

APPLICATION FOR FULL PLANNING PERMISSION DELEGATED REPORT

APPLICATION REFERENCE:	PL/2025/09919
APPLICATION TYPE:	Full planning permission
SITE ADDRESS:	The Stables, Doctors Hill, Ashley, Box, SN13 8AT
DEVELOPMENT DESCRIPTION:	Retention of existing 'summerhouse'
RECOMMENDATION:	That Planning Permission be REFUSED

PLANNING HISTORY AND PROPOSAL

Retrospective planning permission is sought for a summerhouse building.

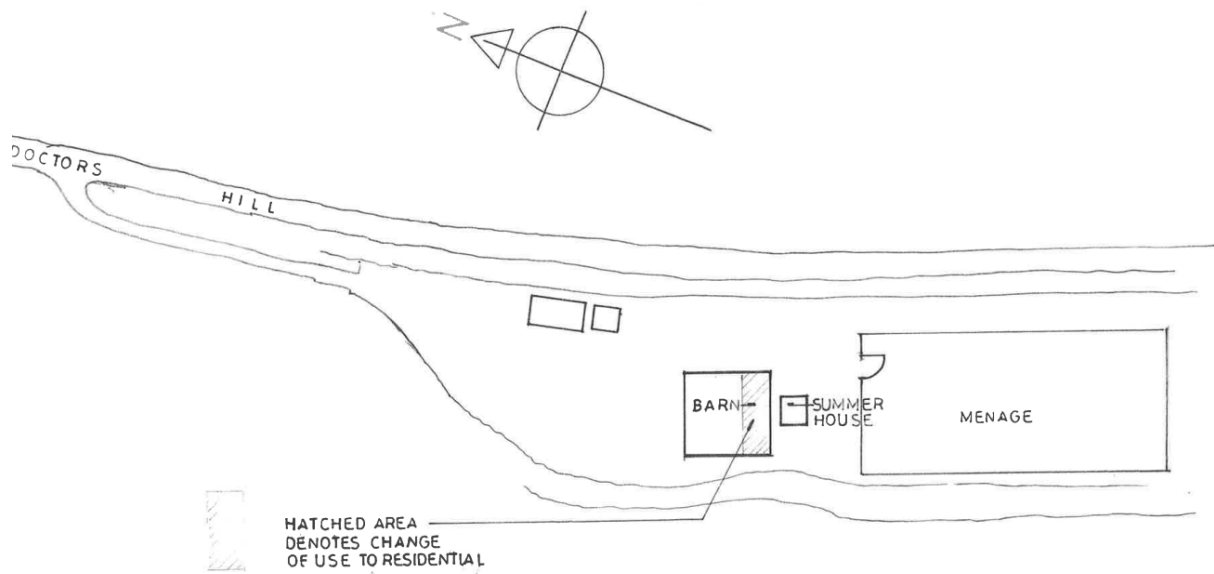
In 2019 an application for the “*Erection of American barn, creation of a menage, associated works and change of use of the land for the keeping of horses*” at The Stables, Doctors Hill, was submitted. The delegated report at that time described the development as follows:

“The proposal is for an American barn type stable building (5 stables, a hay store/tackroom and WC in a building measuring approximately 10.8m x 10.8m, and about 3.9m in height); the creation of a 40m x 20m riding arena; the change of use of the land for the keeping of horses; and associated works, which includes an area of permeable surface for parking, turning and turnout and a manure storage area...The proposed barn is to be constructed from timber cladding with a black onduline roofing.

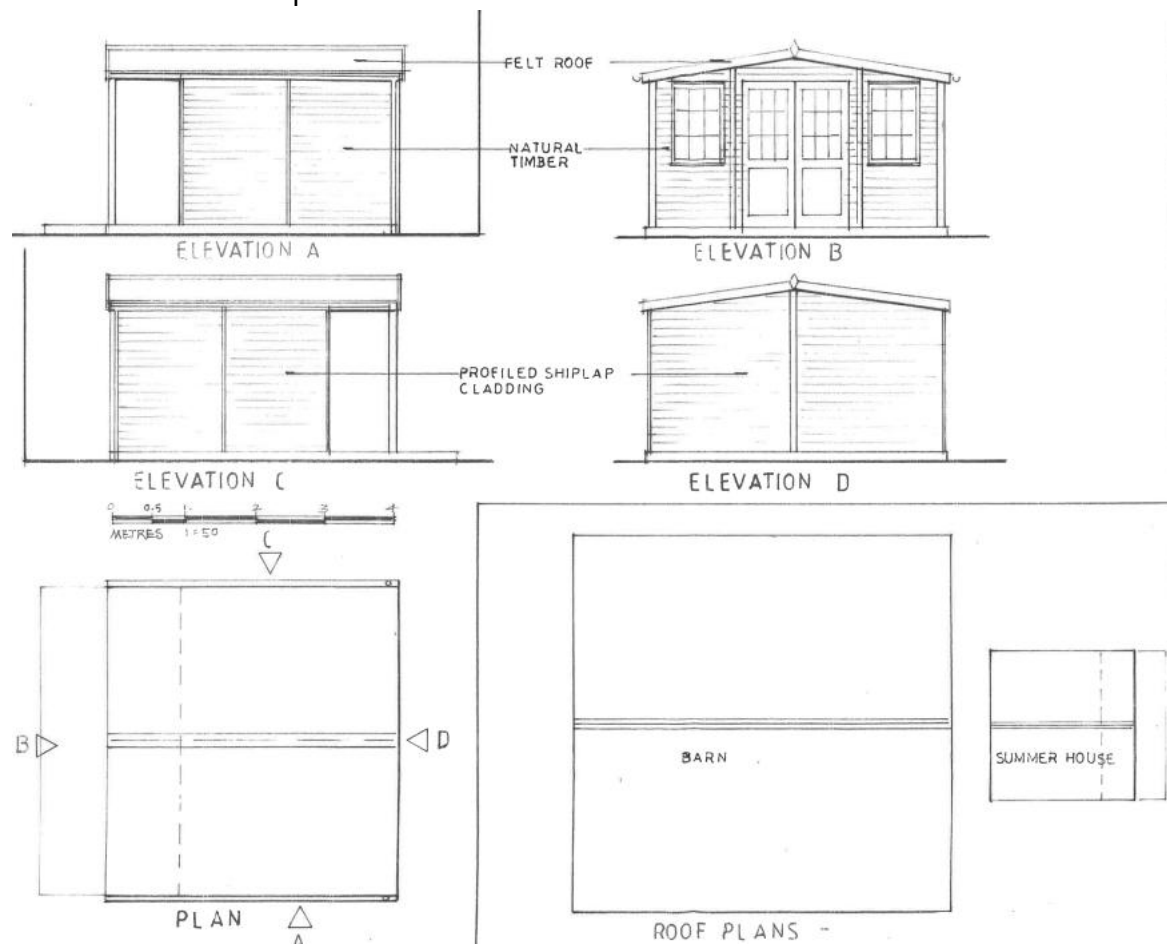
The rainwater run-off from the building will be collected in 2no 1,000 litre water butts for reuse with the horses and the WC will be treated in a cesspit.”

The application was subsequently approved in Feb 2020, with a number of conditions which were imposed to ensure that the barn remained strictly for rural equestrian purposes, safeguarding the openness and character of the countryside, preventing incremental domestic intrusion, and avoiding the proliferation of structures and paraphernalia that would undermine the rural setting.

It has become apparent that part of the barn is now being used for residential purposes, and a summerhouse erected between it and the manege. This application seeks permission for that summerhouse, which the submitted Design and Access Statement (DAS) advises “*provides an amenity value for the owner to benefit from whilst going about her lawful activity of management of her horses.*” The submitted block plan below indicates the area of the barn that is being used as accommodation and the position of the summerhouse:



Below are the submitted plans and elevations for the summerhouse. The building measures about 4.2m x 4m with eaves c.2.2m high. As shown on the plan below, it is constructed of timber with a shallow pitch felt roof.



Below: Photographs of summerhouse from enforcement file

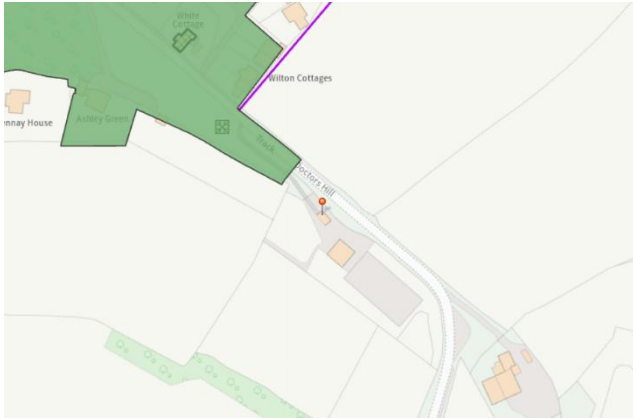


An application to regularise the use of the barn for residential purposes has been separately submitted and is being considered (ref PL/2025/09732).

SITE DESCRIPTION/CONTEXT

The application site is on the southern side of Doctors Hill on the outskirts of Ashley, within open countryside. Ashley, which forms part of Box Parish is outside of the framework boundary for Box. The site benefits from existing vehicular access from unclassified road 'Doctors Hill'; the natural planting on the northern boundary of the site means that there is limited visibility of the barn from the highway.

The site, marked with the red pin on the plan below, is outside of the Ashley Conservation Area which terminates c.22m north-west of the site (washed in green on the plan below); however, the site is within both the Bath and Bristol Green Belt and the Cotswolds National Landscape (CNL). With regard to the CNL the site is within the "Enclosed Limestone Valley" feature area, characterised by enclosed river valleys with steep sides separated by areas of Low Limestone Plateaux and High Wold Dip-Slope. The CNLMP identifies that *"the strong physical enclosure of the valleys results in a secluded character, the sense of which is heightened by significant areas of woodland, some of which is ancient and semi-natural. Areas of pastoral and arable use are interspersed with pasture and scrub. Fields vary in size, and are mainly enclosed with hedgerows with frequent hedgerow trees. Roads connecting settlements generally follow valley bottoms, with others serving isolated dwellings ascending the valley sides."*



The application site is in Flood Zone 1, at the lowest risk of flooding from rivers and sea, and no particular risk of ground or surface water flooding has been identified. The site is within a consultation zone for bats associated with the Bath & Bradford on Avon Special Area of Conservation (SAC). There are no listed buildings in the immediate vicinity.

PLANNING HISTORY

Proposal / Summary

19/11042/FUL - Full planning permission Decision - Approve with Conditions Date: 24/2/2020 – Erection of American barn, creation of a menage, associated works and change of use of the land for the keeping of horses.

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

Statutory legislation:

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

Development plan:

The development plan for Wiltshire comprises the *Wiltshire Core Strategy (WCS)* (adopted January 2015) and any made neighbourhood plans, which remains the principal statutory planning document guiding development across the county. Though the development plan is considered as a whole, those parts deemed to be particularly relevant to this application are listed below:

The adopted Wiltshire Core Strategy (WCS), with particular regard to:

- Core Policy 51 Landscape
- Core Policy 57 Ensuring High Quality Design and Place Shaping;

Supplementary planning documents and other guidance:

- Wiltshire Design Guide (adopted April 2024)

Cotswolds National Landscape Management Plan (CNLMP):

- Policy CE1: Landscape
- Policy CE4: Local Distinctiveness
- Policy CE5: Tranquillity
- Policy CE6: Dark Skies

National policy and guidance:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- National Design Guide

ISSUES

The main issues that need to be addressed in this case include:

- Whether the scheme would have an acceptable impact upon the Green Belt (NPPF Chapter 13)
- Whether the scheme constitutes high quality design (CP 57)
- Whether the scheme would have an acceptable landscape impact (CP 51)
- Whether the scheme would have an acceptable impact upon the reasonable living conditions of the adjoining occupants (CP 57)

CONSULTATION

Box Parish Council: Objection:

Box PC objects and refers to the original condition that this barn and summer house should not be used as a private dwelling - it amounts to planning creep.

REPRESENTATIONS

In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), the application was publicised by way of:

- Neighbour notification letters sent to adjoining and nearby properties;
- A site notice displayed near the site;

These methods were used to inform interested parties and provide a period of 21 days for comments to be submitted.

No representations had been received at the time of writing.

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise."

In accordance with this statutory requirement, this application has been assessed against the relevant policies of the Development Plan, including the Wiltshire Core Strategy (2015) and, where applicable, any made Neighbourhood Plans. Consideration has also been given to the policies of the National Planning Policy Framework (NPPF) as a material consideration in the assessment.

Green Belt

Policy Context

Section 13 of the National Planning Policy Framework (NPPF) states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and permanence.

Paragraph 153 of the NPPF advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in Very Special Circumstances. Very Special Circumstances will not exist unless the potential harm to the Green Belt, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Assessment

The summerhouse is a freestanding timber structure measuring approximately 4m x 4m with a height of approximately 2.2m. It is positioned between the approved equestrian barn and the manege.

The structure does not fall within any of the exceptions to inappropriate development set out in the NPPF. It is not an agricultural building, nor is it limited infilling within a village, replacement of an existing building, or any other category of development identified as appropriate within the Green Belt. The proposal therefore constitutes inappropriate development, which is harmful by definition.

In spatial terms, the building is modest in scale. However, it introduces additional built form into what was approved and conditioned as a rural equestrian holding. Even small-scale buildings reduce openness to some degree by virtue of their physical presence and permanence. In this case, the cumulative effect of introducing a domestic-style structure within the field setting contributes to the incremental reduction in openness of the Green Belt

No Very Special Circumstances have been advanced that would clearly outweigh the definitional harm to the Green Belt and the limited loss of openness identified above.

The summerhouse constitutes inappropriate development in the Green Belt. In the absence of Very Special Circumstances, the proposal conflicts with Section 13 of the National Planning Policy Framework which seeks to preserve the openness and character of the Green Belt.

Design and appearance

Core Policy 57 of the WCS requires high-quality design that:

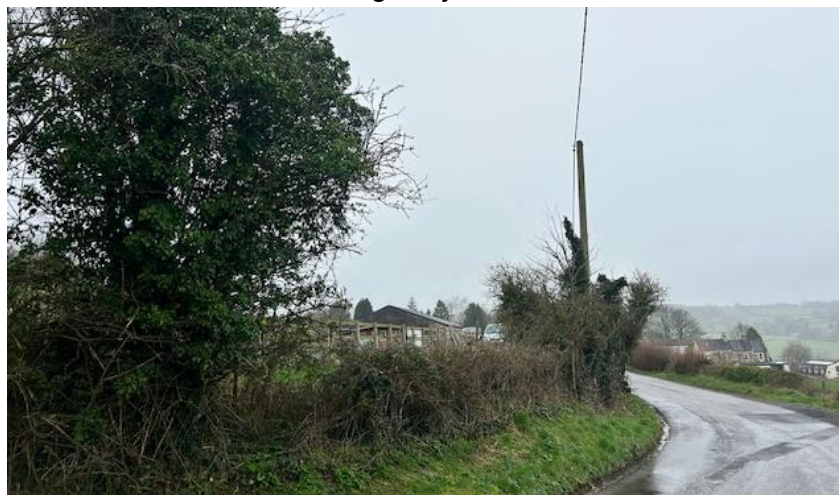
- Enhances local character.
- Responds to the natural, historic, and built environment.
- Retains important features (e.g., trees, hedges).
- Supports sustainable construction and compatibility with surrounding uses.
- Creates safe, legible, and accessible spaces.

Section 12 of the National Planning Policy Framework (NPPF) states that development should be visually attractive as a result of good architecture and appropriate materials, and sympathetic to local character, including the surrounding built environment and landscape setting. The Wiltshire Design Guide promotes development that reinforces local distinctiveness and avoids suburbanising influences within rural areas.

Assessment

While the structure is relatively small in scale and largely screened from wider public views by boundary vegetation along Doctors Hill, its visual impact must be assessed in the context of the site as a whole.

Below: view from highway southeast of the site:



Below: View from highway immediately northeast of the site



The original permission established the site as a rural equestrian holding, with conditions imposed to prevent domestic encroachment and to safeguard the rural character of the area. In their DAS the applicant suggests that whilst [the] building has a domestic feel by association it has no impacts that would be construed as domestic development within a rural setting. They suggest that many stables and associated installations are constructed out of the same materials and have similar characteristics in size and shape. However, it is considered that the introduction of a freestanding summerhouse introduces a distinctly domestic form and function into this setting. By its nature, a summerhouse is associated with leisure and residential enjoyment rather than equestrian or agricultural activity.

The design, materials and detailing are domestic in appearance rather than functional or agricultural. The building does not read as an ancillary equestrian structure but instead reinforces the perception of residential occupation of the site. When viewed in conjunction with other domestic features present on the land, the summerhouse contributes to the incremental domestication of what was intended to remain a rural equestrian use.

Although visibility from the public highway is limited, the absence of prominent public views does not render development acceptable where it materially alters the established character of the site. The proposal results in a noticeable shift in character from rural equestrian holding towards a more suburbanised form of land use.

The summerhouse, by reason of its domestic form, function and siting within a rural equestrian holding, adversely affects the character and appearance of the area. The proposal conflicts with Core Policy 57 of the Wiltshire Core Strategy, Section 12 of the National Planning Policy Framework, and the principles of the Wiltshire Design Guide.

Amenity

Core Policy 57 of the Wiltshire Core Strategy requires development to protect the amenity of existing and future occupants, including:

- Ensuring adequate living conditions in terms of space, daylight, privacy, and outlook.
- Avoiding unacceptable harm to the amenity of neighbouring properties.

The isolated nature of the site means that the proposals are unlikely to result in any significant impacts on the amenity of neighbouring properties.

The summerhouse is, in itself, unlikely to affect neighbouring properties due to the isolated location, demonstrating compliance with CP57 and the NPPF requirements for acceptable residential amenity.

Landscape and visual impact

Policy Context

Core Policy 51 of the Wiltshire Core Strategy requires development to:

- Protect, conserve and enhance landscape character and quality.
- Respect local distinctiveness, key views and visual receptors.
- Give particular weight to conserving and enhancing landscapes with national designation.

Section 12 and Section 15 of the National Planning Policy Framework (NPPF) require planning decisions to recognise the intrinsic character and beauty of the countryside and to give great weight to conserving and enhancing landscape and scenic beauty in National Landscapes, which have the highest status of protection in relation to these issues (Paragraph 189).

Under Section 245 of the Levelling-up and Regeneration Act 2023, the Local Planning Authority must seek to further the statutory purposes of National Landscapes, taking reasonable and proportionate steps to conserve and enhance their natural beauty and special qualities.

The site lies within the Cotswolds National Landscape. The Cotswolds National Landscape Management Plan (CNLMP) emphasises that:

- Development should conserve landscape character and local distinctiveness (Policy CE1, CE4).
- Domestic paraphernalia and residential encroachment into rural yards can erode scenic quality and tranquillity.
- Structures and associated features should be carefully sited and minimised to avoid cumulative harm in enclosed limestone valleys (Policy CE5).

Assessment

The site lies within the Enclosed Limestone Valley landscape character area, which is identified as having a secluded and strongly enclosed character, with pastoral land uses and hedgerow field boundaries contributing to its scenic quality.

The summerhouse is a modest timber structure of approximately 4m x 4m and 2.2m in height. In isolation, and given existing boundary vegetation, the building is not widely visible from

public vantage points along Doctors Hill. Its immediate visual prominence in the wider landscape is therefore limited.

However, assessment within a National Landscape must consider not only visibility but also character, cumulative impact and incremental change. The summerhouse is positioned between the approved equestrian barn and the manege and is clearly domestic in form and purpose. It does not function as an equestrian structure and does not reflect the agricultural character of the valley.

When considered alongside the established equestrian development and other domestic features present on the site, the summerhouse contributes to the gradual domestication of what was approved as a rural equestrian holding. The addition of leisure-orientated built form within the yard erodes the simple, functional character that would otherwise be expected in this landscape setting.

The CNLMP specifically cautions against the proliferation of structures and associated domestic activity within valley landscapes, recognising that cumulative small-scale additions can harm tranquillity and scenic quality even where individual elements are not highly visible. While the structure is small, the introduction of a separate domestic building within this sensitive landscape is inconsistent with the objective of conserving and enhancing the natural beauty and special qualities of the Cotswolds National Landscape.

Conclusion

Although limited in scale and largely screened from wider public views, the summerhouse represents an incremental and unjustified domestic addition within the Cotswolds National Landscape. By contributing to the gradual domestication of the site, the development fails to conserve the character, tranquillity and scenic quality of the enclosed limestone valley landscape.

The proposal is therefore contrary to Core Policy 51 of the Wiltshire Core Strategy, the National Planning Policy Framework, and the objectives of the Cotswolds National Landscape Management Plan.

PLANNING BALANCE AND CONCLUSION

The proposal seeks retention of a modest timber summerhouse within the curtilage of an equestrian barn. In considering the planning balance, the following factors are relevant:

The summerhouse constitutes inappropriate development in the Green Belt. By introducing additional built form into a site conditioned for rural equestrian use, the development reduces openness and represents incremental domestication. No Very Special Circumstances have been advanced to outweigh this definitional harm, as set out in the NPPF.

The domestic form and function of the summerhouse conflicts with the approved rural character of the site. Even though visibility from public viewpoints is limited, the cumulative

effect with existing domestic features erodes the intended rural equestrian character, contrary to Core Policy 57, Section 12 of the NPPF, and the Wiltshire Design Guide.

With regard to the CNL, the summerhouse contributes to the incremental domestication of the site within the enclosed limestone valley. This is inconsistent with the conservation and enhancement objectives of Core Policy 51, the NPPF, and the Cotswolds National Landscape Management Plan (Policies CE1, CE4, CE5).

There is no demonstrable harm to neighbouring residential amenity due to the isolated location; however, this is a neutral consideration and does not outweigh the landscape and Green Belt harm.

Whilst the summerhouse provides limited amenity value to the current occupant, personal benefit or convenience is not sufficient to justify development that conflicts with the Development Plan or national policy. The modest scale of the summerhouse does not materially lessen the harm it causes in planning terms. The cumulative effect of domestic encroachment and leisure development within a site conditioned for rural equestrian use results in clear conflict with the Wiltshire Core Strategy CP51 (Landscape) and CP57 (Design), the National Planning Policy Framework: Sections 12 (Design) and 13 (Green Belt), Paragraph 189 (National Landscapes); and the Cotswolds National Landscape Management Plan: Policies CE1, CE4, CE5. There are no material considerations or Very Special Circumstances sufficient to justify the development. The application is therefore recommended for refusal.

RECOMMENDATION: That Planning Permission be REFUSED for the following reasons:

1. The development constitutes inappropriate development in the Green Belt, which is, by definition, harmful. The summerhouse introduces additional built form into a site approved and conditioned for rural equestrian use, reducing openness and contributing to incremental domestication. No Very Special Circumstances have been demonstrated that clearly outweigh this harm. The proposal is therefore contrary to Section 13 of the National Planning Policy Framework.
2. The summerhouse, by reason of its domestic form, function, and siting within a rural equestrian holding, materially harms the character and appearance of the site. The introduction of leisure-oriented built form alongside other domestic features erodes the approved rural equestrian character of the land, contrary to Core Policy 57 of the Wiltshire Core Strategy, Section 12 of the National Planning Policy Framework, and the Wiltshire Design Guide.
3. The summerhouse contributes to the incremental domestication of the site within an enclosed limestone valley of the Cotswolds National Landscape. The development fails to conserve the natural beauty, tranquillity, and scenic quality of the valley, contrary to Core Policy 51 of the Wiltshire Core Strategy, Paragraph 189 of the

National Planning Policy Framework, and Policies CE1, CE4, and CE5 of the Cotswolds National Landscape Management Plan.