



Appeal Decision

Site visit made on 18 March 2025

by J J Evans BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 April 2025

Appeal Ref: APP/M1710/W/24/3350106

Yew Tree Cottage, Eastland Gate, Lovedean, Waterlooville, Hampshire PO8 0SR

- 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 Martin Price against the decision of East Hampshire District Council.
 - The application Ref is 26982/016.
 - The development proposed is the erection of an indoor riding school.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A revised version of the National Planning Policy Framework (the Framework) was published on 12 December 2024, and the main parties were provided with an opportunity to comment.
3. The appeal site has a complex planning history with disagreement between the main parties as to whether there is a lawful equestrian use. The Council has also initiated an investigation into whether the site is being used solely for personal use. It is not the role of an appeal for planning permission to determine whether a use or operation is lawful. Since 2017 there have been various permissions for equestrian development and uses upon the site, including for exercisers, the extension of the outdoor school and mirrors around it, access gates, hardstandings, and in 2024 there was an approved application for a variation of condition of an application permitted in 2017 (application refs 26982/018 and 26982/003 respectively). From the evidence provided by the parties, there appears to be permitted equestrian uses occurring within the site area, and consequently the appeal has been determined on the basis of the proposal to erect an indoor school.

Main Issues

4. The main issues in this case are:
 - the effect of the scheme upon the character and appearance of the area; and
 - whether the indoor riding school would be in a suitable location having regard to national and local policy.

Reasons

Character and Appearance

5. The appeal site comprises a group of three fields that wrap around the house and gardens of Yew Tree Cottage. Near to the house is a stable block with eleven stables and an equine washroom. In addition to the vehicular access that serves the dwelling, there is a separate, gated access to the fields with an internal road that leads to the stables and to a parking and outdoor storage area. There are a group of outdoor loose boxes for the equines near to this internal access road with some of the fields beyond being subdivided into paddocks. The flood-lit sand school, the covered walker, and lunging school are adjacent to the stables and gardens of the house.
6. The proposed indoor school would be positioned near to the western boundary of the site, close to an existing parking and storage area. The school would be commensurate in size with the outdoor one, and would have a single entrance / exit, with full height walls on all sides, and a shallow pitched roof.
7. There is no dispute between the main parties that the building would be within the countryside. The landscape has an essentially open, rural nature comprising arable and grassland fields often bounded by mature hedges and trees, with a loose scatter of farmsteads and houses, many of which are near to public highways. Despite the proximity to nearby settlements, there is a tranquil, rural nature to the area, and one whereby the open landscape dominates.
8. Whether set down below the existing ground level or raised above it, the proposed building would be prominently and disruptively visible. The size and height of the school would allow it to be seen from long distances away, including from Anmore Lane and nearby public rights of way. Given its size it would appear discordantly intrusive and dominant in an area where there are no other such comparably large buildings. The indoor school would be set apart from Yew Tree Cottage and the stable block, and such a separation would appear conspicuous compared to the clusters of buildings that occur in nearby farmsteads. The power lines crossing the site would impact upon the positioning of such a large building, but the separation of the school well beyond the existing group would unacceptably erode the open nature of the area.
9. Even if green coloured wall cladding was used, the bulky size and tall height of the building would be such that the long and monotonous lengths of unbroken walls and roof would harmfully exaggerate its intrusive impact. The appellant refers to nearby hedges and trees providing heavy screening of the building, with the suggestion that further landscaping could be provided. However, the large size of the indoor school and its tall height would not be screened by the existing hedges as they are maintained at a much lower level, and the mix of species within them is such that even if allowed to grow they would not conceal the building. A group of mature hedge trees would be nearby, but whether they would survive the development has not been demonstrated as no details of protection measures or pruning works have been provided. Moreover, landscaping cannot be relied upon to screen a development for its lifetime.
10. It may be the case that large, barn-like buildings are not uncommon in rural areas, and there are other houses and equestrian uses and buildings scattered within the area, including along Eastland Gate. However, none of these comprise buildings

of a scale and size comparable to the indoor school. The solar farm referred to by the appellant covers a large area but has a low-key impact due to the height of the panels. As such it does not form a precedent for approving the appeal.

11. Whilst the appellant considers the scheme would accord with the requirements of the Framework in that it would be on land within a lower level of landscape importance, the Framework also requires schemes to contribute to and enhance the local environment as well as recognising the intrinsic character and beauty of the countryside. For the reasons given above the scheme would adversely impact upon the character and appearance of the area, contrary to these requirements of the Framework, and the suggested conditions would not overcome this harm. Nor would the scheme accord with the requirements of Policies CP20 and CP29 of the East Hampshire District Core Strategy (2014) (CS), and Policy CP12 of the East Hampshire District Local Plan (2006) (LP) as these seek amongst other things, that development should respect the character, identity, and context of the countryside, that which protects and enhances local distinctiveness, sense of place, and tranquillity, and that equestrian development should not harm the character of the local landscape.

Location

12. The indoor school is required for the private use of the appellant and his family, some of whom compete in dressage competitions at a high level. The size of the indoor school would allow training to competition standard, providing an alternative to the outdoor school in inclement weather and also a range of environments for the equines to become familiar with. However, details of the level of the competition, who is involved and how frequently, along with the number of equines involved, is unclear, and it follows therefore, that the justification for a building of such a large size is unclear.
13. CS Policy CP19 reflects objectives of the Framework in that it seeks to operate a policy of general restraint in order to protect the countryside for its own sake, with the only development allowed having a genuine and proven need to be in such a location, such as that necessary for farming, forestry, or other rural enterprises. The indoor school is required for private use rather than as part of a rural enterprise, and whilst the appellant employs assistants this is to assist in activities that have been described as a hobby. The justification for such a large building to meet the private needs of the appellant and his family would fail to meet the requirements of this CS Policy.
14. Although the appellant considers the building to be an appropriate form of development in this countryside location, for the reasons given above harm would arise to the local landscape, contrary to the requirements of LP Policy C12. Irrespective of the disagreement between the parties as to whether the existing equestrian development and uses are lawful, the building would be part of those that are currently occurring. However, the school would be set away from the existing cluster of buildings and would not appear as part of them nor be near them. This separation and the size of the building would erode the open nature of the area, thereby conflicting with LP Policy C12 and its requirement to position new buildings within an existing group.
15. For these reasons the provision of an indoor school to serve personal uses would not be in a suitable location having regard to the requirements of the above

referenced national and local policies, and the suggested conditions would not overcome these harms.

Other Matters

16. Local residents have raised a number of concerns regarding the existing activities occurring at the site, including building work, flood lights shining into nearby properties, and large vehicles frequently blocking the lane. As the appeal is being dismissed for other reasons, there is no need to consider these matters further.

Conclusion

17. There would be conflict with the development plan when considered as a whole, and there are no other considerations, including the requirements of the Framework, that outweigh this finding. Thus, for the reasons given above and having considered all other matters raised, the appeal is dismissed.

J J Evans

INSPECTOR