

P/13/1054/FP

MS ROSALIND SNOWDEN

WARSASH

AGENT: MS ROSALIND
SNOWDEN

PROVISION OF STORAGE CONTAINER, PORTABLE TOILET AND SMALL RIDING
ESTABLISHMENT

LAND AT HOOK PARK ROAD WARSASH SO31 9HE

Report By

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Site Description

The application site is, for the purposes of planning policy, in the countryside. The proposals map of the Local Plan Review also locates the site within the Meon Strategic Gap. The site itself is principally laid to grass with a post and rail fence defining a menage within the field. The field is bounded on three sides by native vegetation and earth bunds, to the east the field shares a fence with the adjacent field. The site is generally flat with no significant change in levels. There are views of the site from Hook Park Cottages situated on higher ground to the south of the site.

Description of Proposal

Planning permission is sought for the provision of a storage container, portable toilet and a small riding establishment.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS4 - Green Infrastructure, Biodiversity and Geological Conservation

CS5 - Transport Strategy and Infrastructure

CS14 - Development Outside Settlements

CS17 - High Quality Design

CS22 - Development in Strategic Gaps

Fareham Borough Local Plan Review

DG4 - Site Characteristics

Representations

There have been 24 objections to the proposal which can be summarised under the following headings;

1) Landscape impact:

The container and portable toilet would be an eyesore;

The proposal not in keeping with the rural environment;

The site is prone to flooding;

Obstruction to access of a public footpath running through the site;

Loss of agricultural land.

2)Environmental impact:

The proposal would disturb native protected reptiles ,birds & mammals habitats;
The site is a sensitive area of biodiversity and the proposal would be damaging to the biodiversity;
Access to the site would potentially cause damage to ancient hedgerows;
Noise and disturbance to local residents; the site has been in use from dawn to dusk seven days a week in previous years.

3)Highways:

Lack of parking;
Hook Park Road is unsuitable for heavy vehicular traffic, the road is potholed and a single track lane;
Highway obstruction and congestion created by persons visiting the site would impact on the amenities of local residents;
Potential for accidents from the additional vehicular traffic.

4)Other material considerations:

The site does not conform with the Riding Establishment acts 1964-1970.

There have been fourteen letters of support.

The thrust of the support is that the grazing and riding of horses has taken place by the applicant in the area for over 20 years and that 'TLC' provides a valuable community activity for young people who are respectful of the area.It is a charity looking after abandoned horses who are well cared for. It is also contended that the children are dropped off at suitable locations and approach the site on foot.

Consultations

Director of Planning and Environment (Highways) - No objection subject to planning conditions

Director of Regulatory and Democratic Services (Environmental Health) - No objection.

Director of Regulatory and Democratic Services (Pollution) - No objection.

Director of Planning and Environment (Ecology) - No Objection.

Planning Considerations - Key Issues

The main planning considerations are:

- 1) Principle of development
- 2) Landscape impact
- 3) Environmental impact
- 4) Highways
- 5) Other material considerations

Principle of development

The site is, for the purposes of planning policy, within the countryside. The site is not

allocated for development in the currently saved policies of the Borough Local Plan Review or Core Strategy policies. Policy CS14 of the Fareham Borough Core Strategy seeks to restrict development in the countryside unless it has been demonstrated there is an essential need for the development, such as being essential to agriculture, or if it is a type of development appropriate for a countryside location. The applicant seeks permission for a small secure container and a portable toilet to enable local children to receive riding tuition at the site. Paragraph 5.146 of the small text of Policy CS14 supports countryside recreation. Officers are of the opinion that horse riding is appropriate in a countryside location and the principle of development is acceptable subject to consideration of the impacts below.

Landscape Impact

Policy CS22 of the Fareham Borough Core Strategy seeks to protect the Strategic Gaps within the Borough from inappropriate development that would affect "the integrity of the gap and physical and visual separation of settlements". The development proposed would in the opinion of officers not diminish the Strategic Gap. The siting of the container and portable toilet in the southeast corner of the field would give limited views of the development from outside of the site. The site is prone to seasonal winter flooding; this year it has been particularly severe, however the applicant only seeks permission to use the site in the drier months of the year. The use of the land for riding is considered acceptable in a rural location and this use would not diminish the strategic gap.

Environmental impact

Policy CS4 Green Infrastructure, Biodiversity and Geological Conservation states that habitats important to the biodiversity of the Borough, including Sites of Special Scientific Interest, Sites of Importance for Nature Conservation, areas of woodland and the coast and will be protected in accordance with nature conservation designations.

The Council's Ecologist has visited the site and has advised that the site does not appear to be of botanical interest, and the field centres themselves are unlikely to support any protected species due to their current condition and management (used by horses).

The boundary habitats may be of interest, but it is not anticipated that any impacts to boundary habitats will occur as a result of the proposals.

Highways

Core Strategy policy CS5 seeks, amongst other things, to permit developments which do not adversely affect the safety and operation of the strategic and local road network, public transport operations or pedestrian and cycle routes.

Third parties have expressed concern at the condition of the road and the likely increase in traffic from the proposed use. The applicant has provided to the Local Planning Authority details on the method of arrival of riders, numbers of riders and the frequency of riding events. The applicant has set out in the application that the use of the site will take place for part of the year, specifically between January and July. Within this period, additional information has been received to advise that the enterprise operates on a Tuesday and Thursday (4pm - 6pm) with a maximum of 6 riders/children and Saturday (9am-3pm) with a maximum of 20 riders /children.

The applicant has set out that parents are asked not to park or drive and drop off children in the lane. Children are walked to the site with parents, with drop off points located at Church Road, Nook and Cranny Car Park and the junction of Cowes Lane and Hook Park Road. Hook Park Road is an unclassified byeway open to all through traffic.

The Council's Highway Engineer is of the opinion that this level of activity is acceptable and raises no highway objection to the proposal subject to conditions securing the permission being personal to the applicant, permitting only a temporary permission for three years, removal of permitted development rights, control over operating hours, inclusion of the drop off locations within the application site, gate locations and onsite parking for at least three vehicles.

Advice on the use of planning conditions is provided in Circular 11/95. The circular provides specific advice on the use of temporary permissions and the use of personal conditions. In this case the use of such conditions would conflict with the Circular advice and such conditions would also fail to meet the tests for conditions as set out in the Circular. The application site does not extend to include the drop off sites and the application must be considered on its merits as submitted. It is considered that the use of conditions to control the months, hours, times of operation and number of riders/children would give the Local Planning Authority adequate control of the proposed development. The control over on site parking provision and gates is also acceptable and conditions are included as part of the recommendation.

This type of land use would not benefit from permitted development rights given the nature of the enterprise such that any further operational development would require an express permission such that a condition removing permitted development rights is unnecessary.

Other material considerations

Third parties have suggested that the site does not conform with the Riding Establishment acts 1964-1970.

Licences for premises under The Riding Establishment acts 1964-1970 are granted by the Council's Environmental Health Department in conjunction with a local vet. No application for a licence has been submitted in respect of this site, but in any event, this is not material to the consideration of this proposal.

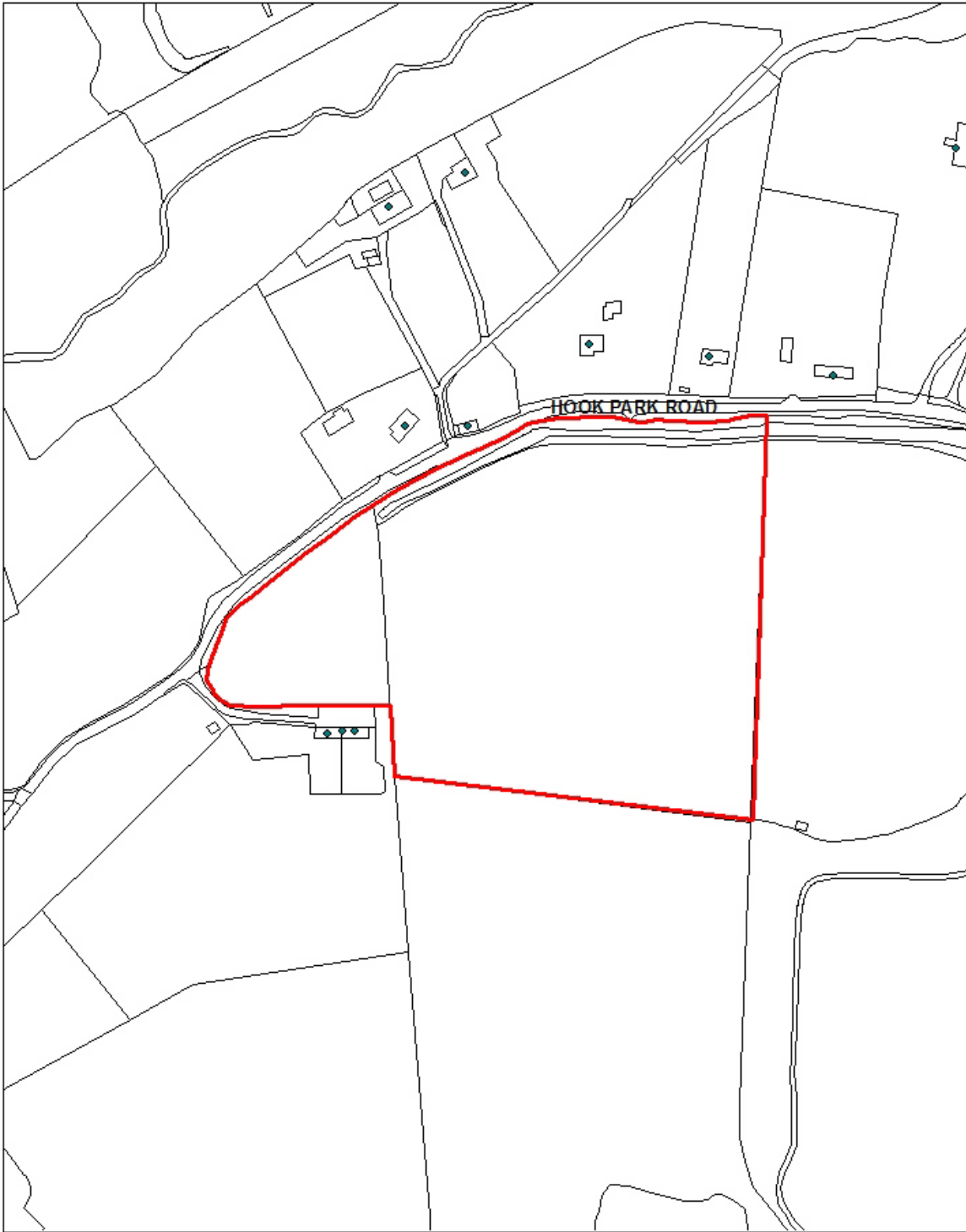
In conclusion, the site is set away from public viewpoints and is a reasonable distance from adjacent residential properties. The land is appropriate for horse related uses.

Recommendation

PERMISSION: Seasonal; Hours/days/number of riders; Removal of the container and portable toilet outside of the season; position of field gates in relation to the road; Parking on site restricted to 3 vehicles.

FAREHAM

BOROUGH COUNCIL



Land at Hook Park Road
Scale 1:2500



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