

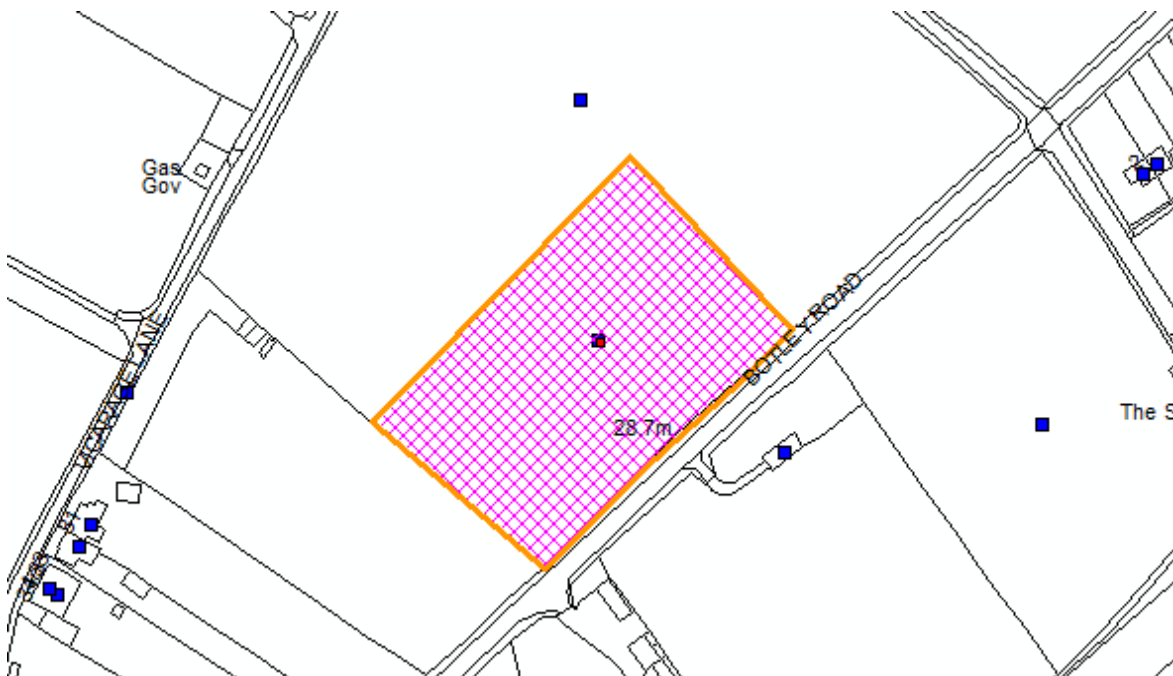
WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 23/02173/FUL
Proposal Description: Erection of a building to store a tractor and hay, access alterations and new track to building, fencing and new entrance gates.
Address: Land To The North West Side Of Botley Road, Curdridge, Hampshire
Parish: Curdridge PC
Applicants Name: Mr Frederick James
Case Officer: Liz Young
Date Valid: 19 October 2023
Recommendation: Application Permitted
Pre Application Advice Yes

Link to Planning Documents

23/02173/FUL

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



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Reasons for Recommendation

Having regards to the amended design and layout it is considered that the proposal would respect existing landscape pattern and minimise visual impact, by means of location, scale, appearance and design and would include satisfactory landscaping arrangements as required by LPP2 Policies DM12 and DM23. A sufficiently low-key grazing use is proposed and it is therefore recommended that planning permission should be granted.

General Comments

The application is reported to Committee at the request of Curdridge Parish Council, whose response is included as an appendix to this report.

Amendments to Plans Negotiated

Amended plans were submitted to the Local Planning Authority in respect of this proposal on 30 November 2023 (amended site plan) and 5 December 2023 (amended elevations). These plans were re-publicised through further formal consultation with the Parish Council up until 21 December 2023.

The main changes included the re-positioning of the building to a less elevated position and closer to established boundary screening, reduction in the length of the track, a reduced height to the building and amended boundary treatments / landscaping.

Site Description

The application site comprises approximately 0.8 hectares of land which (alongside the adjacent land to the northeast and northwest) has had an established, non-commercial equestrian use since 2021 (consent reference 20/01702/FUL). The site forms part of a small wedge of fields which are bounded to the east by Botley Road, to the northeast by Wangfield Lane and to the northwest by Vicarage Lane. No residential properties adjoin the site. Access is via an existing five bar gate on the southern boundary off the Botley Road and it has been established that the access was originally formed in 2008 (in the form of a dropped kerb and gate). This boundary is enclosed by established hedgerow. The rest of the application site is enclosed from adjacent fields by post and rail fencing. The land rises from this boundary towards Vicarage Lane. The adjacent field to the northwest is occupied by a large stable block and hard surface which was consented in 2008.

Proposal

Consent is sought to carry out alterations to an existing vehicular access from the Botley Road into the site, to erect a building to store a tractor and hay in the southwest corner of the site and to form a short section of new track extending from the existing access off Botley Road to the front of the proposed barn. The proposed barn would occupy an external footprint of approximately 160 square metres and would have an overall height of just under 4.5 metres. External facing materials to the walls would comprise concrete panels and timber cladding. Roofing materials have not been specified. The development is required in association with the established equestrian use on the site.

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A new parking and turning area would be formed immediately in front of the barn. The new surface specification is stated to be crushed concrete or recycled road planings.

A dropped kerb and field gate access (undertaken by the previous landowner) were in place prior to the alterations undertaken to the access point which are subject to the current application. These alterations have effectively formalised the access through removing vegetation and introducing the concrete strip (to be retained as part of the current proposal). The existing metal gate (currently set 11 metres from the highway) is proposed to be replaced with a field gate which would be set slightly further back in the site (just over 16 metres from the highway). Existing post and rail fencing is proposed to be replaced by native hedgerow to each side of the access track leading up to the replacement gate (with a temporary fence to be erected whilst this becomes established). The existing concrete strip on the access would be extended by 4.5 metres to meet the proposed field gate.

Relevant Planning History

Stable block with tack room and detached hay store; change of use of land from agricultural to allow keeping of horses (07/02413/FUL) Refused 19.12.2007 (Appeal against refusal allowed 19 August 2008)

Stable block with tack room and detached hay store; change of use of land from agricultural to allow keeping of horses (RESUBMISSION) (08/00429/FUL) Refused 06.05.2008.

Change of use from agricultural use to private equestrian use and construction of stables and store. (20/01702/FUL) Permitted 14.12.2021.

Consultations

Service Lead – Engineering (Drainage) – No comments received.

Hampshire County Council (Highway Authority) – No comments received.

Representations:

No third-party representations received.

Curdrige Parish Council – Objection – request that if minded to permit this Planning Application that they would please like to refer it to WCC's Planning Committee. Latest full comments as follows:

"Following the change of description to planning application (23/02173/FUL) the proposals were further discussed meeting of the Curdrige Parish Council (08th January 2023). It was resolved that in addition to the comments provided to WCC previously regarding the non-compliances with MTRA 4, the Parish Council would notify WCC of the following technical comments:

1. The revised description of development recognises that the proposed application includes amendments to the access to the site. The updated site plan refers to "Extend
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existing access” and “existing 1.2m post and rail fencing”, however the works to create the access and build the fencing was implemented previously in October 2020 without a corresponding permission. This included the removal of the existing hedgerow.

2. Due to the prevailing site levels, the new access causes the water from the property to flood across the public highway - and we attach photographs to confirm this. A lack of adequate drainage has created a significant risk in terms of safe pedestrian use of the pavement and roadway during the winter period. Given the site levels a sustainable drainage plan is required to mitigate the risks of water from the hard-standing flooding the highway and pavement.

3. There has been no consideration of the safety implications of the new access on to the public highway. The access being used is a historic agricultural entrance which has not been used for over 16 years, and therefore the increase in traffic and vehicle speeds has not been considered or viability splays. Note that google earth shows a historic access in 2008 which was overgrown and used for many years.

4. Following the changes to the description to recognise the full extent of this application, the application form states that the works have not been commenced, however the attached photographs demonstrate that this is incorrect. The application must be considered as a retrospective application.

The Curdridge Council remain concerned that this application is not in accordance with MTRA policy 4, will have a seriously negative visual impact given its prominence and there are a number of technical issues detailed above which mean the application should be rejected."

Previous comments received from Curdridge Parish Council are provided within Appendix 1 of this report.

Relevant Government Planning Policy and Guidance

National Planning Policy Framework (2023) (NPPF):

Chapter 2 – Achieving Sustainable Development
Chapter 9 – Promoting Sustainable Transport
Chapter 12 – Achieving Well Designed and Beautiful Places
Chapter 15 Conserving and Enhancing the Natural Environment

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

Policy DS1 – Development Strategy and Principles
Policy MTRA4 - Development in the Countryside
Policy CP13 - High Quality Design
Policy CP15 – Green Infrastructure
Policy CP16 - Biodiversity
Policy CP20 - Heritage and Landscape Character

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Winchester District Local Plan Part 2 – Development Management and Site Allocations (LPP2):

Policy DM12 - Equestrian Development
Policy DM15 - Local Distinctiveness
Policy DM16 - Site Design Criteria
Policy DM17 - Site Development Principles
Policy DM23 - Rural Character
Policy DM24 - Special Trees, Important Hedgerows and Ancient Woodlands

Supplementary Planning Documents

High Quality Places (2015)
Equestrian Development SPG (1999)
Curdrige and Curbridge Village Design Statement (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, 2023) 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 proposal is required in association with equestrian activities and lies within open countryside. It would therefore fall to be assessed primarily against the criteria contained within LPP1 Policy MTRA 4 and LPP2 Policy DM12.

Within areas of open countryside LPP1 Policy MTRA4 seeks to limit development to that which has an operational need for a countryside location, such as for agriculture, horticulture or forestry. This policy therefore supports the general principle of introducing new development associated with equestrian activities into the open countryside subject to there being a demonstrable operational need for a countryside location.

LPP2 Policy DM12 similarly states that horse related facilities and development related to grazing and equestrian enterprises will be permitted where a countryside location is necessary. It sets out various criteria against which such development should be assessed. These include the need to ensure development respects existing landscape pattern and minimises visual impact, by means of location, scale, appearance and design. The policy also seeks to ensure proposals do not involve the use of construction materials, boundary treatments, floodlighting, siting of areas of hard-standing, new or extended access routes, or other infrastructure related to the equestrian development that would have an adverse impact on the appearance of the landscape (amongst various other requirements). These issues are considered below under the assessment of the impact upon the character of the area.

With regards to the requirements of both LPP2 Policy DM12 and LPP1 Policy MTRA4 to demonstrate a need for an open countryside location (and the concerns raised by the Parish Council), the proposals are required in association with an ongoing equestrian use
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on the site which was lawfully established following the granting of planning consent reference 20/01702/FUL to change the use of the land from agriculture to recreational horsekeeping. With regards to the necessity for the proposed barn, the additional information provided by the applicant states that the proposed barn will be used to store up to 200 bales of hay, which are intended to feed the 1 horse which is to be grazed on the site over the winter months. This would take up half the barn and the other half would be used to store a tractor and associated machinery used to maintain the land.

Given that the development would serve a grazing use which takes place on the site and is required also for the purposes of maintaining the land, it is considered that in this case there is an operational need for the proposal to be located in open countryside.

Overall, it is considered that the general principle of the proposed development is in accordance with the relevant Development Plan policies.

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

With regards to equestrian development, LPP2 Policy DM12 seeks to ensure proposals do not involve the erection of new buildings, or associated features such as hard standing, parking or manure storage sites, which may harm the existing landscape through isolated or scattered development. The supporting text to this policy seeks to ensure development reduces its visual impact by minimising the need for additional buildings, structures and other associated development, including hard standing, parking, fencing, and other paraphernalia, and landscape re-modelling. These requirements are also reflected in the Equestrian Development SPD which states (in paragraphs 4.26 to 4.27) that development should be made as incongruous as impossible with steps taken to ensure the siting of development would be directly informed by critical viewpoints.

With regards to landscape character more widely, LPP1 Policy CP20 seeks to ensure proposals conserve local distinctiveness, especially in terms of characteristic materials, trees, built form and layout, tranquillity, sense of place and setting. Similarly, LPP1 Policy MTRA 4 requires that proposals in open countryside should not cause harm to the character and landscape of the area or neighbouring uses or create inappropriate noise/light and traffic generation.

The Curdrige VDS sets out more locally specific guidance and states that field frontages and gaps in development along the lanes contribute to the rural character of Curdrige. It also states that a defining feature of the Parish is the abundance of trees, hedgerows and open spaces and the preservation of these characteristic is stated to be a high priority.

Whilst concerns raised in relation to the relatively undeveloped nature of the site are noted, the application site does not fall within a settlement gap and forms part of a wider area of land which has a lawful equestrian use (which typically might attract hardsurfacing and stabling accommodation). As such there is an established precedent of the provision of buildings and hardsurfaces in association with the equestrian use.

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Whilst the access alterations have increased the visual prominence of the access, it is considered that this would be adequately mitigated by additional native planting around the bellmouth. The proposal would not necessitate the removal of existing trees and the general principle of forming new field accesses off Botley Road has already been accepted on the adjacent site to the east (23/01775/FUL).

The supporting text to Policy DM12 states that each site will be considered on its merits, having regard to other possible site options and the wider context, including the existence of other equestrian development in the area. In this case (as acknowledged above) there is established development in the immediate area associated with this use which is generally low key and well related to established roadside boundaries and screening (without encroaching significantly into open fields). Subject to ensuring any further development is reflective of this character, the proposal to introduce a new barn and hard surface would not be harmful to the locality by reason of visual intrusion. A further consideration is that with regard to the siting considerations, paragraph 4.27 of the Equestrian Development SPD advises that buildings should avoid an elevated situation on an open skyline. It also states that planting of appropriate native trees and shrubs may offer screening.

The plans which accompanied the original application submission proposed to locate the barn on elevated ground on the north west corner of the site, away from any established boundary screening or built development. This would have necessitated a significant length of track extending through the field. Closed boarded fencing and access gates were proposed on the access. In considering the policy requirements identified above, the applicant was advised that (as a result of all these elements) the scheme would have a harmful, suburbanising impact upon the character of the site. To address these concerns, the proposed barn is now proposed to be located on lower ground immediately southwest of the access and alongside the roadside screening. The height of the barn has been reduced by approximately 0.5 metres and the closed boarded fencing and gates are no longer proposed. Instead, a five bar gate is proposed and native hedgerow planting is proposed to each side of the bellmouth. Full details of the planting specification and method of establishment would be secured through condition 4.

Having regard to the amendments made, it is considered that the proposal would now be in accordance with the landscape guidance contained within the Winchester LCA (2022) for the Shedfield Heathlands Landscape Character Area (which includes the application site). This guidance seeks to ensure proposals avoid *'ornate entrances which detract from the rural character, some with highly secure gateways, others with open views of large properties with extensive hard paving, and incongruous ornamentation'*.

LPP2 Policy DM12 recognises that equestrian enterprises and horse-activities are now an integral part of the rural landscape. Furthermore, the Equestrian development SPD recognises that rural areas can accommodate many forms of development without detriment if the location and design of development is handled with sensitivity (paragraph 2.8). In this instance (in light of the amendments made) it is considered that the proposal would be sensitively designed so as to avoid unacceptably harmful impacts upon the locality.

With regards to grazing densities (and the concerns raised by the Parish Council) It is acknowledged that overgrazing can have a detrimental impact upon the rural landscape.

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The equestrian development SPD states that that less than 0.4 hectares of land will not provide adequate grazing for horses unless they are stabled and fed supplementary feed.

In this instance one horse is to be grazed on approximately 0.8 hectares of land and this does not exceed the recommended standards within either the SPD or those set by the British Horse Society (which recommends a ratio of one horse per 0.4-0.6 hectares on permanent grazing).

Overall, it is considered that the layout and design of the development in its amended form relates well to the established pattern of development in the area and would minimise the potential for visual intrusion as required by LPP2 Policies DM12 and DM23 along with the relevant supplementary planning guidance. The proposed grazing use which the development would facilitate is also consistent with the established grazing use on site and would also not harm the rural landscape. The development and the use it facilitates would therefore not have a harmful impact upon the rural character of the area.

Development affecting the South Downs National Park

The application site is located approximately 2.8 miles from the South Downs National Park.

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 2023. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 182 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.

There is no intervisibility between the application site and the National Park designation and the modest scale and nature of the development is such that it would not give rise to additional visitor pressure.

It is therefore concluded that 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 preservation of the special architectural/historic interest of the listed building and its setting (S.66 P(LBCA) Act 1990; Policy DM29 & DM30 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF (2023) Section 16.

The preservation or enhancement of the character or appearance of the conservation area (S.72 P(LBCA) Act 1990; Policies DM27 & DM28 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF (2023) Section 16.

The proposed development does not affect nor is it near to a statutory listed building or
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structure including setting; Conservation Areas, Archaeology or Non-designated Heritage Assets including setting. Therefore, no impact is demonstrated.

Neighbouring amenity

The site is not directly adjoined by any residential properties. The closest neighbouring properties to the site lie just under 100 metres to the northwest across Vicarage Road with intervening vegetation between. The proposal therefore would not have an unacceptable adverse impact on adjoining land, uses or property and would not conflict with the requirements of LPP2 Policy DM17.

Sustainable Transport

It has been established that a vehicular access (in the form of a dropped kerb and field gate) have been in place since at least 2008. The current application therefore seeks to regularise the concrete strip which has since been added and also to provide a replacement gate (which is to be set back from the edge of the carriageway by approximately 16 metres). This is a greater degree of setback than the existing gate (11 metres from the edge of the carriageway) and would enable a car and trailer to pull off the carriageway prior to entering the site. The proposal would not facilitate a more intensive use of the site or an increase in the overall number of vehicle movements.

Having regard to this it is concluded that the development therefore allows for access to, and movement within, the site in a safe and effective manner, and makes provision for access to the site from the highway in accordance with highway requirements on the grounds of safety, including the provision of gateways and visibility splays as required by LPP2 Policy DM18.

Trees and Ecology

There are no trees close to the site with the potential to be adversely impacted by the development. The site is not within or adjacent to any sites of nature conservation interest. With regards to onsite ecology, the proposal would not necessitate the removal of any significant areas of vegetation or buildings and the use of the site is such that there are unlikely to be any notable ecological interests present.

The proposals include landscape enhancements which would comprise approximately 12 metres of native hedgerow (in place of existing fencing). This would meet the objectives of LPP1 Policies CP15 and CP16 which together seek to ensure proposals provide a net gain of well-managed, multifunctional green infrastructure and support the integrity of the biodiversity network.

Overall, it is considered that the proposal would therefore not give rise to any significant harmful impacts upon trees or ecology and would comply with LPP1 Policies CP15 and CP16 and LPP2 Policy DM24.

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Sustainable Drainage

Whilst the Parish Council concerns raised in relation to surface water are noted, the application site does not fall within or adjacent to a flood zone. Furthermore, the relatively modest footprint of the development and the use of predominantly permeable hardsurfacing would ensure surface runoff would not be increased significantly. It is therefore considered that subject to imposing conditions requesting details of the means of disposal of surface water (Condition 7), the development is unlikely to give rise to additional harmful impacts resulting from increased runoff from the site.

The nature of the development is such that it would not necessitate any form of foul drainage provision. However, LPP2 Policy DM12 does recognise that the keeping of horses can give rise to amenity impacts associated with the storage and disposal of waste. To address this issue, it would be appropriate to ensure full details of the facilities for the storage of horse manure, including its location and its means of disposal from the site would be provided (condition 6).

Overall, it is concluded that subject to imposing appropriate conditions, the proposal would ensure that adequate surface water drainage and wastewater infrastructure would be provided to service new development as required by 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 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

Having regards to the amended design and layout, it is considered that the proposal would respect existing landscape pattern, minimise visual impact, and would include satisfactory landscaping arrangements as required by LPP2 Policies DM12 and DM23. It has been demonstrated in this instance that there is an operational need for the development to be located in open countryside as required by LPP1 Policy MTRA4 and LPP2 Policy DM12.

It is therefore recommended that planning permission should be granted.

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Recommendation

Application Permitted subject to the following condition(s):

Conditions

01 The development hereby approved shall be constructed in accordance with the following plans received: -

Proposed Elevations WIN534/2023.12.04/BARN
Site Plan - WIN534/2023.11.28/SP/R1
Location Plan - WIN534/2023.08.10/LP

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)

02 No development shall take place above damp proof course level on the approved barn until samples or full details of proposed external facing materials have been submitted to the Local Planning Authority and have been approved in writing. The development shall be carried out fully in accordance with the approved details.

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)

03 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.

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 and policy DM23 of the Winchester District Local Plan Part 2 - Development Management and Site Allocations.

04 No further development shall take place until a scheme of landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include:

- (a) planting specification
- (b) areas for hard surfacing and the materials to be used;
- (c) other means of enclosure including gate design and materials;
- (d) establishment and maintenance schedule covering the first five years following the completion of development

No further development shall take place unless these details have been approved and then only in accordance with those details.

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Within 3 months of date of the local planning authority giving written approval for boundary treatments (or other such time period as may be agreed by the local planning authority), the approved boundary treatments shall be provided on site. If within a period of 5 years from the date of the planting, if the tree is removed, uprooted or destroyed or dies (or becomes in the opinion of the Local Planning Authority seriously damaged or defective) another tree of the same species and size as that originally planted shall be planted at the same place within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure an appropriate setting to the development and to secure a net gain in biodiversity in accordance with LPP1 policy CP16 and LPP2 policies DM16 and DM17.

05 Details of the facilities for the storage of horse manure, including its location and its means of disposal from the site, shall be submitted to and approved in writing by the Local Planning Authority within 3 months of the date of this decision. The facilities shall be provided within 3 months of the date of their approval in writing and thereafter maintained in accordance with the approved details for the lifetime of the approved development.

Reason: To avoid harmful amenity impacts caused by the operation of the development as required by Policy DM12 of the Winchester District Local Plan Part 2 – Development Management and Site Allocations (LPP2)

06 The building hereby permitted shall only be used for the purposes of private recreational equestrian use, for the purposes of agriculture or for maintaining the land. The building shall not at any time be used for any other form of equestrian activity such as commercial riding, breeding or training purposes.

Reason: To ensure the satisfactory development of the site and in the interests of the amenity of the area and highway safety as required by Policy DM12 of the Winchester District Local Plan Part 2 – Development Management and Site Allocations (LPP2)

07 Detailed proposals for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority before the commencement of any further development on the site. The approved details shall be fully implemented before development commences.

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

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Informative:

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):

- Policy DS1 - Development Strategy and Principles
- Policy MTRA4 - Development in the Countryside
- Policy CP13 - High Quality Design
- Policy CP20 - Heritage and Landscape Character

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

- Policy DM12 - Equestrian Development
- Policy DM15 - Local Distinctiveness
- Policy DM16 - Site Design Criteria
- Policy DM17 - Site Development Principles
- Policy DM23 - Rural Character
- Policy DM24 - Special Trees, Important Hedgerows and Ancient Woodlands

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. 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.

5. 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.

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6. 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>

7. 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)

8. 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.

It is recommended that the applicant contact the Environment Agency to discuss changes to the legislation covering the storage and disposal of horse manure.

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 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.

Appendix 1- Previous comments received from Curdridge Parish Council

Consequently, we now advise that Council made the following resolution:

Resolved TO OBJECT to the proposals in 23/02/173/FUL for the following reasons:

1. The new building will be circa 4.2m high and 25m wide, which will be hugely overbearing and not in keeping with the surrounding open countryside. The proposed site is located on Botley Road in an area of open countryside without any adjacent development. It forms part of the development break between Botley and the arrival in Curdridge, with no other development along the Botley Road at this location. Therefore this proposal is not in accordance with the existing character and landscape of Curdridge, and therefore not in compliance with WCC policy MTRA 4 - Development in the Countryside, which requires that "Development proposed in accordance with this policy should not cause harm to the character and landscape of the area..."

2. This updated proposed includes the relocation of the barn towards the Botley Road has significantly increased the visibility of this large structure and will be highly visible. The site is surrounded by open fields and therefore a large structure will have significant visual impact. The existing boundary has a low level hedge, which is less than 1.7m high,

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therefore offering no visual screening from this proposal. This visual impact is therefore contra to MTRA 4.

3. The scale of proposed development (25m wide, 13m deep and 4.2m high) represents a very large barn, not representative of the land associated with the application and therefore does not comply with WCC policy MTRA 4, which that development "has an operational need for a countryside location, such as for agriculture, horticulture or forestry". The application site is stated as being 0.83hectares with a proposed use for storage of a tractor and hay. The British Horse Society recommends 0.4 to 0.6 hectares / horse, therefore a maximum of two horses are likely to use the site. Therefore a barn of 1,530sqft is too large and fails the test for an "operational" need.

4. We also refer to our previous comments regarding the scale of the proposed access gates and their close boarded design is not in keeping with the existing hedging along the length of Botley Road. This introduces a residential style of entrance, as opposed to a typical agricultural design and therefore not in-keeping with the country-side nature of the site, all of which are required by MTRA 4.

5. There is no precedent for a development of this scale in the open fields and WCC should reject this proposal, particularly given the revised location of the barn being so visually intrusive. It is important to the character of Curdridge to maintain the areas of open landscape - and this proposal is not in accordance with the Village Design Statement which sought to preserve the existing open areas.

On technical matters, the Parish Council also highlights the following matters which WCC should consider before deciding if they can determine the application and should ensure are addressed prior to any decision:

a) The application form refers to an existing access, this was implemented in October 2020 without approval and the applicant has not demonstrated that this access can comply with the minimum visibility splays. This entrance should be subject to a separate assessment including the impact of changes to the existing hedgerow and loss of habitat.

b) The application makes no reference to the overall height of the structure. The proposed elevations are drawn to scale, but without any reference to the paper size.