



Appeal Decision

Site visit made on 15 June 2023

by H Wilkinson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 July 2023

Appeal Ref: APP/H1705/W/22/3305219

Land Adjacent to Frith View, Little London, Hampshire, RG26 2EL

- 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 Professor. C Wagstaff against the decision of Basingstoke and Deane Borough Council.
 - The application Ref 21/02607/FUL, dated 28 July 2021, was refused by notice dated 21 June 2022.
 - The development proposed is described as the 'erection of 20x60m manege and 10x20m barn'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the address of the appeal site from the appeal form which is largely consistent with the Council's decision notice as this more accurately identifies the location of the appeal site.

Main Issues

3. The main issues are the effect of the appeal proposal on:
 - the character and appearance of the area;
 - biodiversity.

Reasons

Character and appearance

4. The appeal site comprises grassland and forms part of a larger patchwork of open, arable fields. Vehicular access is currently provided off Ash Lane via an existing gateway which is set back from the lane and is not unduly prominent owing to the informal, grassed surfacing. Whilst Frith View is located to the northeast of the appeal site and adjoins the site boundary, due to the intervening boundary treatment and mature landscaping, this property is both physically and visually separated from the appeal site.
5. Despite the sporadic development along Ash Lane, the surrounding area is predominantly characterised by dispersed blocks of woodland together with open farmland which is devoid of built form. The overriding character is that of countryside and in this regard, the grassed and undeveloped nature of the appeal site is an important component of this and positively contributes to the countryside setting.

6. The submitted site plan indicates that the proposed Dutch Barn and hardstanding would be broadly central to the field whilst the manege would be set to the rear of the hardstanding area, adjacent to a band of mature planting. According to the submitted site plan the proposed development would be located to the rear of the dwelling house and associated curtilage proposed in accordance with planning application ref. 21/01770/FUL. However, based on the available evidence, I understand that this scheme has since been dismissed at appeal¹.
7. The appeal proposal would occupy a standalone position and would be unrelated to the existing buildings at Frith View. Given the conspicuous siting of the proposal including the central placement of the Dutch Barn, it would read as an incongruous and visually obtrusive development. The sloping topography of the appeal site and its elevated position above the respective lanes would increase its visibility and prominence within the landscape, particularly when viewed from the junction of Ash Lane and Frog Lane.
8. The incongruous form of the development would be compounded by the subdivision of the field and resulting fragmented arrangement which, despite the implementation of additional landscaping would be uncharacteristic of the locality. Moreover, the introduction of a formal, engineered access and substantial hardstanding would not be sympathetic to its rural location and would thus be out of place. In this regard, the proposal would result in a suburbanising effect, further eroding the local character and distinctiveness.
9. In coming to this view, I acknowledge that the Dutch Barn is of a relatively modest scale and that views of the appeal development from the surrounding lanes and the public rights of way network would be filtered by the existing roadside vegetation. However, this would not adequately mitigate the visual effects arising from the incongruous form of the proposal and extent of hardstanding proposed.
10. My attention has been drawn to an equestrian proposal² which the appellant submits is local to the appeal site and within a similar setting. I understand that this scheme comprised only a manege, the overall dimensions of which were smaller than the appeal proposal. No buildings or hardstanding was proposed. On this basis, I do not consider the respective proposals to be strictly comparable. I am also advised by the Council that the landscape context, site topography, and the relationship to the public domain differed. In any case, the referenced site is not located within immediate proximity of the appeal site and therefore, it does not form part of the character and appearance of the appeal site area. I therefore afford this example limited weight in my considerations.
11. For these reasons, whilst I recognise that a development of this type would not be wholly uncharacteristic of the rural landscape, it would nevertheless encroach into the rural area and erode the agricultural character and appearance of the appeal site. Therefore, in concluding this matter, I find that the appeal proposal would harm the character and appearance of the area. It would therefore conflict with Policies EM1 and EM10 of the Basingstoke and Deane Local Plan 2011 to 2029 (Local Plan). Amongst other aspects, these policies seek to ensure that development proposals respect, enhance and are

¹ APP/H1705/W/22/3294866

² 20/01301/FUL

not detrimental to the character or visual amenity of the landscape. The proposal would also be inconsistent with the design principles set out within the Council's Design and Sustainability Supplementary Planning Document 2018 together with the objectives of the National Planning Policy Framework (the Framework) in relation to conserving and enhancing the natural environment.

Biodiversity

12. Policy EM4 of the Local Plan sets out that development proposals will only be permitted if significant harm to biodiversity and/or geodiversity resulting from a development can be avoided or, if that is not possible, adequately mitigated. Further to this, and amongst other criteria, the policy confirms that applications must include adequate and proportionate information to enable a proper assessment of the implications for biodiversity and geodiversity.
13. The appeal is accompanied by a Preliminary Ecological Appraisal (PEA) dated 15 June 2021 which was undertaken in accordance with the adjacent scheme³. I recognise that the appraisal identified no ecological constraints and that the Council's Biodiversity Officer raised no objection to the proposal subject to appropriate conditions. However, the site subject to the appeal was nevertheless excluded from the surveyed area as evidence in Figure 2 of the PEA.
14. I have considered the use of a suitably worded condition to secure mitigation and enhancements. However, in the absence of a site-specific survey, I cannot be certain that the proposal would not adversely affect biodiversity and geodiversity or that the mitigation would be appropriate. Therefore, the appeal development would conflict with Policy EM4 of the Local Plan which amongst other aspects, seeks to conserve and enhance the borough's existing biodiversity assets. It would also be inconsistent with the biodiversity objectives set out within the Council's Landscape, Biodiversity, Trees Supplementary Planning Document 2019, and the Framework.

Other Matters

15. The appellant submits that as there is no specific development plan policy relating to equestrian facilities and thus Paragraph 11 of the Framework should apply. This sets out that planning permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
16. As set out above, Local Plan Policies EM1 and EM10 require all proposals to respect and enhance the character and visual amenity of the landscape, responding to local distinctiveness and sense of place. Whilst these Local Plan policies are not directly related to equestrian proposals, they are nonetheless relevant to the overall acceptability of the appeal development. They are also consistent with the Framework in so far as it seeks to ensure proposals are sympathetic to local character and the landscape setting. As such, the presumption in favour of sustainable development does not apply.
17. It has been put to me by the appellant that the improved access would allow horse lorries to be stored and moved in and out of the site in a safer way. I also recognise that the highway authority did not object to the proposal. Whilst

³ 21/01770/FUL

having had regard to these factors, they do not outweigh the harm that I have identified or indeed lead me to a different conclusion.

18. I appreciate that the proposed manege would provide an enhanced training facility. However, the evidence before me does not persuade me that the proposed location is the only way of providing this benefit. In any case, personal circumstances rarely outweigh general planning matters because the effect of the development would remain long after the personal circumstances cease to apply. I therefore give this limited weight in my considerations.

Conclusion

19. The appeal development conflicts with the development plan read as a whole and no material considerations have been shown to indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal is dismissed.

H Wilkinson BSc (Hons) MSc MRTPI

INSPECTOR