

Reference: PP-12634642

PLANNING, DESIGN AND ACCESS STATEMENT

**Application for change of land use and
construction of a hard surface tennis court with
surrounding fence at Kimblewick House, Egbury,
St Mary Bourne, Andover, Hampshire SP11 6DN**

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December 2023**

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Philip and Tiffany Fish

1.0 Introduction

This Design and Access Statement provides information in support of a full planning application to allow the construction of a hard surfaced tennis court at Kimblewick House, Egbury, St Mary Bourne in Hampshire. As the proposed location of the tennis court is outside the current residential curtilage a change of use from equestrian to residential use is required. The court will be orientated NW to SE and will utilise the existing layout of the manège to the NE of the Kimblewick House. The tennis court would be used for private domestic purposes. The construction will be of green porous macadam. No floodlights are proposed on the new court.

This statement covers the relevant information with respect to the issues set out in the National Planning Practice Guidance (PPG) adopted on 5 September 2023

The application site retains the foundations and fence of a manège stemming from planning permission ref: BDB/53888 (Approved Oct 2002). Prior to the manège application a change of use from agricultural to equestrian (BDB/52716 - Approved April 2002) was approved along with the construction of a stable.

Currently the fences and railing around the manège have been retained and the surface grassed over and used for various amenity activities.

An electronic version of this statement has been submitted today and is accompanied by the following drawings

:

- Location Plan (Ref PP-12634642, PL-01)
- Block Plan (Ref PP-12634642, PL-02)

2.0 The Proposal

It is proposed to construct a hard surfaced tennis court with surround fencing within the grounds of Kimblewick House, which is situated to the north of the hamlet of Egbury, St Mary Bourne in Hampshire. The hard tennis court will utilise the foundations of an existing manège and will require a change of use from equestrian to residential. The location of the proposed tennis court within the grounds of Kimblewick House is shown on the attached location plan (see Figure 1).

3.0 Development Area

The proposed hard standing for the tennis court will be 40metres by 20metres and will therefore cover an area of approximately 800 sqm (see Site plan Figure 2).

4.0 Location Details

It is proposed that the tennis court on pre-existing but disused horse manège (current grassed over) and will have the same footprint. There would be a gap of around 40 metres between the edge of the court area and the house. To the NE the proposed tennis court/existing manège is screened from the neighbouring agricultural paddocks by mature trees, hedge and stables (Figure 3, View 1). The NW boundary is against approximately 3 acres of paddock, which forms part of the property (Figure 3, View 2). To the SW the boundary to the court is against existing trees which form an effective screen (Figure 3, View 3). To the SE the court would be screened from the road by a mature hedge approximately 3 meters tall (Figure 3, View 4).

To the SE the court cannot be seen from the adjacent road (Figure 4, View 5). To the SW most of the court is effectively not visible from either of the two footpaths (12 and 13) to the SW of the property (Figure 4, Views 6 and 7) or from the neighbouring property (some 80m from the court).

5.0 Design Issues

The boundary of the playing area will be enclosed by fencing which will be 2 metres high at each service end (Figure 5, NW and SE side elevations). The fences along the NE and SW sides of the court will reduce from 2m to 0.9 metres in height (see Figure 5, NE and SW side elevations). All fencing will be based on a high specification post and open mesh chain link system with all steel work painted green. The use of green will help to ensure that the limited areas of open mesh fencing around the court are inconspicuous against the backdrop of soft landscaping along the boundaries.

The tennis court will utilise a 200mm layer of consolidated crushed limestone over a geotextile membrane, overlain by 40mm of coarse Macadam (6mm to 20mm size) with a further 30mm layer of porous Macadam (6mm size) and is summarised in Figure 6. The upper surface will receive a green acrylic colour coat finish, with the court lines marked in acrylic white (see Figure 7). The porous surface will allow the court to drain quickly to avoid any surface water problems.

The existing manège is reasonably flat which means that significant earthworks will not be required to create a level surface for the construction of the court.

There is no lighting proposed to be installed and tennis court would remain in private use by the applicant.

6.0 Overall Environmental and Landscape Impact

The sensitive design of the court using open mesh green coloured fencing and a green artificial grass surface will help to reduce the visual impact within the proposed setting.

The green playing surface will blend well with the adjacent grassed paddock area. Those areas of surround fencing that are visible will be inconspicuous when viewed against the backdrop of soft landscaping.

For these reasons, the court will not have any adverse impact on the local setting or the surrounding AONB.

7.0 Policy Framework

The planning policy framework that provides the basis for determining this application is set out in a variety of local and national planning documents. At the national level, the main reference is the Government's National Planning Policy Framework (NPPF). The NPPF was first published in 2012 when it realigned the framework against which planning applications are determined by introducing a general presumption in favour of sustainable development.

The more recent revised version of the NPPF (Sept 2023) reaffirms the presumption in favour of sustainable development.

Paragraph 10 states "So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development."

In looking at the detail of the Framework, there are a number of statements within the document which are of direct relevance to the determination of this application:

(i) Paragraph 92 emphasises the importance of the planning system promoting healthy communities and includes reference to the benefits of sports facilities. The proposed development of a new tennis court would provide a sports facility which would help to enhance the health and well-being of the users.

(ii) Paragraph 98 also refers to the need to provide opportunities for sport and physical activity. The proposed development would provide a sports facility and thus accord with this policy objective.

(iii) Paragraph 130 sets out the need for high quality and appropriate design that is sympathetic to the surrounding built environment and landscape setting. The proposed development would incorporate high quality design that would minimise the visual impact and help the tennis court blend in with the surroundings.

(iv) Paragraph 154 explains how new development should be planned for in ways that can help to reduce greenhouse gas emissions, such as through its location, orientation and design. One of the benefits that the tennis court would bring would be to reduce the need for the applicant's family to travel away from the property in order to be able to play tennis. This reduction in car travel would help to reduce CO2 emissions.

8.0 Local Policies

The National Planning Policy Framework states that the policies in the Framework are material considerations that should be taken in to account and that the local planning authority can also use older local plan policies but only in so far as they are consistent with the NPPF. In this case, the key document is the Basingstoke and Deane Local Plan (2011 to 2029) which was formally adopted in May 2016.

EM1 (Landscape, AONB, Conservation) and EM3 (Biodiversity), are the Council's key policies that relate to this application. It is considered that the proposed tennis court

complies with the above policies in that there has been careful attention to the siting of the proposed court as well as the design involving **green synthetic surfacing and reduced height open mesh fencing (against the backdrop of adjacent soft landscaping)**.

There would be no significant detrimental impact on the character and appearance of the local setting or the wider countryside. Similarly, the location and design of the court would ensure no material impact on the setting within a AONB. Lastly there would be no adverse impact on biodiversity arising from the replacement of the currently permitted equestrian manège with the proposed tennis court.

In summary therefore, the proposed tennis court meets the tests of the relevant local plan policies.

9.0 Recent examples of tennis courts in rural areas

Figure 8 provides a list of domestic tennis courts that have been approved in rural areas. Many of these courts have required a change of land use and in many cases the locations for those courts have been within land designated as AONB, Conservation Area or Green Belt.

It is clear therefore that the National Planning Policy Framework allows the construction of sensitively designed and located domestic tennis courts (even when such courts require a change of land use).

10.0 Recent appeal cases involving tennis courts

Recent appeal cases suggest that a tennis court is an acceptable form of development in the countryside. In a recent case involving a proposal for a tennis court within the Cotswolds AONB, one Inspector commented:

“Furthermore, the proposed use of a sympathetic green colour for the court’s surface and black fencing would ensure that it would blend with the mature landscaping of its surroundings. As such, any longer distance views that may be had of it would merely be a glimpse of just part of the court, regardless of its markings and use. Moreover, despite its separation from Tanners, in my opinion, the court would be perceived as being within the context of that building, rather than appearing as a divorced and isolated feature within open countryside, due to the dwelling’s own noticeable presence within the landscape.”

The Inspector concluded:

“...For all of these reasons, I find that the proposed tennis court would neither significantly encroach into open countryside nor appear intrusive or out of character with its surroundings.”

See Appeal Ref: APP/F1610/A/12/2170794 Decision date: 01 June 2012

Similarly, in commenting on whether a tennis court is compatible with maintaining the openness of the Green Belt, the Inspector commented:

“The hard standing element of the proposed tennis court, by its very nature, would not affect openness. However, a fence would surround it, but because of its inherent structure, its effect on openness would be very limited, not least since clear views could be obtained through it. The fence, in my opinion, would be perceived as a light, almost transparent structure, and the GB’s openness would be protected, and certainly not harmed.”

See Appeal Ref: APP/H1515/A/12/2187437 Decision date: 14 May 2013.

11.0 Conclusions

This statement has shown that the proposed tennis court will be built within a discreet area of the grounds using a sensitive design involving reduced height fencing and a green artificial grass surface which would help to minimise the visual impact within the proposed setting. The open mesh green fencing and posts and green coloured surface will be unobtrusive against the adjacent paddock land, stables and screening hedges. The existing hedgerows will screen the proposed tennis court and ensure that there is no adverse impact on the AONB. Any minor areas of possible viewing of the court from the two nearby footpaths will be mitigated by additional hedge planting

The national and local planning policy framework provides support for recreational and sporting development in rural areas as long as the development is designed sensitively and does not harm the character of the natural or built environment. Recent local precedent confirms that a tennis court and surround fencing is an acceptable form of development within the countryside including Green Belt and AONB locations. The Government’s National Planning Policy Framework makes it clear that there should be a presumption in favour of sustainable development.

It is clear that the proposed development will bring benefits and have no adverse impacts and is consistent with the policy framework. On this basis, the planning application should be approved.

Philip and Tiffany Fish
December 2023

Figure 1 – Location Plan



PP-12634642

PL - 01



Kimblewick House, Egbury Road, St Mary Bourne, Hampshire, SP11 6DN



Location Plan shows area bounded by: 443462.89, 152217.56 443662.89, 152417.58 (at a scale of 1:1250), OSGridRef: SU43855231. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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Figure 2 – Block/Site Plan

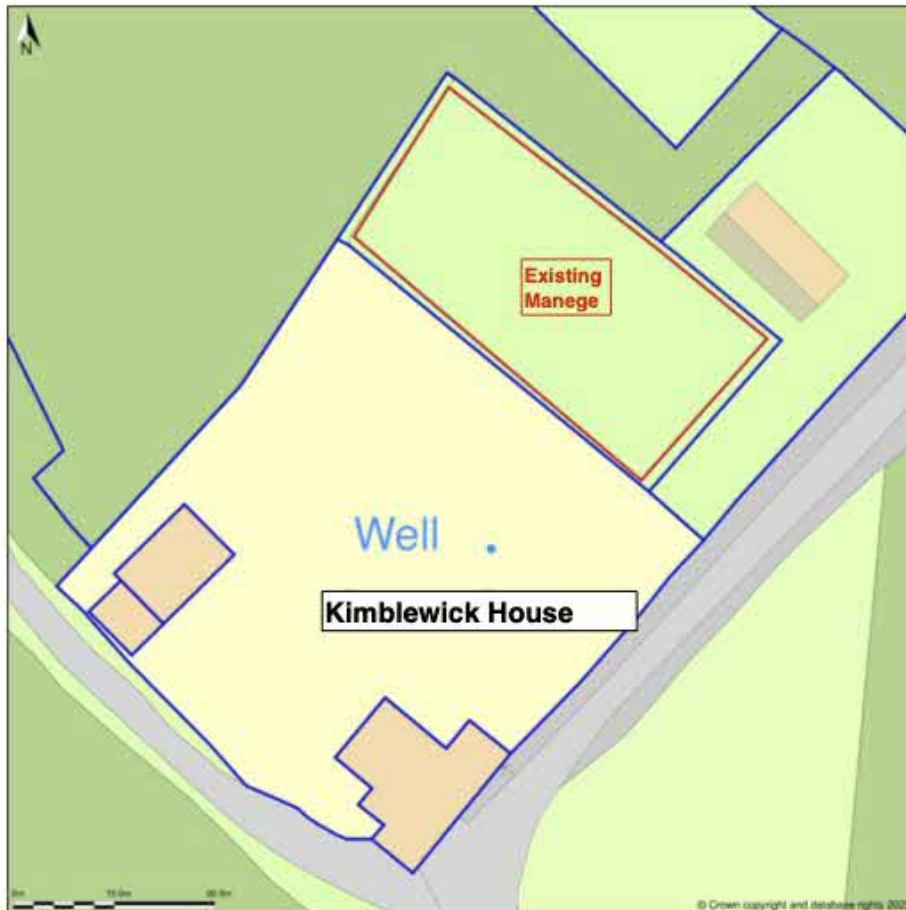


PP-12634642

PL - 02



Kimblewick House, Egbury Road, St Mary Bourne, Hampshire, SP11 6DN

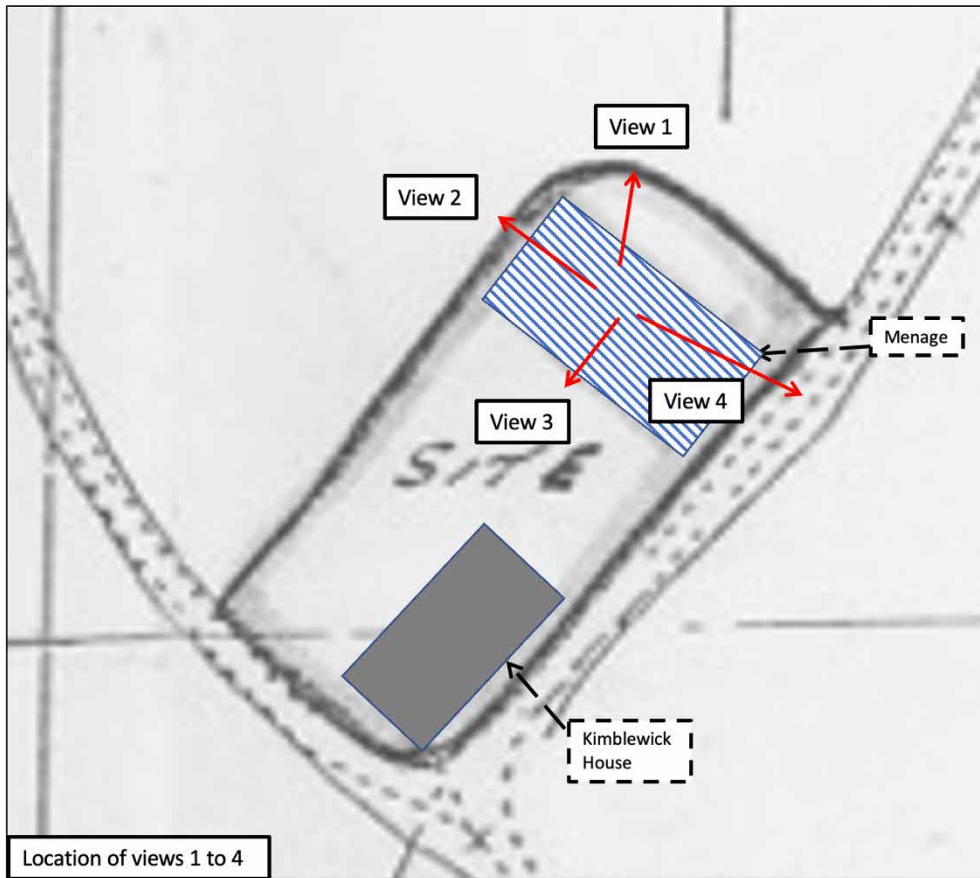


Site Plan (also called a Block Plan) shows area bounded by: 443517.89, 152272.58 443607.89, 152362.58 (at a scale of 1:500), OSGridRef: SU43565231. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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Figure 3 – Views from the proposed tennis court/existing manège towards boundaries



View 1 - Boundary to the NE of the manège



View 2 - Boundary to the NW of manège showing paddocks belonging to property

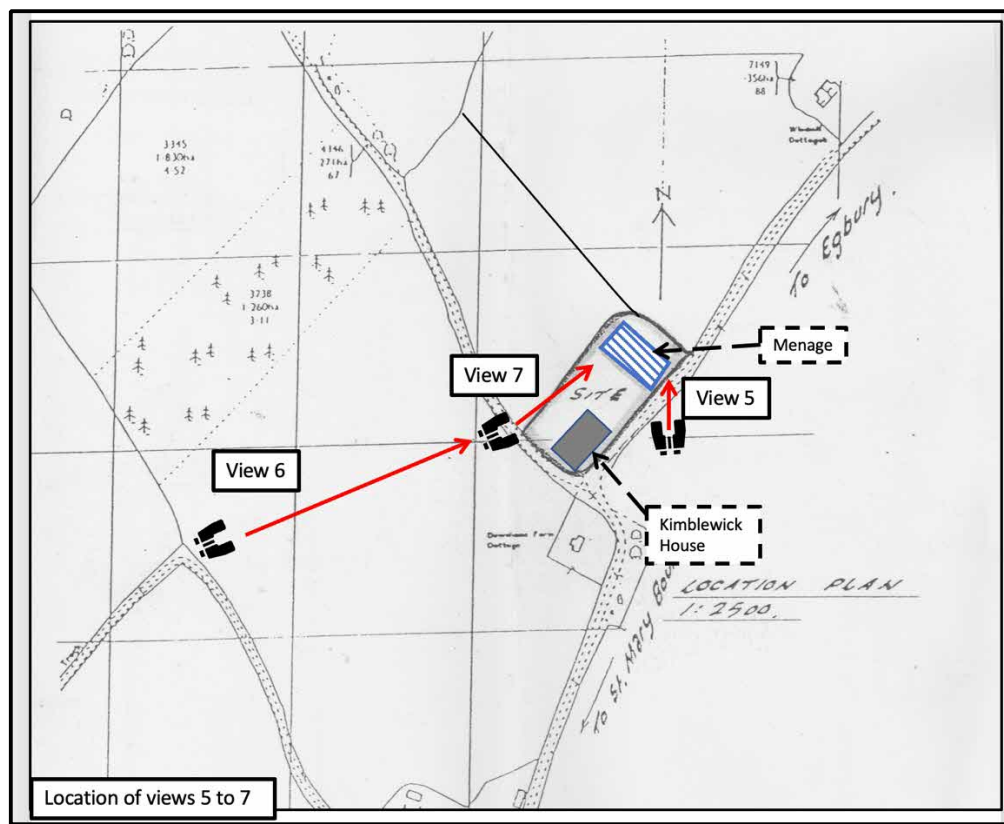


View 3 - Boundary to the SW of manège



View 4 - Boundary to the SE of manège

Figure 4 – Views of the manège/proposed tennis court from the surrounding area





View 5 - View from the road looking north towards manège



View 6 - From footpath 13 looking NE towards manège



View 7 - View looking NE from Footpath 12 towards manège

Figure 5 - Side elevations of proposed court fencing



NE side elevation - Length 40m, height 2m down to 0.9m



SW side elevation - Length 40m, height 2m down to 0.9m



NW side elevation - Length 20m, height 0.9m



SE side elevation - Length 40m, height 0.9m

Figure 6 – All weather Macadam Tennis surface

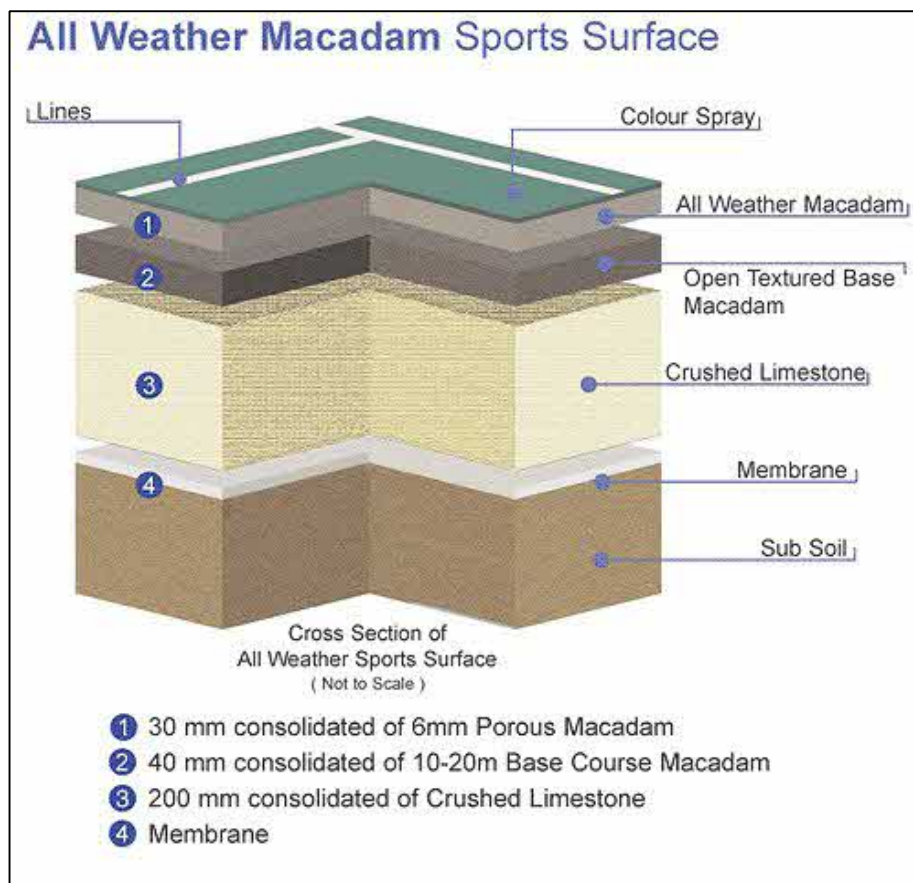


Figure 7 – Example of Macadam construction with acrylic green surface with white acrylic line markings



Figure 8 - Recent examples of tennis courts in rural areas

- (1) 21/03587/FUL West Oxfordshire District Council
Old Vicarage, Taynton, Burford, Oxfordshire.
Change of land use from an equestrian manège to a hard surface tennis court with surround fencing within the Cotswolds AONB.
- (2) S2020/0721 South Kesteven District Council
The Old Rectory, Ingoldsby.
Change of use of an equestrian manège to a tennis court in the countryside and avoiding impact on the setting of a listed building.
- (3) 20/00334/FUL Harborough District Council
Manor House, Main Street, Tilton On The Hill.
Change of use of an equestrian manège to a tennis court in the countryside and avoiding impact on the setting of a listed building
- (4) UTT/2016/3127/FUL Uttlesford District Council
Owls Oak, Little Hallingbury.
Change of use of land from manège to residential to allow construction of a tennis court in the Green Belt.
- (5) CH/2015/2047/FA Chiltern District Council
Land West of Trecarne, Amersham.
Conversion of a redundant equestrian manège to create a hard surfaced tennis court with surround fencing in the Green Belt.
- (6) DM/2015/1632 Mid Sussex District Council
Lywood House, Ardingly, Haywards Heath.
Conversion of an equestrian manège to create a hard surfaced tennis court with surround fencing in the High Weald AONB.
- (7) S15/2507/FULL South Kesteven District Council
Aunby Manor, Stamford.
Conversion of a redundant equestrian manège to create a hard surfaced tennis court with surround fencing in the countryside.
- (8) CH/2015/2047/FA Chiltern District Council
Land West of Trecarne, Amersham.
Conversion of a redundant equestrian manège to create a hard surfaced tennis court with surround fencing in the Green Belt.