

**Case No:** SDNP/24/02731/FUL

**Proposal Description:** (AMENDED DESCRIPTION and PLANS) Change of use from agricultural to equestrian, proposed barn with stables, tack room, feed and hay store and widening of existing access from Mill. Reduced hard standing.

**Address:** Land at Mill Lane, Mill Lane, Swanmore, Hampshire

**Parish, or Ward if within Winchester City:**

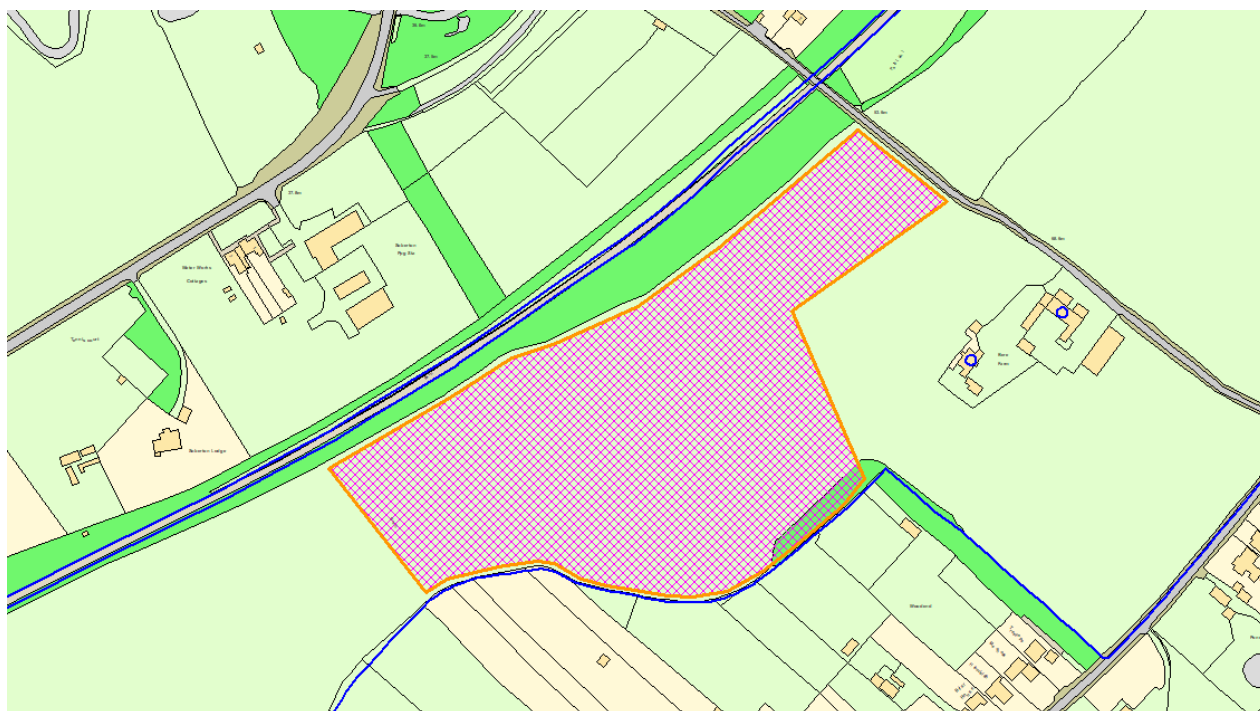
Soberton

**Applicants Name:** Mrs Carolyn Sedgwick

**Case Officer:** Lisa Booth

**Date Valid:** 05 July 2024

**Recommendation:** Application Approved



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### Link to Planning Documents

Link to page – SDNP/24/02731/FUL

[SDNP/24/02731/FUL | \(AMENDED DESCRIPTION and PLANS\) Change of use from agricultural to equestrian, proposed barn with stables, tack room, feed and hay store. Reduced hard standing. | Land at Mill Lane Mill Lane Swanmore Hampshire](#)

## Reasons for Recommendation

Planning permission is recommended for approval because it is considered that the development accords with the Development Plan, South Downs Local Plan 2014-2033 policy SD24.

## General Comments

The application has been referred to the Planning Committee due to the number of objections received.

## Amendments to Plans Negotiated

The application, as submitted showed a reduction in the size of the stable building from that refused under SDNP/23/01336/FUL but also included a riding arena and larger area of hardstanding. It was advised that the application as submitted did not address the reasons for refusal for planning application SDNP/23/01336/FUL. The applicant waited for the outcome of the appeal and took on board the inspector's comments and amended the scheme as follows:

- The stable building measures 12m by 17m (204 m<sup>2</sup>), which is a reduction of 50 m<sup>2</sup> or 25% from the previous refusal, which measured 12m by 21m.
- The hardstanding has been significantly reduced by 75%, from 877m<sup>2</sup> to 504m<sup>2</sup> (this includes the access from the road which is existing).
- The riding arena was omitted in its entirety.
- The access is not going to be widened and will remain as existing.

Further amended plans and information were submitted in January 2025, which sought to try and make it clearer to the general public of what has been omitted/changed from the previously refused scheme (SDNP/23/01336/FUL) that was dismissed at appeal (ref: APP/Y9507/W/24/3341917) and taking on board the Planning Inspector's comments, which considered that the combination of the hardstanding, menage and barn detracted would harm the character and appearance of the area, with specific regard to the appeal site's location within the SDNP. (para. 15) However, he considered that the barn on its own was acceptable, stating "*this element of the proposal would not be harmful to the overall character and appearance of the area.*" (para. 9)

## Site Description

The proposed site is an agricultural field adjacent to Bere Farm located on Mill Lane (between the A32 and Heath Road) in Soberton Heath, within the South Downs National Park. The lane is a single track dead-end road which leads to a small number of properties. The fields have been used for the grazing of horses for a number of years and include two movable field shelters to the west of the site.

The field is bounded by a mature hedgerow which is maintained throughout the year. Access to the field is via a gate positioned half way down Mill Lane and set back from the road edge.

To the North-West of the site, Public Right of Way (PROW) (Soberton 502a – Meon Valley

Trail), a bridleway, runs along a very dense tree lined disused railway line, which runs under a bridge along Mill Lane at a much lower level than the site, with an embankment on south-east side. Further to the North, there is an ancient woodland area (Mill Copse) with a PROW (footpath) running alongside of it (Soberton 15). There is existing paddock fencing within the adjacent fields and two field shelters to the west of the site.

There are significant level changes across the site from south-east at 69m Above Ordnance Datum (AOD) at its highest point falling to a flatter area to the north-west at 54m AOD. The stable building is positioned on the flattest and lowest part of the site closest to Mill Lane.

## **Proposal**

Change of use from agricultural to equestrian, proposed barn with stables, tack room, feed and hay store. Reduced hard standing.

The proposal is for the erection of a Stable block for 6 horses, a tack room, hay store and wash down area (12m by 17m by 4.6m to the roof ridge) and is to be constructed with horizontal timber cladding, brick plinth underneath a corrugated roof. Due to the level differences the building will be cut into the highest level of the ground by 1m and the removed soil used to level up the other side. A 1m retaining wall will be built to the south-east of the stable building.

The proposal is for private use and for the applicant's daughter, who has competed for Great Britain and proposes to use the stabling for horses for her own use. There have been horses kept on the site for a number of years, with 2 no: temporary field shelters. The application will formalise the equestrian use of the site.

## **Relevant Planning History**

SDNP/23/01336/FUL - (AMENDED PLANS 17.07.2023) Change of use from agricultural to equestrian, proposed barn with stables, tack room, feed and hay store and outdoor Menage 30m x 60m - Refused 20th March 2024 – Dismissed on appeal ref: APP/Y9507/W/24/3341917 - 8th December 2024

SDNP/21/04248/FUL - Change of use from agricultural to equestrian, proposed barn with stables, tack room, haystore and outdoor Menage 40m x 60m and new access from Mill Lane with track to proposed barn. Withdrawn 10<sup>th</sup> November 2022 (South Western end of the site)

SDNP/15/01711/FUL - Retrospective application for a new 12ft field gateway to land off of Mill Lane in Soberton Heath STATUS: APP 11th June 2015.

SDNP/19/03351/APNB - Agricultural fodder and machinery store STATUS: NOOBJ 1st August 2019.

Separate land to the application site – to the East of the application site and the other side of Mill Lane.

SDNP/20/02828/FUL - (Retrospective) - Change of Use from Storage of Agricultural Fodder & Machinery to Storage of Machinery and Classic Cars.  
Installation of Wood cladding to NE Elevation 8' x 8' Roller shutter and 6'6 x 3' access

door. Approved 07.09.2020

SDNP/19/04228/FUL - (Amended Plans) Proposed development is to erect 3 stables, tack room and hay shed, and new entrance to the site. Approved 21<sup>st</sup> November 2019

SDNP/16/03853/FUL - Construction of one stable building and fencing for equestrian use. Approved 12<sup>th</sup> October 2016

## **Consultations**

### WCC Service Lead – (Landscape):

It was noted that, since the last landscape comments were submitted in July 2024, the scheme went to appeal in Dec' 2024, subsequently dismissed, and a new plan for the proposed equestrian development has been submitted (February 2025).

The latest iteration reduces slightly the size of the building and hard standing and eliminates completely the riding arena, which appears to be the principal issue identified in the inspector's decision. This was assessed to significantly reduce the overall landscape effects of the scheme. The remaining building, grouped near to the existing barn like building on Mill Lane and using the existing entrance etc., would appear to meet the aims of Policy SD24 Equestrian Uses.

No objection subject to the following matters being addressed by conditions:

- No land subdivision with fences or tape.
- Submission of details for paving materials, fences, building finishes / colours, gates and any other site furniture.
- Prohibition of visually intrusive elements like brightly coloured jumps.
- Ban on long-term parking of caravans, trailers, and vehicles.
- Requirement to store hay and other materials in designated structures, not in the open.
- Advance planting to mitigate construction phase and completed visual effects should be undertaken. (conditions 4, 6, 8)

### WCC Service Lead - Environmental Services (Drainage):

No objection raised, subject to conditions on foul and surface water drainage.

### Hampshire County Council – (Highway Authority):

The proposal would not result in a significant increase in traffic movements, nor are there any proposed changes to the site access. No objection raised.

### WCC Service Lead: Environmental Services - Ecologist & Biodiversity Officer:

No objection subject to conditions.

### Portsmouth Water

No comment - subject to informative.

## **Representations**

## Soberton Parish Council

### ***Comments on amended scheme (February 2025)***

Soberton Parish Council (SPC) objects to the revised proposal as it fails to meet “the first purpose of the National Park which is to Conserve and Enhance the landscape” in that the proposal is an unwelcome intervention within the local landscape, permanently impacting the natural landscape character.

SPC refers to the Appeal Decision (ref: APP/Y9507/W/24/3341917 dated 18th December 2024) where the Planning Inspectorate dismissed the appeal for application ref: SDNP/23/01336/FUL for a slightly reduced but similar scheme on the same site. SPC consider that these revised proposals do not answer the fundamental comments made by the inspector on the impact on the character and appearance of the area (refer to paragraphs 4,11 - 15 of the inspector’s report dated 18 December 2024). The natural landscape character and appearance of the area will be directly impacted by these proposals as such they do not conserve or enhance natural beauty, wildlife or cultural heritage.

SPC’s reasons for objection for the previous application remain relevant which stated: “The proposal would result in a permanent equestrian use and building situated within a countryside location outside of the Settlement Policy Boundary and within the South Downs National Park, which would result in an inappropriate form of development in the countryside, which by virtue of its scale and massing, associated equestrian paraphernalia, intensification of the use of the site, would be visually harmful to the character and appearance of the rural area, local landscape, and tranquillity of the South Downs National Park. The proposal is therefore contrary to Policies SD4, SD5, SD7, SD24 and SD25 of the South Downs Local Plan, as well as Government guidance in paragraphs 180 and 182 of the National Planning Policy Framework.”

These objections have not been addressed in application SDNP/24/02731/FUL.

SPC are advising the SDNPA of this objection and request that WCC Officers refuse this application. In the event that the application is referred to planning committee SPC will attend.

**Officer Comment:** In regard to the Parish Council comments above the following Officer comments are provided:

**Paragraph 6 of the Appeal Decision states in regard to the ‘existing landscape character’ – *“This means although the area is characteristically countryside, it is not pristinely undeveloped. It is used and lived in, and this is not uncommon for this part of the SDNP.”***

**Paragraph 9 of the Appeal Decision states in regard to the ‘barn’ element of the proposal: *“The location of the barn and its simple and agricultural design would be reflective of development along Mill Lane. The hedging along the lane, the trees on the MVT bank, and the proposed inset of the barn into the ground, this also ensure the barn was reasonably screened and not overly dominant in views from the road or MVT. Accordingly, this element of the proposal would not be harmful to the overall character and appearance of the area.”***

Paragraphs 10 and 11 state the reasoning for the dismissal of the appeal related only to the hardstanding and the menage, which have subsequently been removed from the current application – *“10. However, the menage and hardstanding would significantly increase the footprint of the proposed development and convert a relatively large portion of the appeal site from grass to hard surfacing. This volume of surface cover in one concentrated location would alter the appearance of the field and create an intensity and permanence of development that would be out of character with the existing informal and sporadic nature of development along Mill Lane.”* and;

*“11. It is acknowledged that the proposed menage and hardstanding would largely be development at ground level, so would be screened from the MVT and the part of the road immediately in front of the site by the existing trees and hedges. However, the proposed menage would require the cutting in and raising of the land which, due to its size, would create a large flat surface that would be incongruous within the undulations of the field and its surroundings. This would permanently alter the landform and topography which is characteristic of this area.”*

The Inspector concluded in Paragraph 15 – *“Consequently, the menage in combination with the hardstanding and Barn would harm the character and appearance of the area, with specific regard to the appeal site’s location within the SDNP. Thus, fail to comply with LP Policies SD4 and SD5. The proposal would also not comply with LP Policies SD25 and SD24 which seek to guide the location of development, insofar as they require equestrian development to be compatible with the landscape.”*

Therefore, the “combination” of harm he refers to has been removed from this application and seeks only consideration of the stable barn, which has now also been reduced in size from the appeal application and which was supported by the Planning Inspector in his appeal decision.

#### ***Comments on submitted scheme (August 2024)***

The proposal would result in a permanent equestrian use and building situated within a countryside location outside of the Settlement Policy Boundary and within the South Downs National Park, which would result in an inappropriate form of development in the countryside, which by virtue of its scale and massing, associated equestrian paraphernalia, intensification of the use of the site, would be visually harmful to the character and appearance of the rural area, local landscape, and tranquillity of the South Downs National Park.

The proposal is therefore contrary to Policies SD4, SD5, SD7, SD24 and SD25 of the South Downs Local Plan, as well as Government guidance in paragraphs 180 and 182 of the National Planning Policy Framework.

#### **Representations**

13 supporting representations received from different addresses citing the following material planning reasons:

- Increase in wildlife
- No noise impact
- No impact on dark night skies/light pollution

- An improvement over previously neglected land/no negative impact
- Stables have plenty of grazing land associated with the site
- In keeping with existing buildings in the surrounding area
- In keeping with other similar equestrian facilities in the immediate area
- Proximity to Bridleway is advantageous
- No impact on traffic
- Adequate on-site parking and turning
- Support local ambitious people

12 objecting representations received from different addresses citing the following material planning reasons:

- Increase in Traffic
- Narrow lanes
- Land and access points inappropriate
- Near identical to SDNP/23/01336/FUL
- Noise
- Impact on dark night skies/light pollution
- Visual pollution
- Contamination of ground water and Meon river
- Query regarding commercial nature of venue
- Previous comments still stand
- Works taken place without consent
- Trees and hedgerow damage
- No enhancement to SDNP
- Further plans unclear

### **Relevant Government Planning Policy and Guidance**

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.

### **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 & beautiful places
- NPPF15 - Conserving and enhancing the natural environment

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 South Downs Local Plan are relevant to this application:

- Core Policy SD1 - Sustainable Development
- Core Policy SD2 - Ecosystems Services
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design
- Strategic Policy SD7 - Relative Tranquility
- Strategic Policy SD6 - Safeguarding Views
- Strategic Policy SD8 - Dark Night Skies
- Strategic Policy SD9 - Biodiversity and Geodiversity
- Development Management Policy SD11 - Trees, Woodland and Hedgerows
- Strategic Policy SD19 – Transport and Accessibility
- Development Management Policy SD22 - Parking Provision
- Development Management Policy SD24 - Equestrian Uses

#### 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

## **Planning Assessment**



## **Principle of Development**

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and Paragraph 48 of the NPPF (2024) requires that applications for planning permissions must be made in accordance with the Development Plan unless material considerations indicate otherwise.

The site has two field shelters on the site and an existing access from Mill Lane. Policy SD24 requires 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. Further criteria on landscape and design are set out in Policies SD4 and SD5 and Equestrian Development Technical Advice Note July 2023 respectively.

Policy SD25 'exceptionally allows development outside of the settlement boundary, where it complies with relevant policies in the Local Plan, and there is an essential need for a countryside location.

It is considered that equestrian development essentially requires a countryside location and this is supported by policy SD24.

The principle of equestrian development in the countryside is supported by Policy SD24 provided that proposals;

- a) Are of a scale and/or an intensity of equestrian use compatible with the landscape and the special qualities;
- b) Demonstrate good design which is well located and responds to local character and distinctiveness;
- c) Re-use existing buildings wherever feasible and viable;
- d) Locate new buildings, stables, yard areas and facilities adjacent to existing buildings provided they respect the amenities and activities of surrounding properties and uses;
- e) Are well located to existing utilities and transport infrastructure, including vehicular and field accesses, tracks and bridleways;
- f) Provide new or supplementary landscape features including hard and soft treatments and planting, consistent with local character; and
- g) Demonstrate a conservation-based land management approach.

In accordance with policy SD4 development proposals should demonstrate that they conserve and enhance landscape character by, amongst other requirements, proposals being informed by landscape character, the design layout and scale of development conserving and enhancing landscape character features.

Policy SD5 requires proposals to adopt a landscape led approach and to respect local character and have regard to avoiding harmful impact upon any surrounding uses and amenities.

Under policy SD11 development proposals are expected to conserve and enhance trees, hedgerows and woodlands.

Policy SD19 requires developments to protect and enhance highway safety.

Comparison between the current application and SDNP/23/01336/FUL (refused and dismissed at appeal)

	23/01336FUL	24/02731FUL	Planning Inspectorate Decision
Barn	12m by 21m (252 m <sup>2</sup> )	12m by 17m (204 m <sup>2</sup> ) (25% reduction)	In itself, not harmful to the overall character and appearance of the area
Menage	30m x 60m	Application as submitted amended to remove the menage	Extent of cutting in and raising of land would create a large flat surface that would be incongruous in its setting
Hardstanding	877m <sup>2</sup>	504m <sup>2</sup> (75% reduction)	would significantly increase the footprint of the proposed development and convert a relatively large portion of the appeal site from grass to hard surfacing.

The appeal decision against the refusal of the previous application concluded that *“the menage in **combination** with the hardstanding and Barn would harm the character and appearance of the area, with specific regard to the appeal site’s location within the SDNP. Thus, fail to comply with LP Policies SD4 and SD5. The proposal would also not comply with LP Policies SD25 and SD24 which seek to guide the location of development, insofar as they require equestrian development to be compatible with the landscape.”*

Paragraph 9 of the Appeal Decision states in regard to the ‘barn’ element of the proposal: *“The location of the barn and its simple and agricultural design would be reflective of development along Mill Lane. The hedging along the lane, the trees on the MVT bank, and the proposed inset of the barn into the ground, this also ensure the barn was reasonably screened and not overly dominant in views from the road or MVT. Accordingly, this element of the proposal would not be harmful to the overall character and appearance of the area.”*

The ‘*combination*’ of the proposal has been reduced in line with the Planning Inspectors decision and it is therefore considered that the principle of the proposal and the change of use of land with associated development is in accordance with Policies SD24 and SD25 of the SDLP and subject to the physical development meeting the criteria set out in that policy and those in policies SD4, SD5, SD11 and SD19 the principle of development is

acceptable.

### **Assessment under 2017 EIA Regulations.**

The development does not fall under Schedule I or Schedule II of the 2017 Environmental Impact Assessment Regulations, therefore an Environmental Impact Assessment is not required.

#### **Impact on character and appearance of the area and Design/layout**

There have been 2 previous applications on the site, one was withdrawn (SDNP/21/04248/FUL) as it was situated to the west of the site in a much more prominent and therefore unacceptable location. The second application for stables and riding arena was recommended for approval, but the decision was overturned by the Planning Committee in March 2024. This decision was appealed and dismissed by the Planning Inspector, but only in regard to the impact of the riding arena and extent of hardstanding on the character of the landscape, on which he commented *“the menage and hardstanding would significantly increase the footprint of the proposed development and convert a relatively large portion of the appeal site from grass to hard surfacing. This volume of surface cover in one concentrated location would alter the appearance of the field and create an intensity and permanence of development that would be out of character with the existing informal and sporadic nature of development along Mill Lane.”* and *“would require the cutting in and raising of the land which, due to its size, would create a large flat surface that would be incongruous within the undulations of the field and its surroundings. This would permanently alter the landform and topography which is characteristic of this area.”*. (para. 10 & 11)

He considered the stable building to be acceptable, stating *“The location of the barn and its simple and agricultural design would be reflective of development along Mill Lane. The hedging along the lane, the trees on the Meon Valley Trail (MVT) bank, and the proposed inset of the barn into the ground, this also ensure the barn was reasonably screened and not overly dominant in views from the road or MVT. Accordingly, this element of the proposal would not be harmful to the overall character and appearance of the area.”* (para. 9)

In regard to the character of Mill Lane, he commented: *“With specific regard to Mill Lane, glimpses through the gaps in the hedges are largely instructed by the scattering of residential and agricultural buildings along its length. This means although the area is characteristically countryside, it is not pristinely undeveloped. It is used and lived in, and this is not uncommon for this part of the SDNP.”* (para. 6) Officer's consider this to be particularly pertinent, as can be seen within the vicinity of the site with a mix of residential dwellings, barns, stables and a number of riding arenas.

The proposed barn building, submitted as part of this application, is typical for this type of equestrian building constructed with timber cladding and a brickwork plinth with a corrugated roof. The proposed siting of the stables is behind the existing hedgerow to the road and sits opposite, albeit across the road, to a large agricultural building. The materials

are secured by condition 4.

The stable building has been reduced in length from the previously refused application, by 4m and now measures 17m by 12m, with a ridge height of 4.8m (3.5m to eaves).

Additional landscaping is proposed to include Common Alder and Hornbeam trees to the south of the site, and boundary hedging to provide increased landscaping vegetation and biodiversity on the site. The amount of landscaping has increased since the previous refusal and includes more native tree planting.

There is an existing former agricultural building the other side of the road, now used for the private storage of cars as noted above (see planning history section) and some stables to the east of this building. The form of the adjacent storage building is very similar to that proposed within this application. In addition to the removal of the menage and the reduction in hardstanding, as was the case with the previously refused application, it is proposed to engineer the stable building approximately 1m into the ground to help reduce the overall visual impression of the proposed stable building.

The design, layout and materials are considered to be typical for this type of building and it is considered to be in accordance with policies SD5 and SD24.

As with the Inspectors conclusion within the dismissed appeal, the position of the stable building is considered to be acceptable in terms of its visual impact on the landscape and is supported by the WCC Landscape Officer. The siting of the stables would read closely with the pattern of development along Mill Lane. Together with the buildings on the other side of the road (to the east of Mill Lane) the proposal would be consistent with the spatial pattern of development in the surrounding area.

Some limited or filtered views of the development may occur in places along the boundary, particularly in winter when there is less leaf cover. However, the extent of public visibility is deemed as acceptable by the WCC Landscape Officer. If there are any gaps or thinner parts of the boundary, the applicant has indicated that they would be willing to bolster the hedgerow along Mill Lane. A landscape condition has also been recommended by the Landscape Officer to enhance the existing hedgerow with native species (condition 12). In addition, due to its location, it is considered that the development would not be unduly prominent in public views from the access points on Mill Lane. A Landscape and Visual Impact Appraisal (LVIA) was undertaken, which looked at the harm of the proposal from different points within the landscape. Where the barn development is seen, it would be in the context of the buildings and barns in the immediate area.

The finished material for the main access track and parking area is proposed to be compacted scalplings (condition 15) and will have a similar visual appearance to the existing access track and will follow the existing contours of the land in the main. The extent of additional hardstanding has been reduced to all that is necessary to service the stable building and provide parking. It is considered the overall area of hardstanding is appropriate for the character and setting of the area.

The development proposes no changes to the boundary trees and hedges to the access point and it is proposed to improve the hedging along this eastern boundary. This allows the development to meet the requirements of SD24 in that provision of new or supplementary landscape features including hard and soft treatments and planting are consistent with local character. This also meets the requirements of policies SD4, SD5, SD9 and SD11 which seek to retain important landscape features and improve biodiversity. The retention of boundary features close to the proposed access point is important in landscape terms, as it provides screening to views of the proposed equestrian development on the land. Due to the proposal making no changes to the position of the track, only a very limited view of the internal access track occurs from the public realm.

### **Development affecting the South Downs National Park**

The application site is located within the South Downs National Park.

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) updated December 2024. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 189 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

The site has been used for the keeping of horses for a number of years and currently has two temporary mobile field shelters on the land. The site is considered to be well screened, and biodiversity and landscape enhances will help mitigate the proposed building.

Taking account of the Park's purpose to conserve and enhance the natural beauty, wildlife and cultural heritage of the area and promote understanding of its special qualities, and that the applicant has addressed the concerns raised within the Planning Inspectors decision notice, the development is considered to have a neutral impact and does not therefore adversely conflict with the statutory purposes of the SDNP designation.

### **Historic Environment**

The site is not close to or within a Conservation Area

The development lies over 100m down hill from Grade II listed Bere Farm to the south-west and its barn and 150m from Grade II listed Soberton Mill, which is to the north-west on the opposite side of the road and beyond the dense woodland of the Meon Valley Trail.

### **Relevant Legislation**

The preservation of the special architectural/historic interest of the listed building and its

setting (S.66 P(LBCA) Act 1990; SD12 and SD13 (South Downs Local Plan); NPPF (2024) Section 16.

## Guidance

Where dealing with listed buildings, decision makers are required to have due regard to the “desirability of preserving the [Listed] building or its setting or any features of special architectural or historic interest which it possesses” under Section 16/66 of the Planning (Listed Buildings and Conservation Areas Act 1990). Case law has established that where an authority finds that a development proposal would harm the setting of a listed building, it must give that harm “considerable importance and weight”.

The historic environment section of the Planning Practice Guidance further outlines the role of the Local Planning Authority in considering the effects of new development that are in the vicinity of or affect the setting of listing buildings and heritage assets. Paragraph 212 of the NPPF advises that great weight should be given to the conservation of a heritage asset in considering the impact of a proposal on its significance (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 213 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Policy SD12 and SD13 of SDLP ensure that development preserves and enhances heritage assets and their settings.

Due regard has been given to these requirements, as set out in the assessment within this report.

The development lies over 100m down hill from Grade II listed Bere Farm to the south-west and its barn and 150m from Grade II listed Soberton Mill, which is to the north-west on the opposite side of the road and beyond the dense woodland of the Meon Valley Trail. The proposal will not alter the impact on the setting of the adjacent listed buildings, which are already separated by a road, good distances between them and screened by intervening landscape (woodland and undulating land). There are no significant alterations to the road frontage which would alter this setting, the use of the land will have a similar outlook and the proposed building is appropriately positioned within the site with a fitting design and materials for its purpose and the area. It is therefore not considered to impact on the setting or historic fabric of the listed buildings.

It is considered that the proposals will preserve the significance of the listed building and its setting. The proposals would accord with the requirements of S66 of the P(LBCA) Act 1990, Section 16 para 212 of the NPPF (2024), Policy SD12 and SD13 of the South Downs Local Plan and the historic environment section of the Planning Practice Guidance.

## Neighbour amenity

The stable building will be approximately 60m from the nearest residential properties to the north-west (Soberton Mill Cottage) and 120m south-east (Bere Farm). Condition 5 does not allow for floodlighting and details of any other lighting that may be required needs to be submitted.

There will be minimal visibility of the development, given the relationship of the nearby dwellings and the dense boundary screening to the east of Mill Lane, and from the woodland and PRow to the north (Meon Valley Trail). The proposed building sits at a much lower level than Bere Farm and will be obscured by the undulating hillside. It is therefore considered that the proposed stable barn would not result in an unacceptable visual impact or harmful impact on the amenities of the closest dwellings or users of the adjacent PRow.

The proposed development is for the private use of the applicant and her daughter who is a member of the Great Britain riding team (showjumping). She has stated that *"This would be a private yard for my own use and my own horses and not for me to teach from or have other peoples' horses. I travel to my own clients at their own facilities or large competition venues to coach or ride their horses, so I do not need to do this from my own yard."* and as such the imposition of condition 3 (private use), condition 5 (no floodlighting) and condition 6 (manure) will ensure that the proposed development would not give rise to a harm to the amenity of the area. It is also recommended that manure is stored on a trailer and removed at regular intervals and no burning of any waste allowed.

The Local Planning Authority must assess the scheme it is presented with for its acceptability. Whilst the proposal would result in a change from the existing situation, subject to the securing of the above requirements by condition, it is not considered that the proposal would result in unacceptable impacts on the amenities of neighbours that would warrant the refusal of the application. In addition, with the restrictions suggested, it is not considered that the development would have an unacceptable impact on the tranquillity of the area.

## **Landscape/Trees**

Additional hedgerow planting is proposed along the road boundary to bolster the existing hedgerow and further trees/hedgerow within the site itself to other boundaries. The proposal has been engineered to be dug down by approximately 1m. This would need a 50cm retaining wall around the barn and part of the exercise arena and arguably assists in the development being subsumed into the landscape. WCC Landscape Officer supports this approach.

In addition, the proposal includes a new hedgerow (native mix) to the south-east of the proposal, along the boundary of their ownership, together with tree planting along the internal driveway, running perpendicular to the road comprising 12 trees of varying native species.

There will be no impact to the trees to the north-west.

## **Highways/Parking**

The development proposes the use of the existing access point off Mill Lane, which is the closest access point to the proposed facilities. HCC Highways raise no objection from a Highway Safety perspective. There will also be adequate parking and turning areas within the site.

Third party objections have been received in relation to concern over Highway safety, narrowness of the lane and the potential for the proposed development to be used for commercial riding in the future.

The applicant and their daughter (member of the GB horse riding team) have stated that they would be using the site for their own private usage. The barn would be for their own use, and the number of stables has been explained to be needed for the horses that are being brought on/currently grazing in the fields.

Mill Lane itself is a dead-end road, accessed via Heath Road and is limited to traffic accessing the few uses along this lane, which includes other stables.

It is considered that the use of a planning condition for the barn to be used solely for private purposes is appropriate and necessary. (condition 3) Planning control would therefore be ensured should any development be proposed in the future. The proposal is therefore considered to comply with policy SD21.

## **Other Matters**

### **Ecology**

A Preliminary Ecological Assessment (PEA) was submitted as part of the application, which has been updated by an addendum (February 2025) due to the reduction in overall scheme of changes in surfacing. A Biodiversity Net Gain Matrix was also submitted, which shows that there will be a 16.41% net gain of biodiversity, including the planting of 14 trees and new native hedgerow (secured by conditions 12 & 13). The access is to remain as existing and will not be widened. The boundary hedgerow to the east of the development would be species rich and suitable for foraging and commuting bats and hazel dormouse. Any external lighting that is proposed is to be controlled by condition (5) and designed to avoid illuminating habitats. The applicant does not propose to remove any existing trees or hedgerows as part of this application, but adequate protection would need to be secured and precautionary construction avoidance measures are also recommended to the grassland. These measures have been secured by condition 10.

In addition to the proposed mitigation, compensation and enhancement measures set out within the PEA,

### **Dark Night Skies**

The South Downs National Park has been designated an International Dark Skies reserve. As such, it is sought to reduce any light pollution associated with new development.



Particular care will be taken where sites are within sensitive areas, for example where located in one of the three core zones of the Dark Night Skies Reserve.

The stable building is located within Dark Night Sky Zone 1a - Intrinsic Rural Darkness and the remainder of the site zone E1b – Transition Zone. No external lighting has been proposed as part of the submission.

The design of the barn building is typical for this type of equestrian building however the use of clear corrugated rooflights (above each stable to provide a light environment for horses) mean that in order to ensure that the building would not result in any unacceptable light spillage from internal sources, an appropriate condition would be required. Any external lighting could also be conditioned to be kept to a minimum (for example security lights) and designed to be in accordance with SDNPA Dark Night Skies guidance (policy SD8). Condition 5 does not allow floodlighting and requires details of any other external and internal lighting and details of rooflight treatment to be submitted for prior approval.

## **Conclusion**

The principle of the development within the countryside is acceptable and the development would not have a significant adverse impact upon the character and appearance of the site and wider area. The proposal is considered to not lead to an adverse impact upon the amenities of the neighbouring properties.

In conclusion and based on the upon the above assessment, the proposal is acceptable and will not have an adverse impact upon the site and surrounding area. The development therefore complies with policies SD4, SD5, SD19, SD22, SD24 and SD25 of the SDLP.

## **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 begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

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. The use of the equestrian barn 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.

4. The materials used in the construction of the development hereby approved shall be as detailed within the permitted application particulars as follows:

- o timber cladding with brick plinth; and
- o corrugated style roofing with clear corrugated roof lights

and shall be retained permanently as such, unless prior written consent is obtained from the Local Planning Authority to any variation.

Reason: To safeguard the appearance of the building and the character of the area

5. No floodlighting whether free standing or affixed to an existing structure, shall be provided on the site at any time.

Details of any other external lighting of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation 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.

Details of internal lighting and/or integral blackout blinds or low transmittance glass (or similar) to be installed to the proposed roof lights shall be submitted to the Local Planning Authority prior to the occupation of the development. The blackout blinds shall be kept closed during night time hours and retained at all times.

Reason: To protect the appearance of the area, the environment and protected species from light pollution and to minimise light intrusion in the South Downs National Park which is a designated International Dark Sky Reserve.

6. Before the commencement of development, a manure/waste management plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

The management plan should include details of the location and areas for temporary storage, and the regularity of removal. Large scale storage or burning of any waste will not be permitted.

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

7. No other caravans or containers and no more than one horsebox, one manure trailer, one small caravan for welfare purposes and parking for three cars, whether

motorised or not shall be kept, or stored on the land, no horse jumps shall be permanently erected, no outside storage and no subdivision of fields unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity of the area.

8. Detailed proposals for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved details shall be fully implemented before development can begin. Percolation testing and infiltration testing is required for the drainage field and soakaway.

Reason: To ensure satisfactory provision of foul and surface water drainage.

9. The development hereby permitted shall not be brought into use until details of the management and maintenance of any parts of the drainage system which will not be adopted (including any ponds, ditches, swales, permeable paving and land drains) has been submitted to and approved in writing by the Local Planning Authority. The submitted details should specify the responsibilities of each party for the implementation of the Sustainable Urban Drainage scheme (SuDs), a timetable for implementation, provide a management plan and maintenance plan for the lifetime of the development which should include arrangements for adoption by any public authority or statutory undertaker and any other arrangement to secure the operation of the scheme throughout its lifetime. The management and maintenance arrangements shall be carried out in accordance with the approved details over the period specified.

Reason: To ensure the efficient maintenance and ongoing operation of the SuDS system and to ensure the best practice in line with the most up-to-date guidance.

10. The recommendations within section 6 of the Preliminary Ecological Appraisal (EcoSupport, August 2023) and accompanying Update (12/02/2025) shall be adhered to throughout the construction period and the enhancement provisions within sections 6.6.1 to 6.6.3 (two bird boxes, one bat box and native planting) shall be sited prior to the development coming into its intended use and retained thereafter.

Reason: To safeguard protected species and maintain biodiversity.

11. Supplementary hedgerow and tree planting will be carried out as shown on Drawing 101 Rev P (12/02/2025) and 2403-004-LL01 REV : C3 (11/02/2025). The scheme approved shall be carried out in the first planting season following the completion of the development. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

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

12. The Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Matrix dated 20/05/2025 and prepared by Tristanna Boxall BSc (Hons) MCIEEM.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act, Policy SD9 of the South Downs Local Plan (2014-33) and the SDNPA Biodiversity Technical Advice Note.

13. Prior to the commencement of the development hereby permitted, a Habitat Management and Monitoring Plan (HMMP) shall be submitted to and approved in writing by the Local Planning Authority. The HMMP shall accord with the Biodiversity Gain Plan and include:

- i) A non-technical summary
- ii) The roles and responsibilities of the people or organisations delivering the HMMP
- iii) The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan
- iv) The management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the first occupation of the development
- v) The monitoring methodology and frequency in respect of the created or enhanced habitat
- vi) Provision for the identification, agreement and implementation of contingencies and/or remedial actions where the results from monitoring show that the conservation aims and objectives of the HMMP are not being met.

The created and/or enhanced habitat specified in the approved HMMP shall thereafter be managed, maintained and monitored in accordance with the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act, Policy SD9 of the South Downs Local Plan (2014-33) and the SDNPA Biodiversity Technical Advice Note.

14. The stables hereby permitted shall only be occupied by eight horses, in accordance with approved plan 102 Rev D. The tack room/feed store and hay stores shall only be used for the purposes shown on drawing number 102 Rev D, and not as additional stabling, unless otherwise agreed in writing with the Local Planning Authority.

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

15. The materials to be used in the construction of the access track and parking area shall be finished in compacted scalpings as per Drawing 101 Rev P dated 12 February 2025.

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

## Informatives

### 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 Local Planning Authority and applicant have worked together in securing modifications to the siting and landscaping of the proposal, via amending plans that have been secured as part of the planning application.

15. Please note that Portsmouth Water have two strategic water mains, and related easements, across the land the application refers to. Some of the applicant's proposals are in contravention of conditions within the easement documents, which aim to protect the integrity of our assets and allow for repair and maintenance activity. The applicant has not yet consulted with Portsmouth Water and would need to request a water mains diversion, under Section 185 of the Water Industry Act 1991, based on the information in the planning application.

## 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 Received	Status
Plans -	100 REV: F LOCATION & BLOCK PLAN		14.02.2025	Approved
Plans -	101 REV: P PROPOSED SITE LAYOUT		14.02.2025	Approved
Plans -	2403-004-LL01 REV: C3 PROPOSED MITIGATION PLAN		14.02.2025	Approved
Plans -	102 REV: F PROPOSED PLAN & ELEVATIONS		24.01.2025	Approved
Plans -	105 REV: B SITE SECTIONS		24.01.2025	Approved

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