

Case No: SDNP/21/02821/FUL
Proposal Description: Part retrospective planning permission for the change of use of land from agriculture to equestrian, and the erection of a private recreational 3-door stable, to be used in association with the dwellinghouse of 'Hayden Barn Cottage'.
Address: Hayden Barn Cottage, Hayden Lane, Warnford, SO32 3LF
Parish, or Ward if within Winchester City: Warnford and West Meon
Applicants Name: Mrs A Cooper
Case Officer: Miss Hannah Harrison
Date Valid: 21 May 2021
Recommendation: Recommended for approval



General Comments

This application is reported to the Planning Committee due to the number of representations that have been received contrary to the Officer's recommendation and at the request of the Parish Council (appended to this report).

The application was considered at the 18th June 2020 Planning Committee Meeting. Members decided to defer the application to undertake a site visit.

The application was then considered at the 20th August 2020 Planning Committee Meeting where the members refused the application.

The applicant appealed the refused decision and the appeal was dismissed due to lack of acknowledgment of the change of use of land. The Inspector noted within their response that the application would have been acceptable should the change of use of land had been addressed and assessed within the officer's report.

1 Site Description

Hayden Barn Cottage is a large two storey dwelling located within the rural countryside of Warnford, within the South Downs National Park. The property is on the boundary of Warnford Parish Council and the West Meon Parish Council.

A SINC (Meon Valley Trail North – West Meon to Peake New Road: 1A/1B/6A) and Public Right of Way (Warnford: 503 and West Meon: 503) are located to the east of the site.

The property is constructed of exposed red brick, with sash style windows and plain roof detailing. The property is accessed via a gated entrance off the main road (Hayden Lane), leading up to the double garage and open parking area.

Collectively the site contains a two storey dwelling, double garage, an outbuilding, a paddock, and woodland making up 3.8 acres of land over all.

There is one neighbouring property located to the north west of the site (The Hayloft). The properties are divided by a large section of foliage and boundary hedge.

2 Proposal

This planning application seeks permission for a stable building to be sited to the north west corner of the application site. It is currently situated further south adjacent to the western boundary of the paddock. It is understood that the stable has been in its current location since August 2019.

The application also proposes to alter and retain a new track, which joins with an existing track to the east of the site, and proposes to change the use of land from agriculture to equestrian.

3 Relevant Planning History

SDNP/18/04329/HOUS - Erection of a two-storey side and rear extension and associated works. **STATUS:** Approved 19th October 2018.

SDNP/19/05867/FUL - Erection of private recreational stable to be used in association with Hayden Barn Cottage **STATUS:** Withdrawn 30th January 2020.

SDNP/20/00708/FUL - Erection of private recreational stable to be used in association with Hayden Barn Cottage. **STATUS:** Refused 20th August 2020 / Appeal Dismissed 6th May 2021

Enforcement applications

SDNP/19/00477/GENER - Enforcement Enquiry.

4 Consultations

Parish Council Consultee – Warnford

I reply to you as the Chairman of Warnford Parish Meeting (WPM), in which the applicant's property is located but not the paddock or stable. Our Parish boundaries do divide this property.

Looking at this new application, it appears to be for a "Change of Use" and moving the previously built stable to the NW corner, as in the previous that went to appeal. WPM raises the following objections/concerns relating to the application.

- a) The paddock is not sufficiently large to support 2 horses, and merely having one or even a horse and a pony (as proposed in the Planning Statement (PS) at 3.6) would not be an appropriate use of the land as per the Local Plan, Equestrian Uses SD24, please see the views of Cllr. Lumby on this, which we endorse
- b) Given the unauthorised changes to the land levels when the existing stable was erected without planning permission, there is concern that if the stable is relocated, there may also be unacceptable changes to the land levels, and reliance should not be placed on them being minor as envisaged by the Inspector. Any changes of land levels from the position which pertained before the exiting stable was built should be consulted on, given the impact on neighbours
- c) Concerns over the 'high level' electricity cables which run very close to the proposed relocated stable have not been addressed.

If permission were to be granted, it should be subject to conditions that address the following:

Personal to the current owner of Hayden Barn Cottage

1. A limit on the number of horses that could be on the paddock, the PS refers to one horse and one pony (3.6), but just one horse or pony seems more appropriate
2. No field boundaries or subdivisions, moveable structures, field shelters or horse jumps shall be erected or moved onto the site without the prior written consent of the Local Planning Authority, see PS 3.24
3. Details of the measures to dispose of manure and other waste have been submitted to and agreed to in writing by the Local Planning Authority. The approved details shall be implemented on commencement of use and shall be retained thereafter
4. Any new/relocated stable block should not be permitted unless and until the existing one has been removed and the land levels in that part of the paddock returned to their previous levels, and all hard standing by the existing stable returned to grass
5. There should be no external lighting without the approval of the Local Planning Authority
6. The staining of the walls and roof to be done as in the PS
7. Size and position of soakaway to be approved by the LPA
8. All tracks to the relocated stable, including the existing unlawful tracks to the extent they are retained, should be grassed, farm tracks.

In conclusion, the Parish of Warnford objects to this application and suggests that great weight should be given to conserving our National Park's landscape and scenic beauty when reinstating the damage already done and kindly remind you of the overwhelming objections to this application. For all the reasons above, we again request that this application is taken to the Planning Committee.

Parish Council Consultee – West Meon

SDNP/21/02821/FUL Hayden Barn Cottage Hayden Lane Warnford

Southampton Hampshire SO323LF Proposal: Part retrospective planning permission for the change of use of land from agriculture to equestrian and the erection of a private recreational 3-door stable, to be used in association with the dwelling house of 'Hayden Barn Cottage'

1. The Parish Council unanimously agreed to continue to RAISE OBJECTIONS to the proposal as previously raised in the planning appeal and the following comments were agreed in response to SDNP consultation to the Parish Council on 29th July 2021.
- 2.
3. **Objections** are raised on the following grounds.
 - Increase in flooding.
 - It appears that the applicant has raised the ground levels in the paddock dramatically, in particular along the fence line shared with The Hayloft.

- The groundworks have never been properly applied for and it is of our opinion that they be removed completely to the original levels.
- The requested new positioning of the stables is contrary to policies in the SDNP Local Plan, in particular policies SD24 a,d,e and g.
- Inappropriate siting the stables are at the furthest point from the main dwelling house and under an overhead electrical line.
- The proposed positioning will also result in the Birds of Prey rescue project being stopped which is sited adjacent to the site.
- The meadow is classed as Agricultural Land so an application for a change of use is required. The parcel of land in question is also far too small to accommodate three horses so the Parish Council are unsure as to why such a large building is required.

WCC – Ecology Team

The Proposed Site Plan (0570/PL/02 Rev A) is the same as was submitted for SDNP/20/00708/FUL. Therefore I have no additional comments and have no objection subject to the suggested conditions.

Suggested conditions

Condition: The recommendations within the Ecological Appraisal (Davidson-watts Ecology, February 2020) shall be adhered to throughout all phases of the development.

Reason: To safeguard protected species and maintain biodiversity.

Condition: Details of any external lighting of the site shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. The lighting scheme should be in accordance with Guidance Note 08/18 produced by the Bat Conservation Trust and Institute of Lighting Professionals. 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 protected species from light pollution.

Condition: A Biodiversity Enhancement Plan shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. This shall include the details of native hedgerow planting and woodland management such as removal of rhododendron. These biodiversity enhancements shall be undertaken prior to the development coming into its intended use and retained and managed thereafter.

Reason: To ensure a net gain in biodiversity.

WCC – Landscape Team

We are satisfied from a landscape perspective that the information submitted provides us with sufficient detail of the proposals.

There have been two previous applications submitted in which landscape character and setting concerns were dealt with and all discussions have been considered and incorporated by the applicant in this submission. We have no further comments.

5 Representations

20 representations have been received, including one from a Ward Councillor, objecting to the application for the following reasons:

- Against dark night skies policy
- Land is too small to accommodate the horses
- Damaging the visual appearance of the landscape
- Doesn't address stable waste
- Against Policy SD24
- Not for private use
- Rising of land has never been applied for or enforced
- Change of use of land will spoil the countryside

6 Planning Policy Context

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the **South Downs Local Plan 2014-2033** and any relevant minerals and waste plans.

The development plan policies and other material considerations considered relevant to this application are set out in section 7, below.

National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes.

7 Planning Policy

Relevant Government Planning Policy and Guidance

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 February 2019. The Circular and NPPF confirm that National Parks have the highest status of

protection, and the NPPF states at paragraph 172 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.

National Planning Policy Framework (NPPF)

The following National Planning Policy Framework documents have been considered in the assessment of this application:

- NPPF12 - Achieving well-designed places
- NPPF15 - Conserving and enhancing the natural environment

Paragraph 2 states that planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

The following policies of the **South Downs Local Plan** are relevant to this application:

- Core Policy SD2 - Ecosystems Services
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design
- Strategic Policy SD6 – Safeguarding Views
- Strategic Policy SD8 - Dark Night Skies
- Strategic Policy SD9 – Biodiversity and Geodiversity
- Development Management Policy SD16 – Archaeology
- Strategic Policy SD20 – Walking, Cycling and Equestrian Routes
- Development Management Policy SD24 – Equestrian Uses
- Strategic Policy SD25 – Development Strategy

Partnership Management Plan

The Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. National Planning Policy Guidance (NPPG) states that Management Plans "contribute to setting the strategic context for development" and "are material considerations in making decisions on individual planning applications." The South Downs Partnership Management Plan as amended for 2020-2025 on 19 December 2019, sets out a Vision, Outcomes, Policies and a Delivery Framework for the National Park over the next five years. The relevant policies include:

- General Policy 1
- General Policy 3

Background

The stable building was built in August 2019 and was brought to the attention of the Local Planning Authority in December 2019.

The stable block is currently located north of the dwelling within a paddock. It has been placed along the northwest boundary of the paddock. This boundary runs parallel with the neighbouring garden. There is a mature hedgerow along this boundary. At the time of the site visit (winter 2020) the stable building was visible from the neighbouring pool area and first floor bedroom balcony. Revisiting the site again during July 2020, the site was screened by the blooming hedgerow and foliage, however the roof still remained to be visible from the neighbour's bedroom balcony.

This application is a third attempt to achieve planning permission. The first application (SDNP/19/05867/FUL) was considered unacceptable because of its adverse impact on landscape character and the amenities of the adjacent neighbouring property and was therefore withdrawn. The second proposed the stable in a new location with associated track. This third application mirrors the second but also addresses the change of use of land from agriculture to equestrian.

It was noted when the second application was taken to appeal, the Inspector dismissed the appeal as the application did not note and assess the change of use but the remains of the application appeared to be acceptable.

Principle of development

The application is seeking planning permission to re-locate the existing unauthorised stable block further north west of the paddock, alter and retain the access track and formally change the use of land from agriculture to equestrian.

Policy SD24 of the SDNP Local Plan applies which allows for equestrian development in principle. The purpose of this policy is to ensure the careful planning, design and management of land on which horses are kept. It is important that equestrian activities have a positive impact and protect natural beauty. Good design should be informed by local character and distinctiveness, with particular reference to farm buildings, layout and materials. This policy works respectively with policies SD4 – Landscape Character and SD5 – Design.

Design, scale and impact on the character of the area

The location of the site differs in landscape height. The paddock in question, since the stable building has been built, has risen over sections due to disperse of ground works from the construction. The northwest section of the paddock is the shallow section of the site, with the opposing side rising up and leading into a woodland area (owned by the applicant).

The stable building is typical in its design. It is constructed of timber cladding, with stable style doors (split doors), three small windows to the principle

elevation and a shallow pitched roof covered in corrugated iron/steel. The stables display three bays, each with a door and small window. Guttering has been placed along the roof line of the principle elevation, however the downpipe was not leading to anywhere at the time of the site visit. The structure is placed on iron/steel foundation beams; however the base of the timber frame still sits at ground level, visually appearing to be fixed. A concrete base was placed in situ prior to construction to allow the stables to be placed on a level platform. In its current location, behind the structure, the landscape drops significantly before joining the boundary hedging. It is not known whether this landscape element was always significantly lower than the ground level of the existing structure, or whether this has occurred due to the construction. Comments received would indicate the later but no evidence has been received to confirm this.

The current location of the stable building and the pale colour is highly visible from the public right of way and the main road (Hayden Lane). Upon visiting the site, the Planning Officer and Landscape Officer walked around the premises and surrounding landscape to gauge the exact impact of the existing building. It was concluded from the site visit, that in order to reduce the impact of the building within the landscape setting, the location and colour of the building should be improved.

The stables will be relocated to the far north corner of the paddock and will result in the loss of a copper beech tree. A topography plan has been submitted, with evidence to indicate that the copper beech tree is immature, and has no significant quality to impact the wider area. The removal of this tree allows the stables to be placed within a corner of the paddock that remains to be screened from the public realm, but also set away from the neighbour to remove any impact to their amenities. Although the copper beech will be lost, the applicant has proposed to plant additional native species around the stables. This balance of planting within the paddock is an acceptable solution for the loss of the copper beech, while also enhancing local ecology and biodiversity.

This new location is highly screened from the main road, public right of way and neighbouring property. The land owned by the neighbouring property (The Hayloft) wraps around the paddock towards the north, however this section of land appeared to be maintained grassland and is set far enough away from the neighbouring property to not have any material impact on their amenities. The stable block is also proposed to be stained, however a colour has yet to be confirmed so this detail has been secured by condition 4. A dark stain is recommended, such as dark brown or green to blend into the surroundings.

It was also recommended that the roof material be replaced to limit glare which may occur with the current roofing materials. Condition 3 is recommended to secure this. Additional planting was also advised to enhance the eco systems within the area and to help minimise any noises from the site. The screening provided by the additional planting would also help to obscure views. Condition 7 secures this.

An existing track is located within the woodland area adjacent to the paddock. The previous occupants of the dwelling constructed this track and planted the woodland around it to avoid visual impact on the surrounding area. This track has been extended into the paddock to gain access to the stables. Significant groundworks have also occurred resulting in what appears to be a hardstanding 'road' leading from the track up to the existing stable building. This 'road' is highly visible from the public right of way in winter months.

This application has been submitted to address the above concerns and issues associated with the stable building in its current location. Within the submission, the applicant has submitted a Planning Statement containing the following points to address the above:

- The site is already screened by the dwelling itself and various vegetation and trees on the site. Nevertheless additional planting will be planted to ensure the stables are screened from a far distance.
- The stable will be stained a dark colour to eliminate the striking bare timber which currently makes the structure highly visible.
- The roof material will be changed to ensure no reflection can occur.
- Relocating the stables to the north-west corner to avoid any impact on the neighbouring party, who can currently see and is being over shadowed by the structure. This will also assist with screening the building, as it is highly visible in the current location.
- The new track/road that has formed from the woodland to the stables will be seeded to form a visually enhanced version. It is proposed to reduce the width to 2.5 metres wide and will visually appear to be a farm track – grassed tyre tracks in the landscape.
- The concrete base of the existing structure will be removed and seeded to form grass. It is noted on the section plans that the existing concrete section will be levelled to form a natural landscape contour.

The above points will not only address the points raised by concerned representatives, but also the points raised on site by the Landscape Officer. The colour, roof material and track changes are proposed to be conditioned in order to ensure the changes are made and meet the standard required within the National Park.

Referring to Policy SD24 'Equestrian Use', the purpose of this policy is to ensure the equestrian use of the land does not harm the National Park and respectively works alongside Policy SD6 – Safeguarding Views. As the existing location of the stable building is highly visible from the main road and public right of way in winter months, the proposed location is seen to be an acceptable solution without causing additional landscape harm. The new location will not be visible from the public right of way nor the main road.

Policy SD24 also states that it is important that equestrian activities have a positive impact and protect natural beauty. The use of the stable building is not seen to be impacting the natural beauty of the landscape. It is set within a rural location and the views of animals within the setting would not be out of

character. The purpose of the stables is for private use only and a condition is recommended to control this. (Condition 10 will secure the use.).

As stated before, the design of the stables is simple and does not display an extravagant structure. The building is fit for the location and once stained the structure will blend in with the surrounding landscape. It is advised that the colour is checked before staining to ensure it is acceptable. This will be conditioned (condition 4 will secure the colour).

The proposed changes to the track will not only help the visual aspect of the stables but also replace the grassland that has been lost since. The track will extend to the new location of the building; however the track will form a farm track – tyre tracks in the grass - and will be seeded throughout and around the site. This type of track is an acceptable solution to what is currently in situ. Visually this is what would be expected within this rural setting. In order to allow vehicles to turn when approaching the stables, hardstanding in the form of gravel will be placed in front of the building. This can be removed without harming the landscape and will allow grass to grow through it over time.

Levels / drainage and run-off

Concerns have been raised regarding the levels and drainage of the site. The agent has submitted additional plans showing cross sections and the landscape levels of the paddock. These plans show a clear indication that the site naturally falls towards the north west.

Section plans of the proposed new location show a slight indentation in the north corner to allow the stables to remain level. This indentation within the landscape is minimal, and the land dug out will be dispersed over the existing location to allow it to reform into the natural contour.

The agent has addressed the drainage concerns within an email alongside the plan submission. They state that a conversation between themselves and the Landscape Officer occurred on the 11th March. It was noted all surface water from the roof would naturally feed into the guttering, the water would then go into a rubber fill soakaway which would be located a minimum distance of 5m away from the building. The structure is also positioned on a slightly elevated level to avoid any surface water runoff should the location incur heavy rainfall.

Change of Use of land

The site is currently known to be a paddock and falls within an agricultural use. Once the stables have been placed upon the site, the use will be changed to equestrian.

As stated above, the building and use of the land are not seen to be impacting the National Park visually, and any views of horses grazing within a rural setting is not uncommon.

The equestrian use will be controlled via condition to ensure no additional equestrian paraphernalia is placed on the site such as jumps or ramps and

will remain to be used for personal use of keeping horses. This is controlled by condition 10.

Impact on residential amenity

Strong concern has been raised about the impact of the development on the amenities of The Hayloft, which lies directly opposite the site to the north-west. Whilst the neighbouring dwelling itself is screened from Hayden Barn Cottage by tall vegetation and being set down into the landscape, the paddock slopes upwards to the east and the neighbouring property can clearly see the site from their first floor balcony. Not only that, the structure is considered to be having an overbearing impact on the neighbour's swimming pool and amenity area due to the significant height differences in the landscape.

The proposed new location and alterations to the stable structure will remove the adverse impact on the amenities of the neighbouring property. The additional planting will help with noise and visual impacts from their garden and the land surrounding the site.

The proposed new location is seen to be acceptable and addresses the current concerns raised regarding the impact on neighbouring amenities.

Within the grounds of The Hayloft is a timber owl enclosure and secure netting. This owl enclosure provides a secure environment to allow for rehabilitation before being released locally.

The proposed stable block is positioned so that the rear elevation is situated along the western boundary situated approx. 0.50 metres from the mature hedgerow along the boundary. The owl enclosure is situated approx. 10-15 metres from the rear elevation of the stable block. An objection letter was received in the previous 2020 application by the Barn Owl Project, Hampshire, who has suggested that a successful rehabilitation centre requires being within a quiet area to allow the birds to recover. A letter has been received again for this application with the same comments.

It is not considered that the provision of a stable block suitable for stabling 3 horses would generate a noise which would be harmful to the rehabilitation of owls, particularly given the degree of separation and intervening boundary treatment. It should also be noted that the paddock could be used for the keeping of horses without any consent. It is not considered that the proposal would result in harm sufficient to warrant a reason for refusal.

Impact on Ecology

There has been a lot of attention drawn to the ecology of the site. Representations have raised concerns about what has been lost due to the construction and how will it continue to impact the local area and their eco systems.

From visiting the site, it is clear that the construction has removed a section of grassland in order to execute the build. Since the completion, the boundary hedge between Hayden Barn Cottage and The Hayloft has been cut by the

electrical company to avoid any hedging touching the overhead line – this has removed a large portion of the hedge and has reduced the screening between the dwellings towards the south west. Screening remains further towards the north, ensuring the north corner of the paddock remains to be screened from the neighbour (The Hayloft).

The application has been submitted with an ecological appraisal and eco systems statement. This has been assessed by the Ecology Team. The following actions have been stated within the eco systems statement:

- The site is surrounded by vegetation. These are to remain and to be preserved at a high standard.
- Additional native hedgerow will be planted along the north-east and south-west of the new location. This will encourage more wildlife into the area and help to screen the structure from far views.

These actions are acceptable and would comply with the requirement to enhance the ecology within the location, under Policies SD2 and SD9 of the SDNP Local Plan.

The Council's Ecologist supports the proposal subject to recommended conditions 5, 6 and 7. These conditions will ensure the eco systems remain at a high quality.

It was noted within their comments that a Tree Officer should be consulted on the case. However, following the site visit, it was noted that this would not be necessary as the proposed location is not within close proximity to any high quality trees or TPOs. The proposal results in the removal of a copper beach tree, but as stated above, this tree is immature has no significant quality to the area or site.

9 Conclusion

The proposed new location for the stable block along with recommended conditions to improve the external appearance of the building, and biodiversity enhancements will ensure that the stable block is appropriately sited to avoid harmful impacts to the character and appearance of this countryside location and landscape setting of the South Downs National Park. The development would not result in a detrimental impact on the amenities of neighbouring properties in terms of loss of privacy, light or overbearing impacts or affect the well-being of the owls in the rehabilitation area.

The change of use of land will not be impacting the local area or neighbouring amenities. The equestrian use of the site will not be impacting the tranquillity of the location or the National Park.

For the reasons outlined above, the application is therefore recommended for approval.

10 Reason for Recommendation and Conditions

It is recommended that the application be Approved for the reasons and subject to the conditions set out below.

1. Within 3 months of the date of this permission, or an alternative timescale agreed in writing with the local planning authority, the stable building hereby approved shall be relocated to the approved position shown on the Proposed Block Plan Revision A and the concrete base of the existing structure shall be removed and the land seeded to form grass.

Reason: To protect the amenities of the adjacent neighbouring property and the landscape character of the South Downs National Park.

2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Within 1 month of the date of this permission, the material to be used for the roof of the development hereby permitted shall be submitted to and approved in writing by the local planning authority prior. The development shall be carried out in accordance with the approved details. The approved details shall be fully implemented within 1 month of the relocation of the stable block hereby permitted. (as per condition 1).

Reason: To ensure a satisfactory visual relationship between the development and the landscape.

4. Within 1 month of the date of this permission, details of the stain colour proposed for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details. The approved details shall be fully implemented within 1 month of the relocation of the stable block hereby permitted. (as per condition 1).

Reason: To ensure a satisfactory visual relationship between the development and the landscape.

5. The recommendations within the Ecological Appraisal (Davidson-watts Ecology, February 2020) shall be adhered to throughout all phases of the development.

Reason: To safeguard protected species and maintain biodiversity.

6. No external lighting shall be provided at the site, unless details have been submitted to, and approved in writing by the Local Planning Authority.

The lighting scheme should be provided in accordance with Guidance Note 08/18 produced by the Bat Conservation Trust and Institute of Lighting Professionals. 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 protected species from light pollution.

7. Within 3 months of this Planning Permission, a Biodiversity Enhancement Plan shall be submitted to, and approved in writing by the Local Planning Authority. This shall include the details of native hedgerow planting and woodland management such as removal of rhododendron. These biodiversity enhancements shall be undertaken within 3 months of the date of approval and retained and managed in accordance with the approved details.

Reason: To secure a net gain in biodiversity.

8. Other than those expressly permitted by this planning approval, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no new field shelters, fences, chattels or other temporary or permanent structures shall be installed or placed on the land without planning consent from the planning authority.

No new vehicular parking areas or access tracks shall be constructed/ installed at the site.

Reason: To ensure that there is no unacceptable landscape or visual impact from the equestrian use of the land including cumulative impacts.

9. Details of the facilities for the storage of horse manure/stable waste and its means of disposal from the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall be submitted within three months of this planning permission and implemented when the building is relocated. The facilities shall be provided and thereafter maintained in accordance with the approved details.

Reason: In the interests of the amenities of the local area.

10. The development hereby permitted shall be restricted to the keeping of horses for private recreational use by the owner of the dwelling known as

Hayden Farm Cottage 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.

Informatives

1. Crime and Disorder Implications

It is considered that the proposal does not raise any crime and disorder implications.

2. Human Rights Implications

This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

3. Equality Act 2010

Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

4. In reaching this decision the local planning authority has worked with the applicant in a positive and proactive way, in line with the NPPF.

11. Crime and Disorder Implications

11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. Proactive Working

The applicant's agent was advised of the Officer's concerns in the first application, and as such this application is the result of these discussions, and amendments have been received to address them.

Plans Referred to in Consideration of this Application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date on Plan	Status
Plans - PROPOSED SITE PLAN & SITE SECTIONS A-A & B-B	0570/PL/02 A		20.05.2021	Approved
Plans - EXISTING SITE PLAN & SITE SECTIONS A-A & B-B	0570/PL/01 A		20.05.2021	Approved
Application Documents - PLANNING STATEMENT			20.05.2021	Approved
Plans - LOCATION PLAN			20.05.2021	Approved
Plans - PLAN			20.05.2021	Approved
Application Documents - ECOLOGICAL APPRAISAL			20.05.2021	Approved
Plans - STABLES PLAN & ELEVATIONS			20.05.2021	Approved

Reasons: For the avoidance of doubt and in the interests of proper planning.

Parish Council request for Committee referral

Comments for Planning Application SDNP/20/00708/FUL

Application Summary

Application Number: SDNP/21/02821/FUL

Address: Hayden Barn Cottage Hayden Lane Warnford SO32 3LF

Proposal: Part retrospective planning permission for the change of use of land from agriculture to equestrian, and the erection of a private recreational 3-door stable, to be used in association with the dwellinghouse of 'Hayden Barn Cottage'.

Case Officer: Hannah Harrison

Customer Details

Name: Mr Hugh Lumby

Address: Manor House, High Street, Meonstoke Southampton, Hampshire SO32 3NH

Comment Details

Commenter Type: Councillor

Stance: Customer objects to the Planning Application

Comment Reasons:

This application was previously considered in substantially the same form by the Planning Committee and was refused by them. That refusal was appealed but the appeal was unsuccessful.

Having reviewed that appeal decision, and whilst not disagreeing with the ultimate decision to refuse, there were aspects of the inspector's determination with which I did not agree and in particular its analysis of SD24 Equestrian Uses. I do think it is appropriate that the committee has the opportunity to consider whether it similarly disagrees with the inspector's findings on this. This includes the positioning of the stable far away from the applicant's property, the damage to the amenity of the neighbouring property and the potential adverse impact caused by the unauthorised increase in the levels of the field, drainage and flooding risks and impact on the owl sanctuary next door.

A particularly relevant point on SD24 is paragraph (g) which suggests equestrian development could be permitted where it can demonstrate a conservation-based land management approach.

The inspector determined the appeal on the basis that the number of horses which could use the stables would exceed the maximum permitted for the size of field. This application seeks to change the use to equestrian but still fails to address the issue as to why a three horse stable is required for what is essentially a one horse field. Even with the single horse and pony referred to, this would appear to risk substantial overgrazing with adverse consequences both for the field and the animals.

The proposal here, with the overgrazing and over-stocking inherent in it and the resultant deterioration in the quality of the field and the potential harm to the animals, would not therefore appear to demonstrate a conservation based land management approach, indeed it would appear to suggest the obverse in contradiction of SD24(g).

In addition, the application fails properly to address the issue of waste impact, not explaining where this is to be stored, how it is to be moved and the frequency of this. DEFRA guidance makes proposals which do not appear to be incorporated here, whilst issues of contamination from run –off and nitrates entering the aquifer feeding the River Meon have not been addressed. Estimates suggest that one horse and one pony between them would produce around 11.25 tons of manure a year, excluding soiled bedding. This is of course a key consideration for the neighbours who live close to the proposed development, as opposed to the applicants who live some distance away. This should be a material planning consideration considered by the committee.

My preferred outcome would be for the applicants to withdraw the application and to reapply in a better location, for example at the top of the field where there is access to the road and a supply of water. If they will not do this, I would like to see the application rejected, either by the officer dealing under delegated powers or by the committee.