unrestricted and would be located in a more exposed part of the site. To this end it is considered that consenting the use now applied for in a defined area to the rear of the house with restrictions on the number and type of events (alongside the implementation of noise management) would be less harmful than any impacts associated with a temporary use implemented under permitted development in a different part of the site.

Having regard to the feedback received from the Environmental Protection Officer it is concluded that conditions limiting the overall number of events, their hours and the numbers of people in attendance would (alongside the implementation of a noise management plan) ensure that the proposal as a whole would not give rise to unacceptable noise impacts. The proposal would therefore not conflict with LPP2 Policies DM17 and DM20 or paragraph 174 of the NPPF.

Sustainable Transport

A number of third party concerns have been raised in relation to the impact that the use has upon the local highway network in relation to highway safety and congestion.

Parking provision associated with the use will be contained within the site and the majority of the events would be limited to 250 people. In the case of the two community events to be held each year the associated parking would not fall within the remit of this application given that it is undertaken under permitted development rights within a different part of the site. The use does therefore not give rise to significant increase demand for on road parking along Sciviers Lane. Having regard to this, along with the limited number of events overall it is concluded that the use does not give rise to the potential for harmful levels of congestion on the local highway network

It is acknowledged that on the 14 days in the years when events would take place, the use would generate a significant amount of vehicular activity. However, the existing access benefits from a good standard of visibility and the speed limit on Sciviers Lane is 60mph dropping to 30mph just to the south of the site. The Highway Authority raise no objections to the development.

Overall it is concluded that the development allows for access to, and movement within, the site in a safe and effective manner, having regard to also to neighbouring land uses as required by LPP2 Policy DM18.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Ecology and Biodiversity

The application site is not directly adjoined by any nature conservation sites. Whilst a Site of Importance for Nature Conservation (SINC) lies to the east, there is a distance of over 250 metres between this designation and the application site.

The proposal 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.

With regards to other ecological interests within and adjacent to the site, the application has been accompanied by an ecological survey which establishes the presence of Habitats of Principal Importance (Lowland Mixed Deciduous woodland and traditional orchard) and Biodiversity Action Plan priority habitats (Wood Pasture) within the site. The site is also assessed as being suitable for a number of species including bats, reptiles and invertebrates. Great crested newt are also shown to be breeding in the surrounding area. The ecology report puts forward a mitigation and enhancement strategy. Further details have also been provided in relation to fencing adjacent to the proposed parking area to ensure the retention of a buffer area to ponds on site and also external lighting specifications.

The Ecologist has reviewed this information and is satisfied with the various conclusions and recommendations contained within the ecological report relating to remedial actions, enhancement measures and mitigation. These measures include the provision of a buffer zone around the ponds, lighting specifications, the provision of bat boxes and selective management of on-site habitats. Following the submission of protective fencing details it is concluded that the potential for significant harmful adverse impacts upon ecological interests will be appropriately mitigated as required by LPP1 Policy CP16.

Sustainable Drainage

The development does not necessitate the introduction of any permanent built development. The parking area is served by an existing permeable hard surface and the proposed development would not give rise to a significant or harmful increase in surface runoff from the site. The low frequency and seasonal nature of the events is such that drainage impacts associated with additional compaction are unlikely to be significant to the extent that refusal would be justified on these grounds. The views of the Drainage Engineer have been sought and have confirmed that the proposal would not have unacceptably harmful impacts subject to details of surface and foul water being agreed with the Council.

Overall it is therefore concluded that the proposed development would not give rise to harmful impacts upon the water environment and there would be no conflict with LPP1 Policy CP17.

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 **Case No:** 23/01340/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

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 use has not necessitated the introduction of any permanent built development into the open countryside. The relatively limited, transient nature of the use ensures it does not have an unacceptable effect on the rural character of the area, by means of visual intrusion, or by impacts on the tranquillity of the environment. The development does not give rise to any detrimental impact on the historic significance of Wintershill Hall or its setting and the potential for adverse impacts upon the amenities of neighbouring residents and highway safety can reasonably be controlled through planning conditions.

Overall, it is concluded that, as required by LPP1 Policy MTRA4 the proposal would not cause adverse harm to the character and landscape of the area or neighbouring uses, or create inappropriate noise/light and traffic generation. Having regard to this, along with national policy objectives of enabling the sustainable growth and expansion of all types of business in rural areas, it is therefore recommended that planning permission should be granted.

Recommendation

Application Permitted subject to the following conditions:

Conditions

1. The development hereby approved shall be carried out fully in accordance with the following plans received: -

Approved Location Plan (ProMap 12 July 2023)

Reason: To ensure an acceptable design, scale and layout and to avoid adverse impacts upon amenity as required by policies DM16 and DM17 of the Winchester District Local Plan Part 2 (2017)

2. No events permitted by this planning consent shall take place until a habitat creation and management plan shall be submitted to the Local Planning Authority for approval in writing. In accordance with paragraph 5.10.2 of the submitted ecology report (Ecosa May 2023) the plan shall include:

- a. details of native planting to provide refuge for species within the agreed buffer zones indicated on the approved location plan
- b. active management measures for the grassed parking area outside the buffer zone

Case No: 23/01340/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

The agreed measures shall be implemented fully in accordance with the approved detail and shall remain in place for the lifetime of the approved development.

Reason: To retain, protect and enhance the biodiversity interests on site as required by Policy CP16 of the Winchester District Local Plan Part 1 – Joint Core Strategy (2013).

3. No events permitted by this planning consent shall take place until a noise management plan shall be submitted to the Local Planning Authority for approval in writing.

The agreed measures specified within the noise management plan shall be implemented in full for the lifetime of the development.

Reason: To preserve the amenities of neighbouring residents and the tranquillity of the area as required by Policies DM17, DM20 and DM23 of the Winchester District Local Plan Part 2 – Development Management and Site Allocations (2017)

4. No events permitted by this planning consent shall take place until full details of protective measures, including fencing and ground protection have been submitted to the Local Planning Authority, have been approved in writing and installed fully in accordance with the agreed details. The agreed measures shall remain in place for the lifetime of the approved development.

Reason: to ensure protection and long term viability of retained trees and to minimise impact of construction activity as required by Policy DM24 of the Winchester District Local Plan Part 2 – Development Management and Site Allocations (2017).

5. No more than one marquee shall be erected on the site at any one time. The siting of the marquee shall fall wholly within the areas shaded in green on the approved location plan. No marquee shall remain on site for longer than 7 days in each case.

Reason: To preserve the setting of Wintershill Hall, the character of the area and the amenities of neighbouring residents as required by Policy CP20 of the Winchester District Local Plan Part 1 – Joint Core Strategy (2013) and Policies DM16, DM17, DM23, DM25 and DM31 of the Winchester District Local Plan Part 2 – Development Management and Site Allocations (2017).

6. No more than four weddings shall take place within the application site each calendar year.

In the case of each wedding event the use must not take place outside the hours of 11:00 to 23:30 and there shall be no more than 250 guests on site at one time.
All musical entertainment must cease at 23:00.

Reason: To preserve the setting of Wintershill Hall, the character of the area and the amenities of neighbouring residents as required by Policy CP20 of the Winchester District Local Plan Part 1 – Joint Core Strategy (2013) and LPP2 Policies DM16, DM17, DM23, DM25 and DM31 of the Winchester District Local Plan Part 2 – Development Management and Site Allocations (2017).

Case No: 23/01340/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

7. All community and social events undertaken within the application site shall be limited to the following:

- a. Bishops Waltham garden show on one day per calendar year.

This event shall not take place outside the hours of 10:00 and 16:00 and must be limited to no more than 499 people on site at one time

- b. Durley Church Fete on one day per calendar year. This event shall not take place outside the hours of 10:00 and 16:00 and must be limited to no more than 499 people on site at one time

- c. Illyria open air theatre on no more than three days per calendar year. These event shall not take place outside the hours of 17:00 and 21:30 and must be limited to no more than 250 people on site at one time

- d. Catered events within the main house on no more than 5 days per calendar year. This use not take place outside the hours of 11:00 and 23:30 and must be limited to no more than 40 people.

All events shall take place wholly within the areas shaded in green as indicated on the approved location plan.

8. No other use shall be carried out from the application site (including any other purpose in Class Sui Generis of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without modification).

Reason: To preserve the setting of Wintershill Hall, the character of the area and the amenities of neighbouring residents as required by Policy CP20 of the Winchester District Local Plan Part 1 – Joint Core Strategy (2013) and Policies DM16, DM17, DM23, DM25 and DM31 of the Winchester District Local Plan Part 2 – Development Management and Site Allocations (2017).

9. With the exception of the Bishops Waltham Garden Show and Durley Church Fete, no parking associated with the approved development shall take place outside the area shaded in yellow as indicated on the approved location plan unless otherwise agreed in writing.

Reason: To preserve the character of the area, ecological interests on the site and the amenities of neighbouring residents as required by Policy CP16 of the Winchester District Local Plan Part 1 – Joint Core Strategy (2013) and Policies DM16 and DM17 of the Winchester District Local Plan Part 2 – Development Management and Site Allocations (2017).

10. No external lighting shall be installed on the site unless details of such proposals have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the specification, luminosity, operation and layout of lighting (to be informed by the recommendations contained within paragraph 5.5.2 of the approved Ecological Impact Assessment, Ecosa, May 2023).

Case No: 23/01340/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

The lighting must then be installed and implemented in accordance with the approved details.

Reason: To protect the ecology and amenities of the area in accordance with policy CP16 of the Winchester District Local Plan Part 1 – Joint Core Strategy (2013) and policy DM23 of the Winchester District Local Plan Part 2 – Development Management and Site Allocations (2017)

11. No events permitted by this planning consent shall take place until detailed proposals for the disposal of foul and surface water have been submitted to and approved in writing by the Local Planning Authority and have been implemented fully in accordance with the approved measures. The approved measures shall remain in place for the lifetime of the development.

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

12. No events permitted by this planning consent shall take place until a traffic management plan has been submitted and approved in writing by the Local Planning Authority. The plan will need to include the following details:

- Parking layout for all events
- Co-ordinating arrivals and departures for visitors and staff
- Car queue management
- Minimising vehicle movements
- Keeping pedestrians and vehicles apart
- Reporting incidents and complaints
- Advance information, signage and instruction

Reason: To ensure the development does not give rise to harmful impacts upon the local highway network as required by LPP2 Policy DM18

Informatives

1. In accordance with paragraph 39 of the NPPF (2023), 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.

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

Winchester Local Plan Part 1 – Joint Core Strategy (2013) (LPP1).

DS1 – Development Strategy and Principles

Case No: 23/01340/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Policy MTRA1 - Development Strategy Market Towns and Rural Area
Policy MTRA4 - Development in the Countryside
Policy CP8 – Economic Growth and Diversification
Policy CP16 – Biodiversity
Policy CP20 – Heritage and Landscape Character

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

Policy DM13 – Leisure and Recreation in the Open Countryside
Policy DM15 – Local Distinctiveness
Policy DM16 – Site Design Criteria.
Policy DM17 – Site Development Principles.
Policy DM18 – Access and Parking
Policy DM20 – Development and Noise
Policy DM23 – Rural Character
Policy DM25 – Historic Parks and Gardens
Policy DM31 – Locally Listed Heritage Assets

3. 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.

4. 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-ofconsiderate-practice>

5. 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)