CASE OFFICER'S REPORT

Application Reference:	PL/2023/08551
Site Address:	Furze Farm, Sherfield English Road, Landford, SP5 2BD
Date of Inspection:	N/A
Date site notice posted:	N/A
Date of press notice:	N/A

POLICIES

National Planning Policy Framework
Section 2 Achieving Sustainable Development
Section 12 Achieving Well Designed Places
Section 15 Conserving and enhancing the natural environment

Wiltshire Core Strategy
Core Policy 1 Settlement Strategy
Core Policy 2 Delivery Strategy
Core Policy 23 Southern Wiltshire Community Area
Core Policy 24 New Forest District Park
Core Policy 48 Supporting Rural Life
Core Policy 51 Landscaping
Core Policy 57 Ensuring high quality design and place shaping
Core Policy 61 Transport and New Development

Salisbury District Local Plan
C6 – Special Landscape Area

RELEVANT PLANNING HISTORY

PL/2022/06397 - Change of Use of land (Agricultural to Equestrian) and the retention of building as a stable block A.C 25.04.23

PL/2021/07390 – Retention of internal and external works to former stable building, use as tourist accommodation and use of land for agricultural purposes REF 29.09.21 and Dismissed on Appeal 04.07.22

20/11334/FUL - Conversion of existing stables to tourist accommodation and use of land for agricultural purposes. REF 22.06.21

19/11984/VAR - Variation of Condition 2 of planning application 18/11017/FUL amendments to approved elevations and materials of the stable block (retrospective) AC 10.02.20

18/11017/FUL- Change of Use of land (Agricultural to Equestrian) and the erection of a stable block AC 14.02.19

17/08576/FUL - Single storey extension with associated internal alterations and porch REF 01.11.17

16/05174/CLE - Use of land as a residential garden (Certificate of Lawfulness for Existing Use) AC 31.08.16

ISSUES

- Principle of development including site history, design and scale; impact on landscape
- Amenity Impacts;
- Parking/Highway Safety

REPRESENTATIONS

Landford Parish Council – Support with comments received stating:

It is understood that the application description should read 'Variation of condition 2 to amend the approved elevations and materials from application 18/11017/FUL'

Support subject to conditions

• Similar conditions to the previous permission 18/11017/FUL should apply, particularly condition 3 limiting the use of the building for only private stabling and storage of associated equipment.
• To ensure that the alterations to reinstate the building as a stable block are carried out to the correct standards, the guidance of the British Horse Society - Stable Safety to be adhered to. See https://www.bhs.org.uk/horse-care-and-welfare/health-care-management/stable-safety/
• Paragraphs 1.1 to 1.20 of the Department of Environment Food and Rural Affairs document 'Code of Practice for the Welfare of Horses, Ponies, Donkeys and their Hybrids' should also be
followed. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/700200/horses-welfare-codes-of-practice-april2018.pdf

WC Highways – No objection

Third party representations – 1 x letter of objection with comments received stating:

I would like to make some comments on the application PL/2023/08551. In the statement, the applicant has stated that 2.3 hectares (19/11984/VAR) is not enough for 4 horses. It is generally accepted that a horse may live out 24/7 comfortably on an acre to an acre and a half of land, according to its size. With the stables available as well, five acres is more than enough land for grazing for four horses. Many livery yards in the area graze their horses much more intensively than the available grazing in the application. There are often up to eight colts grazing across the lane from the application entrance on approximately four acres with no shelters at all. As yet the conditions from the last application have not all been carried out and there is no statement of what the intentions are for the use of the other two stables if this application is approved. As yet the building and land have never been used as a stable or for equestrian use during the applicant's tenure at the address.

Site Description:

The application site constitutes a parcel of land adjacent to the residential curtilage of a detached dwelling house known as Furze Farm situated within an established residential area in Landford. Whilst there are existing residential dwellinghouses in close proximity to the site, the site in planning policy terms is considered to be in the open countryside and public footpath LAND15A runs adjacent to the site. The existing building and parcel of land are approximately 250m from the New Forest National Park.

Proposal:

The proposal seeks planning permission to vary condition 1 (plans) of planning consent PL/2022/06397 for changes to the external appearance and internal layout of the existing erected building.

There is a recent complex planning history on the site.

ASSESSMENT

Principle of development including site history, design and scale

The proposal should aim to conform to the objectives of Core Policy 57 of the Wiltshire Core Strategy (WCS) which aims to achieve a high standard of design in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality.

The site comprises of a parcel of land approximately 4.45 acres in size and is located within a predominately rural location in close proximity to the New Forest National Park (NFNP) with the residential properties known as Haz, Copper Beeches and Torino in relatively close proximity to the site.

The principle of development has been established through planning permission 18/11017/FUL that granted the change of use of land from agriculture to equestrian and the erection of a stable block.

A further planning application 19/11984/VAR was submitted to the Local Planning Authority (LPA) that sought amendments to the design and materials for the approved stable block which was granted planning permission.

Subsequent applications 20/11334/FUL and PL/2021/07390 were submitted to the LPA for conversion works to the approved stable block to be used as tourist accommodation. Works were carried out to the building that converted this building to tourist accommodation without the relevant planning permission. A subsequent appeal against the refusal of planning application PL/2021/07390 was submitted to the Planning Inspectorate and was dismissed. The resulting changes to the building therefore do not benefit from any relevant planning permission and therefore are considered unauthorised.

A subsequent application PL/2022/06397 was submitted to the LPA to revert the building back to a stable block with the associated change of use of land from agriculture to equestrian. The proposed works to revert the building included the following:

- Removal of a pair of double doors and replace with a stable door between the store and tack room;
- Removal of glass bi-folding doors and replacement of two stable doors to the two stables on the right hand pair of stables;
- Removal of a pair of glass doors to the front elevation on the left hand side and replacement with a pair of solid timber doors;
- Removal of a pair of glass doors on the side of the left hand pair of stables, opening filled in and external finish to match existing;

- Removal of two courses of brick below stable entrance doors to provide a level threshold between outside and inside, all other doors to have a 150mm step to provide protection from flooding;
- Removal of internal ceiling to the stable between the tack and store rooms. All other ceiling as existing;
- Stable wall to be bare blockwork;
- Floors will concrete to the stables. All other floors to be timber floating floors to match height of existing 150mm step/ramp.

Condition 1 of planning permission PL/2022/06397 associated with this consent required the works to be carried out in full within six months of the decision date of the application. This condition is detailed below.

Within six months of the date of this decision, the development hereby permitted shall be carried out and completed in accordance with the following approved plans:

DWG No: 781/08/100 Site Location Plan Date Received 24.03.23
DWG No: 781/08/104 Proposed Site Layout Plan Date Received 24.03.23
DWG No: 781/08/102 Rev A Proposed Stable Elevations Date Received 07.02.23
DWG No: 781/08/102.1 Proposed Inner Stable Block Elevations Date Received 04.04.23 DWG No: 781/08/103 Proposed Stable Cross Sections A-A B-B Date Received 17.08.22 DWG No: 781/08/101 Rev A Proposed Stable Floor and Roof Plan Date Received 07.02.23
Fence details as per the contents of an email received by the Local Planning Authority dated 18th October 2022.
Statement of Works Date Received 29.03.23

REASON: For the avoidance of doubt and in the interests of proper planning.

It is not clear if any of these works have been undertaken yet and this would appear to be confirmed by the submission of this application for subsequent changes to the internal layout and external appearance of the building. Clarification from the agent has been sought as to why the building has not been built out in accordance with the requirements of this condition and the following has been provided:

The internal layout has been adjusted to clarify the different uses of the spaces in the Stable Block;

The kitchen/refreshment area provides a space in which people can have access to services whilst potentially working long hours (sometimes all day) looking after the horses. These facilities include a kitchen, dining/break area and washing/drying facility which will often be used in the wet winter months.

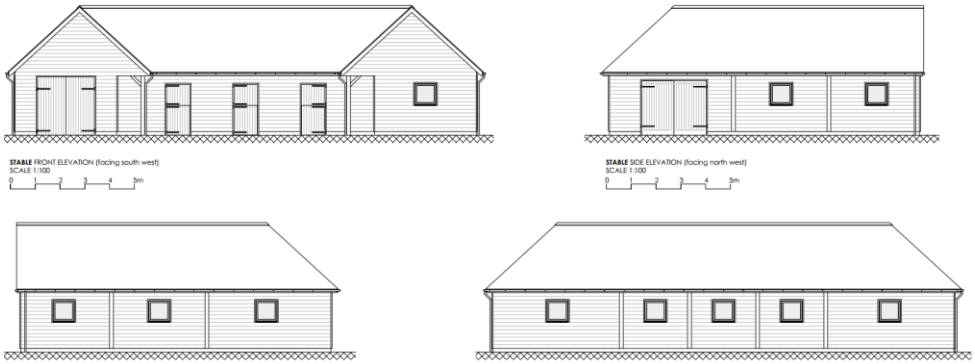
The Tack Room needs space for a contained feed store and a separate open store. The WC is large enough for a shower facility if required.

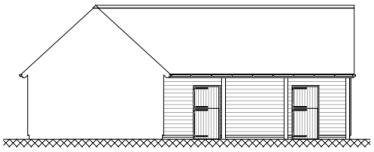
The stable block was originally for the Livery of 4 horses, but the client was advised that the pastor only has the space for 2 horses. Please bear in mind that this has influenced the use of the space as the number of horses that can be looked after has reduced.

Below are the existing plans of the building as built:

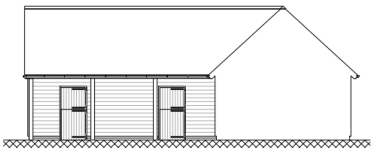


Below are the approved plans for the building under consent PL/2022/06397:

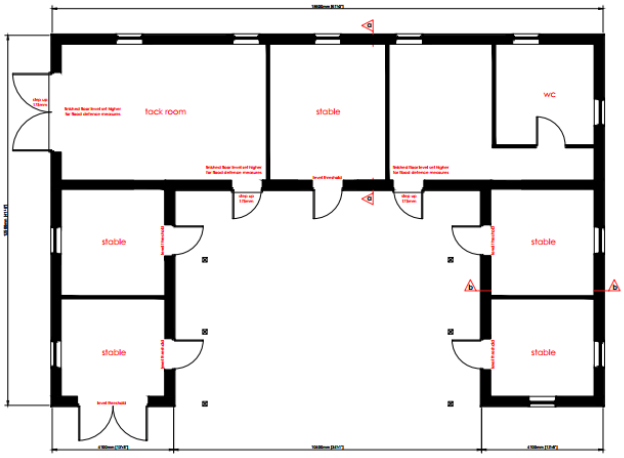




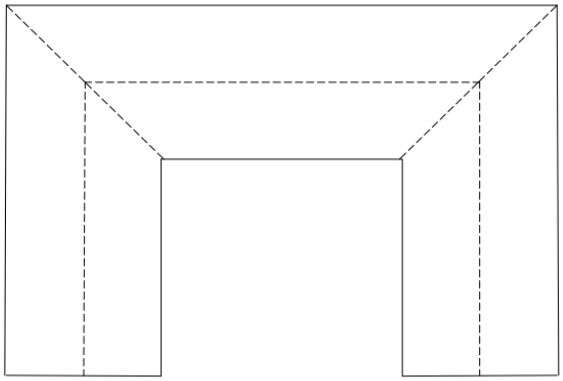
STABLE SIDE 'INNER' ELEVATION (facing north west)
SCALE 1:100
0 1 2 3 4 5m



STABLE SIDE 'INNER' ELEVATION (facing south east)
SCALE 1:100
0 1 2 3 4 5m



STABLE FLOOR LAYOUT
SCALE 1:100
0 1 2 3 4 5m

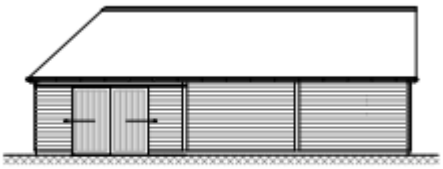


STABLE ROOF PLAN
SCALE 1:100
0 1 2 3 4 5m

Below are the proposed plans for the building under this scheme:



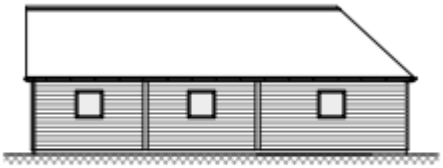
ELV 01 Proposed South West 1:100



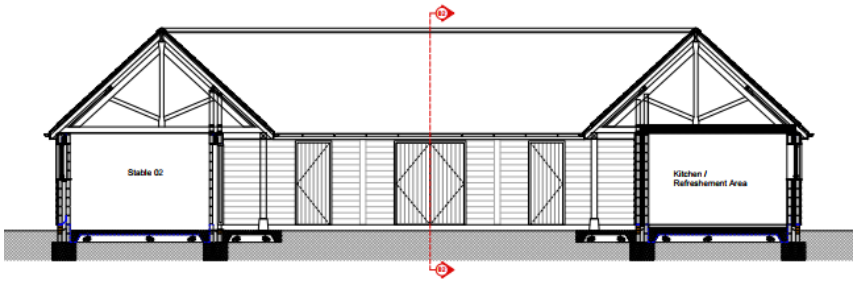
ELV 02 Proposed North West 1:100



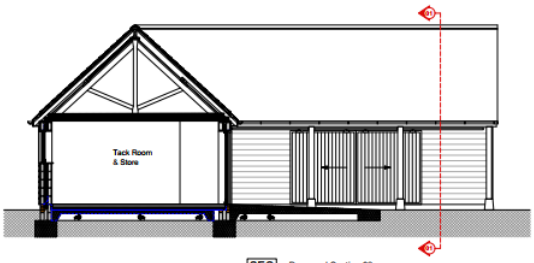
ELV 04 Proposed North East 1:100



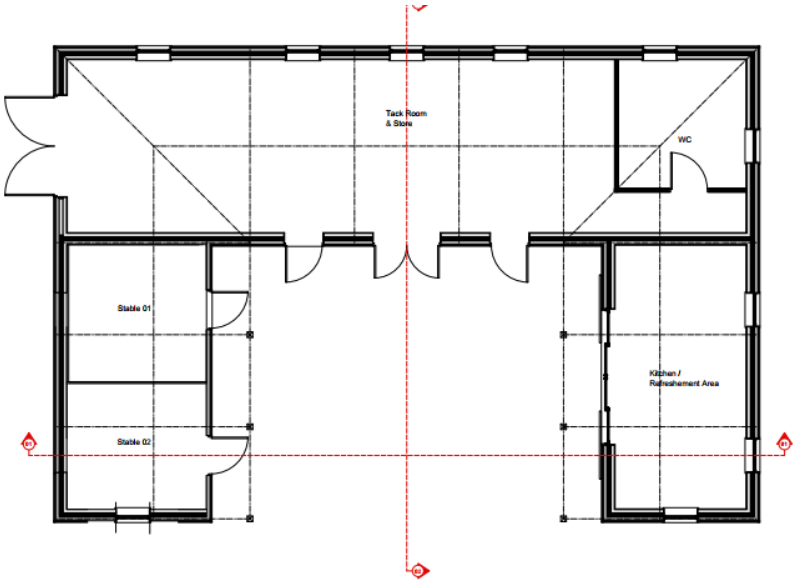
ELV 03 Proposed South East 1:100



SEC 01 Proposed Section 01 1:50



SEC 02 Proposed Section 02 1:50



PLN 01 Proposed GF Plan 1:50

The proposed changes to the internal layout of the building would see the reduction in the number of stables from four to two; the expansion of the tack room/storage area; the retention of the existing WC and the introduction of a kitchen/refreshment area. External changes to the building would see the reduction and change to a number of the existing openings largely similar to that of the previous approval PL/2022/06397.

It is evident that the existing building has not been built in accordance with the previous permissions on the site and has facilities associated with a holiday let or self-contained dwellinghouse. It is documented in the recent planning history for this building that planning permission PL/2021/07390 was refused by the LPA for the retention of the internal and external works to the building for use as tourist accommodation. This decision was appealed to the Planning Inspectorate and the appeal was subsequently dismissed.

Officers are of the opinion that this proposal has similarities in layout to that of this refused application and dismissed appeal. Whilst the justification provided by the agent explains that the number of horses to be kept within the building has been reduced from four to two, there is no justification as to why such a large kitchen/dining/break area is required other than to provide refuge for person(s) potentially working long hours nor is there any real justification as to why the size of the proposed tack/storage room is needed which would appear to take up over two thirds of the footprint of the building. Given the relationship of the existing building to that of the residential property, Furze Farm, a building that is approximately 60 metres away, officers are of the opinion that the large kitchen/refreshment area is not required when any person(s) overseeing the welfare of the horses could frequent the existing residential property should it be required. Furthermore, the need for a large tack/storage room when a reduction in the number of horses proposed to use the building has not been suitably clarified.

Given the level of works that have been carried out on site that include the unauthorised works associated within the construction of the building as a holiday let and the layout of the building as proposed within this scheme, officers remain to be convinced that this building will be used as a stable block.

Having regard for the above, the precedent set by application 18/11017/FUL and the changes to the design of the building as previously outlined along with the use of the building and, officers consider that this proposal does not accord with the requirement of Core Policy CP57 of the WCS.

Amenity Impacts

Core Policy 57 requires that development should ensure the impact on the amenities of existing occupants is acceptable, and ensuring that appropriate levels of amenity are achievable within the development itself, and the NPPF (paragraph 130f) states that planning decisions should 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.'

Saved policy C6 states 'Within the Special Landscape Area, proposals for development in the countryside will be considered having particular regard to the high quality of the landscape. Where proposals which would not have an adverse effect on the quality on the landscape are acceptable, they will be subject to the following criteria;

(i) the siting and scale of development to be sympathetic with the landscape; and (ii) high standards of landscaping and design, using materials which are appropriate to the locality and reflect the character of the area'.

Core Policy 51 of the WCS states development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures'.

The positioning of the existing building is set back from the public highway and residential properties known as Haz, Torino and Copper Beeches. The location of the building is approximately 250m from the New Forest National Park.

If officers were not of the opinion to refuse this scheme planning permission for the proposed layout of the building, a condition would be added to any consent stating that the site shall be used for the stabling of private horses only and shall at no time be used for commercial purposes, i.e. a livery.

Parking/Highway Safety

The Council's Highways Officer has assessed this proposal and has confirmed that the amendments do not affect highway safety and as such, no objection is raised. Whilst not stated by the Highways Officer. if planning permission were to be granted, it would appropriate to impose the same conditions as the previous consent, PL/2022/06397. For clarity, these conditions are detailed below:

The development hereby permitted shall not be first brought into use until the first 5m of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

The development hereby permitted shall not be first brought into use until the area between the fence line at the northern side of the access parallel to Sherfield English Road and the fence at a 90 degree angle to it adjacent to the boundary of Hobbs Copse has been cleared of any obstruction to visibility at and above a height of 900mm above the nearside carriageway level. That area shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety.

No part of the development hereby approved shall be first brought into use until enough space for the parking and turning of [3] vehicles together with a vehicular access thereto has been provided in accordance with details submitted to and approved in writing by the Local Planning Authority. The said space shall not be used other than for the parking of vehicles or for the purpose of access.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

Subject to the conditions as outlined that are consistent with the site history of the site, officers consider that the proposed changes to the existing building are unlikely to have any significant adverse impact to highway safety or highway users that would warrant the refusal of planning permission.

CONCLUSION

This is an application to vary the approved plans (condition 1) of previous approval PL/2022/06397.

The comments received from the member of the public are duly noted and have been carefully considered. It is noted and documented within this report the extensive recent planning history on the site around this building and its use. It is apparent to officers that the erected building and use of the land has never been used for the stabling and grazing of horses.

The erected building is unauthorised in planning terms and was not built in accordance with the approved plans planning consent 18/11017/FUL or have any works been undertaken to meet the requirements of condition 1 of the latter approval for the changes in design and layout under planning consent PL/2022/06397. There is no real justification provided within the submission of this application to demonstrate why the proposed layout and appearance of the building is now needed other than the reduction in the number of horses proposed to use the building. Given the relationship of the existing building to that of the residential property, Furze Farm, a building that is approximately 60 metres away, officers are of the opinion that the large

kitchen/refreshment area is not required when any person(s) overseeing the welfare of the horses could frequent the existing residential property should it be required. Furthermore, the need for a large tack/storage room when a reduction in the number of horses proposed to use the building has not been suitably clarified.

As a result, officers are of the opinion that this proposal has similarities in layout to that of the refused planning application PL/2021/07390 and the subsequently dismissed appeal Ref: APP/Y/W/21/3283827 On the basis of the information and details submitted, due to the proposed internal layout and close proximity to the adjacent associated dwelling, the Local Planning Authority remains to be convinced that the building as proposed would be used primarily for the stabling of horses and related equine operations. Consequently, the proposal would represent unjustified development in the open countryside contrary to the aims of Core Policies 48 and 57 of the Wiltshire Core Strategy and the requirements of the NPPF.

RECOMMENDATION: REFUSE, for the following reason(s):

1. The existing building as constructed is unauthorised as it does not accord with the approved plans of planning approval PL/2022/06397 and has similarities with the refused application PL/2021/07390 and the subsequently dismissed appeal. On the basis of the information and details submitted, due to the proposed internal layout and close proximity to the adjacent associated dwelling, the Local Planning Authority remains to be convinced that the building as proposed would be used primarily for the stabling of horses and related equine operations. Consequently, the proposal would represent unjustified development in the open countryside contrary to the aims of Core Policies 48 and 57 of the Wiltshire Core Strategy and the requirements of the NPPF.