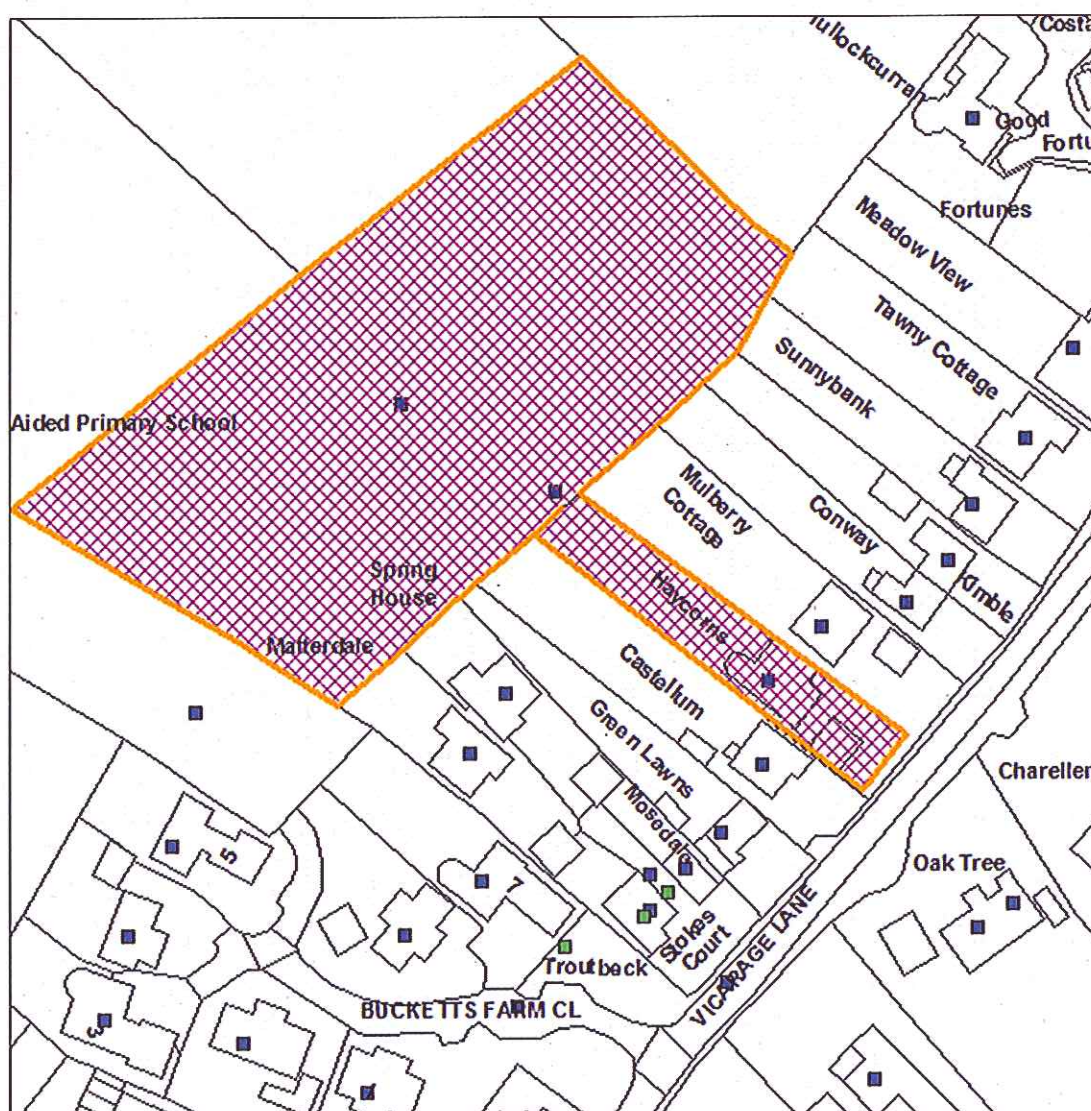


Item No: 3  
Case No: 17/01146/FUL  
Proposal Description: Stable building with covered area and tack/feed store (RETROSPECTIVE)  
Address: Haycorns Vicarage Lane Swanmore SO32 2PW  
Parish, or Ward if within Winchester City: Swanmore  
Applicants Name: Mrs Liz Nelson  
Case Officer: Lisa Booth  
Date Valid: 23 June 2017  
Recommendation: Application Permitted



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## **General Comments**

This application is reported to Committee because of a request from the Parish Council and 6 letters of objection received. The Parish Council request is appended to the report at Appendix 1.

There is a parallel planning application also before the committee for consideration SDNP/17/03292/FUL, as the application crosses the boundary with the Winchester District and South Downs National Park.

## **Site Description**

The site is comprised of a grassed field, enclosed by mature hedging. The field borders Swanmore Primary School and playing field to the North, the gardens of houses on Vicarage Lane and Buckets Farm Close on the South, gardens of houses on Buckets Farm Close and Church Road to the West and open farm land to the East. The occupant of Haycorns owns the paddock and has erected a small stable block to the rear of the garden area.

Access to Haycorns is from Vicarage Lane, with vehicular access into the field being available from Buckets Farm Close, through an existing gate.  
There is also a storage container on site for the storage of the manure.

## **Proposal**

The proposal is for a stable building with covered area and tack/feed store.

## **Relevant Planning History**

None relevant

## **Consultations**

### Head of Environmental Protection:

There appear to be no records of any complaints from residents regarding either issues with the stables or the storage of manure since it was built, so I have no evidence to suggest that the facilities proposed are inadequate. I would say that for the size of stables, (i.e. one horse) the manure storage facilities should be adequate. If issues arise in the future, we can deal with such issues under other Environmental Health legislation. (Environmental Protection Act 1990)

### **Guidance Notes**

The applicant is advised that the preferred method of disposal is the frequent removal of manure from the site. The burning of manure or large scale storage on site will not be an acceptable method.

I would recommend that the applicant contact the Environment Agency on 03708 506 506 to discuss changes to the legislation covering the storage and disposal of Horse Manure.



If at any time the premises are used as a riding establishment a licence must be issued by the Environmental Protection Team under The Riding Establishment Acts 1964 and 1970. The term 'riding establishment' means the carrying on of a business of keeping horses to let them out on hire for riding, or for use in providing instruction in riding for payment or both.

#### Engineers: Highways:

This proposal does not contain any significant highway issues and is unlikely to impact on highway safety.

#### **Representations:**

##### Parish Council

No objection to the stable building itself.

##### Objection to:

Visual impact on the residential amenity

Effects of odour produced from stable close to residential properties

If minded to approve, it is requested that the applicant provide details of the facilities for the storage of horse manure/stable waste and its means of disposal from the site prior to use of stables is commenced. The facilities should also be provided and thereafter maintained in accordance with approved details and environmental health authority

Request for application to go to committee:

I have spoken to my Chairman who acknowledges the material reasons as follows, whilst not strong, with local feelings running high that going to Committee could ease the situation by giving objectors a further opportunity to make their point.

- Strength and number of objections and impact on the neighbours of keeping a horse in the stable particularly odour.

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

Letters of objection from six households containing the following points;

- the applicant has made inadequate provision for storage and disposal of manure on the site.
- the applicant has made inadequate provision for other storage on the site
- should this be a "change of use" application for the entire site
- should this be dealt with by the South Downs National Park Authority
- the skip is an eyesore a number of properties are adversely affected.
- manure container causing odour, drainage/flooding and vermin issues
- neighbours have commented on an increased number of horse-flies in their conservatory and have experienced problems with rats.
- waste piles obliterating views of SDNP

Reasons aside not material to planning and therefore not addressed in this report

- development not in accordance with deeds
- neighbour/boundary disputes
- the application being retrospective

## **Relevant Planning Policy:**

Winchester Local Plan Part 1 – Joint Core Strategy

MTRA4, CP13, CP19, CP20

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

DM12, DM16, DM17, DM23

National Planning Policy Guidance/Statements:

National Planning Policy Framework NPPF 7, NPPF11

Supplementary Planning Guidance

Swanmore Village Design Statement

## **Planning Considerations**

### Principle of development

The principle of equestrian development in the countryside is supported by policy DM12 of LPP2 and in this location it is acceptable provided any proposal: respects existing landscape pattern and minimise visual impact, by means of location, scale, appearance and design; does not involve the erection of new buildings, or associated features such as hard standing, parking or manure storage sites, which may harm the existing landscape through isolated or scattered development, does not involve the use of construction materials, boundary treatments, floodlighting, siting of areas of hard-standing, new or extended access routes, or other infrastructure related to the equestrian development that would have an adverse impact on the appearance of the landscape; does not have an unacceptable impact on residential amenities in the vicinity.

In this case there are no suitable existing buildings on this site to convert, therefore the erection of a new building to provide the stables has been put forward by the applicant.

Winchester District Local Plan Part 1 - Joint Core Strategy 2013 – Policy CP20 seeks to protect and enhance distinctive landscape and heritage assets and their settings.

Policy MTRA 4 limits development in the countryside to that which has an operational need for such a location, but it should not harm the character and landscape of the area. Policy CP13, amongst other things, requires high quality design and for proposals to make a positive contribution to the local environment.

### Design/layout

The stables are a scale typical for the purpose, which is considered appropriately designed for this location. The materials consist of timber with a corrugated roof, typical in appearance for a rural building.



### Impact on character of area and neighbouring property

Development which would have a significant detrimental impact on the rural character and setting of settlements and the landscape will not be permitted. The site is currently well screened by tree cover and hedgerows to the site boundaries and the development is not highly visible from wider views within the National Park, so the visual implications are not considered harmful. A condition has also been imposed to control lighting, which could otherwise result in visual intrusion.

Only one horse is proposed to use the stables and this horse is solely for private use relating to the applicant. The horse related vehicles will access and park at the applicant's house, adjacent to the site so will not need to use the field. The removal of the waste from the stables is through the use of the storage container which is regularly removed from site for disposal. The trees and hedging to the boundaries of the property will remain. All the above considered, the proposals do not have an adverse impact on the landscape character of the area and the adjacent South Downs National Park.

### Impact on the neighbouring property

As the field bounds a number of residential properties local opposition has been raised specifically regarding the manure. The Council's Environmental Health Officer has investigated the application and concludes that these facilities are sufficient and there have been no complaints from residents to the Environmental Health Department. Also should issues arise in the future they can be dealt with under Environmental Health legislation. (Environmental Protection Act 1990)

The stables themselves are not considered to be overbearing or be causing material overshadowing harmful to the neighbours private amenity, to warrant the refusal of the application.

Neighbours have commented that the manure storage is an eyesore, but again it is not considered to be overbearing or cause overshadowing to neighbours causing material harm to neighbouring properties amenity, and people do not have a right to a view across another's land. Whilst the container is not ideal in terms of visual amenity it serves the purpose of containing the manure for frequent disposal as recommended by the Environmental Protection team. The applicant has agreed to site the container further from the neighbouring properties boundaries to address concerns raised.

### Other Matters: Landscape/Trees

The existing hedges/trees are to be retained.

### Other Matters: Highways/Parking

The Council's highway officer has been consulted and raises no objection to the application given its low key nature.

### Other Matters: Ecology

There should be no reason that any protected species would be affected by the stables provided that any external lighting is controlled through condition.



## **Recommendation**

Application Permitted subject to the following condition(s):

### **Conditions**

1 The use of the stables hereby permitted shall be restricted to the keeping of horses for private recreational use by the owner of the land only and shall not at any time be used for any other form of equestrian activity such as for any commercial riding, breeding or training purposes.

Reason: To ensure the satisfactory development of the site and in the interests of the amenity of the area and highway safety.

2 Details of any lighting of the site shall be submitted to, and approved in writing by the Local Planning Authority within 3 months of this permission. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area, the environment and local residents from light pollution and in the interests of the amenities of the rural character of the National Park.

3 The manure shall be stored within the site in the marked position on the amended plan, and frequently removed from site unless otherwise agreed in writing with the local planning authority. The facilities shall be provided and thereafter maintained in accordance with these approved details.

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

### **Informatives:**

01. In accordance with paragraphs 186 and 187 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service and,
- updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this instance the applicant was updated of any issues after the initial site visit.

02. 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 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

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

Winchester District Local Plan Part 1 - Joint Core Strategy: MTRA4, CP13, CP19, CP20  
Winchester District Local Plan Part 2 - Development Management and Site Allocations  
DM12, DM16, DM17, DM23

04. 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.

The submitted details should be clearly marked with the following information:

- The name of the planning officer who dealt with application
- The application case number
- Your contact details
- The appropriate fee.

Further information, application forms and guidance can be found on the Council's website  
- [www.winchester.gov.uk](http://www.winchester.gov.uk).

05. 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>



## Appendix 1 – Parish Council request for application to go to Committee

Case No: 17/01146/FUL- Lisa Booth

Location: Haycorns, Vicarage Lane, Swanmore SO32 2PW

Proposal: Stable building with covered area and tack/feed store (RETROSPECTIVE)

### Comments:

No objection to the stable building itself.

### Objection to:

Visual impact on the residential amenity

Effects of odour produced from stable close to residential properties

If minded to approve, it is requested that the applicant provide details of the facilities for the storage of horse manure/stable waste and its means of disposal from the site prior to use of stables is commenced. The facilities should also be provided and thereafter maintained in accordance with approved details and environmental health authority

### Request for application to be considered by Committee

Yes

Signed *Y Wheadon*

Assistant Clerk to the Parish Council

20 July 2017

**From:** Assistant Clerk [<mailto:admin@swanmorepc.org.uk>]

**Sent:** 07 August 2017 15:13

**To:** Lisa Booth

**Subject:** RE: 17/01146/FUL - Haycorns, Vicarage Lane, Swanmore

Dear Lisa

Thank you for the information.

I have spoken to my Chairman who acknowledges the material reasons as follows, whilst not strong, with local feelings running high that going to Committee could ease the situation by giving objectors a further opportunity to make their point.

- a. Strength and number of objections
- b. Impact on the neighbours of keeping a horse in the stable particularly odour.

Please let me know if this is satisfactory.

Kind regards

Yvonne Wheadon  
Assistant Clerk  
Swanmore Parish Council