

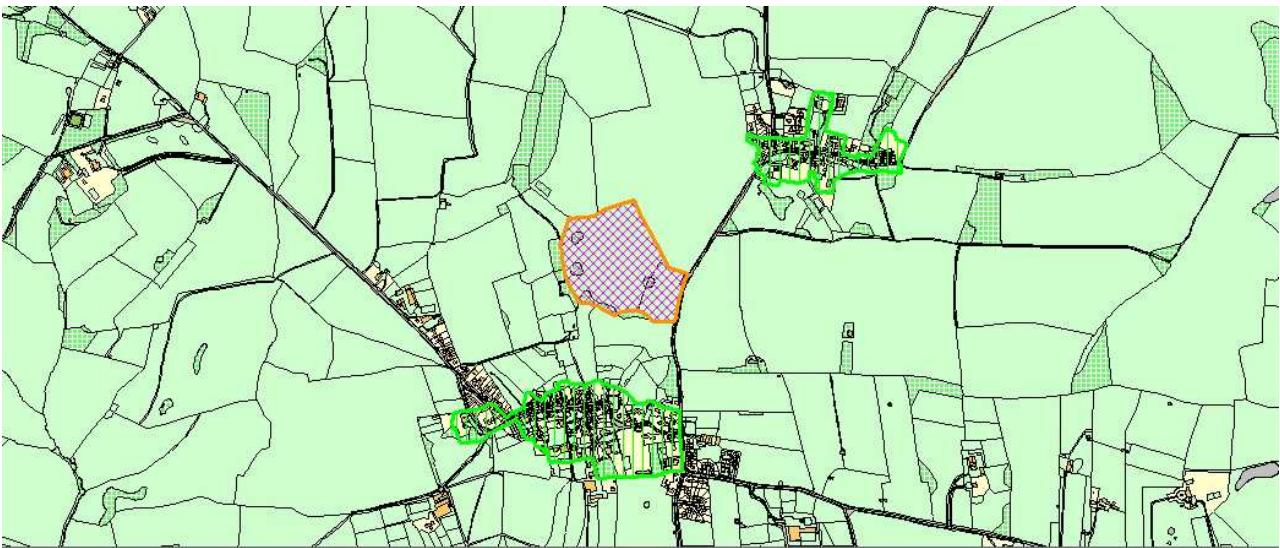
Reference: 16/00101/FUL

Date submitted: 07.04.2016

Applicant: Mr A Smales

Location: OS0003 and OS8800 Somerby Road Pickwell

Proposal: Relocation of existing equine training business to Somerby, including new stable barn, all weather exercise area and horse walker, associated new dwelling, new access road and improved existing access gateway.



Proposal:-

This application seeks full planning permission for the proposed new facilities of stables exercise area and house to allow the relocation of an existing business from Allextion Rutland to Somerby Road Pickwell.

The site area is 9.59ha and is currently a grass field to the north of Somerby west of the Somerby to Pickwell Road. The site is bounded to the north by an established hawthorn hedge, to the west by an existing group of mature trees and open field, to the east and south by open grass field. There is an existing field access gate and track off the Pickwell to Somerby Road, there is a public footpath cross the applicants land to the south east of the site.

The proposed development consists of

- A new stable barn providing 20 stables and storage space
- New all weather exercise area and horse walker
- A new dwelling for use as a family home by a skilled worker in relation to the equine business
- Improved access gateway and access road to barn.

It is considered that the main issues arising from this proposal are:

- **Compliance or otherwise with the Development Plan and the NPPF**
- **Impact upon the character of the area**
- **Impact upon Highways**

The application is required to be presented to the Committee due to the level of representations received.

History:-

No planning history on this site.

Planning Policies:-

Melton Local Plan (saved policies):

Policy OS2 – planning permission will not be granted for development outside the town and village envelopes except for, amongst other things, limited small scale development for employment, recreation and tourism which is not significantly detrimental to the appearance and rural character of the open countryside.

Policy BE1 - Siting and design of buildings: allows for new buildings subject to criteria including the design harmonising with the surroundings, no adverse impact on neighbouring properties by loss of privacy or outlook, adequate space around and between buildings being provided and adequate access and parking arrangements being made.

Policy C4 – Stables, riding schools and kennels: allows for the use of existing farm buildings and erection of new buildings within existing groups of farm buildings outside the town and village envelopes for stables, riding schools and kennels subject to certain criteria that there would be no adverse effect on the form, character and appearance of the building or rural character of the area; and that there would be no adverse effects on highways safety.

The National Planning Policy Framework introduces a ‘presumption in favour of sustainable development’ meaning:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out -of- date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

The NPPF offers direction on the relative weight of the content in comparison to existing Local Plan policy and advises that whilst the NPPF does not automatically render older policies obsolete, where they are in conflict, the NPPF should prevail. It also offers advice on the weight to be given to ‘emerging’ policy (i.e. the Local Plan) depending on its stage of preparation, extent of unresolved (disputed) issues and compatibility with the NPPF.

It also establishes 12 planning principles against which proposals should be judged. Relevant to this application are those to:

- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings
- Not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives.

On Specific issues it advises:

Delivering a wide choice of high quality homes

- To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- The essential need for a rural worker to live permanently at or near their place of work in the countryside; or
- Where such development would represent the optimal viable use of a heritage asset or would be appropriate at enabling development to secure the future of heritage assets; or
- Where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting or
- The exceptional quality or innovative nature of the design of the dwelling, such a design should
 - Be truly outstanding or innovative, helping to raise standards of design more generally in rural areas
 - Reflect the highest standards in architecture
 - Significantly enhance its immediate setting; and
 - Be sensitive to the defining characteristics of the local area.

Require Good Design

- Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- Planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Conserving and enhancing the natural environment

- Paragraphs 109-115 state that valued landscapes should be protected and enhanced, with great weight given to the protection of designated landscapes and scenic areas (i.e. national Parks). Development should avoid noise that would give rise to significant adverse impacts, and areas of tranquillity should be identified and protected.

This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. (NPPF para. 12)

Consultations:

Consultation reply	Assessment of Head of Regulatory Services
<p>Highways Authority: Following earlier comments the applicant submitted a revised access layout, the LHA were consulted on the amended drawing and advised that the details are now considered acceptable subject to conditions addressing: access and visibility.</p>	<p>The revised access has been assessed by the Local Highway Authority who subject to conditions raises no objections to the proposal.</p> <p>There are considered to be no grounds to resist permission based on highways issues.</p>
<p>Conservation Officer</p> <p>The Design and Access Statement states the use of traditional exterior materials such as natural stone walls and slate roof will ensure the proposed house appears typical to the Somerby area.</p> <p>6.10 The stable barn is to be of typical rural (farm) building materials of concrete and timber with profiled fibre cement sheet roof, frequently approved in the MBC area.</p> <p>As such the materials proposed are acceptable for the conservation area, the impact is not harmful to the character of the conservation area. Furthermore equestrian use on open fields is</p>	<p>It is noted that the site is not within a Conservation area but both the surrounding villages are of Conservation status.</p> <p>The site has been assessed upon its impact to the two Conservation designated villages and impact on the open rural setting of the site.</p>

<p>considered a positive use of a conservation area.</p>	
<p>Ecology</p> <p>Following a revised Ecology Survey submitted to the LPA. Ecology commented on the amended survey as follows</p> <p>The additional site survey information provided (Philip Irving, May 2016) indicates that the site as a whole (the whole field) would just meet Local Wildlife Site criteria due to the botanical diversity of the site and by definition is of county level importance. However, we do accept the point that the development would involve the loss of a relatively small area of grassland and the proposed developed would allow for the continuing use and management of the land.</p> <p>Therefore there are no objections to this development, subject to the construction works taking place in as small an area as possible. The working area should be defined and marked on the ground to prevent accidental damage elsewhere in the field. If possible, we would also request that compliance with the management detailed within emails from the applicant (see opposite)</p> <p>There may be external lighting proposed with the development. The site is situated in the countryside and is therefore likely to currently be dark at night. Recommend that all lighting is designed in such a way as to avoid excess light spill. Advice is that light spill onto hedgerows does not exceed 1lux, as values above this may impact on the use of the hedgerows by bats. It may be appropriate to request additional details of light spill as a condition of the development.</p>	<p>The applicant detailed a Grassland Management Strategy within an email that stated.</p> <ul style="list-style-type: none"> * No changes to the grazing levels are proposed * No changes to the current system of management are proposed * The whole site will continue to be grazed with horses and when required by cattle or sheep to help maintain the existing grass sward * That will be cut in years when there is sufficient grass on areas where the ground is sufficiently flat * No silage making is proposed – this will help ensure flowering/seeding success of grasses and herbs as silage would be cut before the flowers/herbs set seed. * It is important to retain the old permanent pasture as it is ideal for grazing by horses as it is much more resilient than a modern high productivity Italian Rey Grass sward would be. * Any weed control treatments in the areas of higher ecological interest will, as at present, be carefully carried out using knapsack sprayer spot or small area treatment rather than tractor mounted wide spray booms.... Mainly to control inurious weeds such as thistles and docks as well as nettle patches etc. * For this and other reasons the applicant has no intention of agriculturally improving the more ecologically interesting grass areas of the field and will continue the management he and predecessors have been carrying out for many years that have retained the ecological value of the site to date. <p>Matters concerning lighting can be conditioned for the submission of details prior to development.</p>
<p>Local Lead Flood Authority</p> <p>Initial comments from the LLFA advised that the proposed development was not acceptable and advised refusal on the following grounds</p> <p>The application includes no drainage information to enable an assessment to be carried out in relation to the impact on flood risk and the appropriate management of surface water within the site.</p> <p>The LLFA would require</p> <ul style="list-style-type: none"> * a greenfield run-off calculation based on the 	<p>Following initial concerns raised by the LLFA the applicant has submitted a revised drainage strategy and also amended the proposed drainage to the site accordingly.</p> <p>The revised details were assessed by the LLFA who now raise no objection to the proposal subject to conditions.</p>

<p>development area of the site, * identification of the outfall for surface water drainage system * assessment the SuDS features that could be utilised * the storage required to limit flows</p> <p>Based on the rural nature of the site, the LLFA would be keen to see SuDS that would blend into the natural surroundings are enhance the amenity and bio-diversity of the area in line with industry best practice guidance CIRIA C753.</p> <p>Additional details were sought and submitted to the LPA for consideration, revised comments from the LLFA state</p> <p>The proposed development will be acceptable subject to conditions.</p>	
<p>Access Officer</p> <p>Public Footpath D68 runs through the field in which the development is proposed but it should not be directly affected by the proposed new buildings. The footpath exits on to the pavement on Somerby Road via a stile, approximately 30m south off the proposed access to the development.</p> <p>No objection to the application, although the new buildings will be visible to users of the footpath, its use and enjoyment should not be affected by the development unless the owners intend to separate the field into paddocks in the future, this would be the subject of a separate discussion between the operator of the business and the Highway Authority, conditions are recommended.</p>	<p>Noted.</p>
<p>Severn Trent Water Ltd</p> <p>Severn Trent Water Ltd has No objection to the proposal subject to conditions.</p>	<p>Noted.</p>
<p>Parish Council</p> <p>Somerby Parish Council voted unanimously to object to this application on the following grounds:</p> <p>Visual Impact</p> <p>The building is 42m x 22m 7 m high; a considerable size, on the plateau between Somerby and Pickwell, an area of outstanding countryside, and clearly intrudes on the view from all directions. If allowed, this development will be seen from the rear of the homes of residents on the north of High Street, The Field and Burrough Road, Somerby. In addition there will be clear visibility from Pickwell Road, Somerby.</p> <p>Access and Egress</p>	<p>The site is currently open countryside and any building in this location would alter the appearance of the countryside, however the materials chosen and the location of the proposal will assist in the cohesion of the proposal to its rural setting. It is common to find equestrian businesses in remote settings and it is not considered that the proposal will be out of keeping or cause significant harm to the surrounding area.</p>

<p>The site is close to a bend on a country road with a 60mph limit, and one along which vehicles speed. It is also noted from the plans that the increased visibility splay is created by extending the exit towards the bend the dangerous direction. It would also appear that there must be a lot of vehicle movements when you consider the scale of the operation. The application indicates provision of six car parking places and two places for horse transportation vehicles. The application form does not ask for any estimate of other user traffic and none is given. Such traffic exiting onto a 60 mph road is unacceptably dangerous, exacerbated by the fact that horse transportation vehicles manoeuvre and travel slowly.</p> <p>Waste Storage</p> <p>There is no mention of storage which will presumably be needed for the occupants of 20 loose boxes.</p> <p>Lighting</p> <p>There is little mention of this in the D&A Statement or the application. By the very nature of the schooling etc. done on the proposed site there must be considerable illumination extending into the dark hours for much of the year. Before any consideration can be given to the application there must be a full explanation to what lighting is proposed and at what hours.</p> <p>Trees and Hedges</p> <p>A response no is recorded for the second part of question 15, trees etc. Adjacent to the site, there are two mature chestnut trees, one immediately behind the style in the boundary hedge.</p> <p>Trade effluent</p> <p>The comment waste storage applies</p> <p>Over intensification</p> <p>There are already three equestrian businesses within a 1 mile radius of the site.</p> <p>Rejection of the application is recommended but, should the application succeed then there must be aa condition that tree planting is done such that the barn and exercise areas are completely screened.</p>	<p>Due to the nature of the business, it is common to find them in remote rural settings, fields and sites within this type of setting are commonly served by an access from a 60mph road. The Agent has provided a revised access drawing that has been reviewed by the Highways Authority who raise no objection to the proposal, the access details and the level of traffic combined with allocation of parking is considered acceptable for the proposed development.</p> <p>The proposal includes an element of storage, details of this is contained within the Design and Access Statement and the submitted plans.</p> <p>As per the Ecology comments above, details of lighting can be conditioned to be submitted prior to the commencement of the development to ensure they are appropriate</p> <p>The applicant has stated that they do not intend to remove any of the existing trees on site, they also take note of the Parish Council comments and are willing to provide additional landscaping to the site; details of this can be conditioned.</p> <p>Trade waste will be dealt with by means of a licence separate to the controls of planning legislation.</p> <p>There is no set limit on the proximity of such enterprises to one another or an overall limit. However the impact of the proposal should be considered in this context and ‘cumulative impact’ is one such consequence. However no evidence has been submitted to demonstrate that the development would result in undue harm as a result of its impacts adding to those already present from other facilities.</p> <p>The address has been altered.</p>
---	---

Finally, it is noted that the Site Address Details are incorrect. The site is land adjacent to Pickwell Road, Somerby, for which the postcode is Le14 2 PG

Representations:

A site notice was posted and neighbouring properties consulted. As a result **9 letters of objection have been received from 6 households**; the representations are detailed below:

Representations	Assessment of Head of Regulatory Services
<p>Impact upon the Character of the Area</p> <ul style="list-style-type: none"> • A survey of trees is required • Such a building will impact visually on the area and will threaten the individuality of the two villages. • It will, like other equestrian developments present considerable light pollution in a rural area. • The application is located on historical estate land with very mature trees and well used footpath running through • It would be on land which forms an area of separation between Somerby and Pickwell and would be on open countryside all around. • The trees should be protected. • The house is just ugly and a hideous encroachment on what is a beautiful unspoilt landscape. • The large concrete shed behind is even worse. • There is no justification to provide 20 horse boxes in this location. • Parking for 10 cars, a long access drive and another eyesore of gates is visually not acceptable in this context. • The proposal disregards the setting of each Conservation Areas and churches together with the surrounding Listed Buildings and historical landscape. • This appears a purely speculative application which does not fit into the context of Somerby and its environs. • The Melton and Rushcliffe Landscape Sensitivity Study, in section 7.5 and onward defines the Character of LCU 12 and LCA 15 and rates this area's sensitivity to change from development as Medium to High regarding landscape/scale, inter visibility, scene qualities, perceptual qualities (tranquillity/sense of rural remoteness) and rates this area Highly sensitive to changes in skyline. It states the lack of 	<p>At present the site is an open field with little obstruction, the site is surrounded by open countryside with very little development present within the surrounding area.</p> <p>The proposal will be visible from the footpath running across the site.</p> <p>Development of this type is usually found within open rural areas due to the nature of the business and potential impact it may cause on surrounding residential dwellings.</p> <p>The buildings have been designed so that they sit well in the open rural backdrop and are not significantly overbearing when passing the site.</p> <p>Local stone and materials found within both Somerby and Pickwell are proposed to ensure that the development responds to local architecture.</p> <p>The application has been assessed by the Conservation Officer who does not object to the proposal and concludes that equestrian use is a positive conservation to an open field.</p> <p>The applicant has agreed to provide additional landscaping details, which once implemented will further ensure that the proposal assimilates well to its surroundings.</p>

<p>development on escarpments is pronounced and sensitive to change from development.</p> <ul style="list-style-type: none"> • The MBC Areas of Separation, Fringe Sensitivity Study, and Local Space evidence to the new local plan (2015) states development in LCZ 2 Somerby North as Medium to High Sensitivity and at odds with intact historic parkland landscape (of Somerby Hall) and states development is best avoided. • The application proposes a business site with associated staff dwelling and including a large barn, large all weather ring, roadway and parking to accommodate customers. These features will have a significant adverse impact on natural and historic landscapes characterised in the above MBC landscape studies. 	
<p>Impact upon Highway Safety:</p> <ul style="list-style-type: none"> • The road access is onto a very busy road where cars travel in excess of 50mph. • A visibility splay will be required for safety if this is allowed, which will impact on mature trees. • This development will be a danger to traffic travelling on the Pickwell/Somerby Road. Two weeks ago (representation dated September) on a Sunday evening there was a collision between a 4x4 and an agricultural vehicle at the entrance to this site clearly demonstrating the risk of this development. I am sure the police and the applicants can provide details of the incident. • The access is on a difficult section of road and there is no visibility splay provided. • Hence accident waiting to happen. • Has a risk assessment been carried out which included the number of horses and cycles which use the road as well as the vehicles plus HGV's. • We have a weight limit on the road through Leesthorpe, Pickwell and Somerby a development that could increase the number of HGVs in the area should not be allowed. 	<p>The Local Highway Authority have raised no objections to this proposal, based upon the submission of a revised access to the site.</p> <p>The site will be provided with a new access with appropriate geometry and sightline provision, thus improving on the current position and the dangers described.</p> <p>If the proposal was refused, horses would still be able to be present making use of the land that currently forms the application site and would generate the need for transport to and from this location.</p> <p>There are considered to be no grounds to resist permission based on highways issues.</p>
<p>Ecology</p> <ul style="list-style-type: none"> • There are badger setts on the proposed site and no impact assessment has been done. • Dark skies are just as much a feature of the countryside as are the daytime scenery and wildlife and help differentiate between rural and urban landscapes. 	<p>Revised details were submitted following an objection received from Ecology.</p> <p>The revised details have confirmed that there would be no impact upon the ecology of the site, subject to safeguarding conditions.</p>

<ul style="list-style-type: none"> • The pasture in which the development is proposed has been pasture land for in excess of 35 years to my knowledge, will a full and complete environmental study be carried out? • The development is environmentally unsustainable due to loss of valued landscape, which currently forms a bounded area of separation between Pickwell and Somerby, with little public benefit. • The business purpose of the development, with associated traffic level and movement will change the tranquil, remote and rural character of the landscape. • The size, scale and height of the barn and house will change the open skyline which is rated highly sensitive to change. • Lighting for the outdoor ring will affect the rural and remote character of the landscape and add cumulative adverse effects on skyline. • The elevated position of this development is highly inter-visible with its surroundings, and no assessment has been made on inter visibility with landmark heritage assets in this area. • Somerby Church from which is a key view exists from the footpath and the site, will be adversely affected. • The fringe sensitivity study states development would be adverse to the character of historic landscape which currently forms a recognisable and bounded area of separation between Pickwell and Somerby. 	<p>Additional information with regards to the lighting to be used can be conditioned to be submitted prior to commencement of the development.</p>
<p>Other Considerations</p> <ul style="list-style-type: none"> • This offers no benefit to the parish and considerable negative impact. • The proposal to use the existing surface water drainage via the ditch at the southern boundary and thence via the stream travelling north will exacerbate the flooding in Leesthorpe. • Recent rains have resulted in serious flood of the Pickwell Leesthorpe road at Leesthorpe Hall. Developments in the Somerby area are exacerbating flooding as all proposed developments will use this drainage route, without attention to address drainage infrastructure problems this, along with other proposed developments in Somerby, will make matters considerably worse. • There needs to be an assessment of the flooding implications over the course of the drainage system and NOT restricted to the immediate site before applications are 	<p>The relocation of an existing established business to the Borough of Melton is welcomed and it is probable that the proposal would lead to users of the business visiting Melton and the surrounding area to boost the local economy.</p> <p>Drainage details have been assessed by the LLFA, who requested and received amended details, the LLFA are now confident that the proposal will not lead to additional flood risk within the locality.</p>

<p>considered.</p> <ul style="list-style-type: none"> • I am concerned that although this development is for one associated dwelling, there could be an application in future for more dwelling and change of use of the land and property. • Development here would make further applications along Pickwell Road more likely and the beautiful and historical heritage of this area of Somerby open to destruction. If allowed there would be very strict caveats and there should never be any further property development on the site. • With reference to the proposed lighting; item 1, standard yard lighting is not defined and is therefore open to interpretation. • Item 2 does high level mean tall or bright? Again this is not defined and is therefore open to interpretation. • There are many examples of over bright, badly directed lighting in the area. • These are not only ineffective, but are a waste of energy and are intrusive. Any lighting in this dark site will be visible over a wide area. • If this development is to take place, it should be made a condition that no outdoor lighting follows – at the very least- the guidelines found in the Institution of Lighting Professionals ‘Guidance notes for the reduction of Obtrusive Light’. • A curfew on the exercise area lights would be essential so that they are not left illuminated when not needed. • Quite clearly this has not been thought through nor has any consultation with the residents of either village. • We already have an offensive smell from the pig farm when the wind is in the east we could potentially have the smell of horse manure when the wind is in a southerly direction. • The degree of public benefit from employment or from encouraging outdoor exercise is low because there are already two large equine establishments in Somerby and a number of smaller businesses currently meeting this need. 	<p>The dwelling will be conditioned to be used in connection to the business and will not be an ‘open market’ dwelling. Any further development of this site or indeed along the Pickwell Road would be considered on its own merit, given the value of the horses on the site and their needs it is not considered that one dwelling associated to the business is unreasonable.</p> <p>Lighting has been addressed previously in this report and can be controlled.</p> <p>A site notice was posted at the entrance to the site, ensuring those who use Pickwell Road would have been alerted to the application. The application was also advertised in the Melton Times. Due to the remoteness of the site there are no properties that share a boundary with the site and therefore no neighbour letters were issued in this instance.</p> <p>Waste from the proposal will be cleared in accordance with a trade waste licence that will be obtained. Smells from animals are a common occurrence within a rural area but there is not considered to be a significant smell intrusion caused by this proposal.</p> <p>The siting of other businesses of a similar type within the local area is an indication of the suitability of the site within this location. The business is already established and will therefore bring some existing trade from the current site in Rutland.</p>
--	--

Other material considerations (not raised through consultation or representation)

Consideration	Assessment of Head of Regulatory Services
<p>Compliance (or otherwise) with Planning Policy</p>	<p>It is considered that the proposal complies with policy OS2 which seeks to allow development outside of the village envelope for small scale development that does not detract from the countryside, and policy BE1 which seeks to ensure that new buildings harmonise with their surroundings. Policy C4 allows for the erection of new buildings providing there would be no adverse effect on the form, character and appearance of the building or rural character of the area. And that there would be no adverse effects on highways safety.</p> <p>Whilst there are no existing buildings on the site the proposal is an equestrian use that would be located in a remote setting, however it is not considered that the proposal would have a harmful impact upon the character of the area due to the design and the additional landscaping to be agreed.</p>
<p>Impact upon Residential Amenity</p>	<p>The site is located on a large open field, the closest residential dwelling would be the applicant with a substantial distance to any other neighbouring dwelling.</p> <p>It is therefore considered that the proposal will not have a detrimental impact upon any existing or future neighbours given the proximity to surrounding buildings.</p>
<p>Functional need as per Paragraph 55 of the National Planning Policy Framework</p> <p>Delivering a wide choice of high quality homes To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:</p> <ul style="list-style-type: none"> • The essential need for a rural worker to live permanently at or near their place of work in the countryside; or • Where such development would represent the optimal viable use of a heritage asset or would be appropriate at enabling development to secure the future of heritage assets; or • Where the development would re-use 	<p>The proposal has been assessed by an Agricultural Planning advisor who concluded that there is no equestrian support for the proposal as the existing enterprise is unable to sustain the cost of the relocation, in addition, the unit and the equestrian activity concerned have not been established for at least three years, as the equestrian activity is currently carried out at Allexton not the application site. If the Local Planning Authority accept the principle of the relocation to the application site, and give approval for the stable barn, horse walker, etc., I consider equestrian support for a temporary dwelling for three years may be appropriate.</p> <p>Additional information was sought from and submitted by the applicant which stated the following</p> <p><i>“The business will relocate en masse with the same clients, horses, machinery, labour and day</i></p>

<p>redundant or disused buildings and lead to an enhancement to the immediate setting or</p> <ul style="list-style-type: none"> ● The exceptional quality or innovative nature of the design of the dwelling, such a design should <ul style="list-style-type: none"> - Be truly outstanding or innovative, helping to raise standards of design more generally in rural areas - Reflect the highest standards in architecture - Significantly enhance its immediate setting; and - Be sensitive to the defining characteristics of the local area. 	<p><i>to day management. The relocation is only 8 miles and the business is not location dependant and can operate from any suitable site in the UK.</i></p> <p><i>There is therefore no reason to doubt that the business will succeed and grow at Somerby as there will be increased resources and opportunities with more land, better facilities and better quality land</i></p> <p><i>The clients are currently national and internationally based and all clients are to remain with the business upon the move to Somerby.</i></p> <p><i>The same feed merchants, vets, farriers etc. will service the business at the new site.</i></p> <p><i>With regards to finance, we would argue that this successful business is not location reliant but resource reliant and that Somerby offers a better chance for the future by supplying more and improved facilities.</i></p> <p><i>With 20 or more valuable horses in the yard there is a definite animal welfare requirement for someone skilled to be resident on the site, as proven by the many equine rural business dwellings that there have been granted all over the UK not just by MBC</i></p> <p><i>If no form of accommodation were to be approved then the business would really be put at risk as horse owning clients would remove their horses and the applicant would not in any case make such a move to insecure ill-managed premises”.</i></p> <p>The LPA have reviewed these comments and are in agreement that in this case, the functional need for a dwelling is met, the established business use has been supported by financial information that has been reviewed accordingly.</p>
---	--

Conclusion

The application proposes the relocation of an existing equine training business to Somerby including new stable barn, all weather exercise area and horse walker, associated new dwelling, new access road and improved existing access gateway. The details have been considered by the Local Highway Authority who have confirmed that there would not be a detrimental impact from this proposal.

It is considered that whilst the site is located within an open rural location that the proposal has been designed to harmonise well amongst its surroundings with the use of appropriate materials found within neighbouring villages and additional landscaping and screening would be provided on the site.

It is considered that the design, size and location of the proposal is acceptable for the location where it is common to find equestrian businesses and other examples can be found locally. The location of the proposal is suitable to ensure that there is no significant impact upon any residential dwellings near to the location.

As such, the proposal is considered to meet the objectives of policies OS2 and BE1 of the Melton Local Plan, and the relevant sections of the NPPF. Accordingly the proposal is recommended for approval.

Recommendation: PERMIT, subject to the following conditions

1. The development shall be begun before the expiration of three years from the date of this permission.
2. The occupation of the dwelling shall be limited to the person with day to day responsibility for the management of the equestrian use (and his/her dependents or the widow/widower of such a person) and shall not be sold, leased or disposed of separately.
3. The proposed development shall be carried out strictly in accordance with plan drawing numbers

13212/01
13212/02A
13212/03A
13212/04A
13212/05
13212/06
13212/07-A
Smales/2016-10

Received by the Authority on 16.02.2016, 07.03.2016, 08.04.2016 and 17.05.2016

4. No development shall start on site until all external materials to be used in the development hereby permitted have been agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
5. Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development Order) 2015 or any subsequent amendment to that order, no development within class A, specified in A, B, C, D and E shall be carried out unless planning permission has first been granted for that development by the Local Planning Authority.
6. No development approved by this planning permission shall take place until such time as a construction details for the proposed swale has been submitted to, and approved in writing by, the local planning authority. The drainage scheme shall be fully implemented and subsequently maintained, in accordance with the timing and phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Full details for the drainage proposal should be supplied, including but not limited to, headwall details, pipe protection details (e.g. trash screens), long sections and a plan of the drainage layout.

7. No development approved by this planning permission shall take place until such time as a detailed construction phasing plan has been submitted to, and approved in writing by, the Local Planning Authority.

Details within the phasing plan should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided.

8. Before any external lighting is erected in relation to the use hereby approved, full details shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
9. Works shall be carried out in accordance with the Grassland Management details received by the LPA in May 2016.

10. No development shall start on site until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall indicate full details of the treatment proposed for all hard and soft ground surfaces and boundaries together with the species and materials proposed, their disposition and existing and finished levels or contours. The scheme shall also indicate and specify all existing trees and hedgerows on the land which shall be retained in their entirety, unless otherwise agreed in writing by the Local Planning Authority, together with measures for their protection in the course of development.
11. If any vehicular access gates, barriers, bollards, chains or other such obstructions are to be erected they shall be set back a minimum distance of 15 metres behind the edge of carriageway of Pickwell Road and shall be hung so as not to open outwards.
12. The gradient of the access drive shall not exceed 1:12 for the first 5 metres behind the highway boundary.
13. Before first use of the development hereby permitted, drainage shall be provided within the site such that surface water does not drain into the Public Highway including private access drives, and thereafter shall be so maintained.
14. Before the proposed development is first brought into use, the existing vehicular access that currently serves the site (shown on the amended plan as the original location) shall be closed and the redundant vehicular crossing reinstated as footway with a full height kerb, in accordance with Local Highway Authority standards.
15. The car parking and any turning facilities shown within the curtilage of the site shall be provided, hard surfaced and made available for use before the development is first brought into use and shall thereafter be permanently so maintained.
16. Before first use of the development hereby permitted the proposed vehicular access shown on the amended plan received by the LPA on 17 May 2016 shall have been provided and been surfaced with tarmac, concrete or similar hard bound material (not loose aggregate) for a distance of at least 15 metres behind the back edge of carriageway of Pickwell Road and shall be so maintained at all times.
17. Before first use of the proposed vehicular access, minimum visibility splays of 2.4 metres by 90 metres shall be provided in each direction out of the access on to Pickwell Road. These shall be in accordance with the standards contained in the current County Council design guide and shall thereafter be permanently so maintained. Nothing shall be allowed to grow above a height of 0.6 metres above ground level within the visibility splays.

Reasons

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. The erection of dwellings in the countryside is contrary to the Local Planning Authority's general planning policy for the protection of the open appearance and character of the countryside and were it not for the special agricultural justification the development would not be permitted.
3. For the avoidance of doubt.
4. To enable the Local Planning Authority to retain control over the external appearance as no details have been submitted
5. To enable the Local Planning Authority to retain control over future extensions in view of the form and density of the development proposed.
6. To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.
7. To prevent an increase in flood risk and maintain the existing surface water runoff quality through the entire development construction phase, and to prevent damage to the final surface water management systems.

8. To prevent unreasonable light disturbance in the interests of ecology conservation.
9. For the avoidance of doubt.
10. To ensure satisfactory landscaping is provided within a reasonable period.
11. To enable a vehicle to stand clear of the highway whilst the gates are opened/closed and protect the free and safe passage of traffic, including pedestrians, in the public highway.
12. To enable vehicles to enter and leave the highway in a slow and controlled manner and in the interests of general highway safety.
13. To reduce the possibility of surface water from the site being deposited in the highway causing dangers to highway users.
14. To protect footway users in the interests of pedestrian safety, and to reduce the number of vehicular accesses to the site and consequently to reduce the number of potential conflict points.
15. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking problems in the area.
16. To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.)
17. To afford adequate visibility at the access/junction to cater for the expected volume of traffic joining the existing highway network and in the interests of general highway safety.

Officer to contact: **Miss L Parker**

Date: 5 December 2016