

Application No: 17/00385/FULL Full Application

Site: Bay Tree Cottage, Lyndhurst Road, Minstead, Lyndhurst, SO43 7FX

Proposal: Stable block; driveway; gate; vehicular access

Applicant: Mr & Mrs Johncey

Case Officer: Liz Young

Parish: MINSTEAD

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area
Listed Building

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP1 General Development Principles
DP22 Field Shelters and Stables
CP2 The Natural Environment
CP8 Local Distinctiveness
CP7 The Built Environment

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD
Guidelines for Horse Related Development SPD

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 11 - Conserving and enhancing the natural environment
Sec 12 - Conserving and enhancing the historic environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Minstead Parish Council: Recommend refusal:

- Inappropriate over-development of the site and nuisance to neighbours

in contravention of NPA's Recreational Horse-keeping Strategy;

- Close proximity to Grade II listed building.
- Suggest erecting a temporary structure on adjacent land.

8. CONSULTEES

- 8.1 Environmental Protection (NFDC): No objections subject to conditions.
- 8.2 Building Design & Conservation Area Officer: No objection raised.
- 8.3 Highway Authority (HCC): No objections subject to the stable being used by the applicant's own horses.
- 8.4 Tree Officer: No objection subject to tree protection.

9. REPRESENTATIONS

- 9.1 One letter of objection received from a neighbouring residential property:
- Proposal would change the character of the site from a small garden to a stable yard.
 - Proposal would be 12 metres from the boundary.
 - Potential nuisance to neighbours (noise and odour).
 - The site lies within a nitrate vulnerable zone.
 - Vehicle access would be across land which falls outside the applicant's ownership.
 - Run-off from muck heap would be detrimental to the local area.

10. RELEVANT HISTORY

- 10.1 Alterations to porch roof (52848) approved on 13 October 1993
- 10.2 Addition of ground floor bedroom and bathroom (34778) approved on 10 August 1987
- 10.3 Erection of garage (existing garage to be demolished) (86/32935) approved on 25 November 1986

11. ASSESSMENT

- 11.1 This application relates to Grade II Listed Cottage which originates from the late 18th century. The building comprises painted brick with slate-hanging to front, a thatched roof and eyebrow dormers. Whilst some fairly unsympathetic additions were carried out on the property during the 1980s the building retains its historic frontage and setting and is a prominent feature in the Conservation Area and street scene along Lyndhurst Road.

The front boundary is enclosed by low picket fence with trellis along with an established hedgerow. A single garage lies in the south east corner of the site and fronts directly onto the highway.

11.2 Consent is sought to construct a two bay stable with hay store within the curtilage and adjacent to the southern boundary of the site. A new driveway would run from the front of the stable to the highway boundary and a new vehicular access is proposed directly adjacent to the existing garage. The new access would be enclosed by a timber gate of 1.8 metres in height. The stable itself would have an external footprint of just under 30 square metres and a ridge height of 2.5 metres. External facing materials would comprise timber cladding with felt shingles over the roof. The driveway would comprise grass mesh.

11.3 The main issues under consideration would be:

- The impact the proposed stable building, driveway and new access would have upon the setting of the listed building and the wider Conservation Area.
- Potential loss of amenity to neighbouring residents.
- The impact the proposed access would have upon highway safety and visibility standards.
- Impacts upon boundary trees.

11.4 In terms of satisfying the requirements of Policy DP22 the proposed stable would be modest in size and unobtrusively sited. The structure would not be visible from the highway, would relate closely to established boundary screening and would not encroach onto open fields. The simple form and traditional materials of the stable would ensure it would not be harmful to the setting of the listed building, particularly as it would not impact upon the building's frontage. The use of grass mesh on the proposed driveway would ensure the rural, informal character of the site would be retained and the partially open gate design would (along with the proposal to retain the remaining hedgerow) be appropriate in the context of existing boundary treatments. No objections have been raised by the Building Design and Conservation Officer and the proposals would therefore preserve the setting of the listed building and the character and appearance of the Conservation Area in accordance with Policies CP8 and CP7 of the New Forest National Park Core Strategy.

11.5 Whilst it is noted that the Parish Council suggest the applicant could erect a field shelter on adjacent grazing land it is considered that this would lead to a greater potential landscape impact as a result of the encroachment and proliferation of structures across the open countryside. Stables and field shelters sited away from existing development and boundary screening lead to more obvious landscape impacts and this would be contrary to the supporting text of Policy DP22 and the Supplementary Planning Document, Horse Related Development which seeks to avoid the

proliferation of buildings in the New Forest. Importantly the policy itself seeks to ensure stables would be located close to existing buildings. This proposal would relate closely to the main house and, more specifically the part of the house which has already been significantly altered (rather than its main frontage) and would also be closely associated with established boundary screening. The proposal is therefore considered to be fully compliant with Policy DP22 of the New Forest National Park Core Strategy.

- 11.6 Whilst concerns have been raised in respect of loss of amenity to neighbouring residents, there would be a distance of just over 11 metres between the end of the stable and the boundary with the closest neighbouring property, Hurdles (which is set back another 15 metres from this boundary). The shared boundary is well screened by established vegetation. The Environmental Protection Officer considers that any potential nuisance (including odour) arising from the stable could be successfully mitigated and it is therefore considered that the proposal would not give rise to a harmful loss of amenity towards immediate neighbours. In any event it is considered that located the stable block within the curtilage would be a more acceptable solution in terms of avoiding adverse visual impact and avoiding a proliferation of buildings across open fields (particularly within the context of the Conservation Area). It has been noted that the development lies within a Nitrate Vulnerable Zone. However much of the legislation surrounding manure and nitrate vulnerable zones falls outside the remit of the planning process. The matter has been brought to the applicant's attention, however (including DEFRA guidelines) and the applicant has been informed that it is the statutory duty of anyone with agricultural land (including an equestrian use) in an NVZ to follow rules on manure heaps.
- 11.7 With regards to the proposed access alterations the proposed new vehicular gated access would be directly associated with the existing access from the garage. Visibility standards along this stretch of the highway are generally good and the overall use of the access is not likely to intensify. No objections have been raised by the Highways Authority and the proposals are therefore not considered to bring about any increased potential for conflict with users of the main highway. The access is set back from the road enabling vehicles and carriages to pull off the highway before entering the site. Whilst concerns raised by the neighbouring property in relation to land ownership are noted, it is currently the case that the site is accessed over verge which falls outside the applicant's ownership. All the proposed development would fall wholly within the applicant's ownership and on this basis the proposals are considered to be acceptable.
- 11.8 As noted by the Tree Officer there are several trees growing on the adjacent property which are far enough from this proposal not to be adversely affected. The installation of the access to the stables will result in the loss of a small willow tree which is

managed as pollard, this tree does not significantly contribute to the amenity of the conservation area and is not a constraint to development. The proposed development would therefore be in accordance with the requirements of Policy CP2 of the New Forest National Park 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 No development shall take place above slab level until samples or exact details of the facing and roofing materials for the proposed stable along with the type and finish of timber proposed for the access gate have been submitted to and approved in writing by the New Forest National Park Authority.

Development shall only be carried out in accordance with the details approved.

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

- 3 No development shall take place until a scheme for the management of waste for the development (including the manure heap or effluent tank) and all other waste has been submitted and approved in writing by the New Forest National Park Authority. Waste materials shall be dealt with in accordance with the approved scheme.

Reason: To preserve the amenities of neighbouring residents in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010).

- 4 No development shall take place until details of a compound to be provided for the storage of materials, machinery, waste materials and spoil have been submitted to and approved in writing by the National Park Authority. All materials, machinery, waste materials and spoil shall be stored within the approved compound.

Reason: In the interests of protecting the New Forest Site of Special Scientific Interest in accordance with Policy CP2 the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 5 The trees on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted arboricultural statement

Reason: To safeguard trees and natural features which are important to the visual amenities of the area, in accordance with Policies DP1 and CP2 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 6 The building 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).

Informative(s):

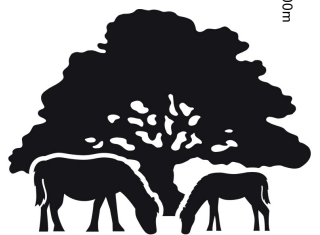
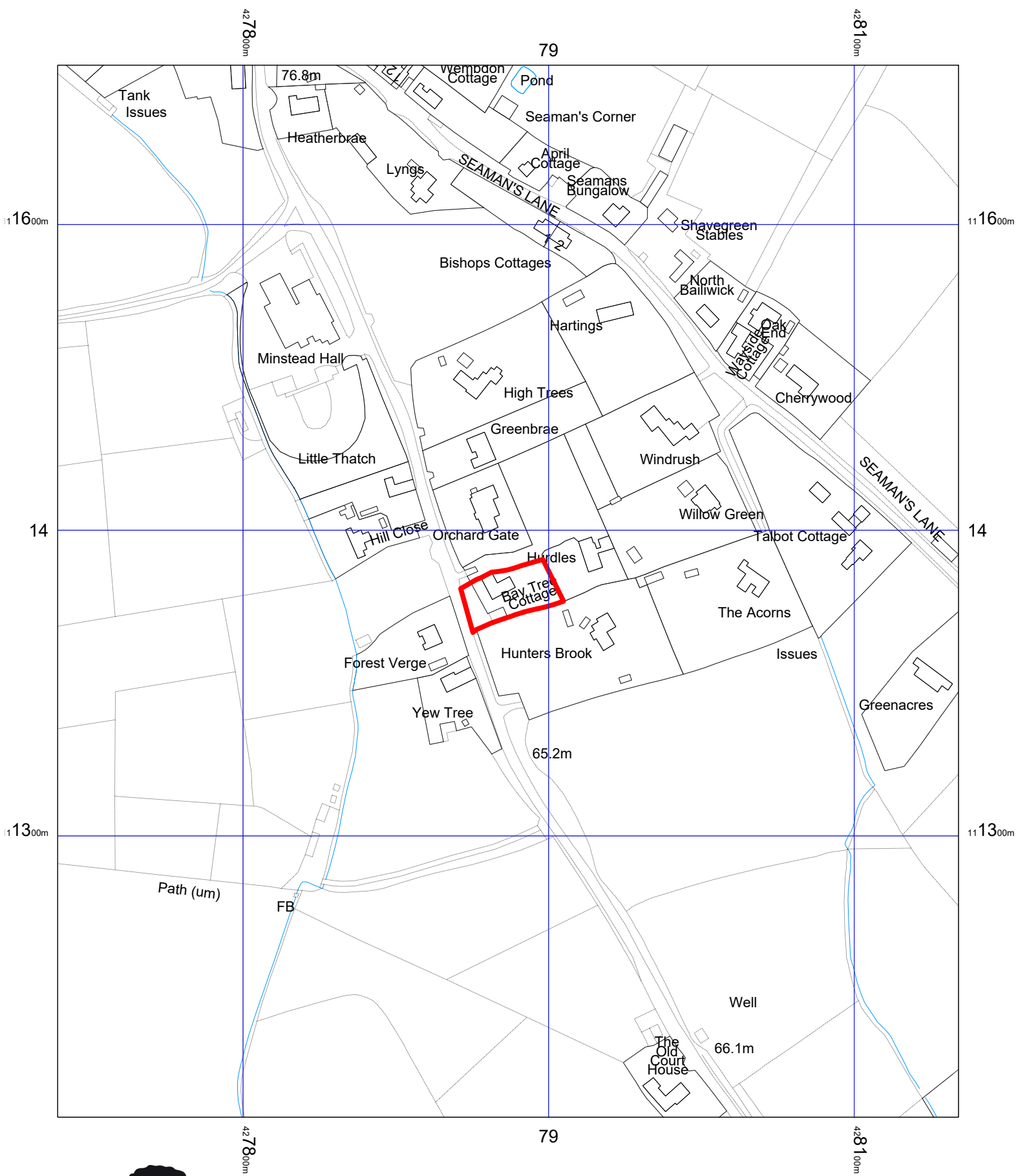
- 1 Please be advised that much of Minstead, including Bay Tree Cottage, has been designated as a Nitrate Vulnerable Zone (NVZ).

Whilst much of the legislation surrounding manure and nitrate vulnerable zones lies outside the remit of the planning process it is the statutory duty of anyone with agricultural land (including an equestrian use) in an NVZ to follow rules on manure heaps.

Julie Melin-Stubbs (Wildlife and Conservation Manager) can provide further advice if necessary and can be contacted on 01590 64 6696. Alternatively, Tracé Williams (Land Advice Service Advisor) might be good person for you to contact with regards to specific advice on equestrian uses and if your client would like a site visit (as she often goes out to meet equine owners to give advice). Her email address is trace.williams@nflandadvice.org.uk.

In addition to this further advice can be obtained from the following link:

<https://www.gov.uk/government/publications/nitrate-vulnerable-zones-in-england-guidance-on-complying-with-the-rules-for-2013-to-2016>



**NEW FOREST
NATIONAL PARK**

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