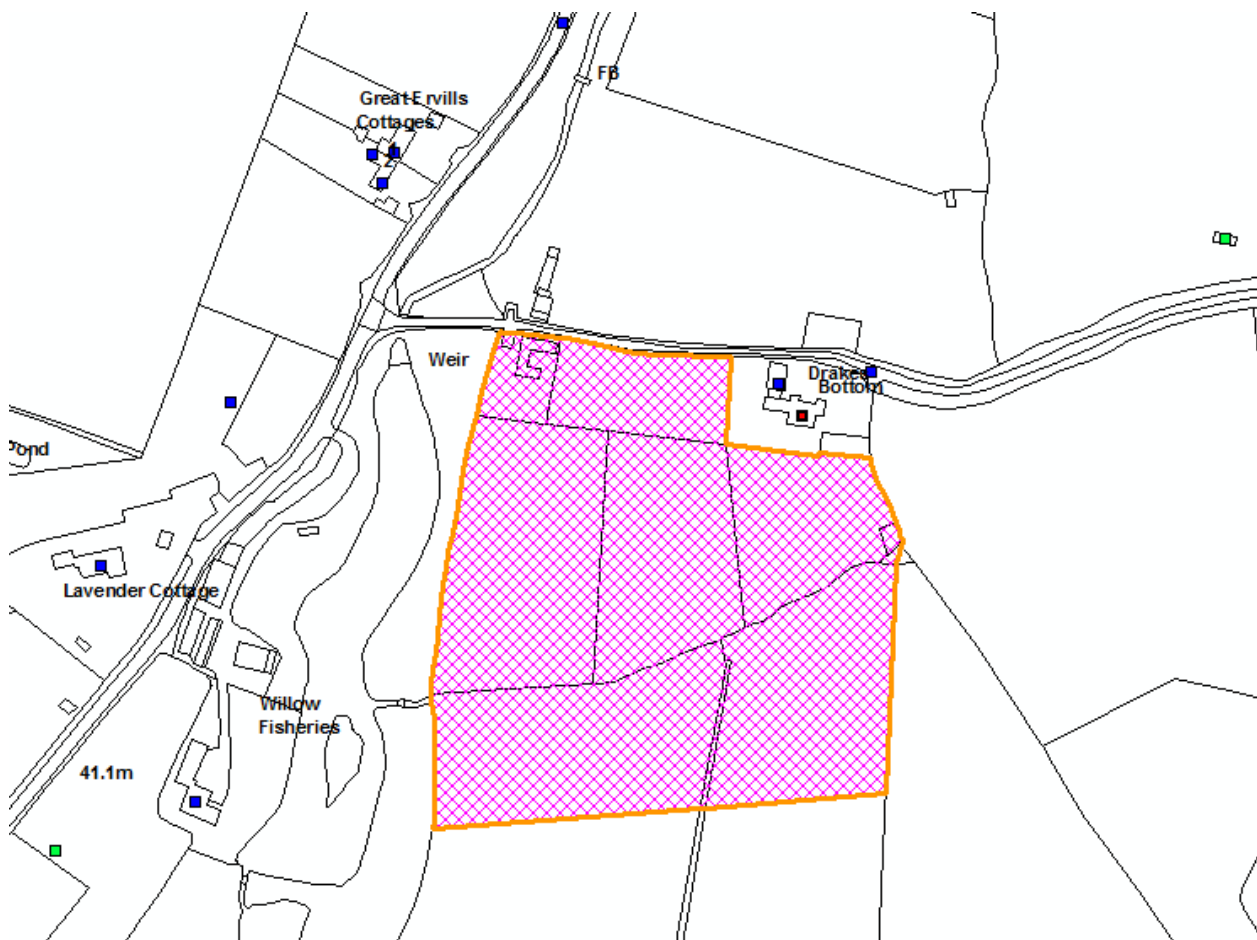


WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 19/00594/FUL
Proposal Description: Construction of a 40 m x 20 m outdoor riding arena for both private and commercial use. Change of use of existing equine stables to private and commercial livery and turning out of horses and exercise of horses on land at Drakes Bottom

Address: Drakes Bottom Dirty Lane Hambledon PO7 4QT
Parish: Denmead
Applicants Name: Mrs S Goldsborough
Case Officer: Curtis Badley
Date Valid: 14 March 2019
Recommendation: Application Permitted



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General Comments

Application is reported to Committee as the number of objections, received contrary to the officer recommendation.

The current proposal is the first revision of a previously refused application of the same description with reference: 18/00636/FUL which was refused on 22nd June 2018 for the following reason:

“The proposed development is contrary to policy DM18 of The Local Plan Part 2 (2017) in that the proposal would not enable a satisfactory road junction, with adequate visibility splays to be provided and would be likely to cause undue interference with the safety and convenience of the adjoining highway.”

The current application replicates the drawings included within this previous application. In addition to these drawings, a transport statement has been prepared by Paul Basham Associates and provided within the current application submission.

Site Description

The proposal site is located within the countryside in a rural setting. Within the site, there exists a stable block, suitable for the accommodation of six horses, associated yard (and parking) and six adjoining fields. The site access is received from Dirty Lane (also known as Uplands Road) which is located immediately to the North of the existing stable block and associated yard and parking. Parking provision exists for the parking of six cars, two horse boxes and a trailer within the existing yard.

The site area is approximately 27,000m² (~6.67 acres). Land levels within the site generally rise from West to East and drainage ditches exist at both these ends of the site. The site is currently enclosed by mix of post and rail fencing, vegetation and hedgerow and metal field gates provide access to both the surrounding fields and stable block. The existing adjacent hedgerow and verges are to be retained as part of the proposals.

Adjacent to the North East of the site there is a large detached residential dwelling house, Drakes Bottom – which is currently in associated private use with the stables and adjoining fields. The stables, yard and associated car parking is located within the North West corner of the site adjacent to field 2 to the South which proposes to contain the riding arena (manège).

Proposal

The existing stables and fields are currently in associated private use with the existing adjacent dwelling house, Drakes Bottom. The proposals seek to change of use of the existing equine stables use to both a private and commercial livery and for the turning out of horses and exercise of up to six horses on land at Drakes Bottom. It is expected that two stables will be retained for private use of the occupants of the existing dwelling house.

The proposals seek to construct a 40x20m outdoor riding arena comprising of silica sand, synthetic fibre and rubber mix enclosed by a tanalised post and rail fence for both private and commercial use. This follows an approval of planning permission in order to construct
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an outdoor riding arena of an identical design and materials for private recreational purposes only. In addition, the proposal seeks to regularise works, including the replacement of the existing field gate with timber gates and the introduction of the adjacent two metre high close boarded timber fence and high wire fencing.

Relevant Planning History

95/00687/OLD - PER (24.07.1995) - (Amended Description) Replacement stable buildings comprising 6 stable boxes, tack room and store

17/03009/FUL - PER (22.01.2018) - Construction of a 40x20m outdoor riding arena

18/00636/FUL – REF (22.06.2018) - Construction of a 40 m x 20 m outdoor riding arena for both private and commercial use. Change of use of existing equine stables to private and commercial livery and turning out of horses and exercise of horses on land at Drakes Bottom.

Consultations

WCC Engineers: Drainage: No Objection

The proposal site is not within a flood prone area and doesn't propose foul drainage. The proposed riding arena has been designed with a common soakaway design and therefore no objection is raised.

WCC Engineers: Highways: No Objection

The highways engineer previously commented on a similar application (reference: 18/00636/FUL) raising concern with the site access onto Dirty Lane. The Transport Statement submitted in association with the current proposal demonstrates that the Lane is lightly trafficked and that the proposal will not result in a significant traffic generation. Further comments received which note that the visibility splays are now satisfactory and as a result, no highways objections are raised.

WCC Head of Environmental Protection: No Objection subject to conditions

Comments received raising no objection to the proposals subject to the relevant conditions which should be attached relative to the Planning Statement, dated 13th March 2019.

Representations:

Denmead Parish Council: No Objection subject to conditions

Comments received from the Parish Council raising no objection to the proposal. Further comments received which request the use of planning conditions to ensure that the "commercial use does not exceed the provision for 6 horses and that no lighting, no amplified music or mirrors are used on the arena."

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7 letters received objecting to the application for the following reasons:

- Out of keeping with rural nature of surrounding area
- Hazard due to increased traffic and lack of visibility onto Dirty Lane
- Hazard to adjacent road junction
- Attraction of noise and smells
- Impact upon peaceful rural area and dark skies
- Flooding
- Potential contamination of land and nearby fishery

No letters of support received.

Reasons aside not material to planning and therefore not addressed in this report:
None

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy (2013)
MTRA4

Winchester Local Plan Part 2 – Development Management and Site Allocations (2017)
DM12, DM15, DM16, DM17, DM18, DM23

National Planning Policy Guidance/Statements:
National Planning Policy Framework

Supplementary Planning Guidance
Denmead Village Design Statement, 2016
High Quality Places Supplementary Planning Document, 2015
Denmead Neighbourhood Plan, 2013
Equestrian Development, 1999

Planning Considerations

Principle of development

Policy MTRA4 of the Winchester District Local Plan Part 1 refers to development in the countryside defined as land outside the built up areas covered by policies MTRA2 and 3. The site lies outside of a defined settlement boundary and is within the countryside. The local planning authority will permit development which has an operational need to a countryside location. It is considered that a countryside location is required for keeping horses, and therefore the principle of development is acceptable.

Policy DM12 of the Winchester District Local Plan Part 2 (Equestrian Development) permits equestrian development where it can be shown that it will not adversely affect the character and appearance of the area or the amenities of nearby residential properties. Furthermore, this policy requires proposals, where possible, to make use of existing buildings and that development should not involve the erection of new buildings which may harm the landscape appearance of the area. The principle of the development is established under this policy and is considered acceptable.

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Design/layout

The proposed commercial enterprise would continue to use the existing site facilities inclusive of the adjacent fields, stable buildings, vehicular access and yard. The additional built form in this application relates to the proposed riding arena and alterations to the access gate and fencing. The siting of the proposed riding arena reflects the location as approved within a previous, extant grant of planning permission (for private use). The riding arena is to be located within a low lying area of the existing paddock, close to the existing stable buildings, at a distance of 80 metres from the road.

It is considered that the proposed riding arena will not be widely visible from the public realm due to distance from surrounding roads and partial screening provided by surrounding vegetation and the existing stable block. The construction of this riding arena is considered to be respectful within the existing landscape and provides a minimal impact to the wider character of the surrounding rural area. A condition is attached which will prevent the installation of floodlighting which could be visible at a long range.

The existing stables access from Dirty Lane has been altered from an existing field gate to a 2 metre high close boarded timber fence and timber gates. High wire fencing has also been installed immediately adjacent to the new gates in order to improve site security. The retrospective alterations are not considered to adversely harm the rural character of the area where placed adjacent to the existing stable and yard and where screening is provided by adjacent hedgerow which restricts views of the proposal to a limited distance of the adjoining road.

Impact on character of area and neighbouring properties

The proposed riding arena lies some 65m from the nearest dwelling, Drakes Bottom (owned by the applicant) and approximately 35m from the boundary shared with Willow Lake and Fisheries. The stables are screened from the Willow Lake and Fisheries by a band of mature trees and the dwelling house occupied in association with the lake and fisheries is located approximately 150 metres from the riding arena separated by the band of mature trees and the lake itself.

The proposal largely makes use of the existing built form and infrastructure of the existing private use. However, there is potential for the mixed private and commercial use of the arena, stables and associated fields to receive an increase in site activity beyond that currently experienced. It is considered that the impact of this increased level of activity on site could be suitably mitigated by the use of reasonable conditions in order to ensure the amenities of the area are safeguarded; restricting any floodlighting, amplified music and the times of use.

Overall it is considered that subject to the use of appropriate conditions indicated above and use of an additional condition to include a limit on the number of horses on the site to six, to ensure that the use does not adversely impact the landscape, that the development would not have a significant adverse impact on the character and appearance of the immediate and surrounding area.

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The use of conditions is proposed to limit the number of horses on site and to ensure that the current arrangements for manure storage and removal are continued in order to ensure the effective management of the site. As a result of the implementation of these conditions and the distance maintained from neighbouring properties, the proposals are considered to be adequate to ensure that the amenity of those residents is maintained in terms of noise and when considering any odour issues. Under these circumstances the proposal is considered to be in compliance with policy DM17 of the WD Local Plan Part 2 which seeks to protect the amenities of neighbouring residential properties.

Highways/Parking

Access onto the site from Dirty Lane (Uplands Road) and parking facilities are currently and have previously been used for the management and maintenance of the existing private stables and associated fields. The proposed use accommodates horses under a 'full livery' arrangement where the owners of these horses are not required to travel to the site daily and are likely to only travel to the site during weekends. The existing access is considered to be suitable to serve a private stable and manège under the existing planning consent(s). The suitability of the access should only be considered in the context of any potential increased use of the site associated with the current proposals.

There exists provision for the parking of cars and space for horse boxes and trailers adjacent to the existing stables on hard standing which is to be retained and used as part of the proposals. The placement of trailer and horse box spaces are adjacent to the existing stables in order to minimise any potential visual impact.

A transport assessment has been provided in association with the current planning submission. The transport assessment provided takes into account the low traffic volumes and speeds experienced within the surrounding road network and recognises that. Additional consideration is made to the improvements to the access and parking arrangement have been undertaken on site and incident history within the vicinity. Furthermore, the assessment provides a trip generation calculation of both the daily trip generation and 'other' trip generation. The additional trip generation as a result of the change of use of the site is expected to be an additional six trips per month, generally expected to be over the weekends, within the summer months.

Whilst visibility splays of 2m x 43m have not been achieved, in consideration of the additional information and assessment which has undertaken and made available within the transport assessment the proposal is considered to be acceptable from a highways point of view. As a result of this assessment, the proposal is considered to be in compliance with policy DM18 of The Local Plan Part 2 (2017) where a significant adverse impact on the safety and free flow of the highway network is not expected.

Drainage

Drainage is not expected to be impacted by the proposals as the site is not located within a flood prone arena with no foul drainage element. The disposal of water from the arena consists of a single perforated pipe to a soakaway located in excess of 25 metres from the site boundary, wholly within the ownership of the applicant. The existing drainage provision for the stables, associated yard and fields are expected to satisfy the future use where no increase in hardstanding is proposed.

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The resultant manure /waste bedding shall be stored on a trailer, and removed from site at regular intervals. This proposed arrangement is representative of a historic arrangement on site where manure has been collected and removed from site by local farmer for spreading on fields on regular intervals. A condition has been attached to ensure the suitable management of the site and removal of waste in the interests of the amenities of the locality. As a result, no additional risk as a result of potential land or water contamination is expected.

Recommendation

Application Permitted subject to the following condition(s):

Conditions:

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

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

02 The materials to be used in the construction of the external surfaces of the proposed riding arena (manège) hereby permitted shall be those as detailed within the associated planning statement for the fencing to be tantalised timber post & rail and the surface to be silica sand, synthetic fibre & rubber mix.

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

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

Site and Location Plan (Drawing Number: 300 Revision C) Received: 14.03.2019

Fencing Detail (Manege) (Drawing Number: 306) Received: 14.03.2019

Gates (Drawing Number: 307) Received: 14.03.2019

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

04 The use hereby permitted shall only be operated within the following times:

- Summer time (daylight saving time) – Monday to Sunday 0800 – 2000
- Winter time (standard time) – Monday to Sunday 0800 – 1600

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

05 Manure/waste bedding shall be stored on a trailer, and removed from site at regular intervals. Large scale storage or burning of any waste will not be acceptable. The facilities shall be provided and thereafter maintained in accordance with the approved details outlined within the submitted planning statement dated: 14/03/2019.

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

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06 No external lighting, whether free standing or affixed to a structure, shall be provided to the arena area at any time.

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

07 No music, amplification equipment, tannoy systems shall be used on the site at any time.

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

08 No shows shall take place on site at any time

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

09 No more than six horses shall be kept on the site at any one time.

09 Reason: for the avoidance of doubt and to ensure adequate stabling and grazing land for the six horses.

Informatives:

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF) (July 2018), 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.

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

Winchester Local Plan Part 1 – Joint Core Strategy (2013): MTRA4

Winchester Local Plan Part 2 – Development Management and Site Allocations (2017): DM12, DM15, DM16, DM17, DM23

National Planning Policy Guidance/Statements: National Planning Policy Framework

Supplementary Planning Guidance: Denmead Neighbourhood Plan, 2013, High Quality Places Supplementary Planning Document, 2015

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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.

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.

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 Practice
<http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-considerate-practice>

Please be advised that Building Regulations may be required for this development. Please contact WCC Building Control Department for more information (T: 01962 848176, E: buildingcontrol@winchester.gov.uk)

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