

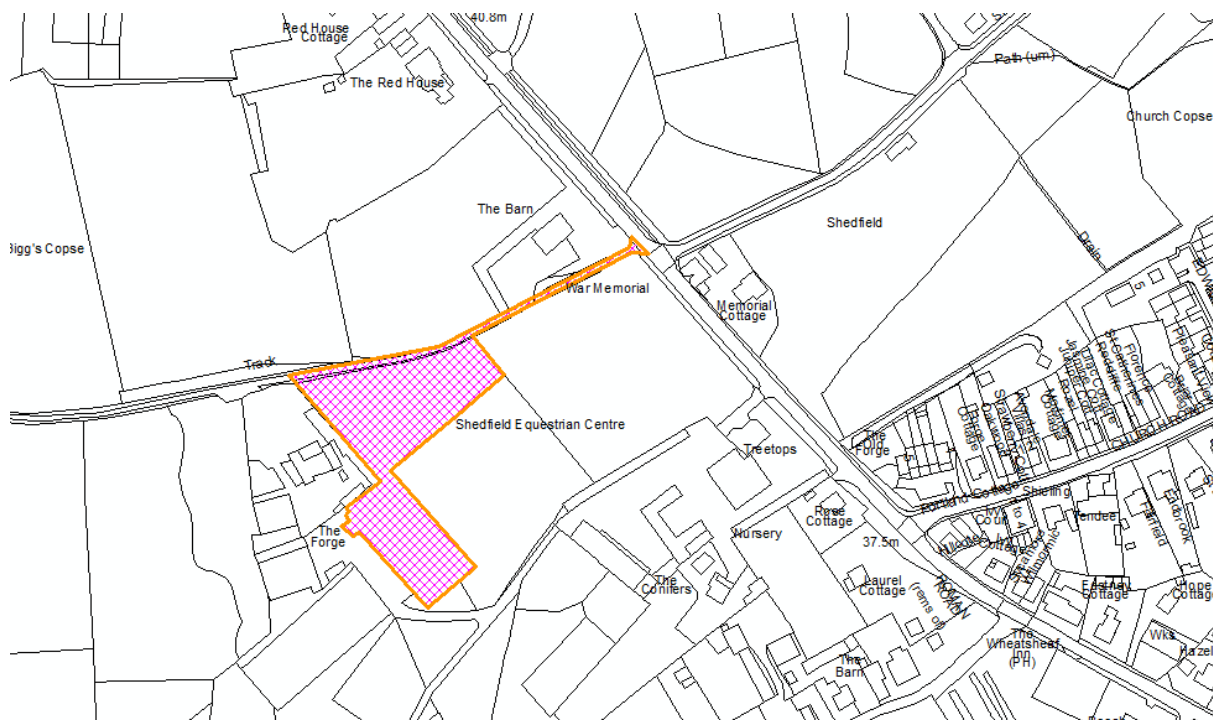
WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No:	23/01759/FUL
Proposal Description:	Use of existing equestrian building to include equestrian events and partial retention of hardstanding to form associated parking area (Amended Description and Plans)
Address:	Shedfield Equestrian Centre Botley Road Shedfield Southampton Hampshire
Parish:	Shedfield Parish Council
Applicants Name:	Mr Christopher Collins
Case Officer:	Rose Chapman
Date Valid:	23 August 2023
Recommendation:	Permit
Pre Application Advice	No

Link to Planning Documents

Link to page – enter in reference number 23/01759/FUL

<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 the proposal would not result in additional harmful noise, harm to the trees or unsafe highways conditions. The

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proposal would therefore accord with policies MTRA4, CP15, CP16, CP10, DM13, DM15, DM16, DM17, DM18, DM19, DM20, DM23, and DM24.

General Comments

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

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

Councillor S Achwal has also requested that the application be heard at the Planning Committee. Please see the comments section below.

Amendments to Plans Negotiated

Amendments have been made to the size and layout of the proposed car park to change the proposed materials, include additional planting and remove hard standing within the root protection areas of T15.

A number of additional noise reports were also submitted to try to address comments raised in regard to noise impacts.

The scope of the application was also reduced to only include the regularisation of equestrian events at the site.

As such, the application was readvertised for 21 days on 27th March 2025.

Site Description

The application site is accessed off the Botley Road (A334) where there is an existing access that is shared by the business to the north. The existing building is set back from the road by a significant distance (approximately 150m) and is currently used as a covered sand school for the equestrian school and a café. There are also 3 unauthorised dwellings above the café that are the subject of formal action.

There are 3 paddocks in front of this building, with one given over to a temporary shop and parking while other development is being progressed on the wider site.

There is a level change over the area with the land falling gently from north to south.

Biggs Copse Site of Importance for Nature Conservation (SINC) and Ancient Woodland is located to the north. The site is covered by a group Tree Preservation Order (TPO).

It is noted that the dwellings on the 1st floor have been included on the plans however, these are not included for use as part of equestrian events and are subject

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to formal action. Therefore condition (2) clarifies that this element of the building is not included in the recommendation to approve.

Notwithstanding that the applicant asserts that the café within the sand school building is ancillary to the authorised equestrian use of the sand school, as the café is open to the general public the status of the café is considered to be unauthorised.

Proposal

The proposal is for the use of the existing sand school building for equestrian events within the café and sand school and for a new car park to serve the equestrian business and equestrian school. In total, 48 parking spaces have been proposed, 3 would be for those with mobility issues. The site currently operates equestrian events with attendance of approximately 100 people per event which this application is seeking to regularise.

The equestrian building subject to this application is restricted to the uses of commercial livery and horse-riding lessons. This restriction is imposed by condition 4 of 12/02417/FUL. Accordingly, the use for equestrian events is currently unauthorised.

The application includes an additional area of car parking to serve the equestrian school. Whilst this area of land is being used on a tolerated temporary basis to provide parking for customers of the temporary shop, whilst the approved new shop building is being constructed, the use of this area of land is not authorised and therefore falls to be considered within this current application.

Relevant Planning History

10/02076/FUL - Erection of building to cover existing ménage – withdrawn
19.10.2010

12/00107/LDC - Mixed use (agricultural, commercial equestrian and residential) of the land and buildings comprising Shedfield Equestrian Centre (CERTIFICATE OF LAWFULNESS) – permitted 26.10.2012

12/00942/FUL - Retention of ménage and alterations to existing building involving the addition of outer wall – permitted 11.02.2013

12/02417/FUL - Erection of building to cover existing ménage with roof mounted solar panels – permitted 04.06.2013

18/01236/FUL - (RETROSPECTIVE) Single storey extension to indoor arena to create reception/lobby area – permitted 03.07.2018

18/01237/LDP - use of the subject floorspace as ancillary accommodation associated with the principal commercial equestrian use of the host building and wider site – withdrawn 20.02.2019

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19/01832/FUL - Creation of incidental overnight accommodation comprising 3no. flats within an existing equestrian building – withdrawn 11.08.2021

22/00577/FUL - Retention of existing equestrian building and creation of 3no. units of incidental overnight accommodation – permitted 20.10.2022

23/02401/FUL - Construction of a two-storey replacement equestrian shop building. – permitted 06.12.2023

Consultations

Service Lead – Engineering (Drainage) -

- No objection subject to conditions

Service Lead – Sustainability and Natural Environment (Ecology) –

- No comment received

Service Lead – Sustainability and Natural Environment (Landscape) –

- No objection subject to conditions

Service Lead – Sustainability and Natural Environment (Trees) –

- No objection subject to conditions

Service Lead – Public Protection (Environmental Health) –

- No objection subject to conditions

Hampshire City Council (Highways Authority) -

- No objection subject to conditions

Representations:

Councillor S Achwal – Whiteley and Shedfield Ward

Commenter Type: District Councillor

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object to the application on the following basis;

1. Policies MT4 and DM10. The development does not have an operational need in this countryside location, since there are several venues in the neighbouring area offering this type of service. (e.g. Wedding venue).
2. Policy DM12 (ii). The development does not minimise visual impact.
3. Policy DM12 (iii). The development involves hard standing and parking for vehicles
4. Policy DM12 (iv). Harms the character of the area
6. Policy DM12 (vi). Has unacceptable impact of the residential amenities and properties in the vicinity

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7. Policy DM13 (i). Development will create unacceptable visual noise intrusion in the Countryside. The development will lead to an increase of traffic on Botley road. There has been a complete lack of Community engagement. Should the planning Officer be minded to approve this application under delegated powers, I would wish that the application be heard at the planning committee.

Shedfield Parish Council– please see appendix 1

- objected to the application
- noise report is not sufficient
- impact on neighbour amenity

2nd comment

In addition to Shedfield Parish Council's previous objection, dated 19th September 2023, SPC would like to further object to the amended description and plans for the above referenced application, due to the following reasons:

23/01759/FUL –Use of existing equestrian building to include equestrian events and partial retention of hardstanding to form associated parking area (Amended description and plans)

Shedfield Parish Council (SPC) objects to this application for the following reasons:

1. Planning History and Conditions

o Previous permissions (e.g., 12/02417/FUL) relate only to equestrian use. The area in front of the ménage was not included, and Condition 4 restricts use to livery and riding lessons.

o This condition must be formally removed before further applications are considered.

2. Parking and Change of Use

o 64 parking spaces are proposed with no clarity on location. The current area remains classed as farmland/equestrian, with no change of use submitted.

3. Event Claims

o The claim of over 50 annual events with 300 attendees appears exaggerated and is not supported by the centre's website or local knowledge.

o The area already has numerous existing venues, making this one unnecessary.

4. Unlawful Building Work

o The building in question exceeds the scope of the original approved plans and includes unauthorised modifications. Enforcement is ongoing.

5. Highway Safety Concerns

o Visibility splays are compromised by third-party ownership, trees, and a telegraph pole. Entrance location raises safety risks.

6. Policy Conflict

o The proposal conflicts with WCC's MTRA4 policy, as no business plan or need has been demonstrated.

7. Environmental and Amenity Impact

o Proximity to protected woodland raises concerns about damage.

o Plans lack clarity on building use, capacity, and facilities (e.g., toilets, changing areas, EV charging, waste treatment).

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8. Inaccuracies in Application

- o The red line boundary includes land not owned by the applicant.
- o Nearby holiday lets may be adversely affected if permanently let.

SPC strongly recommends refusal of this application and requests it be reviewed by the Planning Committee.

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

- increase in noise
- increase in traffic
- unacceptable access
- building is unlawful
- contrary to policy
- unacceptable access
- Impact on rural character
- ecological impact
- no need
- loss of tranquillity
- Impact on conservation area
- impact on mental health
- lack of public transport/ sustainable location
- applicant/site visit

3 Supporting Representations received from different addresses (outside of the Winchester City Council administrative area) citing the following material planning reasons:

- Would benefit local economy
- would create variety of local venues for local residents and community needs.

Relevant Government Planning Policy and Guidance

National Planning Policy Framework (December 2024)

2. Achieving sustainable development

4. Decision-making

6. Building a strong, competitive economy

11. Making effective use of land

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

15. Conserving and enhancing the natural environment

16. Conserving and enhancing the historic environment

National Planning Practice Guidance

Climate Change

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Consultation and pre-decision matters

Design: process and tools

Determining a planning application

Effective use of land

Flood Risk and coastal change

Historic Environment

Light pollution

Natural Environment

Noise

Planning Obligations

Transport evidence bases in plan making and decision taking

Travel Plans, transport Assessments and Statements

Tree Preservation Orders and trees in Conservation Areas

Use of planning conditions

Waste

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

DS1 – Development strategy and Principles

MTRA1 – Development Strategy Market Towns and Rural Area

MTRA3 – Other settlements in the Market Towns and Rural Area

MTRA4 – Development in the countryside

CP10 – Transport

CP15 – Green Infrastructure

CP16 – Biodiversity

CP17 – Flooding, Flood Risk and the Water Environment

Winchester District Local Plan Part 2 – Development Management and Site

Allocations

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

DM20 – development and noise

DM23 – rural character

DM24 - Special Trees, Important hedges and Ancient woodlands

Supplementary Planning Document

National Design Guide 2019

High Quality Places 2015

Air Quality Supplementary Planning Document 2021

Shedfield Village Design Statements

Other relevant documents

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Climate Emergency Declaration, Carbon Neutrality Action Plan 2020-2023.
Nature Emergency Declaration.
Statement of Community Involvement 2018 and 2020
Winchester District Local Plan 2020 – 2040 (Emerging)

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, 2023) 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 has been agreed by Full Council and the examination is now in progress. Therefore, the emerging policies can be given appropriate and increasing weight in the assessment of development proposals in advance of Adoption.

The application site is not located within a settlement boundary and therefore is located within the countryside for the purposes of planning policy.

Shedfield is listed as a settlement with an undefined boundary in Policy MTRA3 which allows for limited development of a small gap within a continuously developed road frontage in settlements. The equestrian centre does not form part of the main built up settlement of Shedfield and is set back from the main road by a significant amount (120m at the closest), therefore the proposal does not meet main criteria of this policy in its use or location.

Policy MTRA4 restricts development within the countryside to that which has an operational need and recognises that existing buildings are part of the landscape and rural businesses may need to expand through the reuse of existing buildings for employment or the on-site expansion of existing businesses.

The application site is an existing equestrian business which comprises an authorised riding school and livery and the proposal seeks to authorise the car park and equestrian events that would relate solely to the equestrian business. As the business also includes facilities for riding for the disabled the proposal would allow for dedicated parking areas for all users of the facility. Currently access for disabled users is severely restricted by the other commercial uses on the site.

The building currently contains a sand school, and facilities for the equestrian school. It also includes an unauthorised café and 3 residential flats. No changes are proposed to the building to allow these events to take place.

A car park is proposed adjacent to the existing building to facilitate the use of the barn as an equestrian event space and for the use of the riding school. The proposed car park is located within the existing site boundary and would be located close to the equestrian area of the site. Therefore, the proposed car park would be an on-site expansion of the existing riding school to accommodate users and staff on the site. Presently the site that the parking area proposed for is being used as a temporary equestrian shop while

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permission 23/02401/FUL is being built out. It is therefore reasonable to conclude that the majority of the existing hard standing would be retained to form the car park. However areas would be removed to allow the planting and remove the hard standing around T15.

The existing car park to the south of the red line plan mainly serves the commercial area and users of the Riding school must walk through the site, including the single lane track leading to the equestrian school and Lockhams recycling centre. The proposal would provide a separate parking area to serve the riding school and equestrian event space.

It is considered that the proposal would represent the on-site expansion of the existing riding school to allow equestrian events within the existing barn and parking for users and staff away from the other industrial and commercial uses on the site.

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 proposal would use part of the existing barn for equestrian events in connection with the existing equestrian use and no works to the building are proposed. The proposal would see an expansion of the existing use to include specialised events. Concerns have been raised in regard to loss of tranquillity however, due to the mixed use of the wider site the area is not generally considered to be a tranquil one. While it is acknowledged that the current temporary use is not permanent the use of the area as a car park for the site since 2023 has also highlighted that the impact on the surrounding area in terms of tranquillity is minimal. Therefore it is not considered that the proposal would be to a harmful degree that would result in a reason for refusal.

The applicant's amended planning statement has highlighted that events for up to 100 people are proposed. As such, a car park providing 48 spaces including 3 disabled spaces has been proposed. The car park is partially retrospective as the area is currently being used as parking for the temporary shop while 23/02401/FUL is being built out. Therefore, the area proposed for the car park is currently subject to significant traffic to access the shop and Equestrian business.

The area proposed for the car park for the equestrian building was in use for grazing prior to being used, temporarily, for the shop. It is clearly visible from the street scene and therefore its use for the parking of vehicles is a significant change to the visual amenities of the area. To address this, the amended plans submitted show significant hedge planting around the peripheries of the car park to screen the area and retain the verdant character. As such it is considered appropriate to condition the planting and species of the proposed hedges (condition 6).

Therefore, while it is acknowledged that the proposal could result in an expansion of use, this is not considered to be harmful to a degree that would justify a reason for refusal.

Therefore, the proposal complies with policies DM15, DM16 and DM13.

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Development affecting the South Downs National Park

The application site is located 1.8 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.

Therefore, the development will not affect any land within the National Park and is in accordance with Section 11a of the National Parks and Access to the Countryside Act 1949.

Historic Environment

The works do not affect a statutory Listed building or structure including setting; Conservation Areas, Archaeology or Non-designated Heritage Assets including setting.

Concerns have been raised regarding the setting of the Shedfield Conservation Area (SCA). The SCA is located approximately 400m to the east of the application site. The setting of the SCA in this area is the village of Shedfield from the Botley road up to Glebe House. It is considered that the proposal would be located sufficiently far from the SCA to prevent harm to the significance of the SCA and its setting. It should also be noted that there are no changes proposed to the existing buildings, the car park would result in a visual change to the area however as mentioned above, condition 6 requires the planting and retention of significant boundary hedging.

Neighbouring amenity and Noise

There are a number of dwellings immediately adjacent to the building subject to the application.

Outside the site, the Red House is located approximately 110m and White House is approximately 150m from the application site to the north. Rose Cottage is approximately 180m from the site to the southeast.

As the building is existing, it is not considered that the proposal would result in overlooking, overbearing or loss of light. Whilst more vehicles would use the existing access track, this does not result in any public overlooking into these properties.

Concerns have been raised in regard to noise. A noise report has been submitted, and the use of amplified noise has been withdrawn from the application. This has been

conditioned (4). The noise report also confirms that the existing fabric of the building would be sufficient to prevent noise outbreak to the unauthorised accommodation above.

As such, it is considered that the proposal would not result in harmful noise levels from the proposed use.

The noise report also examines the noise generated by idling cars and people leaving the site. The noise generated is considered to be minimal and therefore would not result in harm to neighbouring amenities.

Operation times for events are proposed to be between 14:00 and 23:00. Given that the events are proposed to be in association with the riding school, it is considered reasonable to align the operation hours with that of the riding school. Though it is considered that some events may go into evenings, especially over the summer months. As such it is considered that operation times of between 8am and 8pm are reasonable. It is therefore considered appropriate to condition hours of use for events (condition 5).

Therefore, subject to the proposed conditions the proposal complies with policy DM16.

Sustainable Transport

The proposal includes a large parking area. A transport assessment has been carried out that estimates approximately 47 generated trips over the course of a 12 hour day which is considered by the Highways Engineer to be slightly low but only minimally. This is based on future guests arriving on average 3 per car for an event for 160 people and approximately 20% arriving by taxi. This is a calculation method that is supported by Hampshire as Highways Authority. It is therefore considered that the proposal would result in approximately 53 trips in a 12 hour period. This has been assessed by Hampshire highways, and they have raised no objection.

It is noted that the technical note submitted assesses approximately 200 vehicles attending events. This assessment has not been updated to reflect the change in the range of event types proposed. As originally submitted the proposal was for unrestricted events including weddings, funerals, corporate events etc. As a result of concerns related to traffic generation by these types of events the applicant has agreed to events being restricted to equestrian. It is concluded that the size of the car park has also been reduced to a size sufficient to serve the proposed events, based on information provided by the applicant that approximately 100 people attend equestrian events and that the average occupancy of each vehicle would be two.

Further to this, it is acknowledged that the proposed equestrian events would likely result in vehicles attending the events all trying to enter and exit at the same time. It is considered that the access track is of sufficient length to allow multiple vehicles access without blocking the highway. The proposal also includes coach parking to limit smaller vehicles where possible.

It is, therefore, not considered that the proposal would result in a significant uplift in vehicle movements that would result in harm to highways users and therefore this is considered to be acceptable.

In terms of parking, 48 parking spaces are proposed, including 3 mobility spaces. In addition, a space for the parking of a coach has been proposed. Therefore, the size and level of provision of the proposed parking area is considered to be acceptable. A condition is suggested to secure details of the maintenance of the access and parking area (7).

Therefore, the proposal complies with policy CP10 and DM18.

Ecology and Biodiversity

The proposal is adjacent to Biggs Copse SINC and Ancient Woodland. The site is separated by the access track and the existing area (prior to use for the temporary shop) was a grazing field that had little ecological significance. A preliminary Ecological Assessment has been submitted, however it is not for this site and therefore cannot be considered.

It is known that there are protected species within Biggs Copse, however due to the existing circumstances of the tarmac temporary parking area being in place, it is not considered that the proposal would result in harm to protected species.

The proposal also includes hedge planting along the peripheries of the parking area in a native species. As such, a condition has been recommended to secure a planting schedule, implementation of the planting and a management plan (6). It is considered that the hedge planting would improve the biodiversity in the area by creating habitat for protected species that are known to be in the area, though the application pre-dates Biodiversity Net Gain, the proposed planting is considered to result in an uplift in habitat and therefore is considered to be acceptable.

Therefore, the proposal complies with policy CP16.

Sustainable Drainage

The proposal would result in a permeable gravel parking area, as such, a condition for details of surface water drainage is considered appropriate (condition 3).

The proposal would make use of the existing facilities for foul water, which is considered to be acceptable.

Therefore, the proposal complies with policy CP15.

Trees

The site is adjacent to Biggs Copse SINC and Ancient Woodland to the north. There is also a TPO tree to the west of the site, T15.

The application has been supported by Arboricultural assessments which assess the impact on surrounding trees and protect them during construction. This is secured by condition 2. The amended plans submitted show that the root protection areas for T15 and the nearby T14 within Biggs Copse would be cleared of hard standing that is existing due to the temporary shop works. As such conditions requiring details of the removal of the hard standing is recommended (9 and 10).

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The proposed car park would be within approximately 6m of the Ancient Woodland of Biggs Copse. The proposed car park area is separated from the woodland by an existing track that is in use for the temporary shop and the equestrian buildings adjacent. While it is noted that the proposed car park would be partially within the 15m buffer zone of the trees, it is considered that the track has been in place for some time. To limit the impact of additional traffic on the root protection areas of these trees, the car park has been divided into 3 areas with individual accesses that are outside of the buffer zone. The existing tarmac would also be removed and replaced with a permeable hardstanding that would allow water to the root systems. The proposed works are therefore considered to not result in additional harm to the significant trees in the area. Conditions to manage works associated with the trees have been recommended (9 and 11) this includes details of surfacing materials to be submitted.

The proposal will therefore comply with policy DM24.

Other Topics

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 proposal would see the use of part of the existing building for events and for a new parking area associated with the uses on the site.

Policy MTRA4 allows for the expansion of existing business on site provided that the proposal would not result in visual or physical harm to the countryside location. The proposal would not alter the existing building and significant hedge planting is proposed around the parking area to screen the parking area. The proposal would therefore meet the criteria of policies MTRA4.

The proposal would not result in harm to neighbouring amenities. Nor would there be harm to highways users or protected species.

Works to improve the adjacent TPO trees is proposed as well as additional planting to screen the development and improve the habitats in the area.

The proposal is therefore considered to accord with policies MTRA4, DM13, CP16, DM15, DM16, CP15, DM23, DM24 CP10 and DM18.

Recommendation

Permit subject to the following conditions:

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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 and documents:

'Existing Grund Floor Plan' submitted to the Local Planning Authority 20.07.2023

'Location Plan As Proposed' submitted to the Local Planning Authority 20.07.2023

Document ref: IH/Shedfield,SP322HN/Method/Wedding Venue – Letter from Mark Hinsley Arboricultural Consultants dated July 2024

'Site plan inc. landscaping' submitted to the Local Planning Authority 14.03.2025

'Updated Preliminary Ecological Appraisal' By Ecosupport dated November 2022

Document ref: AS13005.240709.R2 Rev A – noise report

For the avoidance of doubt:

- the dwellings identified in 'existing plans first floor' and 'Existing plans second floor' submitted to the Local Planning Authority 14.03.2025 are not approved.

- The café identified in plan 'Existing Grund Floor Plan' submitted to the Local Planning Authority 20.07.2023 are not approved

Reason: For the avoidance of doubt, to ensure that the proposed development is carried out in accordance with the plans and documents from which the permission relates to comply with Section 91 of the Town and Country Planning Act 1990.

3. Prior to the commencement of development hereby approved, details of surface water drainage works shall be submitted to and approved in writing by the Local Planning Authority (LPA). Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system and the results of the assessment provided to the LPA. Where a sustainable drainage scheme is to be provided the submitted details shall:
 - provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - provide a management and maintenance plan for the lifetime of the development to secure the operation of the scheme throughout its lifetime.

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- Prior to the occupation of the buildings hereby approved the surface water drainage works shall be carried out and shall thereafter be managed and maintained in accordance with the agreed management and maintenance plan.

Reason: To ensure satisfactory provision of surface water drainage in a sustainable way.

4. No sound amplifying equipment, including the use of musical instruments, shall be installed or used within or surrounding the building and car park identified within plans 'Existing Ground Floor Plan' and 'Site Landscaping'.

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

5. The events use hereby permitted shall only open to customers within the following times 08:00 – 20:00.

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

6. A detailed scheme for landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the first planting season following the completion of the development whichever is the sooner and retained thereafter. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To improve the appearance of the site in the interests of visual amenity.

7. Prior to the use hereby permitted commencing, details of how the future maintenance of all roads, parking areas, areas besides carriageways not adopted by HCC, will be managed by an appointed Management Maintenance Company or otherwise shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure long term maintenance.

8. Details of any external lighting of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the extension hereby permitted. The information shall include a layout plan with beam orientation, and schedule of equipment in the design (lumen type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details. The lighting shall not be switched on between the hours of 11pm and 7am.

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Reason: To protect the neighbouring amenities; and to ensure that the ecological value of the site is not adversely impacted upon by the development.

9. No development, or site preparation prior to operations which has any effect on compacting, disturbing or altering the levels of the site, shall take place until a person suitably qualified in arboriculture, and approved as suitable by the Local Planning Authority, has been appointed to supervise construction activity occurring on the site. The Arboricultural supervisor will be responsible for the implementation of protective measures, special surfacing and all works deemed necessary by the approved Arboricultural method statement. Where ground measures are deemed necessary to protect root protection areas, the Arboricultural supervisor shall ensure that these are installed prior to any vehicle movement, earth moving or construction activity occurring on the site and that all such measures to protect trees are inspected by the Local Planning Authority Arboricultural Officer prior to commencement of development work.

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

10. Prior to occupation, visibility splays of 2.4m x 43m shall be implemented and be kept free of any obstruction exceeding 0.6m in height above the adjacent carriageway and shall subsequently maintained thereafter.

Reason: To ensure safe access and egress from the site and in the interest of Highways safety

11. Prior to commencement of development details of the works to remove the hard standing around the protected tree shown in plan 'Site plan inc. landscaping' submitted to the Local Planning Authority 30.07.2024 should be submitted to and approved in writing by the local planning authority.

These details shall include:

- Method statement
- Materials included to prevent compaction of the root protection area

The development shall be carried out in accordance with the approved details.

Reason: To ensure protection and long-term viability of retained trees and to minimise impact of construction activity.

Informatives:

1. This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section

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38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

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

Local Plan Part 1 Joint Core Strategy: DS1, MTRA3, MTRA4, CP10, CP16

Local Plan Part 2: DM1, DM15, DM16, DM17, DM18, DM24

3. In accordance with paragraph 39 of the NPPF, Winchester City Council (WCC) takes a positive and proactive approach to development proposals focused on solutions. WCC works with applicants/agents in a positive and proactive manner by;

-offering a pre-application advice service and,

-updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

4. Please be respectful to your neighbours and the environment when carrying out your development. Ensure that the site is well organised, clean and tidy and that facilities, stored materials, vehicles and plant are located to minimise disruption. Please consider the impact on your neighbours by informing them of the works and minimising air, light and noise pollution and minimising the impact of deliveries, parking and working on public or private roads. Any damage to these areas should be remediated as soon as is practically possible.

> For further advice on this please refer the Construction Code of Practice <http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-considerate-practice>

5. The applicant is advised that one or more of the Conditions attached to this permission need to be formally discharged by the Local Planning Authority before works can commence on site. Details, plans or samples required by Conditions should be submitted to the Council at least 8 weeks in advance of the start date of works to give adequate time for these to be dealt with. If works commence on site before all of the pre-commencement Conditions are discharged, then this would constitute commencement of development without the benefit of planning permission and could result in Enforcement action being taken by the Council.

6. 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.

7. 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

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substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

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. Flexibility of hours may be acceptable due to the Covid-19 emergency in line with the Business and Planning Bill 2019-21

<https://services.parliament.uk/Bills/2019-21/businessandplanning.html>

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.gov.uk/government/publications/construction-working-hours-draft-guidance/draft-guidance-construction-site-hours-deemed-consent>

Appendix 1

Having reviewed the planning statement and application form, Shedfield Parish Council (SPC) would like to OBJECT to this application for the following reasons:

- The planning statement refers to previous planning applications: 12/02417/FUL and 22/00577/FUL.

The 12/02417/FUL application relates to the implementation of the undercover ménage. At no time does this relate to any parking area and the area granted planning permission in this application does not include the land in front of the ménage.

Furthermore, this application has strict conditions, as highlighted below:

Condition 3: No floodlighting, whether freestanding or affixed to any structure, shall be provided at any time.

Condition 4: The use of the building hereby approved shall only be used in association with the commercial livery and horse-riding lessons.

Condition 4 is still relevant today.

The application (23/01759/FUL) should be withdrawn and a new application applying for this condition to be removed should be submitted before this, or any other application, is considered.

- The Planning Statement and Highway Technical Note states that 64 car parking areas are required. There is no mention where these are going to be located and the photographs show a hard standing with several vehicles. This area should be Farmland/Equestrian use and no application has been made for change of use.

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- The Planning Statement states that over 50 equestrian events take place over the year with on average 300 people attending. Shedfield Equestrian Centre's own website does not mention these events. To local knowledge it would appear that only a handful of events take place.

Within walking distance of the application site are seven current venues for events/weddings. These include:

Wickham Estate (vineyard): <https://www.wickhamestate.co.uk/>

The Meon Valley Hotel: <https://www.britanniahotels.com/hotels/meon-valley-hotel-country-club>

New Place: <https://www.newplacehotel.co.uk/>

Shedfield Reading Room: <https://www.shedfieldrr.org.uk/>

Shedfield Study Centre: <https://www.shedfieldstudycentre.org.uk/index.html>

Shedfield Pavilion: https://www.shedfieldparishcouncil.org.uk/Facilities_.aspx

Shedfield Social Club: Located at <https://www.shedfieldrr.org.uk/>

There are also two public houses that hold events such as live music and entertainment. Shedfield is well supplied with venues and there is no requirement for more. There are even more venues available for weddings/events within Shirrell Heath and Waltham Chase, the other two villages within the Parish Council boundary.

- SPC are concerned that the applicant submits relevant planning information in stages. This is highlighted by various agencies requesting further information, as the basic information is missing and has not been forthcoming.

Once the correct information is submitted, there is little time for SPC and the public to make comment. This appears to be the applicant's general approach to the submission of applications. SPC ask that this application remains open to all consultees and the public until the Case Officer decides that adequate information is online. This relates to fairness and openness and would allow interested parties to make an informed decision on the application.

- The Planning Statement outlines other facilities on the overall site but fails to mention that most are unlawful and subject to WCC and HCC enforcement. The building that the application seeks the change of use for is not a lawful building. Planning permission was granted under reference 12/02417/FUL to cover an existing ménage. The building erected was built larger than that permitted and has an end bay of a different colour and slightly lower eave height. This bay was added at the time the permitted building was completed. This provides further evidence that the building is unlawful as conditions 2, 3 and 4 were never discharged. Application 15/01841/FUL plans were deceptive as the unlawful section was shown as part of the building approved under 12/02417/FUL. Condition 4 of this approval has not been discharged.

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- In relation to Highways, the visibility splays are questionable. Looking west from the entrance, the applicant has no control of the sightlines as the area is owned by another person. There are also two trees that may affect the view. Looking east, no mention is given to a telegraph pole also hindering the view. The exit is almost opposite a well-used lane and having more traffic using this exit will create a danger in the areas. For this reason, SPC will be commissioning an independent survey of the entrances/exits.

- Reference should be made to HCC's Technical Guidance notes, in particular TG3.

Creating two commercial entrances within sightlines of each other creates a danger, as well as the crossover crossing opposite the proposed new entrance. Further to this the guidelines include the following:

3.6.1 Requirements for walking, cycling and horse riding shall be considered as appropriate, in accordance with the relevant national design standards including DMRB, MfS, Traffic Sign Manual Chp 6, Local Transport Note 1/20 and Traffic Advisory Leaflets such as 03/05, 04/05, 05/05, 03/03 etc (published by the Department for Transport).

This lane is heavily used by the Equestrian Centre, in particular the riding school. On some occasions young unaccompanied children ride horses along this lane. No mitigation or mention has been made of this.

- MTRA4 policy: This development is against WCC MTRA4. In part, this states: expansion or redevelopment of existing buildings to facilitate the expansion on-site of established businesses or to meet an operational need, provided development is proportionate to the nature and scale of the site, its setting and countryside location;

There has been no business plan or viability study submitted to support the application and there is no current need, as various similar businesses are in the immediate vicinity.

- Visual Effect/Trees: There is a protected woodland adjacent to the application site. Damage has previously been caused to this woodland by the activity of the ménage and its wider use.

This has also been subject to enforcement and proceedings. Should the public have access to this area, more damage will inevitably be caused.

- The PEA document does not include any of the area of this planning application. In addition, under section 6.0 it states that further survey work is needed.

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- The Ground Floor plans do not include details of changing the existing or proposed plans, nor do they include information as to how the undercover ménage is envisaged.
- The photos produced clearly show that 200 guests cannot be accommodated in the catering area; there is no passing space along the lane which is proposed to be the entrance; and the entrance and exit cannot accommodate 2 vehicles at a time.
- The Block Plan of the site includes land belonging to HCC Highways, and the main equestrian entrance is highlighted, but this is not mentioned in the Planning Statement.
The red line area of the site is 0.57h, however taking out the land owned by HCC Highways, results in an area much lower than this.

SPC would question whether the treatment plant was designed, or has the capacity, to deal with an average of 300 person for 50 events or whether it is capable of dealing with 200 persons at the function site.

No reference is given to electrical car charging points.

SPC cannot comment on the noise report as, at the current time, this is unavailable for viewing.

- The report states that the nearest houses are some distance away, however, there are 3 holiday flats on the application site. This is detailed under 22/00577/FUL, to which is attached a condition (3). This details time periods and recording of details of residents at the flats. SPC ask that the Case Officer makes sure that these conditions are being carried out. The reason for this request is that if these flats are permanently let, the tenants would suffer from the proposed activities.

Shedfield Parish Council therefore recommends refusal of the application due to the reasons provided above and requests that the application goes before the committee.