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## Appeal Decision

Site visit made on 15 May 2017

**by H Butcher BSc (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 23 June 2017**

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**Appeal Ref: APP/M1710/W/17/3168860**

**Land southwest of Linstead Farm, Frensham Lane, Headley, Bordon, GU35 8SD**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Ms K Crick against the decision of East Hampshire District Council.
  - The application Ref 56468/001, dated 1 July 2016, was refused by notice dated 30 September 2016.
  - The development proposed is the erection of a private stable block and hay barn along with associated sand school.
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### Decision

1. The appeal is allowed and planning permission is granted for a private stable block and hay barn along with associated sand school at land southwest of Linstead Farm, Frensham Lane, Headley, Bordon, GU35 8SD in accordance with the terms of the application, Ref 56468/001, dated 1 July 2016, subject to the conditions in the schedule at the end of this decision.

### Main Issue

2. The main issue is the effect of the development on the character and appearance of the surrounding area.

### Reasons

3. The appeal site is a field of approximately 7.2 acres. It has an existing entrance off of Frensham Lane and immediately to the west of this is a bridleway. Much of the field is screened by mature hedgerows. However, the entrance is more open. The surrounding area to the site is mainly rural in character interspersed with residential properties and paddocks with horses. Opposite the site entrance is Huntingford Farm which is a house with outbuildings and land.
  4. A stable block and sand school for exercising horses all year round are proposed. These would be arranged around the entrance to the site opposite Huntingford Farm so it would not appear as an isolated form of development. It would also sit at one of the lowest points in the field. This would reduce longer views of the development which would be restricted largely to the immediate area around the entrance to the site, where the stables and sand school would be viewed against a backdrop of rising land. With these points in mind I consider the siting of the stables and sand school would not appear overly prominent nor would it encroach unduly on the wider landscape.
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5. The stabling would be traditional in design being timber clad and single storey with a low pitched roof. It would not appear out of place given its rural/equestrian environs. Stabling for five horses, a hay barn/feed store and secure storage for a horse box are proposed as part of a relatively modest stable complex. This would not, in my opinion, be excessive for personal use. One of the stables would be a foaling box but, despite its name, it is not intended to be used for such purposes. It will simply be used as a larger stable and, when necessary, for sick or lame horses. Even if it were ever to be used for foaling I can find no reason to conclude that this would, in itself, be harmful to the character and appearance of the surrounding area.
6. The sand school would be fairly innocuous being located largely behind mature hedgerow. The low post and rail fencing which would enclose it would be the most visible element of the sand school from public views. This is typical of the type of fencing found in rural areas therefore it would not stand out as being inappropriate. The appellant states that the sand school is the standard size for personal/recreational use and there is no substantive evidence before me to the contrary. The hardstanding serving the stables would provide space to pull off the road, and turn and manoeuvre vehicles within the site, but would not be excessive. I therefore do not consider it would have an unduly urbanising impact.
7. I accept that the current undeveloped nature of the appeal site is appreciated by local people. However, a change of view is not normally regarded as a planning consideration, and in this case I find no reason to conclude otherwise.
8. Taking the above points together I find no harm to the character and appearance of the surrounding area as a result of the siting, design or scale of the development. It follows therefore that I find no conflict with policies CP19 and CP29 of the East Hampshire District Council: Joint Core Strategy (2014) or saved policy C12 of the East Hampshire District Council Local Plan: Second Review which require development to respect the character and beauty of the countryside. Policy C12 in particular is supportive of stables in the countryside providing they are sited within an existing group of buildings, are well-related to existing bridleways, and do not harm the character of the local landscape. I also find no conflict with the National Planning Policy Framework which also seeks to protect the intrinsic character and beauty of the countryside.
9. In light of my findings above I do not consider it necessary for the appellant to consider other locations for the proposed development. Similarly I can see no reason why it would lead to harmful development on other sites in the area.

#### *Other matters*

10. I acknowledge the concerns expressed by local residents in respect of the highway conditions along this section of Frensham Lane. However, there is an existing field entrance at the appeal site which could be used at any time regardless of the proposed development. Notwithstanding this the scale of development proposed is unlikely to generate a significant amount of traffic. I am also satisfied that the access provides adequate visibility and there would be space to turn a vehicle on site. I therefore do not consider that the proposal represents a significant threat to other highway users and I note that the local Highway Authority came to a similar conclusion. Any transfer of mud onto the road would be unlikely given an area of hardstanding is proposed to serve the development.

11. Huntingford Farm is a Grade II listed building. Frensham Lane provides separation between the appeal site and Huntingford Farm and I have found the development to be acceptable in terms of its impact on the character and appearance of the area. I therefore do not consider the proposal would harm the setting of this listed building. Linstead Farm, which is located some distance to the northeast of the appeal site is also Grade II listed. Again the appeal site is a physically separate parcel of land to this as well as being located a considerable distance away and with rising land in-between. I therefore find no harm to the setting of this listed building either. The Council's Conservation Officer similarly raised no objection in this respect.
12. There is no firm evidence before me to suggest that it would not be feasible to adequately drain the proposed development, that it would interfere with the natural drainage of the land, or that it would result in pollution of local watercourses. Furthermore, neither the Environment Agency nor the Council raise any objection in respect of such matters, subject to the imposition of suitable conditions.
13. In terms of noise from traffic associated with the site or from the horses themselves this is unlikely to be so disturbing to neighbouring properties so as to adversely affect living conditions, given the surrounding land uses. As set out in the Planning Practice Guidance, planning is concerned with land use in the public interest, so the protection of purely private interests such as the impact of a development on the value of a neighbouring property could not be a material consideration.
14. Whilst the appellant may have a breeding and riding school nearby that is not what is before me. I must determine this appeal on its own planning merits regardless of the planning history of other sites in the appellant's ownership. Any future change of use of the land to residential would require a separate planning application.
15. In the event of any harm to the general public as a result of keeping stallions at the appeal site in an irresponsible manner would be a private matter between the parties involved and is not subject to planning control. Finally, there is no substantive evidence before me to suggest the proposal would be harmful to wildlife.

### *Conditions*

16. I have undertaken some minor editing and rationalisation of the conditions proposed by the Council in the interests of precision and clarity. I have attached the standard time limit condition and included a plans condition as this provides certainty. To ensure a satisfactory appearance I have included conditions relating to materials, levels and lighting/floodlighting. A condition restricting the use of the site to private, non-commercial use is also necessary to protect the living conditions of adjacent properties and the character and appearance of the area.
17. The site is located near watercourses and in a groundwater Source Protection Zone 2. It is also an area which is susceptible to surface water flooding. It is therefore necessary to include conditions relating to drainage.
18. In the interest of highway safety I have included a condition requiring any access gates to be set back from the highway and to open inwards. A

condition regarding the disposal of manure and waste is also attached to prevent pollution.

19. At the time of my site visit the access had already been constructed therefore a condition requiring this is not necessary. No lines of site splays are shown on the plans before me therefore it is not possible to condition that they be kept free of any obstruction as suggested by the Council. In any event I do not consider this to be necessary given my findings above in respect of highway matters. Given my conclusions in respect of the main issue in this appeal I do not consider a condition requiring additional landscaping to be necessary to make the development acceptable.
20. A number of these conditions need to be discharged before work commences on site as they are fundamental to a satisfactory scheme.

### **Conclusion**

21. For the reasons set out above I find no harm to the character and appearance of the surrounding area. Therefore, subject to the above conditions, and having had regard to all matters raised, the appeal is allowed.

*Hayley Butcher*

INSPECTOR

### **Schedule of Conditions**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1990.1.B, 1990.2.B (Stables), 1990.2.B (Sand School), 1990.4.B, 1990.4.C
- 3) No development shall take place until samples/details of all materials to be used for the development hereby approved have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 4) No development shall take place until plans of the site showing details of the existing and proposed ground levels, proposed finished floor levels, levels of any parking areas, and the proposed completed height of the development and any retaining walls have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 5) No external lighting/floodlighting shall be installed on the site until such details have been submitted to and approved in writing by the local planning authority. The lighting shall be installed, operated, and maintained in accordance with the approved details.
- 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) the stables and sand school hereby permitted shall be used only for private, non-commercial, stabling and equine activities and for no other purpose.
- 7) No development shall take place until a scheme for foul and surface water drainage has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved scheme before any part of the development is first occupied and permanently retained thereafter.
- 8) The proposed hard surfaces shall either be made of porous materials or provision shall be made to direct run-off water from the hard surfaces(s) to a permeable or porous surface within the site.
- 9) Any gates installed at the vehicular access shall be set back a minimum distance of 5 metres from the edge of the carriageway with the adjoining highway and shall be hung so that they open inwards to the site only.
- 10) Prior to the commencement of the use of the development measures to dispose of manure and other waste will have been implemented on site in accordance with details that shall have first been submitted to and approved in writing by the local planning authority and these measures shall be permanently retained on site thereafter.