



Appeal Decision

Site visit made on 10 October 2022

by Robin Buchanan BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 November 2022

Appeal Ref: APP/L1765/W/21/3289127

Shedfield Equestrian Centre, Botley Road , Shedfield SO32 2HN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Shedfield Equestrian against the decision of Winchester City Council.
 - The application Ref 21/00422/FUL, dated 12 February 2021, was refused by notice dated 25 October 2021.
 - The development proposed is the construction of a first floor extension to the existing equestrian shop.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a first floor extension to the existing equestrian shop at Shedfield Equestrian Centre, Botley Road , Shedfield SO32 2HN in accordance with the terms of the application, Ref 21/00422/FUL, dated 12 February 2021, and the plans submitted with it, subject to the conditions set out in the schedule below.

Application for Costs

2. An application for costs was made by Shedfield Equestrian against Winchester City Council. It is the subject of a separate Decision.

Preliminary Matter

3. In its appeal statement the Council provided a hyperlink to a recording of its relevant planning committee meeting. Hyperlinks are not accepted by the Planning Inspectorate¹. I have not, therefore, listened to the recording or taken it into account in determining the appeal. No transcript has been provided by either main party.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area, having particular regard to the streetscene.

Reasons

5. The appeal site contains a single-storey, well-worn, utilitarian rural building. It is mainly used to sell equestrian tack, bedding and feed, as well as clothing and accessories for horse riders. It is at the roadside end of a pocket of buildings in mixed, mainly retail or business use, in the countryside. This development stretches in depth to the rear with off-shoots either side,

¹ Appendix I.1, Procedural Guide Planning Appeals – England, February 2022

including some dwellings and an equestrian (horse riding) centre. Botley Road undulates past the site, which is in a dip, and although near the edge of Shedfield, housing and other development is sporadic in nature along this distinctly rural road corridor.

6. The proposed first floor extension would allow ancillary office and staff welfare facilities to be relocated upstairs and expanded. The ground floor retail use would be reconfigured, with a commensurate increase in sales area.
7. A mansard roof would be novel in this group of mainly flat or shallow pitched roof buildings and add appreciable built form over the very low pitched, almost flat roof profile of the building. Albeit set back from the roadside, the extended building would be most apparent in a perpendicular public view from the pavement in front of the site in the lowest part of Botley Road. However, the mansard would avoid a conventional pitched roof above a conventional first floor and cover just the main rectangular floorplan of the building. This roof would be narrow, well-designed and proportioned, such that while it would add appreciable built form, it would not appear bulky or overly top heavy. The small flat roof dormer windows would be below the upper eave level and not project very far beyond the plane of the lower roof slope.
8. The extended building would remain set within a wide apron of hardstanding on lower ground compared to surrounding rising land levels. Some of the nearby single storey buildings have significant external dimensions, especially vertical height and volume thus overall scale and massing; and some of the smaller single, one-and-a-half or two-storey buildings are sited close behind the building or on higher ground and as such have significant visual presence. Painted blockwork ground floor elevations and first floor profile metal sheeting would be suitable external materials in this rural location and be in-keeping with the varied appearance of these other buildings.
9. In public views from the pavement on higher ground to the north and south, the extended building would be observed in downward views, in the context of the surrounding buildings, landform or planting including trees. Views from passing traffic would be fleeting and glimpsed in nature. As a result, even in these more open and extensive, though more distant, views the extended building would not be overly prominent or conspicuous or unduly erode openness. Nor would it appear cramped on its site, or in relation to its developed environs, or be unacceptable overdevelopment. It would instead nestle into this hollow of land and be assimilated into its immediate context without a jarring presence in the streetscene.
10. Taking all of the above into account, I find that the proposal would not harm the character or appearance of the area, having particular regard to the streetscene. Consequently, it complies with Policy DM16 of the Winchester District Local Plan Part 2, April 2017. This policy includes that development should respond positively to the character, appearance and variety of the local environment within and surrounding a site in terms of design, scale and layout.
11. The proposal would also be aligned with objectives of the National Planning Policy Framework (Framework) to achieve well-designed places with development that is sympathetic to local character, including the surrounding built environment and landscape setting, while not preventing appropriate innovation or change.

Other Matters

12. I have had due regard to the many other concerns of a large number of local people and Shedfield Parish Council. However, these relate to issues that are either not before me in this appeal, are not of acknowledged planning interest or are anecdotal in nature. None of these matters are determinative in this case so would not affect my decision or the outcome of the appeal.

Conditions

13. The Council has suggested some planning conditions, including some of a pre-commencement of development type. The appellant did not object to them. Where required, I have considered modified wording in the interests of clarity and have had regard to the relevant tests in the Framework and advice in Planning Practice Guidance (PPG). I have also considered the need for any other conditions.
14. In addition to the standard time limit condition (1), a condition would be necessary to specify the approved plans to ensure certainty (2). It would also be necessary to obtain details and samples of the proposed external materials (4), soft landscaping (5) and any external lighting (6) so that the development would be in keeping with the character and appearance of the area. There is no clear justification to secure these details before the development commenced.
15. Conditions are also necessary to clarify the nature and extent of the use of the resulting building (7)(8) and its hours of operation (9), and to restrict the hours of construction working (3). These are in the interests of the amenity of the area and the existing occupiers of nearby properties, highway safety and to ensure adequate car parking on the site.

Planning Balance and Conclusion

16. The proposal would accord with the development plan. There are no other material considerations, including the provisions of the Framework, which outweigh this finding. As a result, paragraph 11 c) of the Framework is engaged. Accordingly, the presumption in favour of sustainable development applies in this case.
17. Therefore, for the reasons given above and subject to conditions, the proposal is acceptable and the appeal succeeds.

Robin Buchanan

INSPECTOR

Schedule of Conditions (9)

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:

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| • Unreferenced | Ordnance Survey 1:250 site plan |
| • SUR-01 | Topographic site survey |
| • W20-020 001 Rev A | Existing block plan, floor plan and elevations |
| • W20-020 101 Rev A | Proposed block plan, ground floor plan and elevations plan |
| • W20-020 102 | Proposed first floor and roof plans |

- 3) Construction works and deliveries, including site preparation and groundworks shall take place only between 0800 to 1800 Monday to Friday and between 0800 to 1300 Saturday and shall not take place at any time on Sunday or on Bank or Public Holidays.
- 4) Notwithstanding condition 2, the external surfaces of the building hereby permitted shall not be constructed until there shall have been submitted to and approved in writing by the local planning authority details and samples of the materials to be used for these parts of the development. Development shall be carried out in accordance with the approved details and samples.
- 5) The first floor extension of the building hereby permitted shall not be brought into use until there shall have been submitted to and approved in writing by the local planning authority details of soft landscape works. These details shall include, species, density, planting size and layout. The soft landscape works shall be carried out in accordance with the approved details in the first planting season after the first floor extension is first brought into use or the completion of the development, whichever is sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the same place in the next planting season with others of similar size and species.
- 6) The first floor extension of the building hereby permitted shall not be brought into use until there shall have been submitted to and approved in writing by the local planning authority details of any proposed external lighting at the site and the approved details have been carried out. The external lighting shall thereafter be retained in accordance with the approved details.
- 7) Notwithstanding what is shown in the planning application form, retail use of the building hereby permitted shall not exceed 580m², in accordance with the approved proposed ground floor plan (drawing number W20-020 101 Rev A).
- 8) The first floor extension of the building hereby permitted shall only be used for office and staff welfare facilities and for no other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
- 9) The building hereby permitted and its use shall only operate between 0800 to 1800 Monday to Saturday and 0900 to 1600 Sunday and Public or Bank Holidays.