

Date of Meeting	26/05/11		
Application Number:	S/2011/0181		
Site Address:	Ware Farm Benn Lane Farley Salisbury SP5 1AF		
Proposal:	Change of use from equestrian to mixed equestrian / small holding use (retrospective)		
Applicant/ Agent:	Mrs Franccesca Ware		
Parish:	PITTON & FARLEYWINTERSLOW		
Grid Reference:	422742 129315		
Type of Application:	FULL		
Conservation Area:		LB Grade:	
Case Officer:	Mr B Hatt	Contact Number:	01722 434580

## REPORT TO THE SOUTHERN AREA PLANNING COMMITTEE

Councillor Devine called the application to committee due to the scale of development, visual impact on the surrounding area, relationship to adjoining properties, design- bulk height and general appearance, environmental impact.

### 1. Purpose of Report

To consider the above application and to recommend that planning permission be APPROVED subject to conditions

### Neighbourhood Responses

0 letters of representation received

### Parish Council Response

Objection on the grounds that the domestic paraphernalia and elements are considered unacceptable

### 2. Main Issues

The main issues to consider are:

- 9.1 Principle
- 9.2 Impact on amenities

### 3. Site Description

The application relates to an area of grassland/paddock of approximately 0.7Ha within the settlement of Farley. The application site is situated towards the eastern side of the settlement, and is within the designated conservation area and wider Special Landscape Area. The land adjoins the designated Housing Restraint Area to the north.

The application site comprises of two main paddocks and has a large barn in the south west corner with associated consolidated access track (from the gated access onto Ben Lane) and hardstanding area.

The land is bounded by hedgerows and post and rail timber fencing, and is under equine use.

#### 4. Relevant Planning History

Application number	Proposal	Decision
75/0444 OL	OL Two storey dwelling (chalet bungalow) with gge and access	REF 30/07/75
80/1156 OL	OL single storey dwelling with gge and access	WD 06/10/80
80/1157 OL	OL Two storey dwelling with gge & access	REF 05/11/80
92/0783 OL	OL agricultural dwelling (cottage style)	REF 02/07/92
93/0635 OL	OL agricultural dwelling and access.	REF 01/07/93
09/1537 Full	Erection of polytunnel	AC 04/02/10

#### 5. The Proposal

Retrospective permission is sought for the change of use from equine use to a mixed use/small holding.

#### 6. Planning Policy

The following policies are considered relevant to this proposal:

G1 & G2 (General Principles for Development)  
CN8 & CN11 (Conservation Areas)  
C2 (The Rural Environment)  
C6 (Landscape Conservation)

#### 7. Consultations

##### ***Parish council***

Objection on the grounds that the domestic paraphernalia and elements are considered unacceptable.

##### ***Conservation***

No Objection

##### **Environment Agency**

No objections

#### 8. Publicity

The application was advertised by site notice/press notice /neighbour notification  
Expiry date 28/3/11

0 letters of representation has been received

## **9. Planning Considerations**

### **9.1 Principle**

The application site is used (and appears to have been historically used) for the keeping of horses, and is therefore not currently in agricultural use. A previous approval for the use of a proposed polytunnel to produce plants and vegetables for the applicants personal consumption/use was considered akin to an allotment use, that being a use which is widely accepted as being agricultural use (a view supported by case law and various decisions by planning Inspectors).

A previous application (S/2010/1537) stated that the erection of a polytunnel does not constitute a change of use of the land. However, It is considered that the erection of a greenhouse and swingset is considered sufficient to constitute a change of use from equestrian to a mixed use of the site.

The application relates to the use of a fenced off area in the north east area of the site which is currently used for planting vegetables and plants. There is also a limited amount of domestic items including a swing set. The remainder of the site is under equine use.

It is considered that the mixed use applied for will regularise the overall use of the site to a degree that is considered acceptable. The small parcel of land which is used for the allotment/small holding use is within the main site and as such would be difficult to subdivide from the main site.

Concerns have been raised over the use of the site with the introduction of 'residential paraphernalia' in an area with an approved use for allotment/small holding. Whilst it is accepted that the domestication of open countryside is not usually permitted it is considered that the presence of a green house and swing set is acceptable due to the limited scale of the elements especially when viewed within the site as a whole.

### **9.2 Impact on Amenities**

The nearest residential neighbours to the site are Farley Farm Cottage to the north, North Gable to the west and Silverbirch Cottage to the south west.

It is not considered that the change of use to a mixed use would present any additional amenity issues due to the nature of the use of the land. Taking into consideration the distance and relationship between the site and the nearest neighbouring properties, it is considered the proposed development would not unduly disturb, interfere, conflict with or overlook adjoining dwellings or uses to the detriment of existing occupiers.

## **10. Conclusion**

The proposed development accords with the provisions of the Development Plan, and in particular policies G1 & G2 (General Criteria), CN8 & CN11 (Conservation Areas), C2 (The Rural Environment) & C6 (Landscape Conservation) of the saved policies of the adopted local plan, insofar as the proposed change of use is considered appropriate in terms of its principle, and impact on amenities, would not unduly affect the amenity of neighbours, and would not

adversely affect the existing character of the conservation area or the landscape of the surrounding Special landscape Area.

## **11. Recommendation**

### **APPROVAL**

#### **REASON FOR APPROVAL:**

The proposed development accords with the provisions of the Development Plan, and in particular policies G1 & G2 (General Criteria), CN8 & CN11 (Conservation Areas), C2 (The Rural Environment) & C6 (Landscape Conservation) of the saved policies of the adopted local plan, insofar as the proposed change of use is considered appropriate in terms of its principle, and impact on amenities, would not unduly affect the amenity of neighbours, and would not adversely affect the existing character of the conservation area or the landscape of the surrounding Special landscape Area.

#### **And subject to the following conditions:**

1. The development hereby permitted shall be used for a mixed equestrian/small holding use and shall not be used for any other industrial, business or other commercial use/purpose.

REASON: To allow the local planning authority to retain control over the use of the site in the interests of the appearance of the site and the amenities of the area.

**Appendices:**       None