

<b>APPLICATION NO.</b>	<a href="#">P19/S0332/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	5.2.2019
<b>PARISH</b>	BRITWELL SALOME
<b>WARD MEMBER</b>	Anna Badcock
<b>APPLICANT</b>	Mr and Mrs McConkey
<b>SITE</b>	Orchard Close Settlement Road, running west from T junction and the Old Post Office, Britwell Salome, OX49 5LH
<b>PROPOSAL</b>	Installation of equestrian training mirrors and retention of temporary hard standing (as amended by additional plans and information received 29 May 2019 and 11 October 2019 re-locating the entrance gate which will be installed using permitted development rights without planning permission and proposing landscaping).
<b>OFFICER</b>	Victoria Clarke

**1.0 INTRODUCTION**

- 1.1 The application is referred to the Planning Committee because the view of Britwell Salome Parish Council conflicts with the officer’s recommendation for approval, and the application was referred to Planning Committee prior to the change to the council’s constitution.
- 1.2 The application site lies on the edge of Britwell Salome and is shown at **Appendix 1**. The site consists of a paddock and riding arena and forms part of the extended garden area of residential property ‘Orchard Close’. It has been used for the keeping and exercising of horses for a number of years. Vehicular access to the paddock is via an existing field gate onto the road leading down from Britwell Hill and there is pedestrian access to the site from the rear of Orchard Close.
- 1.3 Despite its proximity to the built form of the village, the site is largely rural and open in character. The site falls within Britwell Salome Conservation Area and the roadside edge of the paddock forms the boundary of the conservation area shown at **Appendix 2**. The site also lies within the Chilterns Area of Outstanding Natural Beauty.
- 1.4 There are a number of listed buildings and structures in the vicinity of the site:
- Home Farmhouse Grade II, including Grade II listed stables, barn and attached 23m wall, barn and attached 15m wall, granary and wall. (approximately 70+ metres west/ north west the proposed development)
  - Britwell House and attached walls and coach house Grade II\* (approximately 420 metres south west of the proposed development)
  - Britwell Park garden walls Grade II (approximately 280 metres south west of the proposed development)
  - Bartletts, The Old Post Office, April Cottage and Chiltern Cottage are all Grade II listed buildings located on the road parallel to the B4009 (approximately 40+ metres north of the proposed development)
- 1.5 The application was presented to the Planning Committee on 12 February 2020 but was deferred for the following reasons:
1. A site visit be arranged.

2. Officers to obtain independent legal advice regarding permitted development rights.
3. Clarification in relation to the impact of the visual impact of the mirrors (officers to review the report and check how any glare is assessed).

1.6 In June the mirrors were installed without planning permission in accordance with the proposed plans. Some of the proposed landscaping has also been implemented.

1.7 Members of the planning committee undertook a site visit on 29 September 2020.

## 2.0 PROPOSAL

2.1 Amended plans have been received and the application seeks full planning permission for:

- **Equestrian mirrors**

- A galvanised steel frame to hold nine detachable equestrian training mirrors would be erected. In total it would span a length of 20 metres and have a height of approximately 2.2 metres above the ground level, but 2.6 metres above the surface of the riding arena. It would consist of seven horizontal mirrors and two vertical mirrors fixed to a galvanised metal frame. The two end mirrored panels would be vertically arranged and would be 2.2 metres high and 1.2 metres wide. The mirrored panels in between would be positioned horizontally and measure 2.5 metres wide by 1.2 metres in height and these would be fixed with a maximum height of 2.2 metres from the adjacent ground level. Woven / hurdle fence panels with a height of 2.2 metres would be proposed behind (west side) the mirror structure.

- **Hard standing**

- An area of approximately 260 square metres would be constructed with an MOT Type 1 hardcore subbase and topped with a buff self-binding gravel.

- **Associated landscaping**

- a new beech hedge and fruit trees near to the site access
- beech hedge and silver birch trees along a section of the western boundary of the site (adjacent to the proposed mirrors)
- an orchard of 13 fruit trees to the north of the existing riding arena.
- The applicant has also indicated that additional planting will be added to the east of the riding arena but this is not indicated on the plan.

2.2 A replacement gate was initially proposed adjacent to the road but this has been omitted from the proposal because it is now proposed to be set back into the site and does not therefore require planning permission.

2.3 Copies of the current plans are provided at **Appendix 3** whilst other documentation associated with the application can be viewed on the Council's website:  
<http://www.southoxon.gov.uk/ccm/support/Main.jsp?MODULE=ApplicationDetails&REF=P19/S0161/FUL>

## 3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

<p>3.1 <b>First consultation - proposal:</b></p> <ul style="list-style-type: none"> <li>• <b>2.2m high equestrian mirrors (2.6.m above riding arena surface)</b></li> </ul>	<p><b>Later consultations - proposal:</b></p> <ul style="list-style-type: none"> <li>• <b>2.2m high equestrian mirrors (2.6.m above riding arena surface)</b></li> </ul>
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	<ul style="list-style-type: none"> <li>• <b>hardstanding</b></li> <li>• <b>1.8m high sliding gate</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>hardstanding</b></li> <li>• <b>hurdle fence to west of mirrors</b></li> <li>• <b>planting / landscaping</b></li> </ul>
3.2	<b>Britwell Salome Parish Meeting</b>	
	<p>First consultation: <b>Object</b></p> <p>Mirrors would be a visual intrusion on the character of the conservation area and AONB.</p> <p>Size and reflective properties of the mirrors to the east and their visual impact is concerning.</p> <p>High solid gate detrimental to rural character.</p> <p>Hardstanding was previously allowed on a temporary basis and should have been removed.</p> <p>Concern that hardstanding may be used for storage and permanently parking vehicles / horse boxes to the detriment of the quiet enjoyment of the neighbouring property and harmful to character of the area.</p>	<p>Later consultations: <b>Object</b></p> <p>Despite the amendments the proposal does not conserve or enhance this land within the AONB and Conservation Area.</p> <p>Disturbance and loss of quiet enjoyment for neighbouring properties caused by the use of the hardstanding.</p> <p>Request that bell-mouth of the access is grassed over to enhance visual appearance and reduce surface water run off.</p>
3.3	<b>Conservation Officer (South Oxfordshire District Council)</b>	
	<p>First consultation: <b>Object</b></p> <p>No direct physical impact to any designated heritage assets, but concerned proposal would result in harm to setting of listed buildings / contribution that this part of the conservation area makes to their significance.</p> <p>Open nature of the site and wider landscape is easily perceived and this is very much a part of the area's character when viewed from the higher ground to the south-east. The existing arena is visible from Britwell Hill as you travel towards the village.</p> <p>Many views to and from the village where the direct connection to the open countryside is an important feature of the character of the area and makes a positive</p>	<p>Later consultations: <b>No strong views</b></p> <p>Woven fencing to the rear of mirrors will provide some softening of the panels in terms of impact on listed buildings, but they will remain an inconsistent structure in the open landscape which will not preserve or better reveal the nature of this part of the conservation area.</p> <p>I cannot say that it will have a completely neutral effect on the area and as such consider that it would therefore be harmful to the character and appearance of the area.</p> <p>You should be satisfied that there is a benefit to this if no further mitigation is possible in line with the tests of the NPPF.</p>

	<p>contribution to the significance of the conservation area.</p> <p>Mirror structure would impact the views to and the experience of moving through the conservation area where a current clear view is possible across the paddock land behind Home Farm towards Britwell Hill.</p> <p>The mirrors would not be consistent with other structures and means of enclosure in the conservation area (e.g., barns, sheds, hedgerows, fences or estate railings). Their height and uncharacteristic nature would have a considerable visual impact and would constitute less-than-substantial harm to the designated heritage asset (conservation area) so officers should be satisfied that this is outweighed by public benefits.</p> <p>Proposed gate would enclose the lane and have a negative impact on its character. This could be mitigated by setting it back and using planting to soften its visual impact.</p> <p>No objection to hardstanding.</p>	
3.4	<b>CPRE Oxfordshire</b>	
	<p>First consultation: <b>Object</b></p> <p>Agree with comments made by the Parish Council regarding impact on the AONB.</p>	<p>Later consultations: <b>Object</b></p> <p>Design of gate unsuitable for rural area.</p>
3.5	<b>Ministry of Defence - Defence Infrastructure Organisation</b>	
	<p>First consultation: <b>No objection</b></p>	<p>Later consultations: <b>No objection</b></p>
3.6	<b>Watlington Parish Council (neighbouring parish council) - Object</b>	
	<p>First consultation: <b>Object</b></p> <p>Mirrors inappropriate in the proposed location and the net benefit would not outweigh the harm that such a development would bring.</p> <p>Gate would be inappropriate and out of keeping.</p>	<p>Later consultations: <b>Object</b></p> <p>Amendments do not address fundamental concerns but the impact of the mirrors could be mitigated by the use of some form of cover that could be drawn across the mirrors when they are not in use and that the installation of a roof above the mirrors could shield them from wider view and reduce the impact.</p>

3.7

**Neighbours – 26 consultees have objected to the application**

**First consultation: Objections**

**Harm to AONB and rural landscape character**

- Inappropriate / unnecessary urbanisation / overdevelopment that is visually detrimental to the rural setting and landscape and fails to conserve or enhance the AONB
- Out of character and will not enhance rural area / rural paddock in an AONB will appear more like a commercial equine centre.
- Mirrors will be installed on an elevated area of ground and will be an eyesore / alien and visible from many aspects of the village and surrounding area (Britwell Hill, surrounding elevated countryside including Watlington Hill SSSI, and entering the village by the lane next to Priest’s House), and will negatively impact on the special qualities of the AONB.
- Historic five-bar field gate access will be changed in character by the hardstanding
- Visual impact of hardstanding and parked horse lorry / vehicles on the hardstanding will detract from the character of the area and scenic beauty.
- No need for hardstanding. Current hardstanding was permitted on temporary basis for construction of the riding arena and should be removed. Tractors and field vehicles do not require hardstanding.
- Light pollution / reflective glare from mirror in early morning sun
- Cumulative impact of piecemeal planning applications would greatly impact the AONB and quiet enjoyment of neighbours’ homes and gardens / what was once a rural field is slowly being spoilt.

**Harm to the Conservation Area**

- Inappropriate and visually detrimental to Conservation Area /

**Later consultations: Objections**

Proposed landscaping mitigation would fail to soften the effect and visual impact of the mirror structure.

Proposed silver birch trees would be out of keeping with the natural appearance of the hedge line between Orchard Close and Home Farm.

Silver birches and apple trees would provide little screening in the summer and none in the winter.

Proposed hurdle fencing / backing to screen the mirror structure would unlikely withstand the wind and would need to be anchored with large metal structures.

Screening / landscaping is not a principle that should be applied in an AONB / special characteristics of the AONB will be damaged whether or not the mirrors are visible.

Impact of light pollution / reflective glare from mirrors on wildlife.

<p>back of the mirrors will look out of place like a billboard</p> <ul style="list-style-type: none"><li>– Hedges, bushes, trees and grass verges help to soften the views and reinforce the tranquil, rural feel in the Britwell Salome Conservation Area therefore the hardstanding should be removed in its entirety to the edge of the lane and the grass verge reinstated.</li></ul> <p><b>Harm to setting of listed buildings</b></p> <ul style="list-style-type: none"><li>– Structure of mirrors will be harmful to setting of thirteen listed buildings and structures at Britwell House, Home Farm and Priest’s House</li></ul> <p><b>Highway safety issues</b></p> <ul style="list-style-type: none"><li>– Risk associated with large vehicles accessing the site through the field access on a bend in the narrow lane used by walkers and cyclists.</li><li>– Dazzling / distraction of road users - particularly acute when the sun is low in the sky in the early hours of the morning and through the winter months.</li></ul> <p><b>Harm to neighbours and users of the countryside</b></p> <ul style="list-style-type: none"><li>– Loss of visual amenity of the AONB / will block view of the Chilterns</li><li>– Harm for community but no wider gain or public benefit</li><li>– No control over occasional use for parking / concern about permanent use of hardstanding for parking.</li><li>– Use of hardstanding adjacent to boundary with Fletcher’s will compromise the quiet enjoyment of garden and home. No control over level of use of hardstanding for parking the large horsebox lorry. Loss of privacy from windows of high sided vehicle next to low boundary hedge.</li><li>– Increase in vehicular movements at access and air, light and noise pollution from headlights and engines, electric gate at anti-social hours</li></ul>	
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4.0 **RELEVANT PLANNING HISTORY**

4.1 [P18/S3892/DIS](#) - Approved (07/01/2019)

Discharge of condition 4 - landscaping scheme on application ref. P18/S2962/HH (Extension of an outdoor riding arena for horses.)

[P18/S2962/HH](#) - Approved (30/10/2018)

Extension to outdoor riding arena for horses.

[P13/S2924/NM](#) - Approved (16/10/2013)

Non-material amendment to planning permission P13/S0982/FUL, to amend approved gate to an antique teak style.

[P13/S2201/DIS](#) - Approved (31/07/2013)

Discharge of condition 5 and 6 - application ref. P13/S0982/FUL

[P13/S0982/FUL](#) - Approved (17/06/2013)

Widening of existing domestic vehicular access and new gates.  
Construction of a riding arena.

Widening of vehicular access to paddocks and new gates with temporary crushed concrete driveway to allow for riding arena works.

[P94/N0249/LD](#) - Approved (05/07/1994)

Use of the land for residential curtilage.

5.0 **POLICY & GUIDANCE**

5.1 **National Planning Policy Framework (NPPF)**

**National Planning Policy Framework Planning Practice Guidance**  
'How to consider light within the planning system'

5.2 **South Oxfordshire Core Strategy (SOCS) 2027**

CS1 - Presumption in favour of sustainable development

CSEN1 - Landscape protection

CSEN3 – Historic environment

CSB1 – Conservation and improvement of biodiversity

CSQ3 - Design

5.3 **South Oxfordshire Local Plan (SOLP) 2011 saved policies**

CON5 - Setting of listed building

CON7 - Proposals in a conservation area

C4 - Landscape setting of settlements

C6 - Biodiversity conservation

C7 - Protection of designated sites

D1 - Principles of good design

D2 - Safe and secure parking for vehicles and cycles

EP3 - Light pollution

G2 - Protect district from adverse development

R10 - Keeping of horses

T1 - Safe, convenient and adequate highway network for all users

T2 - Unloading, turning and parking for all highway users

5.4 **Emerging South Oxfordshire Local Plan 2035**

The council is currently progressing the emerging local plan through the examination stage. The plan currently carries limited weight. Relevant policies include;

- DES1 - Delivering high quality development

- DES2 - Enhancing local character
- ENV1 - Landscape and countryside
- ENV6 - Historic environment
- ENV8 - Conservation areas

5.5 **South Oxfordshire Design Guide (SODG) 2016**

Part 2, section 3 - Parking

Part 2, section 7 - Buildings and plots

5.6 **Britwell Salome**

Britwell Salome is not currently progressing a neighbourhood plan.

5.7 **The Chilterns Area of Outstanding Natural Beauty Management Plan 2014-2019**

**The Chilterns Building Design Guide**

6.0 **PLANNING CONSIDERATIONS**

6.1 The main issues to be considered are:

1. Permitted development
2. The impact on the character and appearance of the site, and the Conservation Area
3. The impact on the setting of listed buildings
4. The impact on the Area of Outstanding Natural Beauty
5. The impact on neighbouring properties
6. The impact on highway safety
7. Impact on wildlife

6.2 **Permitted development**

Gate

The proposal has been amended so the proposed gate can be implemented without the need for planning permission using permitted development rights. The gate is proposed to be repositioned further into the site, approximately 8 metres away from the road. Officers are satisfied it would fall within the criteria of permitted development. The gate does not therefore require express planning permission and no longer forms part of this planning application.

6.3 Mirrors

Schedule 2, Part 2, Class A of the General Permitted Development Order (2015 as amended) permits the erection of a fence up to two metres in height provided it is not adjacent to a highway or within the curtilage of a listed building. These rights apply within areas of outstanding natural beauty and conservation areas and there is no restriction on the type of materials used to construct the fence.

6.4 The applicant sought a legal opinion, attached at **Appendix 4**, to establish whether mirrored fence panels fixed between posts could be considered permitted development. In summary, the legal opinion states that the erection of 'a gate, fence, wall or other means of enclosure' is permitted development, subject to height and other restrictions. Such a fence must have some enclosing / separating function and mirrors could not simply be fixed to the existing post and rail fence because the structure is capable of providing enclosure without the mirrors. The applicant's Counsel concluded that a planning authority could lawfully decide a mirrored enclosure, for the purpose of

providing a barrier (i.e., a means of separation and therefore enclosure) could be permitted development. Officers concur with this view.

- 6.5 The proposed mirrors would be attached to, and distinct from, the fence structure and would be greater than the two-metre height threshold and therefore do require planning permission. However, officers are of the opinion that a two-metre high, mirrored fence could be erected on the site without the need for planning permission.
- 6.6 The Council's Litigation and Planning Team Leader reviewed the legal opinion provided by the applicant's Counsel and agrees that the Council could lawfully decide that a 2-metre high mirrored structure would be lawful development. He states that complete certainty would require an application for a certificate of lawful development, and questions how much weight should be given to this permitted development issue. He believes it should be for the committee members as decision-makers to decide how much weight to give this permitted development position.
- 6.7 Officers consider that if the application is refused it is a realistic possibility that mirrors measuring two metres in height forming part of an enclosure would be erected on the site. We therefore consider that when making the decision members should give weight to the potential for erecting a slightly lower mirrored structure using permitted development rights.
- 6.8 **Impact on the character of the Conservation Area**  
Under the National Planning Policy Framework (NPPF) conservation areas are designated heritage assets and their conservation must be given great weight in planning permission decisions.
- 6.9 Mirrors  
The council's Conservation Officer raised concerns about the visual impact of the mirrored structure. She considered it would be an inconsistent structure in the open landscape which will not preserve or better reveal the nature of this part of the conservation area. She acknowledged the hurdle fencing backing will soften the impact of the mirrored structure but does not believe the proposal would have a completely neutral effect on the area.
- 6.10 Planning Officers, however, consider that the garden / paddock site as a whole appears distinct from, and does not read as part of, the conservation area. We consider that the mirrors and their supporting structure do not harm the character of the conservation area. The mirrors are sited at the far end of the field, adjacent to a wooded area, and away from the built form of the village and are not prominent in the landscape. They are sited adjacent to and at 90 degrees to the existing wooded area, and there is a mature hedge along the roadside edge of the paddock.
- 6.11 The mirrors have now been erected without planning permission so it is possible to assess their impact. Glimpsed views of the mirrors are possible from Britwell Hill Road at the point of the field access but they appear as a black surface rather than as mirrors. The applicant intends to install the new access gate set further back into the site on higher ground with additional planting either side which will likely block views into the site from here. The mirrors are also visible at other points along the road from Britwell Hill but this is at a distance of nearly 2 kilometres away and a significant section of the mirrors would be screened from view by the woodland. From Britwell Hill, they are only perceptible to those who know they are there when carefully searching for them.

6.12 The rear of the mirrors are visible from the village road linking the B4009 and Britwell Hill Road at a distance of approximately 125 metres to the north west of the site. Landscaping and woven / hurdle fencing will help assimilate them into the landscape. The hurdle fence will be erected behind the mirrored structure to screen it from views from the north west, the existing beech hedge along the western boundary of the site has been added to, and silver birch trees have been planted along the western side of the site. Officers consider the planting assists well with assimilating the development into the landscape and have therefore recommended a condition securing the retention of the implemented / proposed planting and for additional planting.

6.13 Equestrian activities are common in rural area. The mirrored structure is a feature consistent with the use of the site and does not therefore appear out of place in the context of the other equestrian activity on the site or the other fences, enclosures and outbuildings in the vicinity of the site.

6.14 In officers' opinion, the mirrors and their supporting structure form a relatively small feature in the wider conservation area and are not detrimental to the character of the site and this part of the conservation area. The essentially open character of the conservation area has not changed as a result of the mirrored structure, and neither has its general character. Planning officers consider that the elements that make a positive contribution to the conservation area have been preserved in accordance with paragraph 200 of the National Planning Policy Framework.

6.15 Hardstanding

The Conservation Officer has not raised any concerns about the proposed hardstanding. Planning officers likewise support this element of the proposal. The hardstanding is proposed on the very edge of the conservation area, and it would not harm the significance of the conservation area.

6.16 **Impact on listed buildings and structures**

The mirrors are positioned over 70 metres from the nearest listed structure. With the addition of the hurdle fencing proposed to the rear of the structure, the Conservation Officer and planning officers consider the development would not harm the setting of nearby listed buildings and structures.

6.17 **The impact on the Area of Outstanding Natural Beauty (AONB)**

Section 85 (1) of the Countryside and Rights of Way Act 2000 states, that in exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, the local planning authority shall have regard to the purpose of conserving and enhancing the natural beauty of the AONB.

6.18 SOCS Policy CSEN1 states that the districts landscape character and key features will be protected against inappropriate development and where possible enhanced. Where development is acceptable in principle, measures will be sought to integrate it into the landscape character of the area. High priority will be given to the conservation and enhancement of the Chilterns AONB.

6.19 Mirrors

The mirrored structure measures 2.2 metres in height when measured from the land immediately to the front and rear of the structure, although due to level differences and the existing riding arena being set down into the land, the top of the mirrors sit 2.6

metres above the level of the riding arena. The total structure has a width of 20 metres. The central mirrored panels are 1.2 metres in height with their tops positioned 2.2 metres from the adjacent ground level and only the two end panels would be arranged vertically.

- 6.20 Whilst the mirrors and their supporting structure are apparent from some public view points, and visible within the landscape generally, planning officers consider that the structure largely has the appearance of a fence and is not out of keeping with the character of the site or harmful to the character of the surrounding area including the AONB. The surface of the mirrors reflects the adjacent trees and surrounding landscape.
- 6.21 The hurdle fencing behind the mirror structure would be visible from the village road to the north west but it would appear as any other fence and would be partially screened by the post and rail boundary fence, boundary beech hedge and silver birches. Officers consider the proposal would conserve the AONB and that measures proposed such as planting to the west and north and hurdle fencing will successfully soften and integrate it into the landscape character. The applicant has also offered to implement additional planting to the south of the riding arena to provide additional screening. It is recommended that this is secured by the landscaping scheme condition.
- 6.22 In the opinion of officers, within the wider site and in views of the AONB, the mirrors are imperceptible and are not harmful to the character of the site nor to the wider landscape and with mitigation measures the development would conserve and enhance the natural beauty of the AONB.
- 6.23 Glint and glare  
The mirrors face eastwards and therefore for a very limited time, at certain times of year, may reflect the morning sun from some viewpoints. Given the structure is made up of a number of mirrors, likely positioned at very slightly different angles, officers consider glare will be limited because the sun will not be reflected from one large, flush surface at any one time.
- 6.24 The mirrors also represent a relatively small surface when viewed in the wider landscape and physical features such as the woodland to the south, post and rail fence around the riding arena and hedging around the paddock intercept light and further assist with reducing potential glare. The mirrored surface is only visible from public viewpoints from substantial distances away where the site is viewed in the wider context of the village and where the built form of houses is much more prominent in views and the landscape setting.
- 6.25 Concerns have been raised about the potential for glare within the landscape by a number of objectors. They have submitted a Landscape and Visual Impact Assessment prepared by DP Architects but officers questioned the accuracy of the glare shown in the images which illustrate the mirrors in a similar way to a beacon and we consider it to be misleading.
- 6.26 The planning committee requested clarification in relation to the visual impact of the mirrors. Officers have therefore sought an independent review of the Landscape and Visual Impact Assessment that was submitted by objectors.
- 6.27 A “Glint and Glare Study – Review of Visual Impact Assessment” report was prepared by Pager Power a company that provides technical expertise and guidance on a range of planning issues including glint and glare from solar panels. Their brief was to provide comments on the accuracy of the objectors’ submitted Landscape and Visual Impact Assessment, and where appropriate, undertake accompanying detailed geometric solar

reflection calculations for each of the identified viewpoints set out in the Landscape and Visual Impact Assessment.

- 6.28 The report concludes that the Landscape and Visual Impact Assessment's 'Glare graphic' around locations where views of the dressage mirrors exist could be considered misleading – especially if a solar reflection is not geometrically possible from the viewpoint. The report emphasised that a view of the dressage mirrors does not necessarily mean that a solar reflection is geometrically possible, which was implied in the Landscape and Visual Impact Assessment. The glare zone diagram in the Landscape and Visual Impact Assessment represents a worst-case and does not consider the relative elevation of the mirrors and the viewpoints, the azimuth and elevation angle of the dressage mirrors themselves, the path of the Sun throughout the year and terrain at the horizon.
- 6.29 Detailed geometric modelling has been completed by Pager Power for the viewpoints where a view of the dressage mirrors may be possible. The methodology is typically used for solar photovoltaic developments and reflective building façades, but the same principles exist for mirrors. The methodology was as follows:
- Identify receptors in the area surrounding the proposed development;
  - Consider direct solar reflections from the proposed development towards the identified receptors by undertaking geometric calculations;
  - Consider the visibility of the reflectors from the receptor's location. If the reflectors are not visible from the receptor then no reflection can occur;
  - Based on the results of the geometric calculations, determine whether a reflection can occur, and if so, at what time it will occur;
  - Consider both the solar reflection from the proposed development and the location of the direct sunlight with respect to the receptor's position;
  - Consider the solar reflection with respect to the published studies and guidance;
  - Determine whether a significant detrimental impact is expected.
- 6.30 The calculations found that reflection was theoretically possible towards four out of the nine viewpoints (Points C, G, L and M) used in the Landscape and Visual Impact Assessment, if there wasn't horizontal terrain. However, significantly, no solar reflection is geometrically possible when terrain at horizon is considered because it blocks the sun from view of the dressage mirrors at the time a solar reflection is possible.
- 6.31 The modelling considered the viewpoints set out in the Visual Impact Assessment only. It is likely that solar reflections will occur at additional locations not considered within the analysis and considering the design / position of the dressage mirrors, it is expected any solar reflection would occur near sunrise.
- 6.32 Officers conclude that objectors' Landscape and Visual Impact Assessment glare graphic is an unrealistic representation of the reflection from the mirrors. There may be reflection around sunrise from some viewpoints but due to the sun's movement in the sky any sunlight reflection will last for a very short period of time and will not be constant throughout the day. The effect will be similar to reflections that occur on a daily basis off car or house windows, and whilst a mirror's reflection will be stronger than that of a window, a reflection of sunlight is not as strong as direct sunlight. In addition, the intensity of any reflected light decreases with distance from the mirrors and surrounding trees and other landscape features intercept light at low angles.

6.33 Hardstanding

The proposed hard surfacing would be topped with buff coloured self-binding gravel. The applicant has indicated that they would accept a condition in relation to the colour of the surface if considered necessary. The previously agreed temporary surface was constructed of crushed concrete for which temporary consent was granted because the case officer considered the addition of crushed concrete at the edge of the paddock would have an impact on the character of this part of the AONB. The area of hardstanding currently proposed would be larger than that previously permitted but officers consider the buff gravel would have a lesser impact than the concrete. The surface would not be unusual within the AONB and would in any case be largely concealed from wider views by the boundary hedge at the site's access.

6.34 The hardstanding will change the immediate character of the site but planning officers are satisfied that this element of the proposal is not harmful to the character of the site or the surrounding area. Officers consider the proposed hard surfacing is acceptable and would not be harmful to the character of the site or the AONB.

6.35 **Impact on neighbours**

Concerns have been raised by the Parish Council and local residents about the potential for noise and disturbance, and loss of view and privacy, as a result of the use of the hardstanding to park vehicles in the field. The nearest property to the hardstanding is 'Fletchers' and its rear garden adjoins the application site.

6.36 The applicant has confirmed that they do not intend to use the hardstanding to regularly park vehicles. It is required to enable their horse lorry to load horses from the paddock and turn within the site. The vehicle is usually parked to the front of Orchard Close but the applicant states that occasionally it is not possible to access the front entrance of Orchard Close via the narrow lane due to vehicles parked on the road. On such occasions the horse lorry is parked in the field overnight. The hardstanding will not change the use of the site. Vehicles can currently be parked in the field occasionally without the need for planning permission. Notwithstanding this, it is not anticipated that parking on the hardstanding will become a regular occurrence.

6.37 The access to the field is pre-existing and the hardstanding will not change the use of the field. Vehicles can currently enter the site, so officers consider that vehicle movements and noise will not significantly increase as a result of the proposed development and would not be harmful to the amenities of occupiers of neighbouring property by the way of noise or light disturbance, or loss of privacy. The loss of a view is not a material planning consideration.

6.38 **The impact on highway safety**

Given the position of the mirrors in relation to the road and their distance from the road, officers consider the proposed development would be unlikely to result in harm to highway safety as a result of glare.

6.39 **Impact on wildlife**

A study has been submitted on behalf of objectors as evidence of potential harm that light surfaces and mirrors can have on wildlife, including birds and insects. The council's countryside officer has been informally consulted and does not consider the mirrors a concern in terms of their impact on wildlife.

**7.0 CONCLUSION**

7.1 Permitted development rights exist so that a two-metre high mirrored fence could be erected in the same position as the proposed mirrors without the need for express planning permission. The proposed fence will be 2.2 metres high, and the additional 0.2 metre height above the permitted development criteria, and the development as a whole, would not in officers' opinion result in visual or landscape harm.

7.2 Planning permission should be granted because in the opinion of planning officers, the proposal complies with the relevant Development Plan Policies and, subject to the attached conditions, the proposal would not be detrimental to the character and appearance of the site, the conservation area nor the area of outstanding natural beauty, and would not harm the setting of listed buildings or structures, would not be unneighbourly or harmful to wildlife, and would not be prejudicial to highway safety.

**8.0 RECOMMENDATION**

**8.1 Planning Permission**

- 1 : Development to be carried out in accordance with the approved plans**
- 2 : Materials as specified on the application form**
- 3 : Landscaping scheme to be submitted for approval (to include planting to the west, north and south of riding arena, hurdle fencing to the west)**

**Informative**

- I : No surface water drainage to highway**

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