
APPLICATION NO.	23/02086/FULLN
APPLICATION TYPE	FULL APPLICATION - NORTH
REGISTERED	15.08.2023
APPLICANT	Mr and Mrs Talbot Rice
SITE	Woodside House, Furzedown Lane, Amport, SP11 8BE, AMPORT
PROPOSAL AMENDMENTS	Construction of equestrian storage barn Arboricultural impact assessment and amended plans received 12 October 2023 to reduce the width of the barn away from the trees: BDS-05-23 BDS-05-23 A BDS-05-23 A Outline Fire Strategy received April 2024.
CASE OFFICER	Ash James

Background paper (Local Government Act 1972 Section 100D)

[Click here to view application](#)

1.0 INTRODUCTION

1.1 The application is presented to Northern Area Planning Committee at the request of a member because it raises issues of more than local public interest

2.0 SITE LOCATION AND DESCRIPTION

2.1 The application site is located to the rear of the residential property Woodside House, adjacent the Amport Conservation Area to the south, and Public Right of Way (PROW) Amport:9 located to the East running North of the site. The application site is boarded by residential properties to the south and west, and equestrian fields to the north and east.

2.2 The proposal would form part of a wider, private equestrian use within and immediately surrounding the site.

3.0 PROPOSAL

3.1 The proposed equestrian storage barn would be located adjacent an existing barn and would measure 12m long, 4m wide, with a maximum ridge height of 3.77m. The building would be externally clad in timber, and have two open bays. There would be three roof lights evenly spaced along the western elevation of the building. The planning statement submitted with the application confirms that the proposed building would be used to store hay.

4.0 RELEVANT HISTORY

4.1 20/01588/FULLN - Erection of horse walker (retrospective) – PERMISSION 02.10.2020

- 4.2 TVN.07135/3 - Erection of stable block comprising 8 stables, feed store and tack room (Revised application) – PERMISSION 26.06.1997
- 4.3 TVN.07135/2 - Erection of stable block comprising of 7 stables, foaling box, feed store and tack room – PERMISSION 26.11.1996
- 4.4 TVN.07135/1 - Erection of hay barn and provision of ramp – PERMISSION 26.11.1996
- 4.5 TVN.07135 - Provision of all-weather riding arena enclosed by 1.5 metre high timber fence – PERMISSION 26.11.1996

5.0 **CONSULTATIONS**

5.1 **Building Control:** No objection

The proposed building is exempt from the Building Regulations as it meets the requirements set out in Schedule 2 (Exempt Buildings and Work) Class 3 of the Building Act 1984.

5.2 **Trees:** No objection

Condition advised to ensure work is carried out in accordance with the Arboricultural Impact Appraisal and Method Statement

The trees adjacent to the site's western boundary will be suitably protected throughout the course of development.

It is noted that root pruning will be required to trees T1 and T3. This affects a very modest proportion of the trees' root protection area, as a result it is considered that this activity is unlikely to have an adverse effect on the trees' safe retention.

6.0 **REPRESENTATIONS** Expired 15.09.2023

6.1 **Amport Parish Council:** Comment

Barn could pose fire risk to neighbouring property if used to store hay

Close to conservation area boundary

Separate barn on site permitted in 1996 for hay but is now used to house machinery

6.2 **Ashbrook, Furzedown Lane:** Objection (summarised) x2

- Concerns relating to fire risk, proximity to property/trees and flammable materials
- No need for development, site already has a hay barn permitted in 1996, however being used for tractors
- Construction causing damage to trees and hedge
- Inaccuracies on application form
- Hay is not usually stored on the area the application suggests
- Infringement of the character of the area and extension to already large stable complex
- Poor architectural/aesthetic design
- Could be located elsewhere on site
- Roof lights overlooking
- Loading and unloading of hay will be noisy
- Existing vermin issues

- Hay dust can cause/trigger/exacerbate respiratory problems and allergies
- Hay would need to be delivered by a large lorry which would not be desirable through Ampport
- Site notice was displayed along a public footpath and not at the entrance gates the property, consider this leading to people not being aware of the application

6.3 **The Bothy, Furzedown Lane:** Objection (summarised)

- Agree with objections from Ashbrook
- Proposal should be relocated so that it does not pose a fire/rat risk
- Site notice was not displayed for all to see

6.4 **Weyhill Timber, Sarsen Lane:** Objection (summarised)

- Concerns relating to fire risk, proximity to property and flammable materials
- No need for development, unless propose to expand complex
- Windows overlook neighbouring property
- Would result in loss of light to the neighbouring property
- Would cause rats, smell, and noise
- Hay would need to be delivered by a large lorries, how would this work
- Barn could be located elsewhere
- Why does proposal include foul water drainage

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

7.2 Test Valley Borough Revised Local Plan (2016)(RLP)

Policy SD1 – Presumption in Favour of Sustainable Development

Policy COM2 – Settlement Hierarchy

Policy E1- High Quality Development in the Borough

Policy E2 - Protect, Conserve and Enhance the Landscape Character of the Borough

Policy LHW4 – Amenity

Policy T1 – Managing Movement

7.3 Supplementary Planning Documents (SPD)

Ampport Village Design Statement

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Impact on character and appearance of the area
- Impact on neighbouring amenity
- Impact on highway and access

- Impact on trees
- Fire risk and Building Regulations
- Other matters

8.2 **Principle of development**

The site lies within the settlement boundary as defined on the Inset Maps of the Test Vally Borough Revised Local Plan 2016 (TVBRLP). In accordance with Policy COM2 of the TVBRLP development is permitted provided the proposal is appropriate to other policies of the Revised Local Plan. The proposal is assessed against relevant policies below.

8.3 **Impact on character and appearance of the area**

The application is located within the existing equestrian compound, adjacent stables and current machinery store. The layout, scale, design, and materials proposed are typical of an equestrian storage barn. Public views of the building would be seen in context with the surrounding buildings and wider equestrian use. As a result, it is considered that the proposal would not give rise to a more visually intrusive development in this edge of settlement location.

8.4 There is a Public Right of Way (PROW) located to the East running North of the site, in excess of 100m away from the site, at its closest point. As a result, only long distance views of the proposed development would be available from the PROW. Considering the assessment at paragraph 8.3 above and as long distance views of the site from the PROW would be filtered by existing vegetation, it is not considered that the proposal would harm the character and appearance of the area.

8.5 Third party comments were received in relation to overdevelopment of the site. Overdevelopment relates to development that would result in excessive demands on infrastructure and services or impact on the local character. Given consideration to the existing arrangement of hay delivered and the proposed hay deliveries, it is not considered that this would give rise to an increase in pressure on infrastructure or services. In addition, considering the location of the proposed development relative to any public vantage points and the rural use of the development it is not considered that the proposal would adversely affect the character and appearance of the area. The proposal is in accordance with Policy E1 of the TVBRLP

8.6 **Impact on neighbouring amenity**

The proposed development is located approximately 12.2m from the neighbouring dwelling (Ashbrook) at its closest point and is separated by dense and mature vegetation providing boundary treatment. The barn measures approximately 3.8m high and 12m long. By virtue of the size (bulk and mass) and design of the proposal and the existing boundary treatment, the proposal would not give rise to an adverse impact on the living conditions of neighbouring properties by virtue of loss of daylight or sun light or overbearing impact.

- 8.7 Third party comments were received in respect of the proposed roof lights overlooking the neighbouring property. Due to the use of the proposed building as a storage barn, the high-level position and low level pitch, separation distance of 12.2m and the intervening boundary treatment it is not considered that the proposal would result in overlooking opportunities to the neighbouring property, Ashbrook.
- 8.8 Third party comments were received in respect of smell of the proposed hay to be stored within the equestrian barn as well as vermin. The Environmental Protection Officer highlighted that vermin are attracted to hay where the floor is bare earth and if the bales are left undisturbed for a long period of time. In this instance the floor of the proposed building would be concrete or similar, and it is evidenced that the hay is required for the horses on site and used frequently. The Environmental Protection Officer states that with good management, any significant impact associated with noise or smell is not expected. Given consideration to the hay currently stored in the open in this location, the separation distance between the development and nearest neighbouring property, and the intervening boundary treatment providing a barrier, it is not considered that the enclosing of this product would cause smells that would be detrimental to the living condition of the neighbouring properties.
- 8.9 In relation to noise resulting from the use of the barn, including the loading/unloading of hay. The agent has advised that the current arrangement, due to the lack of storage, hay is delivered frequently in small batches of 50-100 bales (or equivalent) several times a year between September and April, carried by hand or wheelbarrow from the yard to the storage area because of winter ground conditions. The proposal would allow for a larger delivery of hay which would reduce the frequency of deliveries, the agent advises that ideally the required amount of hay would be delivered in 1 day. Considering the estimated frequency and existing arrangement of hay being delivered to this location, it is not considered that noise would intensify such that it would have an adverse impact on occupiers of neighbouring dwellings.
- 8.10 Taking all of the above matters into consideration it is concluded that the proposal is in accordance with Policy LHW4 of the TVBRLP.
- 8.11 **Impact on highways and access**
The application site is accessed from the highway via 2 existing points of entry, via the residential entrance along Furzedown Road and field gate off The Green. As stated in paragraph 8.9 above, the anticipated frequency of deliveries is low, reduced from the existing arrangement, the agent has confirmed that the desired quantity of hay may be delivered on a trailer behind a tractor or truck, or on a flatbed lorry. Large hay bales require tractors to unload and stack bales. Smaller trucks/trailers are able to enter via the residential access and tractors/trailers enter via the field gate on The Green (in dry weather only). Third party concerns were raised in relation to deliveries transporting through the village of Amport. Deliveries of hay to the property via the local road network is an existing operation. It is considered that the frequency of the deliveries would not be intensified as a result of the development and therefore the impact on the highway network within the

village would be minimal and not materially different to the existing use of the site. Taking the above matters into consideration the proposal is considered to accord with policy T1 of the TVBRLP.

8.12 **Impact on trees**

The application is supported by a Tree Survey, Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement. The proposal would not result in the loss of trees within or surrounding the site. Root pruning of 2 trees would be required, however as this affects a very modest proportion of the trees' root protection area, it is considered that this work is unlikely to have an adverse effect on the trees' safe retention and future health. The Council's tree officer has confirmed that provided a condition is imposed on any permission requiring the development to be undertaken in accordance with the submitted details, the development would not harm trees in accordance with policy E2 of the RLP.

8.13 **Fire risk and Building Regulations**

The Building Act 1984 tasks building control with "securing the health, safety, welfare and convenience of persons in or about buildings and of others who may be affected by buildings or matters connected with buildings". In this instance, the Council's building control officer has advised that the proposed hay barn would be exempt from the Building Regulations as it meets the requirements set out in Schedule 2 (Exempt Buildings and Work) Class 3 of the Building Act 1984 as it is used for the purposes of keeping animals.

8.14 Hampshire and Isle of Wight Fire and Rescue Services (HIWFRS) were consulted on the application. HIWFRS highlight that the access should be in accordance with Building Regulations Approved Document B and dealt with as part of a building regulations application. Furthermore, HIWFRS indicate that an area of at least 20% should be fire protected, and due to the boundary hedge, a greater level of protection against horizontal fire spread may be required, and that water supplies for firefighting may also be necessary. These matters would be dealt with as part of a Building Regulations application if it applied.

8.15 The Planning Authority would not seek to duplicate the regulations covered by Building Control. However, in the absence of any plans for fire safety and the third party comments received, the matter could be capable of being a material consideration in the determination of this planning application.

8.16 The application is supported by an outline fire strategy (AW Fire, April 2024) which reaffirms that building regulations would not be applicable to this proposal. The submitted details confirm that the west elevation of the hay barn would be fitted with box profile metal sheeting, and the roof will use a '*B Roof (t4)*' (a fire safety classification) compliant material. This would add fire protection to the elevation of the building closet to the residential property at Ashbrook. A condition can be added to any permission to secure this.

8.17 Given consideration to the existing storage of hay in the location of the proposed barn, and the ventilation within the hay barn, which is required to prevent a build-up of moisture to prevent fire, through 2 open bays and 3 roof lights and considering the proposed fire protection measures incorporated into the western elevation of the building, for planning purposes, it is considered that the proposals would be acceptable.

8.18 **Other matters**

Third party comments were received in respect of inaccuracies within the application form and history section of the planning statement. The application is considered against all the material submitted with the application form in addition to a site visit and desk-based assessment, including history of the application site.

8.19 Third party comments in relation to the publicity of the site notice were received and are noted. The Town and Country Planning (Development Management Procedure) (England) Order 2015 states that, in relation to site notices, an application must be publicised in at least one place on or near the land to which the application relates for not less than 21 days. Evidence was provided to demonstrate that the site notice was displayed at the field gate entrance to the application site which runs along PROW Amport 9. The requirements in relation to the display of a site notice have thus been complied with.

8.20 Third party comments were received in relation to the proposal being located elsewhere on site. The role of the Local Planning Authority is to consider the application before them, the proposed location is considered suitable and would accord with the policy requirements of the RLP for the reasons outlined throughout this report.

8.21 Third party comments were received in relation to the existing storage of hay and the alternative use of the 1996 permitted hay barn. Evidence has been provided to demonstrate that hay has been stored in the location for the last 4 consecutive years, and the permitted hay barn is used for related equestrian storage, in addition, as the proposal is located within the settlement boundary it is not required for the applicant to demonstrate a need for the proposed development.

8.22 Third party comments were received in relation to hay dust and allergies/respiratory problems. The proposal would result in the enclosure of the hay to the neighbouring side which is currently stored on site, in addition, there is mature vegetation providing a barrier between the application site and neighbouring property, this combined with the separation distance of 12.2m from the development and the nearest neighbouring property at its closest point and the rural location of the development it is not considered that the proposal would result in unacceptable dust emissions in this instance.

9.0 **CONCLUSION**

9.1 The proposal is considered acceptable and in accordance with the relevant policies of the TVBRLP.

10.0 RECOMMENDATION

PERMISSION subject to:

1. The development hereby permitted shall be begun within three years from the date of this permission.
Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers BDS-05-23 A (Proposed Block Plan – Received 12.10.2023), BDS-05-23 A (Proposed Plans and Elevations – Received 12.10.2023), and BDS-05-23 (Site Location Plan – Received 15.08.2023).
Reason: For the avoidance of doubt and in the interests of proper planning.
3. The development hereby approved shall be undertaken in full accordance with the provisions set out within the MJC Tree Services Ltd Arboricultural Impact Appraisal and Method Statement reference MJC-0189-03 Rev 0 dated 11th October 2023.
Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan (2016) Policy E2
4. Prior to first use of the building hereby approved, the west elevation shall be fitted with box profile metal sheeting, and the roof shall be of a B Roof (t4) compliant material. These measures shall be retained for the lifetime of the building.
Reason: In the interests of public health and safety, in order to protect the natural environment in accordance with Test Valley Borough Revised Local Plan (2016) Policy E2 and E8.
5. The development hereby approved shall be used exclusively for private equestrian storage use relating to the property (Woodside House, Furzedown Lane, Ampport, SP11 8BE) and no commercial use or activities.
Reason: In the interests of neighbouring amenity and the local highway network in accordance with Test Valley Borough Revised Local Plan (2016) LHW4 and T1.

Note to applicant:

1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.
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