

Application No: 16/01077/FULL Full Application

Site: Land Adjacent To Wootton Old Farm, Brownhill Road, Wootton, New Milton, BH25 5TT

Proposal: Stables and hay barn

Applicant: Mr I Downie

Case Officer: Carly Cochrane

Parish: BROCKENHURST

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP1 General Development Principles
CP8 Local Distinctiveness
DP22 Field Shelters and Stables

4. SUPPLEMENTARY PLANNING GUIDANCE

Guidelines for Horse Related Development SPD

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 7 - Requiring good design
Sec 11 - Conserving and enhancing the natural environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Brockenhurst Parish Council: Recommend Refusal: Whilst we have no objection to the principle of replacement field shelter with two stables and a hay store, we object to the location as the increased size and intensified use of the new building will have a detrimental impact on the amenity of the neighbouring dwelling. An alternative location should be sought for the new building.

8. CONSULTEEES

No consultations required

9. REPRESENTATIONS

9.1 One letter of representation has been received from the occupiers of a neighbouring property, in support of the application. The comments made are summarised as follows:

- Development is sufficiently positioned away from the neighbouring property as not to shade them
- Horse shelter is already of considerable size and has been there for years in more or less continual use.
- Various stables have used [the field shelter] for many years
- cannot see any problem with the proposal

9.2 One letter of representation has been received from the occupiers of a neighbouring property, raising objections to the application. The comments made are summarised as follows:

- No rationale behind the decision for the location; no reason it should be so close to [our] property. DP22 clearly states that stables should be located close to existing buildings (in this case Wootton Old Farm) i.e. close to the western edge of the paddock. Would be more convenient as there is a fence gate on the western edge of the paddock.
- Consider that concerns raised as part of the previous application have not been reasonably addressed; they have been exacerbated.
- Footprint of proposed development (including the concrete apron and hoggin) is almost 80sq.m; this exceeds the footprint of [our] house. This is clearly an extremely large development in an obtrusive location.
- Proposed to locate the development on the northeast edge of the paddock 25m from [our] fence line. This will result in a massive invasion of privacy by virtue of the human activity, at least twice a day, creating a very intrusive environment.
- There would be significant light pollution from the proposed stable and hay store.
- Noise pollution due to use of vehicles to access the stables and hay store

9.3 A letter of representation has also been received from Friends of the New Forest; the comments made are summarised as follows:

- Object to this application as it did to the earlier application
- Policy DP22 states stables should be close to existing buildings in order to conserve the natural beauty of the National Park.
- Inconvenience is not an exceptional circumstance and the stables should be located close to existing farm buildings.

10. RELEVANT HISTORY

- 10.1 Field shelter and hay store (demolition of existing field shelter) (16/00887) Withdrawn 13 December 2016

11. ASSESSMENT

- 11.1 Members will recall that this application was deferred at the February Committee pending further negotiation between the applicant and officers with regard to the siting of the building. At the February Planning Committee, the occupiers of the neighbouring property of The Potts produced a plan which showed their 'preferred' and 'compromise' locations for the building. Since then, it is understood that discussions were held between the applicants and the occupiers of the neighbouring property of Wootton Ruff about impact upon the root protection areas of trees along the boundary. It is understood that a location between that proposed and the 'compromise' location was staked out and further considered between the parties, however after this further consideration and negotiation, the applicant has concluded that the application should be determined as it stands, and therefore no changes to the location have been made. The officer's earlier assessment and recommendation based on the submitted plans remains as before.
- 11.2 To recap, the application site comprises an agricultural field measuring an area of approximately 0.8 hectare, located to the east of the dwellinghouse of Wootton Old Farm, however separated by the driveway of the neighbouring property of Wootton Ruff (to the western boundary). Brownhill Road runs parallel with its southern boundary; the eastern boundary is shared with that of the neighbouring property of The Potts, and beyond the tree lined northern boundary is agricultural land. The field access is located to the south eastern corner, close to the boundary with The Potts, as is the water source. The land is enclosed along all boundaries by a post and rail fence, and there is an existing field shelter adjacent to the eastern boundary.
- 11.3 This application seeks planning permission for the removal of the existing field shelter and erection of 2 stables and a hay store, laid out in an 'L' shape and contained within one building measuring approximately 10.8 metres in width, 5.5 metres in maximum depth and 3 metres in height to the ridge, with an overall footprint of 45m². There would be a concrete 'apron' to the front, and the building would be constructed of timber with a black onduline roof. The building would be sited approximately 25 metres west of the boundary with The Potts, and between 3 and 5 metres from the rear boundary, so as not to impact upon the Root Protection Area of trees within the adjacent property. No external lighting is proposed. The proposed area of hoggin to the front of the buildings has been removed from the application through negotiation.

- 11.4 The area surrounding the application site, including that which is served by Brownhill Road, Wootton Farm Road and Rhinefield Road, is agricultural in character. Land is primarily separated by post and rail or post and wire fencing, creating a spacious appearance. There are a significant number of agricultural and domestic outbuildings within the area, including a variety of stables, field shelters, barns and garages, most of which, by virtue of the rural style boundary fencing and even ground levels, are visible from the graveled roads which separate the land.
- 11.5 Application reference 16/00887 was for the same development but of a larger scale and in the location of the existing field shelter. This was withdrawn following objections from the Parish Council, occupiers of a neighbouring property, and from the Friends of the New Forest. The comments and objections related to the proposed size, location, and intensified use of the field, and also queried whether there was a material change of use of the land, along with fire safety concerns. Subsequently, significant discussions were undertaken between Officers and the applicant with regard the location and size of the proposal in order to overcome the objections. The current application is the product of these discussions.
- 11.6 The New Forest National Park Authority's Guidelines for Horse Related Development Supplementary Planning Document (herein referred to as the Horse Related Development SPD) highlights the difference between the use of land for grazing, and the more intensive use of recreational horse keeping, and a judgement can normally be made on the basis of the area of grazing land available per animal. As a guideline, the more intensive 'keeping of horses' generally occurs when there is less than 0.5 hectare of land per horse; this figure is the median point between the 0.4 and 0.6 hectares recommended by DEFRA's Code of Practice. The area of land subject to this application measures 0.8 hectares; there would be 2 stables, and it is stated within the application that there would be a maximum of 2 animals on site. This would comply with the DEFRA guidelines, and as such, it is not considered that this proposal would facilitate a change of use of the land.
- 11.7 Concern has been raised with regard the siting of the proposal when assessing it against Policy DP22 of the Core Strategy, which states that stables 'should be located close to existing buildings'. In this instance, the existing building of the field shelter would be demolished, and there are no other agricultural or other buildings within the site. The closest building is that of dwellinghouse and outbuildings at the neighbouring property of The Potts. Following objections raised by the neighbours, the proposed stables and hay store have been moved away from the shared boundary, and is proposed to be sited approximately 25 metres to the west, and close to the rear boundary; the proposal was previously 8 metres from the boundary as per the existing

field shelter. It is also noted that the vehicular access into the field from Brownhill Road is located to the south east of the site, as is the water source and trough. There is a further gate providing access into the field, via the driveway for Wootton Ruff, however it is understood that the applicants do not have right of way over this driveway and therefore cannot reasonably be expected to use this access. The proposal would be set against the backdrop of a row of trees which are within the ownership of the land to the rear, so as to appear as inconspicuous as possible in accordance with the Horse Related Development SPD. As such, and being that there are in fact no other buildings within the site for the proposal to be located close to, it is considered that the proposal would be sited in a location which would be appropriate, and the proposal would comply with Policy DP22.

- 11.8 As previously mentioned in paragraph 11.3 of this report, there are a number of other buildings within the area, which complement the agricultural character. The proposal would be constructed of timber, and set against the backdrop of a row of trees so as to soften the appearance of the buildings within the landscape. As such, it is not considered that the proposal would result in any significant adverse impact upon the character or appearance of the area.
- 11.9 Objections have been raised by the occupiers of the neighbouring property and Parish Council with regard the location of the proposal with regard adverse impact upon amenity. Suggestion has been made that the proposal should be sited to the western side of the field, and thereby closer to the dwellinghouse of Wootton Old Farm, however as discussed in paragraph 11.6 of this report, the location of the proposed building is considered acceptable. The remaining concerns relate to the proximity of the proposal to the neighbouring property, and the subsequent light and noise pollution, and loss of privacy from those using the stables and hay store. No external lighting has been proposed, and an appropriate condition can be attached to ensure that none shall be installed. The building has been designed in an 'L' shape, with the longest length facing the shared boundary so as to screen the majority of activity from the neighbouring property. The buildings are within easy walking distance of the property of Wootton Old Farm, and no access track has been proposed.
- 11.10 With regard loss of privacy and the propensity for the applicants to have sight of the garden area of The Potts, it is noted that a post and rail fence comprises the boundary treatment, and there is no other screening between the property of The Potts and the application site. As such, it is considered reasonable to suggest that any activity within the field, and likewise any activity within the rear, side and front garden areas of The Potts, would be equally visible from either side of the boundary. Indeed, the rear garden of The Potts is partially visible from Brownhill Road. The use of the field is considered agricultural and not recreational, and as such

the level of activity should be commensurate with this use. Overall, it is not considered that the proposed development would result in unreasonable adverse impacts upon neighbouring amenity with regard loss of privacy.

- 11.11 It is therefore recommended that permission is granted subject to conditions, as the proposal accords with Policies DP1, DP22, and CP8 of the Core Strategy.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Development shall only be carried out in accordance with

Drawing nos: 01, 02, 03-1, 03-2, 04, 07.

No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

Reason: To ensure an acceptable appearance of the building in accordance with policies CP7, CP8, DP6 and DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) December 2010.

- 3 No external lighting shall be installed on the site.

Reason: To protect the amenities of the area in accordance with Policies DP1 and CP6 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 4 The buildings the subject of this permission shall only be used for the stabling of horses belonging to the owner of the site (or their successors in title) and shall not be used for any commercial riding, breeding, training or livery purposes.

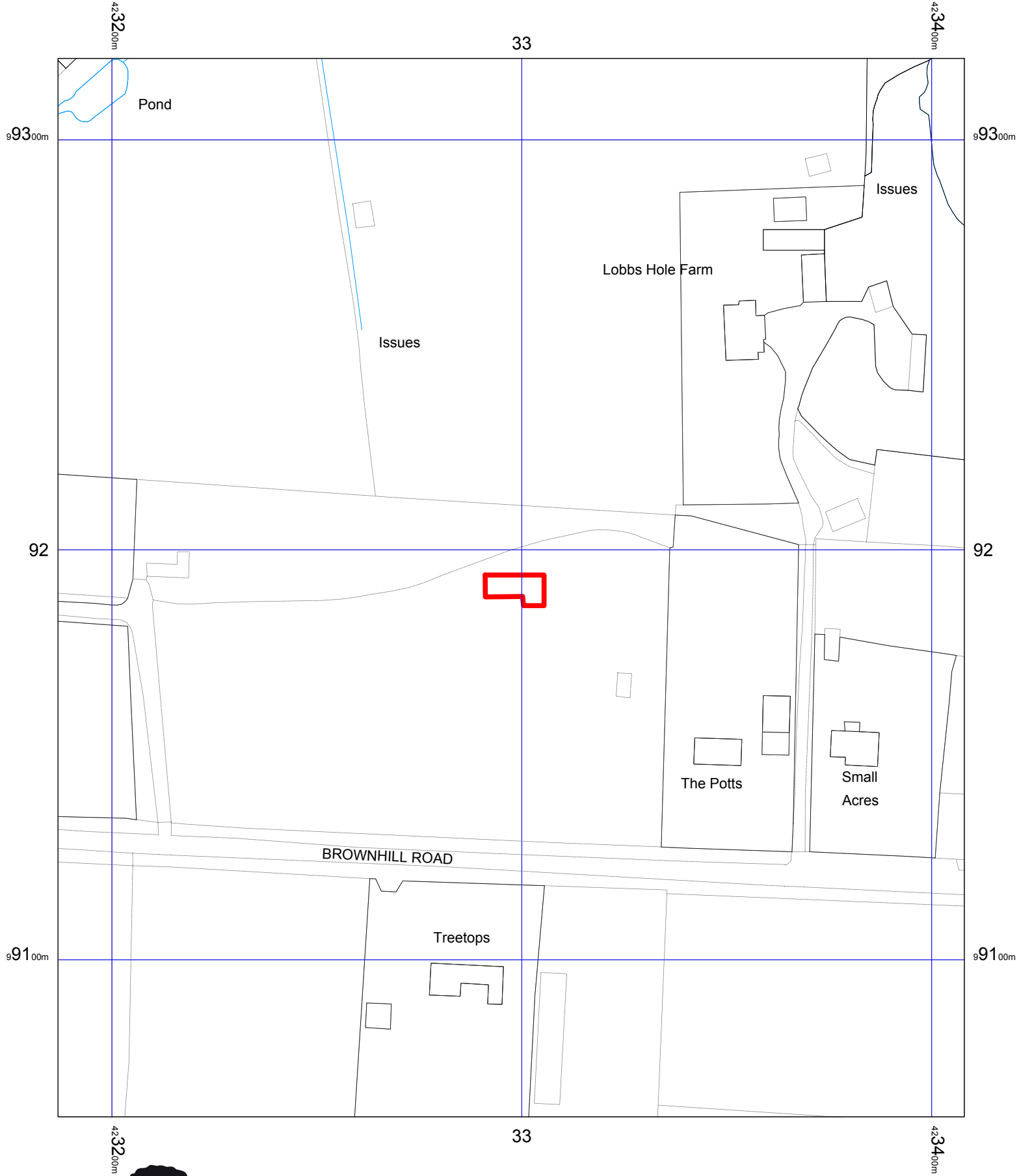
Reason: The introduction of a commercial equestrian use in this location would cause harm by reason of increased activity and pressure on the National Park and this would be contrary to Policy DP22 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 5 No mobile field shelter, structure or building other than that shown on the approved plans shall be erected or situated on the land edged RED on the approved plans without express planning permission having first been granted.

Reason: To ensure the development would not lead to a more intensive use of the land and to limit the proliferation of any new structures in the landscape in accordance with Policies DP21 and DP22 of the adopted New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any order revoking or re-enacting that order, no hard standing shall be formed at the site unless details of such proposals have been submitted to and approved in writing by the New Forest National Park Authority.

Reason: To ensure an acceptable appearance in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).



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