



Appeal Decision

Site visit made on 9 December 2024

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 December 2024

Appeal Ref: APP/Y9507/W/24/3341917

Land at Mill Lane, Soberton, Hampshire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Carolyn Collins against the decision of South Downs National Park Authority.
 - The application Ref is SDNP/23/01336/FUL.
 - The development proposed is that change of use from agricultural to equestrian, proposed barn with stables, tack room, feed and hay store and outdoor Menage 30m x 60m and widening of existing access from Mill Lane.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The National Planning Policy Framework (the Framework) was updated on 12 December 2024. However, the sections pertinent to this appeal have not changed to such an extent as to affect the matters raised by the main parties. It has not therefore been necessary to seek their views. However, the revised version has been referenced in this decision.

Background and Main Issue

3. The site is in the South Downs National Park (SDNP), it is beyond any settlement boundaries and is already being used for equestrian purposes. On the evidence before me the Authority do not object to this use on the site. However, the proposal also constitutes the erection of a barn with stables, menage and hardstanding.
4. Therefore, the main issue is the impact of the barn, menage and hardstanding on the character and appearance of the area, with specific regard to the appeal site's location within the SDNP.

Reasons

5. The field the appeal site is part of is positioned to one side of Mill Lane with the Meon Valley Trail (MVT), which follows a disused railway, along one edge. The topography of the area is undulating with Mill Lane descending towards a bridge across the MVT, and the MVT being located at the bottom of steeply wooded banks. The field follows the undulation of the area and raises up from both the MVT and Mill Lane before flattening out.
6. The wooded banks of the MVT and the hedging along Mill Lane mean both routes are relatively enclosed and provide only glimpses of the surrounding

fields, including the appeal site. 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.

7. The appeal site is the part of the field located between the field access, Mill Lane and the MVT. It follows the topography of the area and raises up from the lane towards the centre of the field.
8. The proposed barn would be closest to Mill Lane with the menage and hardstanding beyond. The barn would be built into the ground and finished in materials appropriate to the rural setting.
9. 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.
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.
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.
12. It is acknowledged that the Authority's landscape officer did not think the proposal would constitute a significant change in the landform of the surroundings or be conspicuous to the casual observer.
13. However, the location of the appeal site within the SDNP means Section 11A(2) of the National Parks and Access to the Countryside Act 1949 places a duty upon me to have regard to the purposes of national park designation. Which in the first instance is to conserve and enhance natural beauty, wildlife, and cultural heritage. This is supported in South Downs Local Plan (LP) Policies SD4 and SD5, which amongst other things, require new development to integrate, respect and complement landscape character.
14. Therefore, that the change would not be significant does not mean there would not be change. In this instance, it would constitute a level of change which, in my mind, would not integrate with the landscape character of the area and therefore could not be considered to conserve and enhance the natural beauty of the SDNP.

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.
16. The Authority references LP Policy SD7 which refers to relative tranquillity. However, as the appeal site is already in use for equestrian purposes and the proposal would not significantly alter the level of that equestrian use, I do not find this policy determinative.

Other Matters

17. The unique requirements of the applicant due to their link with the Great Britain Riding Team, including the potential reduction in transport for training is acknowledged. As is the proposal being the latest iteration of a series of 'improvements' from previous applications, and there being an extant permission for a barn on the site. However, these matters do not outweigh the harm identified in relation to the specifics of the scheme before me.
18. The Authority found no harm in relation to the living conditions of local residents, highway safety, parking and with appropriate conditions, landscape character, trees, and ecology. Portsmouth Water is also satisfied the necessary easement for existing water pipes could be achieved. However, it is acknowledged interested parties have highlighted concerns relating to these matters. Yet on the evidence submitted there is nothing before me to conclude other than with the Authority and Portsmouth Water. Nevertheless, a lack of harm, by definition, cannot weigh for or against the proposal.
19. Concerns relating to the potential use of the appeal site for commercial purposes do not alter my findings, as could be controlled by condition.
20. The difference between officer report and committee outcome is noted. Nevertheless, the Authority is not bound to accept the recommendations of its officers, and its reason for refusal was supported by reference to development plan policy. This does not alter the planning merits of the case.
21. Reference has been made to the grade II listed building 'Bere Farm' further along Mill Lane, and the Soberton Pumping Station Conservation Area. The Authority has not raised any concerns relating to the proposal in relation to the setting of these heritage assets. However, as I am dismissing the appeal for other reasons, I have not pursued this matter further.

Conclusion

22. For the reasons given above the appeal scheme would conflict with the development plan when read as a whole and there are no sufficiently weighted material considerations, including the Framework, which would indicate a decision otherwise. The appeal is, therefore, dismissed.

RJ Redford

INSPECTOR