
Appeal Decision

Site visit made on 6 November 2018

by Andrew Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 28 November 2018

Appeal Ref: APP/B9506/W/18/3208658

Lane End Farm, Purlieu Lane, Godshill, Fordingbridge, Hants SP6 2LW

- 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 Richard Crossley against the decision of New Forest National Park Authority.
 - The application Ref 17/01034, dated 22 November 2017, was refused by notice dated 7 February 2018.
 - The development proposed is an outdoor riding arena 40m x 20m.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the proposal on the character and appearance of the Western Escarpment Conservation Area (WECA), and the wider landscape character of the New Forest.

Reasons

3. The appeal site comprises part of a small field adjacent to a sporadic arrangement of buildings, on the edge of the village of Godshill, within the boundary of the WECA. The field has a significant slope, falling away from the adjacent buildings. It also has a natural undulating topography. The immediate surrounding area making up this part of the WECA derives its significance from a small scale field pattern, with notable trees on field boundaries. The Authority states that it is a pocket of ancient farmland, bordering the open area of forest, though this is disputed by the appellant.
4. The artificially flat form and the extent of landscape engineering required to achieve the level surface of the arena would contrast starkly with the undulating and natural lay of the land exhibited at the appeal site and within surrounding fields. Although the cut and fill areas of land would grass over in time and would, as the appellant states, still sit below the existing hedge line, they are substantial, ranging from a cut of 1.5 metres to a fill of 2.1 metres. This would significantly alter the existing topography of the field through the introduction of an artificially formed levelled area, which would be made more prominent by the erection of fencing around its perimeter. Whilst I note that the appellant states that similar fencing could be erected without planning permission, fencing erected on the current undulating topography of the field would not necessarily have the same harmful effect.

5. The appeal site is visible from the nearby public footpath, which in part runs alongside the field within which the proposed arena would be constructed. From various vantage points along the footpath the arena would be quite prominent. The appellant states that the footpath is overgrown and little used and that views from it are not specifically identified in the Authority's WECA appraisal. Whilst this may be the case, this does not alter the fact that the proposal would be prominent when viewed from nearby vantage points.
6. Wider views of the proposal would be more limited but the site is visible from more open land away from the village. Whilst it is not clear whether there is public access to this land, I note that much of it is within the WECA and New Forest National Park. The National Planning Policy Framework (the Framework) places great weight on the conservation and enhancement of national parks, and the conservation of heritage assets, which includes conservation areas. In this context, taking into account the high level of historic and natural environment protection, the proposed artificially levelled surface cut into the natural slope of the field, visually reinforced by fencing would be harmful to the character and appearance of the area. Landscape features such as the numerous mature trees in the area would reduce visibility of the proposal to a small extent, however during the winter months, when the trees are without leaf, the harmful effects of the proposal on the character and appearance of the area would be even more apparent.
7. Although not far from Lane End Farm and adjacent buildings, the arena would nevertheless appear isolated, as mature trees between the appeal site and the existing buildings, which preclude it from being nearer to Lane End Farm, mean that the arena would be visually separated from the farm and other nearby buildings.
8. The use of a dark surface material such as bark or rubber would help to reduce the visual impact of the arena, however this would not sufficiently mitigate against the harm that I have identified. Similarly, whilst the arena would not incorporate lighting, would not affect existing trees, would have no ecological impacts or cause any flooding issues, these are neutral factors and do not weigh in favour of the proposal or justify the landscape harm that would result.
9. The appellant has suggested that the proposal would not affect any of the key attributes or exacerbate any of the identified issues as set out in the Authority's Landscape Character Assessment. This assessment places the appeal site within an area of ancient forest farmland, which accords with the character and appearance of the site and its immediate environs. The proposal would, for the reason set out above, harm the well-defined character of this area of ancient forest farmland.
10. Similarly the appellant has suggested that the key characteristics set out within the WECA appraisal would not be affected by the proposal. I have had regard to this document, and cannot agree with the appellant as the proposal affects fields that are historically related to the settlement, form part of its setting and have landscape value. Paragraph 4.8.3 of the appraisal refers to '18th and 19th century encroachments to the north east and south east of the main settlement', which would appear to directly relate to the area associated with the appeal site. These characteristics contribute to the significance of this part of the WECA and the fact that the appellant states that horses have been a

dominant cultural aspect of the New Forest landscape does not mean that the proposal is justified.

11. The statutory duty set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. For the reasons stated above, the arena would have a negative effect on the significance of the WECA, and would result in harm.
12. In terms of the Framework, paragraph 193 states that when considering the impact of proposed development on the significance of a designated heritage asset, which includes conservation areas, great weight should be given to the asset's conservation. That is even if the harm is considered to amount to less than substantial. As the scale of the proposal is relatively limited in relation to the scale of the WECA, the harm would be less than substantial. However, whilst the proposal would provide the appellant with an outdoor riding area and would ensure a safe riding environment for the welfare of the appellant's horses, there are no clear public benefits to outweigh the harm, as required by paragraph 196 of the Framework.
13. For the reasons above I conclude that the proposal would fail to preserve the character or appearance of the WECA, and would have an adverse effect on the wider landscape character of the New Forest. It is therefore contrary to policies DP1, DP23 and CP8 of the New Forest National Park Local Development Framework Core Strategy and Development Management Policies DPD (2010), which seek, among other things, to ensure that proposals enhance local character and distinctiveness, respect landscape character and prevent a gradual suburbanising effect. The proposal is also contrary to advice contained within the Authority's Guidelines for Horse Related Development Supplementary Planning Document (2011), which suggests that manege proposals should relate closely to existing buildings, make use of appropriate materials and not require the re-grading of land.

Conclusion

14. For the reasons above, the appeal is dismissed.

Andrew Tucker

INSPECTOR