

Appeal Decision

Site visit made on 13 June 2017

by Jonathon Parsons MSc BSc(Hons) DipTP Cert(Urb) MRTPI

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

Decision date: 03 July 2017

Appeal Ref: APP/Y9507/W/17/3167812

Land East of New Barn Farm Lane, Blendworth, Waterlooville PO8 0QG

- 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 Mr T Leonard against the decision of South Downs National Park Authority.
 - The application Ref SDNP/16/02497/FUL, dated 18 May 2016, was refused by notice dated 28 July 2016.
 - The development proposed is hard standing area on which to station stable and barn field shelters.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The submitted plan details the appeal site to be land off Woodhouse Lane. However, the application form and appeal documentation refer to the appeal site to be land off New Farm Barn Lane. In this decision, the site address contained on the application form has been used which accords with previous appeal decisions on the land.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area, having regard to the location of the site within the South Downs National Park.

Reasons

Character and appearance

4. The appeal site comprises part of a substantial open field which has been subdivided into paddocks that gently slope. There are hedgerows of a minimum height of 3.5m along the roadside boundaries of the site along New Barn Farm Lane and Slant Lane respectively. There is an opening within the New Barn Farm Lane road frontage to allow for vehicular access. Planning permission was granted for the use of the land for equestrian purposes in June 2015 at appeal. Adjacent to the access, there are two moveable stable/barn shelters on skids.
 5. The surrounding area is distinctly countryside in character and appearance with the exception of a nearby neighbouring building visible partially from Slant
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Lane. It consists of undulating fields, hedgerows and woodland and is within the South Downs National Park. Paragraph 115 of the National Planning Policy Framework (the Framework) states that great weight should be given to the conservation of the national parks in relation to their landscape and scenic beauty.

6. The proposal would be for a hardstanding area for the stationing of stable and barn field shelters. Although these shelters would be moveable, it is reasonable to consider the permanent visual impact of the shelters because the hardstanding's stated purpose is to station the shelters and the Appellant has put forward health justification for horses to have shelter. Additionally, there have been two shelters present on the site as I saw on my site visit. Under Policy CP19 of the East Hampshire District Local Plan: Joint Core Strategy (JCS), the development will only be allowed if there is genuine and proven need for a countryside location. The development does not fall within any of the given examples within the policy but generally a countryside location is necessary for an equestrian development by reason of its nature. Nevertheless, policy CP19 also states that the pursuit of national park purposes will be paramount.
7. The hardstanding and shelters would lie behind a roadside hedge and views of the development through the site's entrance would be limited by reason of positioning of the development away from it. Some additional landscaping has also taken place at the entrance. However, the hedges are generally deciduous and so the proposed shelters would be visible from the road during much of the year when leaves have fallen. By reason of the general undeveloped countryside character and appearance of the area, the hardstanding and shelters would appear isolated and unrelated to their particular countryside context within the national park. Furthermore, development on the site would be likely to formalise the use of the site for equestrian purposes with more comings and goings of vehicles, and activity around the hardstanding. Consequently, the development would appear incongruous in its context and visually intrusive, and would be harmful to the character of this area which is located within a national park.
8. Therefore, the development would not take particular account of the setting and context of the South Downs National Park as required by JCS policy CP29 criterion b. Similarly, it would not conserve and enhance the national park's natural beauty or promote opportunities for the understanding and enjoyment of its qualities by the public in conflict with the park's purposes and duty further conflicting with JCS policy CP29(b). On this basis, there would also be conflict with criterion c of JCS policy CP29 which states that new development should reflect national policies in respect of amongst other considerations, design and landscape, because it would adversely affect landscape and scenic beauty contrary to paragraph 115 of the Framework.
9. The 2015 appeal decision allowed the use of the land within the appeal site for equestrian purposes. The Inspector found the change of use of the land to be acceptable, not unobtrusive in the wider landscape, well screened and would not be sufficiently dissimilar to agricultural activities so as to cause harm. However, this proposal is different in that hardstanding for the stationing of shelters is proposed. Furthermore, in allowing the appeal, the Inspector imposed a condition preventing the stationing of jumps, buildings or field shelters, permanent or temporary, and the parking or storage of trailers or

horse boxes and so controlled the impact of the development on the national park. Given that field shelters are proposed to be stationed on the site, there are significant differences between this appeal and the current appeal.

10. There is a dispute regarding the lawfulness of the existing two shelters on the site having regard to whether or not the condition imposed by the 2015 Inspector is relevant and applies. However, detailed evidence setting out the original date and duration of the stationing of the shelters is lacking and therefore no informed consideration can be made on this issue. In any case, this is not a matter for me to formally determine in the context of an appeal made under section 78 of the Town and Country Planning Act 1990 and it is open to the Appellant to apply for the matter to be determined under sections 191 or 192 of the Act.
11. The existing planning permission permits the Appellant to ride his horses on the site and it is indicated that the shelters are required to protect the horses from inclement weather and the hardstanding is needed to prevent the prospect of 'foot rot'. However, little evidence has been submitted to establish whether this is a significant issue for the horses on the site and if it is, whether there could be other solutions to these purported issues. Therefore, the harm to the scenic and natural beauty of the national park, for which the Framework states great weight should be placed upon in terms of conservation, would not be outweighed by these considerations.
12. My attention has also been drawn to a 2013 dismissed appeal at the appeal site which was for a proposal concerning an equestrian barn and use of land for equestrian purposes. The Inspector commented that for a significant part of the year the hedge would have no leaves and the proposed building would be easily visible from the adjacent lane. Although the boundary hedging may have grown more since this date, this comment nevertheless supports my findings on the unacceptability of the proposal during months when the landscaping is not in leaf.

Conclusion

13. In conclusion, the proposal would harm the character and appearance of the area within a national park. It would be contrary to JCS policies CP29 and CP19, by virtue of the conflict with national park purposes, and the development plan as a whole. There are no material considerations to indicate that a decision should be made other than in accordance with the development plan and permission should be refused.
14. For the reasons given above and having regard to all other matters raised, including support, I conclude that the appeal should be dismissed.

Jonathon Parsons

INSPECTOR