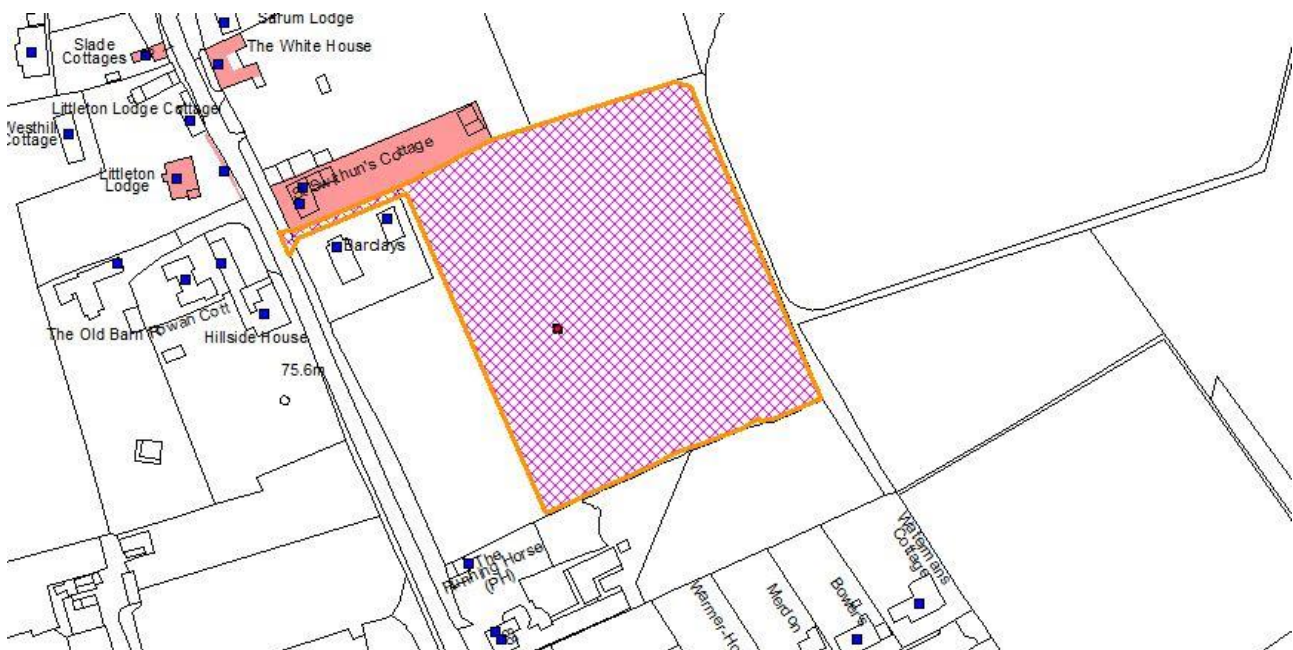


WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 23/02848/FUL
Proposal Description: Change of use to a dog walking field for commercial use by the public; erection of fencing; new hardstanding for vehicle parking and turning; retention of stable building for storage; and associated works.
Address: Land Adjacent To The Running Horse Main Road Littleton Hampshire
Parish, or Ward if within Winchester City: Littleton And Harestock Parish Council
Applicants Name: Mr Michael Culhane
Case Officer: Cameron Taylor
Date Valid: 6 December 2023
Recommendation: Permit
Pre Application Advice No

Link to Planning Documents

[Link to page – enter in reference number 23/02848/FUL](https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple)
<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



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Reasons for Recommendation

The development is recommended for permission as it is considered that it is a use that has an operational need for a countryside location, while the proposal will not have an adverse impact upon the character and appearance of the site or upon highway safety or cause a significant adverse impact upon the neighbouring residential amenity in accordance with in accordance with Policies MTRA4 of the LPP1 and DM13 and DM15-DM18 of the LPP2.

Case No: 23/02848/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

General Comments

Littleton and Harestock Parish Council have requested for the application to be determined by Planning Committee, based upon material planning considerations is shown in Appendix 1.

Amendments to Plans Negotiated

Updated plans show a change in the location of the parking.

Site Description

The site is situated to the east of Main Road down an existing track which serves the paddock and the residential property of Barclays which is in ownership of the applicant, with the proposed dog walking area being situated within the countryside. The site itself is an equestrian paddock which contains an existing stable building and mature vegetation across the sites the boundaries, with an area of around 1.8 hectares.

Proposal

The proposal seeks the change of use of the equestrian paddock to a commercial use to allow for a dog walking field, with the erection of fencing, hard standing for parking and turning, retention of stable building for storage and associated works.

Relevant Planning History

- 78/01020/OLD- Erection of a dwelling- Refused

Consultations

Service Lead – Built Environment (Historic Environment) –

- No objection

Service Lead – Public Protection (Environmental Health) –

- No objection subject to condition

Hampshire County Council (Highway Authority) –

- No objection subject to condition

Representations:

Littleton and Harestock Parish Council

- “The Littleton and Harestock Parish Council OBJECTS to this proposal as it is contrary to requirements of Policy MTRA4 of the Local Plan Part 1 (LP1) and Policy DM13 of the Local Plan Part 2 (LP2) which seeks to control development in the countryside. Both policies require justification for a countryside location and that unacceptable noise intrusion is not created. LP2 Policy DM17 goes further, requiring new development to not cause unacceptable levels of noise for neighbours, and LP2 Policy DM23 also seeks to retain rural tranquillity. This proposal has not shown that it will not constitute an unacceptable noise intrusion to the detriment of neighbouring residents and rural tranquillity. The Parish Council is of the opinion that the noise produced will have a Significant Observed Adverse

Case No: 23/02848/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Effect Level, as defined by the Noise Policy Statement of England and referred to in the Planning Policy Guidance on Noise.

The Proposal is in conflict with LP2 Policy DM17 in which it would have unacceptable adverse impact on adjoining land uses or property by means of overlooking, overshadowing or by being overbearing.

It would have unacceptable levels of pollution to adjoining dwellings/neighbours by means of noise, smells, dust and other pollution by vehicles entering and leaving the site. The site is also close to the Littleton Stud which stables many valuable horses and where the barking of dogs could be detrimental to their well being.

The proposal does not take into consideration the requirements of LP2 Policy DM18 in that it does not provide safe egress from the site onto Main Road, which has inadequate site lines to traffic coming from the South and would present a danger to not only motor vehicles, but also to pedestrians and cyclists.

The proposed Site is outside of the development boundary as shown on Map 3 of the Littleton Village Design Statement (LVDS) which was adopted as a Supplementary Planning Document by Winchester City Council in September 2023. It is also in conflict with the Winchester District plan MTRA4, sites outside of the Littleton Development Boundary and Conservation Area Boundary which requires proposed developments should not cause harm to the characteristics and landscape of the area or neighbourhood uses or create inappropriate noise/light levels and traffic generation.

The proposed site is specifically referred to in Planning Guidance A10 of the LVDS which states: The landscape setting of the Conservation Area separated from the 20th century settlement by open green slopes leading up to woodland and shown on Map 3 is important since it retains the integrity of the medieval valley settlement in the landscape. Development which would damage this setting should be resisted.

(Supplements LPP CP20 Heritage and Landscape Character.)

The proposal is also contrary to Planning Guidance A7 of the LVDS which states that : Applications should demonstrate that they will not be detrimental to the amenities, operation, use or enjoyment of nearby properties particularly with noise pollution, light pollution, hours of operation and traffic generation prior to planning permission being granted.

(Supplements LPP CP8 Economic Growth and Diversification, MTRA3 Other Settlements in the Market Towns and Rural Area, and MTRA 4 Development in the Countryside.)

The proposal site is adjacent to the existing Littleton Recreation Ground which is a public open space, owned and managed by this Parish Council which allows the walking of dogs in a controlled manner. The site is also situated in the countryside which provides ample opportunity for the exercise of dogs in many other areas which are more open and not adjacent to Conservation areas and private dwellings. The proposed development is situated within the confines of the village of Littleton and would be detrimental to the character of the area. The proposal site is adjacent to the Littleton Conservation Area, beyond which is the Candidate SINC on the site of the Sir John Moore Barracks. As this is only approx 130m away it is not unreasonable to assume that there may be valuable habitat present. There is no ecology report submitted with the application which should be provided before any decision is made.

This application is very similar to an application submitted for a dog walk area at Fillditch Farm, Swanmore ref: 21/02526/FUL, which was refused by Winchester

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

City Council, a decision which was subsequently upheld by the Planning Inspectorate on Appeal, APP/L1765/W/23/3320745 refers.

Should the WCC Planning Officer feel minded to permit this application, we would ask that it be referred to the Planning Committee for a decision.”

- Further Parish Comments:” The Council has noted the new drawing showing visual splays for traffic leaving the applicant site. These splays are not achievable as there are dense hedgerows for the length of the visual splay. For much of the distance of the splay, it encroaches upon the highway, and as a result, pedestrians have to walk well out into the road with no refuge from approaching vehicles. In recent years this Parish Council has been aware of incidents of pedestrians being in collision with vehicles and also being hit by car and van wing mirrors and a number of near misses. We have had many discussions with HCC Highways to find ways of making this section of road safer for pedestrians and cyclists, but we are told that currently there are no plans to do this, other than to install a ‘bus gate’, ie. to close the road totally at this point to all, other than buses, pedestrians and cyclists. The increase in traffic entering and exiting from the site will only make the problem of safety worse, this is another reason for the Parish Council to continue to object to this application. They also noticed that there are revised transport and noise reports; the original versions of the reports are not in the documentation, so they would like to know what has been revised. They would also like to remind you that the application is in the development gap as mentioned in the Littleton Village Design Statement (LVDS), and as listed in the council's original objection.”
- Committee request form is attached under appendix 1.

4 Objecting Representations received from different addresses citing the following material planning reasons:

- Use of the site
 - No Established need for the use
 - Concerns regarding potential changes to land use.
- Character of the area
 - Have a visually intrusive impact
- Impact upon neighbouring amenity
 - Noise impact as a of the use
 - Dust from driveway
- Controlling who uses the site
- Highways safety
 - Increase the danger when emerging onto Main Road
 - Animals running onto the road
- Safety issues as a result of the dogs using the site
- Ecology
 - Ecological issues as a result of the dog walking site

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

- Provide a safe spot for dog walking and training
- Benefit to the surrounding area
- Highways
 - Limited access to the site would not cause harm to the highways
 - No increase in traffic volume
- Noise

Case No: 23/02848/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Would not be as harmful as agricultural machinery which can be used on site

Relevant Government Planning Policy and Guidance

National Planning Policy Framework

Section 2 Achieving Sustainable development

Section 4 Decision Making

Section 8 Promoting healthy and safe communities

Section 12 Achieving well designed places

Section 14 Meeting the challenge of climate change, flooding and coastal change

Section 16 Conserving and Enhancing the Historic Environment

National Planning Practice Guidance

Climate Change

Consultation and pre-decision matters

Design: process and tools

Environmental Impact Assessment

Flood risk and coastal change

Planning Obligations

Use of planning conditions

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

DS1 - Development Strategy and Principles

MTRA4- Development in the Countryside

CP7 - Open Space, Sport and Recreation

CP11 - Sustainable Low and Zero Carbon Built Development

CP13 - High Quality Design

CP14 - Effective Use of Land

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

DM1 - Location of New Development

DM13 - Leisure and Recreation in the Countryside

DM15 - Local Distinctiveness

DM16 - Site Design Criteria

DM17 - Site Development Principles

DM18 - Access and Parking

DM23 -Rural Character

DM27 - Development in Conservation Areas

DM29 - Heritage Assets

Supplementary Planning Document

National Design Guide 2019

Car Parking Standards (2008)

High Quality Places SPD (2015)

Other relevant documents

Winchester District Local Plan 2020-2040: Regulation 19 Consultation

Climate Emergency Declaration, Carbon Neutrality Action Plan 2020-2023.

Case No: 23/02848/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Nature Emergency Declaration.
Statement of Community Involvement 2018 and 2020
Littleton Village Design Statement

Planning Considerations

Principle of development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 48 of the National Planning Policy Framework (NPPF, 2024) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

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.

The application site is located outside of a defined settlement boundary and as such is on land designated countryside, therefore relevant countryside policies apply.

Policy MTRA4 allows for development which has an operational need for a countryside location, such as agriculture, horticulture or forestry. The proposal seeks a use for a dog walking site which is considered to be a use that has an operational need for a countryside location due to the space requirements to allow for dog walking. It is appreciated that there are public open spaces available within Littleton, however the proposal allows the secure area which is not open to the public and only available for bookings.

Policy DM13 allows the use of land for leisure and recreational activities for which a countryside location is necessary provided it does not create unacceptable visual or noise intrusion in the countryside either by itself or cumulatively with other developments and the operation of the site will not cause an unacceptable alteration in the character of the area including by all forms of pollution, or harm biodiversity or tranquillity. The proposed dog walking is considered to be a leisure and recreational activity with a need for a countryside location, the use is not considered to cause an unacceptable visual or noise intrusion on the countryside and surrounding area.

The principle of development is therefore acceptable subject to compliance with the development plan as a whole and material planning considerations.

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

The area is characterised by detached dwellings of various built forms with agricultural paddocks with mature vegetation also typically within the immediate and wider area.

The site is not readily visible from Main Road because of the vegetation along the western boundary. However there will be views available from the Running Horse public house.

Case No: 23/02848/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

The proposal will utilise the existing access and field gate access, and will introduce a new parking area in the north east corner of the site adjacent to Barclays. This will include a dog waste bin and access gate into the fenced area and field access gates providing access around the dog walking area. The fenced area includes the erection of a timber post and wire fence which runs around the area noted for the dog walking and will have a scale of 1.2 to 1.4 metres. This fencing will be lightweight and in-keeping to the rural, agricultural character of the area, condition 3 is attached to ensure the materials and appearance of the fencing is acceptable. This ensures the gap between the conservation area and the rest of Littleton is retained, with the proposal not going beyond what would be expected on an agricultural paddock and retaining the spatial characteristics of the site.

It is not considered that the formation of the fencing along with associated parking and access gates will lead to visual intrusion or significant adverse physical harm to the rural character of the area. The proposal will cause a change to the use of the site which will allow for the walking of dogs however it is considered this use will not adversely affect the tranquillity of the site or wider area, nor will it allow further development of the site if such proposals are not in accordance with relevant policies as the site remains within a countryside location.

The proposed development is therefore considered acceptable in terms of its impact upon the character and appearance of the site and wider area and does not detract from the enjoyment of the countryside when appreciated from the public realm. The proposal therefore complies with policy DM13, DM15, DM16 and DM23 of the LPP2.

Development affecting the South Downs National Park

The application site is located around 3.9 km 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 2024. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 189 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 distance and intervening features, an adverse impact on the National Park and its statutory purposes is not identified.

Historic Environment

The proposed site has the Grade II listed building of St Swithuns Cottage which lies under 30 metres to the northwest of the proposed field gates and the dog walking area is situated outside but adjacent to the Littleton conservation area, with the access to the site running through the conservation area. These are the 2 heritage assets with potential to be affected by the proposed development.

Relevant Legislation

The preservation of the special architectural/historic interest of the listed building and its setting: S.66 P(LBCA) Act 1990; Policy DM29 of the LPP2; Policy CP20 of the LPP1; NPPF (2024) Section 16.

Case No: 23/02848/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

The preservation or enhancement of the character or appearance of the conservation area: S.72 P(LBCA) Act 1990; Policies DM27 of the LPP2; Policy CP20 of the LPP1; NPPF (2024) Section 16.

Guidance

Where dealing with listed buildings, decision makers are required to have due regard to the “desirability of preserving the [Listed] building or its setting or any features of special architectural or historic interest which it possesses.” under Section 66 of the Planning (Listed Buildings and Conservation Areas Act 1990). Case law has established that where an authority finds that a development proposal would harm the setting of a listed building, it must give that harm “considerable importance and weight”.

Where dealing with conservation areas, decision makers are required to pay special attention to the “desirability of preserving or enhancing the character or appearance of that area.” under Section 72 of the Planning (Listed Buildings and Conservation Areas Act 1990).

Due regard has been given to these requirements, as set out in the Historic Environment consultation response and assessment within this report.

The listed building of St Swithun Cottage was a more recent addition to the National Heritage list with the oldest part of the building dating back to the early 16th century with later 18th century additions. The significance predominantly comes from the architectural interest as the early 16th century hall house with later additions and the surviving historic fabric and is one of the oldest surviving buildings within the historic part of Littleton. The countryside setting of the area contributes positively to understanding of St Swithuns Cottage as a traditional rural dwelling and the Littleton Conservation Area.

The proposed development is considered to not drastically change the rural character of the area as the site would continue to be used as a meadow which would retain the rural context for the listed building and the villages historic core. The proposed use of the site would result in additional vehicular movements, however this would be limited to one book at a time which would create time restrictions. Therefore despite the increase in traffic volume it is a limited amount and it would not affect the setting of the listed building or surrounding conservation area.

The site adjoins the Littleton Conservation Area and there are no direct views of the site from the conservation area public realm as the site has mature laurel hedging along its boundary which almost entirely screens the site. The only views available from the conservation area would come from the access to Barclays, however this would remain largely unchanged and would be restricted due to the levels change. The only views available of the site come from the parking associated with the Running Horse public house which is situated outside of the conservation area, with the changes to the site being minimal and character of the site being largely unaltered.

The proposed development would result in limited changes to the setting of the Littleton Conservation Area and the Grade II listed building, the character of the site would remain largely unaltered. Therefore the proposed development preserves the significance of the nearby listed building and setting of the Little Conservation Area.

Case No: 23/02848/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

It is therefore considered that the proposal will preserve the special architectural/historic interest of the listed building and its setting in accordance with S.66 P(LBCA) Act 1990; Policy DM29 of the LPP2; Policy CP20 of the LPP1; NPPF (2024) Section 16.

It will also preserve the character or appearance of the conservation area. The proposals would accord with the requirements of Section 16 of the NPPF (2024), Policies CP20 of LPP1 and DM27 of the LPP2; and the historic environment section of the Planning Practice Guidance.

Neighbouring amenity

The site has neighbouring residential properties to the north which include St Swithun's Cottage, Sarum Lodge and The White House. The Running Horse public house is located adjacent to its southern boundary with residential properties then located further south.

The elements which adjoin the northern boundary are the access and parking with a gap retained to the fencing. Therefore given the location and scale of the development an adverse overbearing, overshadowing and overlooking impact is not identified.

Along the southern boundary the site is not directly adjoining a residential property with the parking to the Running Horse being adjacent to the site. Therefore given the nature of area and distance to the nearest residential property to the south beyond this, an adverse residential amenity impact is not identified in respect of overbearing, overshadowing or overlooking.

Concerns are raised regarding noise impacts as a result of the proposed use. These are addressed separately below.

Environmental Protection / Noise Impacts

Concerns have been raised with regards to potential noise impacts the proposed dog walking use would have on the surrounding residential properties. A noise impact assessment has been submitted as part of this application which indicates that there will not be a huge impact on existing daytime ambient noise level experience by nearby residents, with the existing site being able to be used for agricultural uses which will have the associated noise impacts that come with them. The noise impact assessment sets out the proposed site use and control measures which include allowing only one booking with a maximum of four dogs at any time on site, and restricting the opening hours to 08:00 – 18:00 hours on weekdays, 08:00 to 13:00 hours on Saturdays with no opening on Sundays or Bank Holidays.

Therefore the proposal is not considered to have a significant adverse noise impact upon the surrounding properties. Condition 4 is attached to ensure the proposal complies with the recommendations within the noise impact assessment along with the restriction of the use of whistles on the site to reduce any additional impact. To ensure the site and its use and suitably maintained and run condition 5 is attached which seek the submission of management plan which includes a review clause to ensure all methods to reduce harm work as intended.

In summary, the proposal complies with policy DM17 of the LPP2.

Sustainable Transport

The site utilises the existing access which serves the site of Barclays who are the owners of the paddock proposed for the change of use. The parking to the dog walking area has 2
Case No: 23/02848/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

parking spaces indicated, with ample space provided to allow for turning on site to allow for the entering and leaving the site in a forward gear. The proposed use of the dog walking area is by booking only, therefore this would naturally restrict the number of people who will use and park on site.

Comments have been provided by Hampshire County highways department who raise concerns regarding the leaving of the site and the increase in traffic generation. Further information has been provided which includes visibility splays for the northbound direction of travel and a speed survey. The access comes out onto Main Road that is a C-road which has a speed limit of 30mph heading both directions out of the site, with a speed survey undertaken over a 7 day period which notes the 85th percentile for northbound vehicles that is recorded at 28.6 mph. The visibility splays submitted have not been drawn in the standard manner, however in this instance given the speeds, the drawn visibility splays are considered to be acceptable. This is secured through condition 8 that relates to the cutting back of vegetation prior to the commencement of works to ensure the visibility splays are achieved and the maintaining of the splays in perpetuity. This is to ensure those who egress the site can do so safely.

Therefore in these circumstances it is considered the proposal would not lead to an adverse impact that would cause harm to highways safety. The proposal complies with policy DM18 of the LPP2.

Further comments had been submitted by the parish querying a traffic speed survey undertaken in 2023 by Hampshire County Council (HCC) in the locality. However, it has been confirmed by HCC that a comparison cannot be between this earlier survey and the survey information submitted by the applicant as the location where a survey was undertaken can affect the vehicular speeds, along with other factors in the area which could have influenced the speeds. Consultation was undertaken with HCC on the basis of the information submitted and in conjunction with the attached conditions, the proposal is not considered to cause significant adverse harm to the highways in the area.

Ecology and Biodiversity

This application was submitted prior to the adoption of biodiversity net gain and therefore this is not applicable under this application. The proposed site does not contain any ecological designations and the proposed development will only cause a slight loss to the existing paddock through the creation of the parking and turning area, however the majority of the paddock will remain and it is noted to be sown with wildflower seeds.

To ensure suitable mitigation and enhancement is undertaken, condition 7 is attached which relates to the submission of mitigation and enhancement details prior to the commencement of works. Subject to the attached condition, the proposed development is therefore considered acceptable in terms of its impact on the surrounding biodiversity. The proposal therefore complies with policy CP16 of the LPP1.

Sustainable Drainage

The site itself is situated within a Flood Zone 1 are, with the proposal including a parking area which will consist of compacted gravel. The rest of the development will not cause a significant change over what is already existing on site. Therefore the change of use and associated works are not considered to cause an impact upon the surface runoff within the area. The proposal therefore complies with policy DM17 of the LPP2.

Case No: 23/02848/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Trees

Policy DM24 of the LPP2 allows development which does not result in the loss or deterioration of ancient woodlands, important hedgerows, special trees, ground flora and the space required to support them in the long term.

The proposed application does not affect nearby trees, with the development consisting of lightweight fencing around the dog walking area which includes timber fence posts and a wire fence between 1.2 to 1.4 metres in height. Therefore given the nature of the development, the proposal would not cause an adverse immediate or long term impact upon the trees within the area.

The proposal will therefore comply with policy DM24.

Equality

Due regard should be given to the Equality Act 2010: Public Sector Equality Duty. Public bodies need to consciously think about the three aims of the Equality Duty as part of the process of decision-making. The weight given to the Equality Duty, compared to the other factors, will depend on how much that function affects discrimination, equality of opportunity and good relations and the extent of any disadvantage that needs to be addressed. The Local Planning Authority has given due regard to this duty and the considerations do not outweigh any matters in the exercise of our duty.

Planning Balance and Conclusion

The principle of the development within the countryside is acceptable and the development would not have a significant adverse impact upon the character and appearance of the site and wider area. The proposal preserves the significance of the conservation area and neighbouring listed building. The proposed use will not lead to an adverse impact upon the highway safety, nor will it have an adverse impact upon the amenity of the neighbouring properties.

In conclusion and based on the upon the above assessment, the proposal is acceptable and will not have an adverse impact upon the site and surrounding area. The development therefore complies with policies DS1, MTRA4, CP16, CP20 of the LPP1, DM1, DM13, DM15, DM16, DM17, DM18, DM27 and DM29 of the LPP2.

Recommendation

Permit subject to the following conditions:

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

2. The development hereby approved shall be constructed in accordance with the following plans:

- Proposed Block Plan- Dwg No. 51371-P1-02 A1 issue V3- Received 30.10.2024

Case No: 23/02848/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

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

3. Prior to the commencement of works, details shall be submitted showing the materials, design and appearance of the fencing to be used for the dog walking site.

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

4. The recommendations as noted within the Clarke and Saunders report AS13448.240214. R1, section 4.2 shall be followed during operation of the site.

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

5. Prior to the commencement of works a waste, maintenance, noise mitigation management plan shall be submitted to and approved in writing by the local planning authority. Details shall include the frequency of maintenance and process of review in regards to the management plan. Details of the noise mitigation management plan shall also include code of conduct for users including the limiting of any noise making devices i.e whistles, direct means of communication for local residents, complaints procedure and enforcement rules.

The site shall be operated and maintained in accordance with the approved details at all times.

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

6. The area shown on the approved plans shall only be used for the dog walking use hereby permitted under this application and at no other time be shall be used for any other use.

Reason: To comply with the permission hereby granted

7. A Biodiversity Mitigation and Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. The details must include the use of boundary treatment gaps, swift boxes and other enhancement measures. The use hereby permitted shall not commence until the approved details have been implemented. Development must then continue in accordance with the approved details.

Reason: To accord with the Policy CP16 of the Winchester District Local Plan Part.

8. No development shall start on site until the visibility splays as shown on the approved plans Visibility Splays- Dwg No. 2221-001 have been achieved through clearing of obstructions and cutting back of vegetation. The lines of sight splays shown on the approved plans shall be kept free of any obstruction adjacent to the carriageway and shall be subsequently maintained so thereafter.

Reason: To provide satisfactory access and in the interests of highway safety.

9. Prior to the installation of any external lighting on the site, full details of any lighting, including positioning on the building, level of luminance, direction of lighting and details of

Case No: 23/02848/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

any motion sensors or timers shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that bats and other nocturnal species are not adversely impacted by the lighting.

Informatives:

1. In accordance with paragraph 39 of the NPPF (December 2024), 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.

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

Local Plan Part 1 - Joint Core Strategy: DS1, CP7, CP11, CP13, CP16, CP20, MTRA4
Local Plan Part 2 - Development Management and Site Allocations: DM1, DM13, DM15, DM16, DM17, DM18, DM23, DM25, DM27, DM29

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.

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-of-considerate-practice>

Case No: 23/02848/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

7. Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements (as set out in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024) are considered to apply as follows:

- The application for planning permission was made before 12 February 2024.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Appendix 1

Councillor's request that a Planning Application be considered by the Planning Committee

Request from Council: Littleton and Harestock Parish Council
Case Number: 23/02848/FUL
Site Address: Land Adjacent To The Running Horse Main Road Littleton Hampshire
Proposal Description: Change of use to a dog walking field for commercial use by the public; erection of fencing; new hardstanding for vehicle parking and turning; retention of stable building for storage; and associated works.
Requests that the item be considered by the Planning Committee for the following material planning reasons: <p>The Littleton and Harestock Parish Council OBJECTS to this proposal as it is contrary to requirements of Policy MTRA4 of the Local Plan Part 1 (LP1) and Policy DM13 of the Local Plan Part 2 (LP2) which seeks to control development in the countryside. Both policies require justification for a countryside location and that unacceptable noise intrusion is not created. LP2 Policy DM17 goes further, requiring new development to not cause unacceptable levels of noise for neighbours, and LP2 Policy DM23 also seeks to retain rural tranquility. This proposal has not shown that it will not constitute an unacceptable noise intrusion to the detriment of neighbouring residents and rural tranquility. The Parish Council is of the opinion that the noise produced will have a Significant Observed Adverse Effect Level, as defined by the Noise Policy Statement of England and referred to in the Planning Policy Guidance on Noise.</p> <p>The Proposal is in conflict with LP2 Policy DM17 in which it would have unacceptable adverse impact on adjoining land uses or property by means of overlooking, overshadowing or by being overbearing.</p> <p>It would have unacceptable levels of pollution to adjoining dwellings/neighbours by means of noise, smells, dust and other pollution by vehicles entering and leaving the site. The site is also close to the Littleton Stud which stables many valuable horses and where the barking of dogs could be detrimental to their well being.</p> <p>The proposal does not take into consideration the requirements of LP2 Policy DM18 in that it does not provide safe egress from the site onto Main Road, which has inadequate site lines to traffic coming from the South and would present a danger to not only motor vehicles, but also to pedestrians and cyclists.</p>

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

The proposed Site is outside of the development boundary as shown on Map 3 of the Littleton Village Design Statement (LVDS) which was adopted as a Supplementary Planning Document by Winchester City Council in September 2023. It is also in conflict with the Winchester District plan MTRA4, sites outside of the Littleton Development Boundary and Conservation Area Boundary which requires proposed developments should not cause harm to the characteristics and landscape of the area or neighbourhood uses or create inappropriate noise/light levels and traffic generation.

The proposed site is specifically referred to in Planning Guidance A10 of the LVDS which states :

The landscape setting of the Conservation Area separated from the 20th century settlement by open green slopes leading up to woodland and shown on Map 3 is important since it retains the integrity of the medieval valley settlement in the landscape. Development which would damage this setting should be resisted.

(Supplements LPP CP20 Heritage and Landscape Character.)

The proposal is also contrary to Planning Guidance A7 of the LVDS which states that :

Applications should demonstrate that they will not be detrimental to the amenities, operation, use or enjoyment of nearby properties particularly with noise pollution, light pollution, hours of operation and traffic generation prior to planning permission being granted.

(Supplements LPP CP8 Economic Growth and Diversification, MTRA3 Other Settlements in the Market Towns and Rural Area, and MTRA 4 Development in the Countryside.)

The proposal site is adjacent to the existing Littleton Recreation Ground which is a public open space, owned and managed by this Parish Council which allows the walking of dogs in a controlled manner. The site is also situated in the countryside which provides ample opportunity for the exercise of dogs in many other areas which are more open and not adjacent to Conservation areas and private dwellings. The proposed development is situated within the confines of the village of Littleton and would be detrimental to the character of the area.

The proposal site is adjacent to the Littleton Conservation Area, beyond which is the Candidate SINC on the site of the Sir John Moore Barracks. As this is only approx 130m away it is not unreasonable to assume that there may be valuable habitat present. There is no ecology report submitted with the application which should be provided before any decision is made.

This application is very similar to an application submitted for a dog walk area at Filditch Farm, Swanmore ref: 21/02526/FUL, which was refused by Winchester City Council, a decision which was subsequently upheld by the Planning Inspectorate on Appeal, APP/L1765/W/23/3320745 refers.

Should the WCC Planning Officer feel minded to permit this application, we

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

would ask that it be referred to the Planning Committee for a decision.

- Whilst requests will be accepted up to the determination of the application, parish councils should make their request as quickly as possible and preferably within the publicity period of the application. Otherwise the case may be determined under delegated powers soon after the expiry of the publicity period. The committee date for the application will depend upon when the request is received in relation to the committee cycle.
- It would be helpful if parish councils can indicate their preferred outcome to avoid it going to the committee unnecessarily
- Parish councils should note that referral of an item to the Committee will require consideration as to whether a declaration of interests and / or pre-determination and bias may be necessary. If you require advice, please contact the appropriate Democratic Services Officer, prior to the meeting. *Councillors are reminded of their obligations to declare disclosable pecuniary interests, personal and/or prejudicial interests, and on Predetermination or Bias in accordance with legislation and the Council's Code of Conduct.*

Once completed, please email this form to the relevant Planning Case Officer and the Service Lead: Built Environment