

Appeal Decision

Site visit made on 29 August 2014

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 1 September 2014

Appeal Ref: APP/X1735/A/14/2220161

Land and stables adjacent to Hollybank Cottage, Long Copse Lane, Emsworth PO10 7UL

- 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 L Madgwick against the decision of Havant Borough Council.
 - The application, Ref. APP/14/00381, dated 8 April 2014, was refused by notice dated 4 June 2014.
 - The development proposed is an extension to the existing private stable block to provide feed / cart store for continued private use.
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Decision

1. The appeal is allowed and planning permission is granted for an extension to the existing private stable block to provide a feed / cart store for continued private use at Land and stables adjacent to Hollybank Cottage, Long Copse Lane, Emsworth in accordance with the terms of the application, Ref. APP/14/00381, dated 8 April 2014, subject to the conditions in the attached schedule.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The Council's concern is essentially that the proposed extension would have an adverse impact on the open rural character of the area and in so doing also erode the Emsworth – Westbourne Gap protected by Policy CS11.9 of the Havant Borough Core Strategy 2011.
 4. However the Council would appear to have made its decision on the basis that the proposed extension would be 7m x 10m, whereas it is now accepted that the accurate dimensions are 5m x 4.8m, as shown on the submitted plans. Clearly this is a significant difference which to some degree casts doubt on the Council's decision to refuse permission.
 5. Be that as it may, in my view the extension as actually proposed is a reasonable and proportionate addition to the existing building which would blend seamlessly with the existing structure. It would neither have an adverse visual
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impact nor actually erode the Emsworth – Westbourne Gap, or result in any perception of its erosion.

6. The appellant has provided a reasonable explanation of why the extension is required for the storage of animal feed and carts, both of which are bulky, and in the case of the carts there is clearly a security issue. I am also satisfied with the explanation of the relatively high horse density on the site compared with the guidance of the British Horse Association, which essentially is one of the horses living mainly in the stables rather than permanently outside. This density precludes the use of the existing building for storage.
7. The extension would only be seen in glimpses through the site entrance by users of Long Copse Lane, although I consider that the existing reduced hedgerow height in a couple of places needs remedying to provide an effective screen for the existing building and the proposed extension. This can be achieved by a landscaping condition on this permission and / or securing any outstanding compliance with the landscaping condition on the 2010 permission for the stables.
8. In summary, although the Council is correct to observe that an equine use does change the character of a rural area, I do not consider that the proposed extension would increase that change from the extent accepted by the Council in its original decision to approve the stables. The proposal would therefore have no adverse effect on the character and appearance of the area and there would be no conflict with Policies CS11.1, CS11.9 & CS17 of the Core Strategy or with the National Planning Policy Framework 2012.
9. A condition requiring the development to be carried out in accordance with the approved plans is necessary in the interests of accuracy and proper planning, whilst a condition requiring matching external materials will ensure that the extension blends with the existing building and safeguards its appearance. As already stated, I consider that a condition to improve the screening effect of the boundary hedge will maintain the rural character of Long Copse Lane.
10. The Council has also suggested an ancillary use condition, but given the wording of the proposal and its modest scale I see no necessity for this.

Conclusion

11. For the reasons stated above the appeal is allowed subject to the conditions specified.

Martin Andrews

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin before the expiration of three years from the date of this Decision;
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos. 9399.1.A; 9399.2.A; 9399.3.A; 1:1250 scale Location Plan;
- 3) The external materials of the extension shall match in type, colour and texture those of the existing building;
- 4) No development shall take place until details of additional planting in the hedgerow between the appeal site and Long Copse Lane have been submitted to and approved in writing by the Local Planning Authority. The planting shall be carried out in accordance with the approved details prior to the first use of the extension or at a time agreed with the Local Planning Authority.