

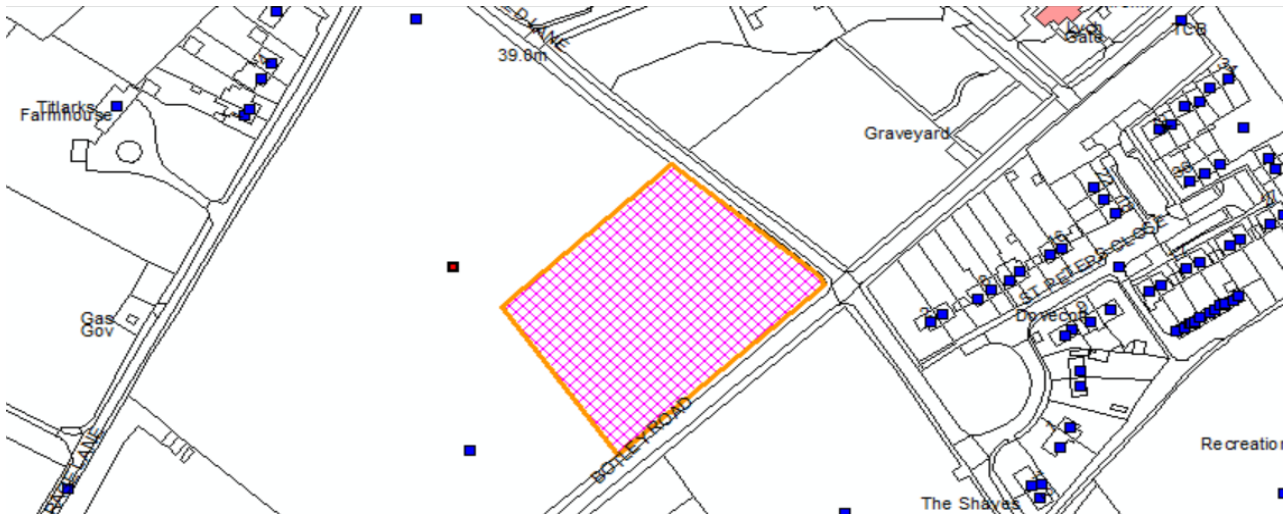
WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 24/00876/FUL
Proposal Description: THE ERECTION OF A BARN, STABLE BLOCK AND EXTENSION OF HARDSTANDING (AMENDED PLANS)
Address: Land At Wangfield Lane And Vicarage Lane Curdridge, Hampshire
Parish, or Ward if within Winchester City: Curdridge Parish Council
Applicants Name: Mr Mark James
Case Officer: Liz Young
Date Valid: 18 July 2024
Recommendation: Permit
Pre Application Advice: No

Link to Planning Documents

24/00876/FUL

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



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Case No: 24/00876/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Reasons for Recommendation

Having regards to the amended design and layout it is considered that the proposal would respect the 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 due to the number of Objections received contrary to the Officer's recommendation.

Curdrige Parish Council have also requested for the application to be determined by Planning Committee, based upon material planning considerations. A full copy of their comments is provided in Appendix 1 of this committee report.

Amendments to Plans Negotiated

A set of amended plans were submitted by the Applicant to the City Council on 11 and 23 September 2024 and include the following:

- Proposed Site Layout Plan (amended)
- Stable Floorplans and Elevations (amended)
- Barn Elevations (amended)
- Proposed Manure Storage (additional information)

The general layout and position of buildings remain the same as originally submitted. However, the external footprint of the proposed stable block has been reduced down from 39 square metres to 32 square metres. The external footprint of the barn has been reduced from 144 square metres down to just over 80 square metres. The height of the barn has also been reduced from just over 5 metres to approximately 4.5 metres.

These amendments were republicized for a period of 14 days and further comments were received from the Parish Council and also one third party following this.

Site Description

The application site comprises an area of grazing land measuring approximately 0.8 hectares which is located in Curdrige. The site forms part of a wider group of fields which are predominantly used for grazing and are bounded by Botley Road to the southeast, Wangfield Lane to the northeast and Vicarage Lane to the North West. All these fields (including the application site) have an established private equestrian use following the planning consent in 2021 (20/01702/FUL).

A loose cluster of residential properties which front onto Vicarage Lane lie immediately to the west. The roadside boundary with Botley Road is enclosed by established hedgerow whilst mature trees lie on the northeast boundary. The land slopes up from the application

Case No: 24/00876/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

site northwest towards Vicarage Lane and filtered views towards the site are possible from the adjacent roads.

Consent (reference 23/01775/FUL) has recently been granted to form a new vehicular access of Botley Road (a B classified highway with a 60mph speed limit) to serve the ongoing equestrian use of the site. The approved works involve the removal of a section of hedgerow, the erection of two short sections of fencing extending into the site by 8 metres, a gravel access track and a five-bar timber gate. This consent has now been implemented and that access (alongside the associated landscaping) is now in place.

Proposal

Consent is now sought to erect a barn and stable within the site and to enlarge the existing permeable hard surface to accommodate all weather access between the proposed buildings and the highway. The barn would be located in the southwest corner of the site whilst the stable would be located northeast of the access. Both the barn and the stable would be located adjacent to the highway boundary with a setback of just over 2 metres. A manure store (in the form of a "12 yard" metal enclosed skip with a secure lid is proposed immediately adjacent to the stable block.

The proposed stable block (to be clad in timber) would have an external footprint of just over 30 square metres and would measure just over 3 metres in height. The barn (to be clad in steel) would measure just over 80 square metres and would measure approximately 4.5 metres in height. Steel roofing is proposed to the roof of the stable and barn. New hard surface materials would match the existing surfacing adjacent to the access which currently serves the application site.

Information which accompanies the application states that the barn is required to store a tractor along with equipment required for the purposes of maintaining the land. It will also be used to store hay during the winter.

Relevant Planning History

07/02413/FUL - Stable block with tack room and detached hay store; change of use of land from agricultural to allow keeping of horses. REF 21st December 2007.

08/00429/FUL - Stable block with tack room and detached hay store; change of use of land from agricultural to allow keeping of horses (RESUBMISSION). REF 15th May 2008.

20/01702/FUL - Change of use from agricultural use to private equestrian use and construction of stables and store.. PER 14th December 2021.

23/01775/FUL - New Vehicular Access to Paddock. PER 1st December 2023.

23/02173/FUL - Erection of a building to store a tractor and hay, access alterations and new track to building, fencing and new entrance gates. PER 7th February 2024 (adjacent site).

Case No: 24/00876/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Consultations

Service Lead – Engineering (Drainage) – No comments received

Service Lead – Sustainability and Natural Environment (Ecology) – Satisfied with the BNG assessment subject to full details of long term management being set out within a habitat management monitoring plan (Condition 8)

Service Lead – Public Protection (Environmental Health) – No objections subject to conditions relating to controls on external lighting (condition 4) and also advising the Applicant of legislation covering the storage and disposal of Horse Manure.

Representations:

Curdridge Parish Council: Make the following comments (summarised):

- Does not represent sustainable development for the purposes of the NPPF
- Would result in overdevelopment when having regard to cumulative impacts
- No demonstrated need for the development to be located on this site
- The proposed increase in the stabling is not in accordance with WCC equestrian development SPD or Policy DM12 which states that proposals should consider the existence of existing equestrian facilities
- There are no bridleways locally
- The proposal includes stabling for 3 horses, whilst the Applicant has advised only two horses will be grazed on the site, this is more than the British Horse Association recommendations for a site of this size
- Planning permission 23/02173/FUL established that the site was only suitable for 1 horse
- Would interrupt the existing open countryside and therefore contrary to LPP1 Policy CP20
- A condition is requested to prevent any commercial activity on the site in the event that permission is granted

A full copy of the comments received from Curdridge Parish Council is provided within Appendix 1 of this report.

First Consultation

11 Objecting Representations received from 9 different addresses within the Winchester City Council administrative area citing the following material planning reasons:

- The site has not been used solely for equestrian uses since the equestrian use was originally permitted and a number of non-related structures introduced along with large number of parked vehicles
- No horses have been kept on the site for the last 50 years
- The existing hedgerow (deciduous) will not provide sufficient screening

Case No: 24/00876/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Harmful impact upon rural village and countryside setting contrary to the Curdrige Village Plan
- The proposed stable block is disproportionate to the size of the field
- Harmful cumulative impact of additional buildings
- Loss of openness
- If consent is granted conditions should be imposed ensuring the building would be an open green coloured barn or timber structure alongside conditions ensuring the retention of the hedgerow
- The site does not provide sufficient grazing for three horses
- The wider site now has three separate equestrian yards and buildings where the first proposal indicated only four horses would be kept
- Increased subdivision of fields will lead to more structures being introduced
- Harmful impacts on deer
- Unsuitable / unsafe access from the highway
- The site is not directly accessible from any public bridleways
- Increased hard surfacing will lead to harmful impacts in relation to climate change and drainage
- Breaches British Horse Society's guidelines of 0.4-0.6 hectares per horse
- Land management for the keeping of horses should be adhered to avoid overgrazing
- The site will not allow for the rotation of land

5 Supporting Representations received from different addresses citing the following material planning reasons:

- The soil is unsuitable for growing crops
- Sympathetic layout
- The site is underused
- Large number of riding areas in the locality
- Proposed materials would be in keeping with the area

2nd Consultation

One objecting representation received endorsing the objections of Curdrige Parish Council, particularly in relation to the planning history of the larger field of which this application area is a part

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Relevant Government Planning Policy and Guidance

National Planning Policy Framework (December 2023)

Section 2 - Achieving Sustainable Development
Section 9 - Promoting Sustainable Transport
Section 12 - Well Designed Places
Section 15 - Conserving and Enhancing the Natural Environment

National Planning Practice Guidance

Biodiversity Net Gain 2024
Natural Environment 2024

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

Policy DS1 - Development Strategy and Principles
Policy MTRA1 - Development Strategy Market Towns and Rural Area
Policy MTRA4 - Development in the Countryside
Policy CP11 - Sustainable Low and Zero Carbon Built Development
Policy CP13 - High Quality Design
Policy CP15 – Green Infrastructure
Policy CP16 – Biodiversity
Policy CP17 - Flooding, Flood Risk and the Water Environment
Policy CP20 - Heritage and Landscape Character

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

Policy DM1 – Location of New Development
Policy DM12 - Equestrian Development
Policy DM15 - Local Distinctiveness
Policy DM16 - Site Design Criteria
Policy DM17 - Site Development Principles
Policy DM12 - Equestrian Development
Policy DM15 - Local Distinctiveness
Policy DM16 - Site Design Criteria
Policy DM17 - Site Development Principles
Policy DM18 - Access and Parking
Policy DM23 - Rural Character
Policy DM24 - Special Trees, Important Hedgerows and Ancient Woodlands

Supplementary Planning Documents

National Design Guide 2019
High Quality Places 2015
Equestrian Development SPD
Curdrige Village Design Statement 2002

Other Relevant Documents

Climate Emergency Declaration, Carbon Neutrality Action Plan 2020-2023.
Case No: 24/00876/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Nature Emergency Declaration.

Statement of Community Involvement 2018 and 2020

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, 2023) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The proposed changes to the NPPF that are currently being consulted on identify an anticipated approach on Government policy. However, as this is only a public consultation document at this stage, it does not yet hold substantial material weight.

The Regulation 19 Local Plan as now agreed by Full Council can be given appropriate and increasing weight in the assessment of development proposals in advance of Examination and Adoption.

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 lies within open countryside and would therefore fall to be assessed under LPP1 Policy MTRA4. This policy seeks to limit development to that which has an operational need for a countryside location, such as for agriculture, horticulture or forestry. It is also acknowledged that Curdridge Parish Council raise concerns over the lack of justification for the proposal to be located on the application site.

The supporting text to LPP1 Policy MTRA4 acknowledges that development with an operational need for a countryside location may also include certain types of open recreational uses and so this would therefore also encompass development associated with recreational horse keeping. LPP2 Policy DM12 also recognises that equestrian enterprises and horse-activities are now an integral part of the rural landscape. The policy supports the general principle of introducing development related to grazing and equestrian enterprises and therefore does not preclude this form of development being introduced into open countryside.

The Applicant states that the proposal seeks to provide a barn to store a tractor and other agricultural equipment used to maintain the site and that the stable block is required to provide shelter for horses grazed on the land. The proposal is therefore directly related to the established equestrian use of the site. It is therefore concluded that there is an operational need for the development to be located in open countryside.

The principle of development is therefore established by LPP1 Policy MTRA4 and LPP2 Policy DM12.

Case No: 24/00876/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

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 impacts of development in rural areas 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. As highlighted in the supporting text to LPP2 Policy DM23, the introduction of urban elements, such as significant areas of hard landscaping can detract from the special qualities of the countryside. This policy also highlights that noise and lighting pollution may be more noticeable in rural areas due to the relative tranquillity of the surroundings. It states that the cumulative impact of developments will be considered, including any ancillary or minor development that may occur as a result of the main proposal. LPP1 Policy CP20 along with LPP2 Policy DM15 together seek to ensure development proposals conserve local distinctiveness, especially in terms of characteristic materials, trees, built form and layout, tranquillity, sense of place and setting.

LPP1 Policy MTRA4 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. With regards to development proposals associated with equestrian uses, the supporting text for LPP2 Policy DM12 seeks to ensure proposals reduce their visual impact by minimising the need for additional built development, hardstanding and fencing. The policy also discourages the subdivision of paddocks and states that landscaping schemes will be required as part of the proposals along with screening to secure satisfactory visual appearance.

The Curdridge 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 Curdridge. It also states that a defining feature of the Parish is the abundance of trees, hedgerows and open spaces and the preservation of these characteristics is stated to be a high priority.

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 instance it is acknowledged that the Parish Council and a number of third parties raise concerns in relation to lack of boundary screening, harmful impacts upon rural character in combination with other development nearby, excessive scale, increased field subdivision, and more intensive grazing / land management practices.

Notwithstanding these concerns it should be recognised that there is established development in the immediate area associated with recreational horse keeping. This development 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 established pattern of development, the proposal to introduce a new barn, stable and hard surface would not be unacceptably harmful to

Case No: 24/00876/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

the locality by reason of visual intrusion. A further consideration is that with regards 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 proposal in this instance is to be located on lower ground immediately southwest of the access and alongside the roadside screening. The significant setback of both buildings from the highway (and the modest height of the proposed development) would ensure the proposal would not appear overly intrusive when viewed from the highway. The retained roadside hedgerow and new native hedgerow which has been instated through planning consent 23/01775/FUL would together ensure an appropriate setting to the development.

With regards to scale and form, it is considered that the amended plans submitted would ensure the proposal would not appear overly prominent or obtrusive in the wider landscape. The modest height of the stable and the proposed use of timber cladding would ensure an acceptable scale and appearance which is considered to be reflective of other stable buildings in the area. The reduced size of the barn, alongside its simple, functional, partially open form would result in an agricultural appearance which is considered appropriate in the rural landscape.

With regards to concerns raised over cumulative impacts, it is acknowledged that the application site forms part of a wider parcel of equestrian land which has been subject to horse related development. However, as identified above, this development has been undertaken sensitively and relates well to established boundary screening and has avoided significant harmful incursions into open areas. The established use of the site is one which would typically necessitate the introduction of structures and buildings, and the development now proposed is therefore not considered to be uncharacteristic of the immediate locality. Any further development on the wider equestrian site outside the ownership of this application would be subject to their own applications which would take account of cumulative impacts. Having regard to this, along with the reduced scale of the development and the scope to introduce sensitive landscaping it is considered that the proposal would not result in harmful impacts in combination with other equestrian development in the area.

With regards to concerns raised over the potential for increased subdivision of the land, it is evident that since the equestrian use has become established over the wider area, the general pattern of large rectangular fields has been maintained. Given that a maximum of two horses would be grazed on the site for private use the development is unlikely to lead to a requirement for smaller paddocks. In any event, the subdivision of fields is something which could occur independently of the proposed development as it would relate to how the land is managed (as opposed to stabling and storage).

As identified above, 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 it is considered that subject to ensuring an appropriate external finish to the proposed buildings (Condition 3), 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 third parties and the Parish Council) it is acknowledged that overgrazing can have a detrimental impact upon the rural

Case No: 24/00876/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

landscape. 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. The stable is designed to accommodate only 2 horses (the third bay being dedicated to tack storage). With regards to the reference made by the Parish Council to 23/02173/FUL and the limit of one horse on the site, this consent relates to the adjacent land to the west (not the application site) and also does not include a condition limiting the overall number of horses to be grazed.

In this instance between one and two horses are 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).

Whilst it is acknowledged that condition 7 of consent 20/01702/FUL relates to an overall restriction on the number of horses, the wording of this policy is such that this limit applies to the stables as opposed to the wider site. Having regard to this (and the concerns raised in relation to intensification of use) it is considered reasonable in this instance to impose a condition to ensure the site would not be used for commercial purposes and that no more than 2 horses would be grazed on the land (Conditions 6 and 9).

Overall it is concluded that (having regard to the amended plans submitted and subject to conditions being imposed) the layout and design of the development would sufficiently minimise visual intrusion, preserve local distinctiveness and respond positively to the character, appearance and variety of the local environment, within and surrounding the site as required by LPP1 Policy CP20, and LPP2 Policies DM12, DM15, DM16 and DM23. The proposals would therefore not give rise to any unacceptably harmful impacts upon the character of the area.

Development affecting the South Downs National Park

The application site is located approximately 3 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.

Due to the modest scale of the development, the distance between and the presence of intervening features, an adverse impact on the National Park and its statutory purposes is not identified.

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.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Historic Environment

Listed Buildings:

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.

Conservation areas:

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 structure including its setting, a Conservation Area, Archaeology or Non-designated Heritage Assets including setting. Therefore, no impact is demonstrated.

Neighbouring amenity

The closest neighbouring properties lie approximately 20 metres to the east of the application site. However, there would be a distance of over 75 metres between the proposed stable building and these properties (which are separated from the site the Botley Road). Having regard to this and the modest scale of the proposal, it is considered that the development would not give rise to a harmful loss of amenity towards the occupants of these properties and as there would be no conflict with LPP2 Policy DM17.

It is recognised that manure storage can give rise to potential nuisance towards neighbouring residents. However, details of the nature and location of manure storage on site have been provided and the Applicant states that manure would be removed from the site at regular intervals. The Environmental Protection Officer is satisfied with these arrangements and notes that the storage and disposal of horse manure is also covered by separate legislation.

Overall, it is therefore concluded that the proposed development would not have an unacceptable adverse impact on adjoining land, uses or property by reason of overlooking, overshadowing or by being overbearing as required by LPP2 Policy DM17.

Sustainable Transport

Paragraph 115 of the NPPF recognises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The proposed development would not involve any alterations to the existing access (which has recently been implemented in accordance with consent 23/01775/FUL) and would serve the established equestrian use on the site. The layout of the proposed development is such that there is sufficient space for vehicles to park and turn within the site. Having

Case No: 24/00876/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

regard to this it is considered that the development would not give rise to any significant adverse impacts upon highway safety.

With regards to the construction phase, the modest scale of the development and the adequate space to accommodate vehicles and materials on site would together ensure any impacts (which would be temporary in nature) would not give rise to significant adverse impacts upon the safety and operation of the adjacent highway network.

Overall, it is concluded that the proposed development (which would not facilitate a more intensive use, or a material increase in vehicular activity) would allow for access to, and movement within, the site in a safe and effective manner and would incorporate parking provision and vehicular access as part of the overall design of the scheme as required by LPP2 Policy DM18.

Ecology and Biodiversity

LPP1 Policy CP16 states that new development will be required to show how biodiversity can be retained, protected and enhanced through its design and implementation and also requires new development to avoid adverse impacts, or if unavoidable ensure that impacts are appropriately mitigated. This closely reflects the requirements of paragraph 186 of the NPPF which states that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

The application site does not lie within or adjacent to any statutory sites of nature conservation interest. Whilst the Glebe Field Site of Importance for Nature Conservation (SINC) lies immediately to the east of the site. This is separated from the development by Wangfield Lane and will not be directly impacted by the proposed development.

With regards to local ecological interests the proposed development would be located on grazing land and would not necessitate the clearance of any significant areas of undisturbed vegetation or the demolition of any buildings with ecological potential. The development is therefore unlikely to lead to any significant harmful impacts upon biodiversity interests within the site.

It is recognised that biodiversity net gain is now required under the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. This seeks to ensure development proposals deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

This application has been accompanied by a biodiversity net gain assessment which has been reviewed by the WCC Ecologist. This assessment demonstrates that the proposal will achieve an uplift in on site biodiversity value in excess of 10%. This will be achieved through enhancing the proposed hedgerow buffer with a sown native wildflower mix. This will improve the vegetation species diversity in the seeded locations and provide a seed source to improve the diversity of adjacent grassland areas. The botanical enhancement and management of existing grassland areas to create lowland neutral grassland habitat would contribute towards the expansion of this priority habitat type. A bespoke grassland
Case No: 24/00876/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

seed mix will be used, the composition of which would be matched as closely as possible to the composition of local species-rich grasslands. The seed mix will be sown onto mown and scarified grassland during either August-September or March-April. The grassland areas would then be subject to low intensity hay meadow management. These measures would be set out in full as part of a Habitat Management Monitoring Plan which would be secured through Condition Numbers 7 and 8.

The WCC Ecologist raises no objections to the development based upon the information provided.

Overall, it is concluded that the proposed development would retain, protect and enhance biodiversity through its design and implementation and would deliver a measurable net gain in biodiversity as required by LPP1 Policy CP16 and the relevant statutory framework.

Appropriate Assessment.

The proposed development would not involve any additional overnight accommodation, would not necessitate the provision of connections to the foul water drainage network and would therefore not increase nutrient load at the Solent water environment. The development also does not lie within or close to any European Nature Conservation Sites and would not materially increase recreational pressure upon these designations. Therefore, the development would not cause a significant effect upon the Solent European Sites protected as Special Protection Area and Special Area of Conservation under European law and it is not necessary to undertake an Appropriate Assessment in this instance.

Sustainability

Paragraph 157 of the NPPF states that the planning system should support the transition to a low carbon future in a changing climate. It also states that new development can help to reduce greenhouse gas emissions, such as through its location, orientation and design. LPP1 Policy CP11 reflects these requirements and states that developments should achieve the lowest level of carbon emissions and water consumption which is practical and viable and should apply the energy hierarchy through maximising energy efficiency and designing out the need for energy use in the first instance

LPP2 Policy DM16 also states that proposals should utilise the principles of energy efficient design, by means of layout, orientation, passive solar gain, and the design of buildings and spaces, as far as is compatible with the character of the area.

The application has been accompanied by a climate change and sustainability statement which states that rainwater harvesting on site will be utilised. This would be achieved through the installation of large rainwater harvesting tanks to enable water to be re-used on site. The nature of the development is such that it would not give rise to any requirements relating to heating, cooling or energy generation.

Therefore, it is concluded that as required by LPP1 Policy CP11 the proposed development would achieve the lowest level of carbon emissions and water consumption which is practical and viable.

Case No: 24/00876/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Sustainable Drainage

The application site does not lie within or adjacent to a flood zone.

Notwithstanding this it is recognised that the proposed development would result in the introduction of new built development and hard surfaces on the site with the potential to create additional surface runoff. The application has been accompanied by a Surface Water Drainage Strategy. This proposes permeable hard surfacing along with soakaways and rainwater harvesting. This general approach is considered to be acceptable as soakaways have been agreed as part of the planning consent on the adjacent site under consent 23/02173/FUL.

The nature of the proposed development is such that it would not give rise to any foul drainage requirements.

Overall, it is therefore concluded that subject to appropriate conditions being imposed the proposal would ensure that water supply, surface water drainage and wastewater infrastructure would service new development as required by LPP1 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 design, scale and layout of the proposed development, it is considered that the proposal would adequately respect existing landscape pattern, minimise visual impacts as far as practicable, and include satisfactory landscaping arrangements as required by LPP2 Policies DM12 and DM23. Furthermore, 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. The proposal would also not give rise to significant harmful impacts upon the local environment or neighbouring amenity subject to appropriate conditions being imposed.

It is therefore recommended that planning permission should be granted.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Recommendation

Application approved subject to the following conditions:

Conditions

1 The development hereby permitted shall begin no later than 3 years from the date of this decision.

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

2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan – Drawing Reference 1-2500 PLOT B
Proposed Site Layout – Drawing Reference C9_24_21_PL_100_A
Surface Water Drainage Strategy - Drawing Reference 101 REV A

Hunter Stables - Standard Apex Triple Stable Block – Rev 1.0
Hunter Stables - Floor Plan Bespoke Apex Stable Block (Uploaded 04 October 2024)

Floorplan – Drawing Reference SKIT-0322
Proposed Barn – Full Plans (Omega UNNAMED DRAWING CREATED 08/22/2024)

Manure Storage Facility (Brunnen & Co, Uploaded 11 September 2024)

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).

3 No development shall commence until details / samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.

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)

4 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.

Case No: 24/00876/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

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.

5 The approved facilities for the storage of horse manure shall be provided prior to the approved development being brought into use 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)

6 The buildings hereby permitted shall only be used for the purposes of private recreational equestrian use, or for maintaining the land. The buildings 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)

7 In making an application to discharge the biodiversity gain condition prior to the commencement of development on site the following information shall be provided:

- (a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- (b) the pre-development biodiversity value of the onsite habitat;
- (c) the post-development biodiversity value of the onsite habitat;
- (d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- (e) any biodiversity credits purchased for the development; and
- (f) any such other matters as the Secretary of State may by regulations specify.

Reason: To ensure an appropriate setting to the development and to secure a net gain in biodiversity in accordance with the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 and paragraph 186 of the National Planning Policy Framework (2023)

8 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan under Condition 19. The HMMP shall include the following details:

Case No: 24/00876/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- (a) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (b) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (c) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;

The approved habitat creation and enhancement works shall be implemented in full within six months of the date of their written approval. Notice in writing shall be given to the Local Planning Authority once the habitat creation and enhancement works as set out in the HMMP have been completed

Reason: To ensure an appropriate setting to the development and to secure a net gain in biodiversity in accordance with the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 and paragraph 186 of the National Planning Policy Framework (2023)

9 The application site shall only be used for keeping of 2 horses on the site for private recreational use only.

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)

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 (LPP1)

Policy DS1 - Development Strategy and Principles

Policy MTRA1 - Development Strategy Market Towns and Rural Area

Policy MTRA4 - Development in the Countryside

Case No: 24/00876/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Policy CP11 - Sustainable Low and Zero Carbon Built Development
Policy CP13 - High Quality Design
Policy CP15 – Green Infrastructure
Policy CP16 – Biodiversity
Policy CP17 - Flooding, Flood Risk and the Water Environment
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 DM12 - Equestrian Development
Policy DM15 - Local Distinctiveness
Policy DM16 - Site Design Criteria
Policy DM17 - Site Development Principles
Policy DM18 - Access and Parking
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.

Construction

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. 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.

<https://www.winchester.gov.uk/environment/pollution/construction-sites>

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.

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

Case No: 24/00876/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

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 Considerate Practice <https://www.considerateconstructors.com/resources/the-code-of-considerate-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 Please be 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.

9. For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: Submit a biodiversity gain plan - GOV.UK (www.gov.uk)

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Appendix 1 - Comments received from Curdridge Parish Council

Requests that the item be considered by the Planning Committee for the following material planning reasons:

The NPPF supports sustainable development and this proposal is not sustainable, it would be over-development by way of cumulative impact and the applicant has failed to demonstrate the need for this proposal in this location, thereby contravening WCC Local Plan Part 2 Policy DM12.

The application site, previously formed part of a larger 4 hectare site, which has been subdivided and the cumulative effect of the sub-division and subsequent planning applications have increased the density of development such that it is no longer sustainable. The relevant history is:

- Planning permission 07/02413/FUL (allowed under appeal) granted permission for a stable block for 5 horses across the entire 4 hectares of the original site.
- Planning permission 20/01702/FUL granted permission to change the use of the site to equestrian and the construction of stables and store for use across the entire 4 hectares of the original site. This revised permission included stabling for 4 horses.
- Following the 2020 permission the site was subsequently sub-divided into 3 parts.
- Planning permission 23/02173/FUL was granted for a barn to provide hay and farm machinery storage for 1 horse to be grazed on the site of 0.8 hectares.

This latest application seeks to add stabling for a further 3 horses. The cumulative impact of this application is to provide stabling for 8 horses on a site previously approved for 4 horses in 2020. This increase in the stabling is not in accordance with WCC equestrian development SPD or Policy DM12 which should consider the existence of existing equestrian facilities. Given that there are two existing permissions in the adjacent sites (formerly a single site) this proposal has not demonstrated why it is necessary in this location and therefore should be refused. There are no bridleways locally.

The proposal includes stabling for 3 horses, whilst the Applicant has advised only two horses will be grazed on the site, this is more than the British Horse Association recommendations for a site of this size. Planning permission 23/02173/FUL established that the site was only suitable for 1 horse.

Therefore, the proposal is overdevelopment by way of intensification of the site.

In addition, this proposal is specifically overdevelopment in respect of the two additional structures which are not justified and will have detrimental impact on the existing open landscape. Therefore, this is not in compliance with the NPPF for sustainable development or MTRA 4 for design impact and should be refused.

The previous applications for equestrian use have not required two structures or of such scale. These additional structures will interrupt the existing open countryside and therefore contrary to LPP1 Policy CP20 and should be refused.

The preferred outcome is refusal however if the committee is minded to approve a condition is requested to restrict use to prevent any commercial activity on the site.