

Dear Sir/Madam,

Please accept the following comments on retrospective application PL/2026/02960 concerning the barn at New Buildings, Chute Cadley. I have no objection in principle to the equestrian permission granted under PL/2021/05396. My comments concern whether the development now constructed, together with the associated access, hardstanding and uses, remains proportionate to and consistent with that permission. I hope this submission covers the specific issues in the current retrospective planning and also covers the wider issue of the site.

This submission is in two parts: a short summary applying the new national policy test set out below, followed by a fuller explanation of each point.

Part 1: Summary

The National Planning Policy Framework now includes policy DM8 (Unauthorised development and enforcement), which states:

"if it is concluded based on evidence that the unauthorised development was intentional, that fact should be given substantial weight in considering whether to grant planning permission."

I ask the Council to consider, as part of its assessment under DM8, whether the evidence demonstrates that any unauthorised development was intentional and, if so, to give that fact substantial weight in the planning balance.

What the retrospective application seeks to regularise:

1. Raised ridge height
2. The extension
3. Expanded hardstanding

What the Design and Access Statement (DAS) includes that has no relevance to an equestrian use:

1. Parking of private family vehicles

What is not shown or explained in the DAS or the retrospective application:

1. The submitted Elevations & Floorplan (Drawing No. JE-JH-03/B) do not match the building as constructed. Photographs are enclosed below (Photos 4, 5 & 6).
2. The NW-facing aspect did show an additional covered porch structure not included in any planning application, apparently with its own hardstanding. This I believe has now been removed which is welcomed and illustrates progress.

3. A ramp has been constructed from the footpath onto this previously landlocked parcel, with no planning history for it that I am aware of.

Prior infringements relevant to the intentionality test:

1. The DAS admits prior commercial use of the site. A commercial waste bin was present on site throughout that period, corroborating the scale of that use. Please see photos 2 & 3.
2. The general condition of the site — extensive open storage of machinery and materials, clearly visible from footpath CHUT28. Please see photo 7

Access:

The 2021 application depicted this parcel as landlocked. The ramp appears to have been built onto land not in the applicant's ownership, evidenced by the Certificate B now required for this application (not needed in 2021).

Taken together — I would ask the Council to consider whether this amounts to a course of conduct rather than a single, isolated oversight, and whether that meets the DM8 threshold for substantial weight to be given against granting retrospective permission.

Part 2: Detailed comments

I am commenting specifically on the documents submitted in August 2026 in relation to retrospective application PL/2026/02960. My comments relate to the relationship between the retrospective proposal and the equestrian development approved under PL/2021/05396.

The 2021 officer's report assessed the proposal as a small-scale and "modest" private equestrian facility comprising two stables, tack/feed storage and a machinery store. That conclusion was reached by reference to the limited scale of the building specifically — it was that limited scale which allowed the report to conclude an acceptable effect on the character of the area, the North Wessex Downs AONB, neighbouring amenity and highway safety. The permission also restricted the use to private stabling and training, associated equipment and feed, excluding livery, tuition, leisure rides and any other commercial purpose.

Before turning to detail, I note that the applicant's Design and Access Statement assesses this application against "the National Planning Policy Framework (Revision December 2024)," which has since been superseded. I see no DAS Addendum to reflect this. Additionally, given that this application depends on the Council having an accurate

record of what has actually been constructed, the "Existing Elevations & Floorplan" (Drawing No. JE-JH-03/B) appears to be incorrectly drafted. These plans depict the Store as a single space served only by the doors to its south-east. To the naked eye there is a further opening opposite the original doors to the NW that are a set of glazed bifold doors, visible from the public footpath when the doors to the Store are open. These doors are of a design and material wholly different from the timber cladding, rendered plinth and tiled roof used elsewhere on the building, which directly contradicts the Design and Access Statement's own assertion, at paragraph 28, that "the materials used match the existing materials." As the enclosed photographs show, the NW-facing aspect bears no resemblance to the submitted drawings at all, and appears to show a covered porch structure together with a mix of equipment and openings that are presumably non-equestrian in use. Given this specific and visible inconsistency, I would ask the Council to assess this element against CP57 (Ensuring High Quality Design and Space Shaping), which requires new development and alterations to create a strong sense of place through drawing on the local context and being complementary to the locality.

Most importantly, the retrospective application seeks to retain a building with a total internal area of approximately 107m², a c.30% increase on what was originally approved, together with an increased ridge height and additional hardstanding — these are the three points the current DAS addresses.

Given that the scale of the original scheme was central to the 2021 assessment, I would have thought the application should explain why this increase in height and floor area is necessary and proportionate to the approved private use of two stables.

The extension is described as a Horse Bay wash area. Is there an explanation for the Ridge Height or why the extra hardstanding is necessary if the scope of private use of two stables has not changed? For the Ridge height, see Photo 1 showing it next to an existing neighbouring building.

Additionally, once the undisclosed covered porch structure to the NW is taken into account, the true increase in footprint appears closer to 50%. The photographs below also appear to show a loft or mezzanine level within the "Store.". I ask the Council to establish whether this space exists, whether it is included in the stated floor area, and whether the submitted plans accurately represent it. If necessary, any permission should include an appropriately worded condition controlling alterations that would create additional floorspace or materially increase the building's use.

I would ask the Council to clarify whether this space has been accounted for in the stated floor area, and, regardless of its current use, to consider whether any permission granted should be conditioned to prevent the future installation of windows, rooflights or dormers to this space, given the sensitivity of the site within the National Landscape,

and to avoid this becoming additional habitable or storage space beyond what has been assessed.

The Design and Access Statement's conclusion that the impact is "neutral" appears to lack supporting evidence. There is no comparison of massing, volume or footprint against the approved scheme. More importantly, the DAS does not engage with the specific criteria set out in NWDNL Policy DE04 (height, massing, roof form, density and local building vernacular) or CP51 (which requires that landscape harm be mitigated "as far as possible"). Nor does it engage with paragraph 189 of the NPPF, which requires great weight to be given to conserving and enhancing landscape and scenic beauty in National Landscapes and confirms that the scale and extent of development within them should be limited. A conclusion of "neutral impact" needs to be demonstrated against those tests, not asserted. The fact that the application is retrospective should not reduce the level of assessment, particularly regarding the cumulative visual effect within the North Wessex Downs National Landscape.

I also note that the applicant's own Design and Access Statement discloses that the stable building was, until recently, used to house a business that "has been very successful and rapidly outgrown the area of the stable building" (paragraph 3 of the applicant's Design and Access Statement). A commercial waste bin was present on the site throughout this period, consistent with the scale of activity the DAS itself describes. That use was not authorised under the private-use condition attached to PL/2021/05396, and its scale — sufficient to require relocation to new premises — suggests a level of activity and associated traffic materially beyond the modest private stabling envisaged and assessed in 2021. I would ask the Council that this planning history, including the period of unauthorised commercial use and its likely effect on traffic movements to and from the site, has been taken into account in assessing the cumulative highway safety and amenity implications of this application, rather than assessing the current proposal in isolation as if no such history existed.

I note further that the Design and Access Statement confirms the Council itself was aware of this commercial activity, having invited the applicants to submit a planning application covering both the extension and the use of part of the building for the business (paragraph 3). That the applicants have since chosen to apply only for retrospective permission for the extension — because the business has relocated — does not, in my view, resolve the position regarding the unauthorised commercial use that took place. I would ask the Council to use the determination of this application to reaffirm clearly that no commercial use of the site or building is permitted.

I would also ask the Council to have regard to the general condition of the site, which is presently characterised by open storage of machinery and other material across much of the land, highly visible from footpath CHUT28. Within a National Landscape, where paragraph 189 of the NPPF requires great weight to be given to conserving and

enhancing landscape and scenic beauty, this is a material visual amenity consideration in its own right. This has relevance for consideration of the original planning consent and with reference to section 215 of the Town and Country Planning Act 1990.

I would also note that the application site boundary itself has changed since 2021. The original application was made in respect of a landlocked parcel, with the site's boundary excluding any access to footpath CHUT28 — consistent with the 2021 report's treatment of vehicular access as a private law matter separate from the land being applied for. The current retrospective application's site boundary, by contrast, now appears to include the access route to the footpath within the red line. I would surmise this land is privately owned by the local landowner, and that the Certificate B lodged with the Council has been required for this application, which was not the case in 2021. Whilst I recognise that the underlying question of what rights exist over that land is a private matter between the applicant and the landowner, I would ask the Council to whether this affects the basis on which highway safety and vehicular access were previously assessed and accepted in 2021.

I would add that the ramp providing vehicular access from the footpath onto the site appears to have been constructed and in continuous, visible use for a significant period, notwithstanding that the 2021 application depicted the site as landlocked and that the access land now appears to be in third-party ownership. The construction of a permanent ramp would, I believe, normally require planning permission in its own right, regardless of the private ownership question, and is relevant as to whether the actions on the site have been intentional, rather than being simply a private dispute between the applicant and the landowner.

I note that the 2021 officer's report records that both the Highway Authority and the Rights of Way team withdrew their objections on the basis that the applicant had submitted "evidence" of a private right of vehicular access over footpath CHUT28, but the report does not record the scope of that right — whether it is limited to private use, and what extent of the footpath it covers — despite the site apparently having no other vehicular access at all. I would ask the Council to clarify whether the Certificate B now required affects the position on vehicular access relied upon in 2021, and specifically whether the extent and nature (private or otherwise) of that access right has now been verified, given that the private-use condition attached to PL/2021/05396 and the withdrawal of highway objections were both predicated on it.

The statement also refers to parking family cars on the site because parking at the applicants' dwelling is limited. I would ask the Council to clarify why this element is included and what the relevance is of parking at the applicants' dwelling to this equestrian application. This is relevant not only to whether the use remains consistent with the permission — which is restricted to private equestrian purposes and associated equipment and feed — but also to highway safety. The Highway Authority's

original non-objection, and the private-use condition it was contingent on, was premised on a small-scale private equestrian use accessed via a private vehicular right over a public footpath. If the site is now also being used for general residential car parking unrelated to the horses, that goes beyond the basis on which the access was assessed as acceptable, and I would ask the Council to clarify whether this use is considered incidental to the equestrian permission or represents an additional, unauthorised use of the site.

I would ask that, in determining this application, the Council revisit the cumulative visual assessment against paragraph 189 of the NPPF, DE04 and CP51 rather than relying on the Statement's conclusion, and that any permission granted include a condition restricting use of the hardstanding to vehicles and equipment associated with the equestrian use only.

In conclusion:

An awful lot has changed at this site.

Underlying all of this is a simple question of proportionality: is what now exists proportionate to the original 2021 permission for the private stabling of two horses on a plot of roughly half an acre?

I respectfully ask the Council to assess the cumulative effect of the increased scale, ridge height, hardstanding, apparent additional structure, access works, previous commercial use and general storage condition. I also ask the Council to apply DM8 where the evidence supports a conclusion that unauthorised development was intentional, and to ensure that any permission clearly restricts the use of the building and hardstanding to the authorised private equestrian purpose.

I reiterate that I do not object to the original equestrian permission. My concern is that the Council should establish precisely what has been constructed and used, and determine the cumulative project on that accurate basis.

I raise these issues primarily that there is complete clarity of the permissions granted over the cumulative project. I do this both as a neighbour, to be clear about exact permissions, and as a community member for reasons of precedent.

Photo 1:



Photo 2:



Photo 3:



Photo 4.



Photo 5:



Photo 6:



Photo 7:

