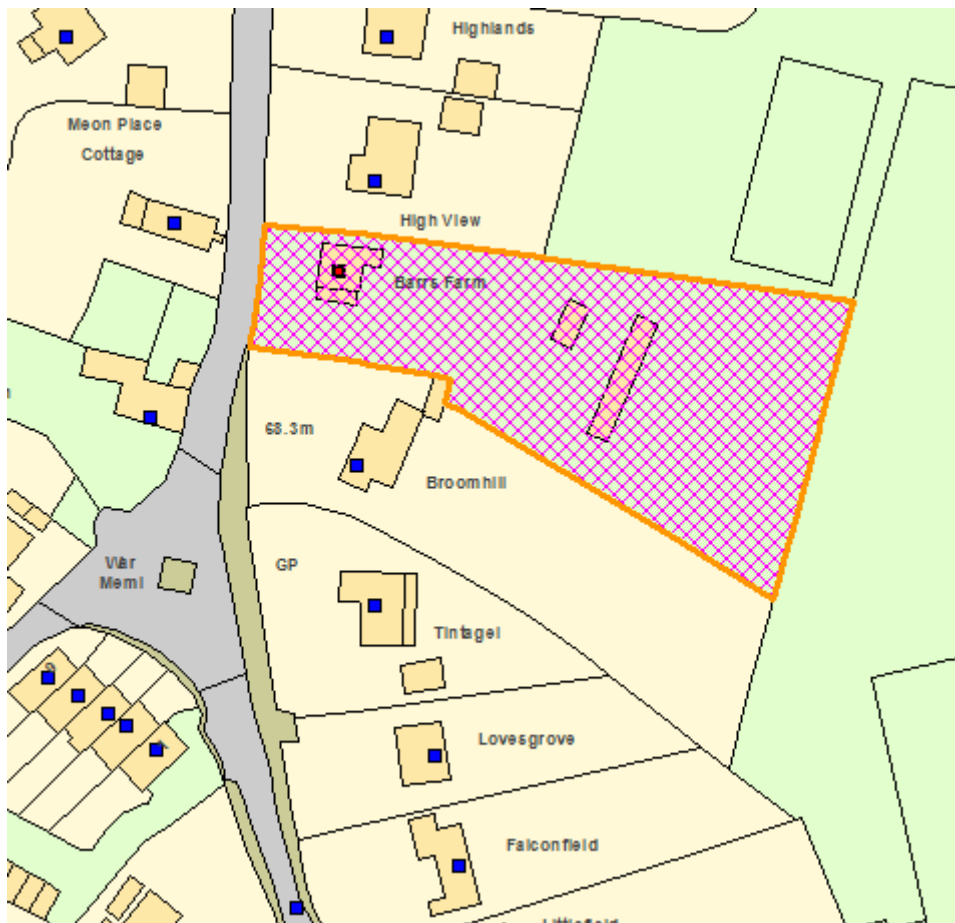


Case No: SDNP/18/04226/HOUS
Proposal Description: Erection of replacement stable building and alterations to adjoining ground levels (Revised application)
Address: Barrs Farm, High Street, Soberton, SO32 3PN
Parish, or ward if within Winchester City: Central Meon Valley Ward
Case Officer: David Islip
Date Valid: 8 August 2018
Recommendation: Application Approved



General Comments

This application is report to the Planning Committee at the request of Councillor Mrs Weston.

1 Site Description

Barrs Farm is located on the east side of the High Street, north of its junction with Selworth Lane and comprises a two storey detached dwelling within a large curtilage. The house is sited fronting the road with a shared pedestrian

and vehicular access at the southern end of the site frontage. There are neighbouring gardens on either side with open countryside to the rear

Natural ground levels across the site rise from front to rear on an east west axis. It has three recognisable areas with Barrs Farm and its immediate domestic garden at its western end; an area of hardstanding and the site of a former large stable block, recently demolished, in the middle of the site and a paddock to the rear.

The site lies in a countryside location within the South Downs National Park and the Upper Meon Valley Landscape Character Area.

2 Proposal

Permission is sought for the erection of a new stable block and related changes to ground levels to accommodate the structure on a level base. The proposal is partially retrospective as the timber frame for the walls of the proposed building has been erected on a new concrete slab, part of which corresponds to the footprint of the former stables.

The proposed stable block is shown sited close to the northern boundary, in an elevated position. It is designed with a 'U' shaped footprint with a tiled pitched roof and horizontal feather edged cladding to the walls. The submitted layout shows an open fronted horse shelter/ Farrier area occupying the central section of the building flanked by a tack room and feed store on one side and a tool/machinery store on the other side. The building is approximately 17m wide with a stated floor area of 98sqm.

As stated, this application is a revised proposal following the grant of planning permission SDNP/14/02637/HOUS for the erection of replacement stables with changes in ground levels. The primary difference between the current proposal and the approved scheme relate to size and siting. The differences are outlined in greater detail in section 8 of this report.

3 Relevant Planning History

SDNP/14/02637/HOUS -Demolition of existing Stables and erection of replacement Stable Block and alterations to existing ground levels to front and rear of stables. (Amended plan received 10.07.14 clarifying the relationship between the existing and proposed stables as shown on the site: APP 3rd August 2014.

SDNP/14/05811/DCOND- Discharge of conditions 3, 5, 6, 8 & 9 of SDNP/14/02637/HOUS: APP 18th December 2014.

4 Consultations

Parish Council Consultee

Soberton Parish Council are concerned that the applicant has chosen to commence construction of the new stables some distance from the position approved in their original planning permission. Whilst the original position was acceptable to all parties involved the amendment moves the building to a location where it will be significantly more visible and have a greater impact on the neighbouring property.

They request that in the event of approval there should be a clause restricting the use of the stables to private recreational purposes and no commercial activity should take place in the building.

WC – Winchester Highways:

No objection. This proposal does not contain any significant highway issues and is unlikely to impact on highway safety.

WC - Environmental Health:

No objection in principal. However, I would recommend that the condition 8 and 9 on planning permission SDNP/14/02637/House and discharged in SDNP/14/05811/DCOND be carried though if you are minded to grand planning permission

5 Representations

One representation has been received from the occupants of High View raising objection to the application (original plans) on the grounds that the development will appear dominant and overbearing in the outlook from the rear of High View. It is argued that this is primarily for the following reasons:

- Its elevated position.
- Its siting further forward of the line of the previously approved building and its closer proximity to the mutual boundary.
- Overlooking from openings in the side and rear of the building.
- Disturbance from noise generated by the use of the workshop within the stable building and light pollution.
- Its design and siting will have a far greater impact on High View than the approved scheme and the stables which previously existed on the site.

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 **Winchester District Local Plan Review (2006)** and the following additional plan(s):

- Winchester District Local Plan Part 1 Joint Core Strategy (2013)
- South Downs National Park Local Plan - Submission 2018

The relevant policies 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) which was issued July 2018. 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 Areas of Outstanding Natural Beauty and that the conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should also 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
- NPPF 15 - Conserving and enhancing the natural environment

Paragraph 2 states that planning applications 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 **Winchester District Local Plan Review (2006)** are relevant to this application:

- DP3 - General Design Criteria
- DP4 - Landscape and the Built Environment
- RT11 – Equestrian Development
- T4 – Parking Standards

The following policies of the **Winchester District Local Plan Part 1 Joint Core Strategy (2013)** are relevant to this application:

- MTRA3 - Other Settlements in the Market Towns and Rural Area
- CP13- High Quality Design
- CP19 - South Downs National Park
- CP20 – Heritage and Landscape Character

Partnership Management Plan

The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework. The SDPMP is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan.

The following Policies and Outcomes are of particular relevance to this case:

- General Policy 1

The Draft South Downs National Park Local Plan

The South Downs Local Plan: Pre-Submission Local Plan was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for public consultation between 26 September to 21 November 2017, and the responses considered by the Authority. The Plan was submitted to the Secretary of State for independent examination in April 2018. The Submission version of the Local Plan consists of the Pre-Submission Plan and the Schedule of Proposed Changes. It is a material consideration in the assessment of this planning application in accordance with paragraph 48 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication. Based on the current stage of preparation, and given the relative age of the **saved policies within the Winchester District Local Plan Review (2006)**, the policies within the **Submission South Downs Local Plan (2018)** are currently afforded **considerable** weight, depending on the level of objection received on individual policies.

- Development Management Policy SD24: Equestrian Uses.

8 Planning Assessment

Principle of development

The site lies in a countryside location. The principle of equestrian development within the countryside is supported by Policy RT11 provided that proposals;

a) Where possible make use of existing buildings and does not involve the erection of new buildings which may harm the landscape appearance of the area,

b) Are well related to existing bridleways and,

c) Do not have a detrimental affect on nearby properties/land uses,

d) Do not have an adverse effect on the appearance of the landscape by use of inappropriate construction materials, boundary treatments, floodlighting and other infrastructure.

In this instance there is an existing equestrian use on the site and there is evidence of previous stables and an adjoining ancillary building, now demolished having been erected in a similar position to that proposed. In addition to this regard needs to be had with respect to the 2014 approval.

Impact on the landscape character of the South Downs National Park

The proposed stable block is located to the rear of the site set back from the road in a similar location to the stables recently demolished. Its siting is such that it would be largely concealed from public views from and along Soberton High Street due to the linear character of development along the road and the established trees and hedges to the front boundaries of existing properties.

The building is traditional in design and would be constructed of traditional materials which are considered appropriate for the countryside location. Although the scale of the building is greater than the original stables on the site it is smaller than the building approved in 2014, with a reduced footprint and the proposal is considered appropriate for the size of the curtilage and the existing use of the site. Consequently, the development is not considered to result in a detrimental impact to the character of the area or conflict with the purposes of the South Downs National Park.

Impact on highways

The development is not considered to have an adverse impact on highway safety. Sufficient parking and turning space would be provided within the site to comply with the Council's adopted standards.

Local residential amenity

It is considered that the primary issue in this case concerns the relationship of the proposed stable block with the neighbouring property, High View, immediately to the north. High View comprises a detached dwelling with a long rear garden which shares a common boundary with the application site. This is defined by an approximately 1.8m close boarded fence.

The principle of the development has been established by the consent granted in 2014 for a development of similar character. It is therefore necessary to consider the differences between the approved scheme and that currently proposed.

Firstly, the proposed stable block is smaller than the approved structure. The previously approved stable block occupied a footprint of 171sqm. The revised scheme reduces the footprint to 98sqm with the larger agricultural store/garage attached to the south west side of the approved structure deleted from the revised proposal.

Secondly, and more importantly, the siting of the proposed stable block differs from the approved scheme with the current proposal closer to the mutual boundary with High View. Both structures would be sited at an acute angle to

the mutual boundary with the north east corner of the buildings closest to the said boundary. The approved scheme is sited with its north east corner approx. 6m from the boundary. The revised proposal is just 2.4m. The applicants have stated that “the stable block has been repositioned closer to the northern boundary in order to improve tractor access to the stables (for hay delivery)”.

Of lesser significance is that the central section of the proposed scheme is open at the front; the approved structure is shown with two stable pens each with timber stable door and hinged timber shutters.

Both proposals include changes in ground level and both involve cutting in to the slope of the site to lay a level base. The topographical survey submitted with the current application shows the concrete base of the stable building as 74.25 and the hardstanding on the south side of the structure as 74.17. Levels taken along the mutual boundary immediately to the west of the concrete base of the proposed building are shown to rise from 73.49 in close proximity to its north west corner and 75.12 in close proximity to its north east corner. Levels immediately to the rear of Barrs Farm are identified between 71.44 on the southern boundary and 71.73 on the north boundary adjacent to the corner of the house.

Details, other than those referred to above, are virtually identical. Both proposed and approved buildings have a traditional design and would be constructed using identical materials with horizontal feather edge cladding and clay plain tiles. The width of the stable blocks, (measured along their north elevation), is identical as is the ridge height of the two buildings when measured above slab level.

As referred to the timber frame of the stable building has been built and is visible in the outlook from the rear of High View which has an open lawn to the rear with minimal planting along its boundary with Barrs Farm. It is acknowledged that the proposed building is more prominent than the approved scheme due to it being closer to the mutual boundary. The increased prominence is magnified by its elevated position. However, in the light of the concerns raised by the neighbour the applicants now propose to provide additional planting along the boundary on the west side of the stable block with the intention of ameliorating its impact when viewed from the rear of High View. Notwithstanding this the closest part of the stable building would be approx. 29m from the south east corner of High View. When having regard to the separation distance between the rear of High View and the proposed building it is not considered that the single storey stable building designed with a ridge height of 4.3m above slab level would have such an overbearing impact on High View to warrant the refusal of planning permission.

Concern has also been expressed about overlooking and loss of privacy. This has arisen from the design of the building incorporating openings in the rear (north) and side (west) elevations of the building. Amended plans have now been submitted deleting the timber shutter in the side elevation facing High View. The stable block is sited at an acute angle to the mutual boundary and it

is not considered that the two shutters in the rear elevation would result in any significant loss of privacy to the neighbours.

Turning to concerns about noise disturbance generated by the use of the workshop in the stable building it is understood that this is for ancillary storage of equipment associated with the equestrian use on the site and there is no intention of it being used for any commercial purposes. The proposed floor space replaces an ancillary building used for a similar function which was demolished at the same time as the original stable buildings. It is not believed that concerns were previously raised with respect to the use of this building. Consequently it is not considered that this element of the proposal would have a detrimental impact on the residential amenities currently enjoyed by the occupants of High View.

9 Conclusion

The application is considered acceptable for the reasons outlined above and approval is recommended.

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. 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.

2. The use of the stables hereby permitted shall be restricted to private recreational use only and shall not at any time be used for any other form of equestrian activity such as in connection with any DIY livery, 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.

3. No further development shall take place above the constructed slab level until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

4. No further development shall take place above the constructed slab level until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include:

- All boundary treatment;
- Hard surfacing materials;
- Minor artefacts and structures (refuse or other storage units, signs and lighting etc.);

Soft landscaping works shall include:

- planting plans (1:50) for new trees, hedges and other planting;
- tree pit details (where relevant);
- written specifications (including cultivation and other operations associated with plant and grass establishment);
- schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- implementation programme.

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

5. The construction of the stable block above existing slab level shall not take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Landscape maintenance shall be carried out in accordance with the approved schedule.

Reason: To ensure the maintenance of a reasonable standard of landscape in accordance with the approved designs.

6. Details of any external lighting of the site shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. 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) and hours of operation. 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 landscape character of the South Downs National Park from light pollution.

7. Details of the facilities for the storage of horse manure and its means of disposal from the site, shall be submitted to and approved in writing by the Local Planning Authority before the use of the stables is commenced. The facilities shall be provided and thereafter maintained in accordance with the approved details.

Reason: In the interests of the amenities of the locality

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 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:-

Winchester District Local Plan Review (2006): DP3, DP4, RT11, T4.

Winchester District Local Plan Part 1 - Joint Core Strategy (2013): MTRA3, CP13, CP19, CP20.

South Downs Local Plan: Pre-Submission (2017): Strategic Policy SD24.

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

- In this instance a site visit was undertaken with the Applicant.

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.

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.

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>

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

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

Amended plans and additional information has been submitted to address Officer concerns.

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 - Existing floor plans and elevations, proposed elevations, location plan, proposed site plan.	001		08.08.2018	Superseded
Plans - Proposed floor plan and proposed section	002		08.08.2018	Superseded
Plans - Existing and Proposed Plans and Elevation	001J		03.10.2018	Approved
Plans - Proposed Floor Plans	002K		03.10.2018	Approved
Plans - Proposed Site Plan	003C		03.10.2018	Approved

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