

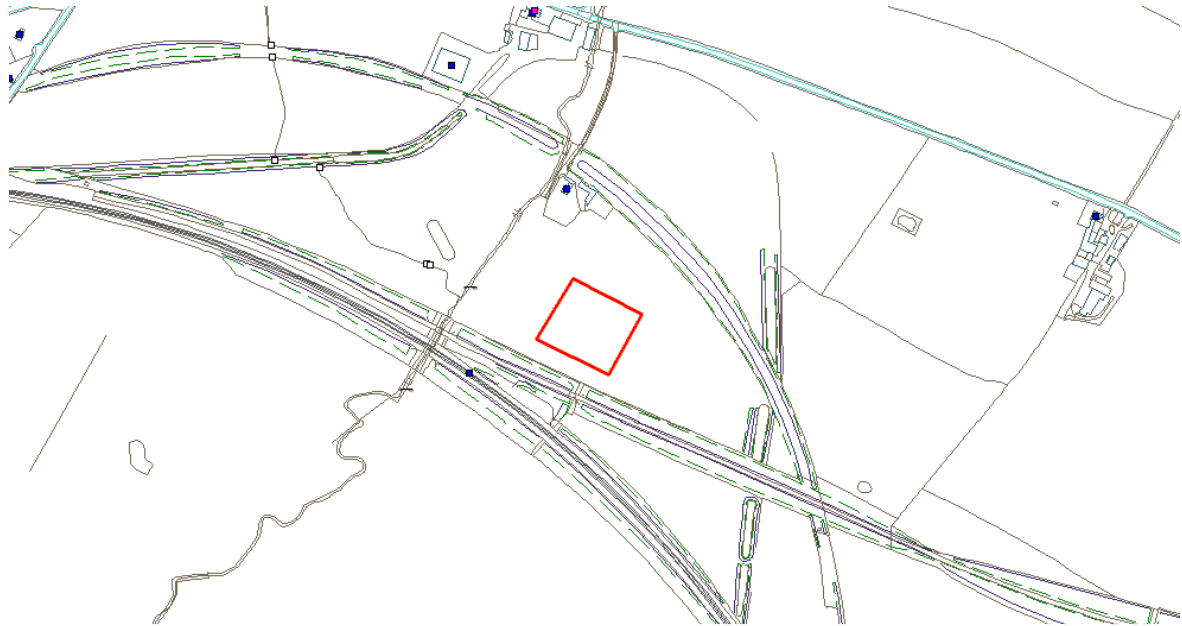
**Reference:** 12/00188/FUL

**Date Submitted:** 08.02.2012

**Applicant:** Mrs S Johnson

**Location:** Pile Bridge Farm, Wymondham Road, Saxby, Melton Mowbray LE14 2SL

**Proposal:** Stable block, menage, horse walker and change of use to equestrian.



**Introduction:-**

The application seeks planning permission to change the use of some of the land to the South of the dwelling to the keeping of horses, along with the creation of a menage, stable block and horse walker. The cottage is situated within 28 acres of land accessed from Wymondham Road, saxby and the proposal is for the personal and private use of the applicant.

**It is considered that the main issues relating to the application are:**

- **Compliance to the development plan**
- **Impact upon the open countryside**

The application is required to be considered by the Committee as it represents a departure from the approved policies of the Development Plan.

**Relevant History:-**

There is no relevant history at the site.

**Planning Policies:-**

**The National Planning Policy Framework was published 27<sup>th</sup> March and replaced the previous collection of PPS. It 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out-of-date, granting permission unless:  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 LDF) 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:

- recognising the intrinsic character and beauty of the countryside and supporting thriving communities within it

**Adopted Melton Local Plan (Saved Policies)**

**Policy BE1** allows for new buildings subject to criteria including the buildings should be designed to harmonise with their surroundings, have no adverse impact on amenities of neighbouring properties, have adequate space around and between buildings, adequate open space provided and satisfactory access and parking provision.

**Policy OS2** states that planning permission will not be granted for development outside of the town and village envelopes except for:-

- 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 C5** states that planning permission for the erection of stables outside the village envelopes will not be granted unless they comply with **C4**, which states that:-

- Planning permission will be granted 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 provided:-
  - The development would have no adverse effect on the form, character and appearance of the building or the rural character of the locality;
  - The development would not cause loss of amenities through unacceptable noise, smell, dust or other forms of pollution;
  - There would be no adverse effects on residential amenities;
  - There would be no adverse effects on highway safety

**The Melton Local Development Framework Core Strategy (Publication) Development Plan Document February 2012** recognises that the Borough has a historic association with many horse related activities and that rural areas need to grow in ways that support the social, economic and environmental needs of the community. It also encourages sustainable transport and reducing the need to travel. It seeks to protect the countryside and limits development to small scale for employment and leisure purposes.

**Consultations:-**

Consultation reply	Assessment of Head of Regulatory Services
<p><b>Highway Authority:</b>            No objection to the proposal providing no commercial use takes place.</p>	<p>The proposal is unlikely to generate additional traffic as the applicant currently has to leave the property to tend to her horses off site, therefore traffic movements are more likely to be reduced.</p> <p>A condition can be used on any approval to restrict the use of the site to personal and private use only.</p>

	<b>The proposal is not considered to have an impact on highway safety.</b>
<b>Freeby Parish Council:</b> At the time of writing no response had been received from the Parish Council.	Noted.

**Representations:**

A site notice was posted at the site entrance. As a result no correspondence has been received to date.

**Other material considerations (not raised through consultation or representation)**

<b>Consideration</b>	<b>Assessment of Head of Regulatory Services</b>
<p><b>Application of the Development Plan Policies</b>  The saved policy <b>OS2</b> carries a general presumption against development outside town and village envelopes except in certain instances such as development essential for agriculture and forestry, small scale employment, tourism and <b>recreation development</b>, development for statutory undertakers and telecommunications operators, changes of use of existing buildings and affordable housing. If a proposal for development within the countryside is acceptable in principal it will also be considered against more detailed criteria contained in other policies of the plan which relate specifically to the activity. For stables, policies C4 and C5 are applicable.</p> <p>Policy C5 states that planning permission will not be granted for stabling outside of the town or village envelopes unless the development is in accordance with policy C4.</p> <p>Policy C4 allows for the erection of stables providing they are within existing groups of buildings amongst other things will not have a detrimental impact upon the rural character of the area, would not cause loss of amenities through unacceptable noise, smell, dust or other forms of pollution and that there will be no adverse effects on residential amenities or highway safety.</p>	<p>The proposal is to erect stables, a menage, and a horse walker and is considered to fulfill the objectives of OS2 as the development is purely for recreational use. The more detailed policy objectives are defined within policies C4 and C5. The proposal is not sited within an existing group of buildings, it is located to the South of the dwelling known as Pile Bridge Cottage. It is considered that the stables and horse walker can comply in some part with policy C4 due to there being adequate access and having a limited impact upon the countryside due to its siting and screening. The proposal does not comply with being sited within a group of buildings which is a policy objective of C4 in seeking to avoid the cumulative effect of sporadic, small scale developments in the open countryside such as this proposal can have. Therefore, the application is considered to be a departure from the Development Plan.</p> <p>However, the site has a fairly flat topography, and is low lying with embankments to the North and South of the site providing a high level of screening from the road and adjacent parcels of land. The field is only 28 acres in size, which is too small to be used for a commercial farming activity and is sited alongside a TROT path used frequently by horse riders.</p> <p>Guidance within the NPPF states that Local Planning Authority should recognize the intrinsic character and beauty of the countryside. It is not considered that this proposal is in conflict with the NPPF.</p> <p>It is considered that given the topography and screening of the site from neighbouring land that there will be limited impact upon the open countryside and is considered to comply with the policy objectives of OS2.</p>

<p><b>Impact upon residential amenity:</b></p>	<p>The stable, ménage and horse walker all lie within the designated open countryside. To the east of the site is the village of Wymondham which is over 2km away. The nearest residential dwelling is just over 300m away to the North which forms part of the neighbouring farm complex.</p> <p><b>It is considered that there will be no impact upon residential amenities as currently enjoyed by the neighbouring residents due to the level of screening and the separation distance involved.</b></p>
<p><b>Design</b></p>	<p>The stables would occupy a footprint of approximately 195sqm over two blocks each measuring 18m x 12.7m and constructed in an L shape. There would be eight standard stables, a corner box, isolation stable, tack room, hay store, feed store and utility area. The horse walker would measure 11m diameter and the menage 20m by 40m with a post and rail fence.</p> <p>The overall height of the stables would be 3.5m with an eaves height of 2.3m and they would be constructed of timber with green corrugated roof. The arrangement of the stables, ménage and horse walker have been carefully designed regarding their layout and when viewed from the house would be aesthetically pleasing, and would have a very minimal impact upon the countryside.</p> <p><b>It is considered that the buildings have been designed appropriately for their purpose and are suitable to their countryside location. The proposal is considered to accord with the development plan policies OS2 and BE1.</b></p>

### Conclusion

The application seeks full planning permission for the change of use of part of the land for equestrian activities and the erection of stables, menage and horse walker within a field outside of the village envelope. The use of the paddock for grazing horses does not require consent, however the erection of the buildings for the associated use is development that requires the benefit of planning permission and can only be granted consent provided that there is not a detrimental impact upon the open countryside. It is considered that the design of the buildings along with the high level of screening ensures that any impact is reduced. The access to the site is considered to be acceptable and would not have a detrimental impact upon the highways subject to the development being purely for the purpose of personal use. The proposal is not considered to comply with policy C4 as the proposed buildings are not sited within an existing group of buildings, however OS2 supports small scale recreational development in the open countryside. A judgement is required as to whether the stables, ménage and horse walker are acceptable in terms of their impact on the open countryside and whether this is sufficient to outweigh the development plan. It has been demonstrated that the site will have adequate access arrangements, is of appropriate design and will have no neighbour impact. It is not considered that this small scale development would have a detrimental impact upon the countryside as the siting below two embankments ensures that the intrinsic character is not harmed. It is considered that due to the limited impact the proposal would have on the open countryside that the proposal complies with OS2 and is sufficient to outweigh policies C4 and C5 of the development plan. Accordingly the application 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 external materials to be used in the development hereby permitted shall be in strict accordance with those specified in the application unless alternative materials are first agreed in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details
3. The proposed stables, menage and horse walker shall be used only in connection with the Applicant's own livestock and no livery/riding school, business or commercial use is permitted.

The reasons for the conditions are:-

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. To ensure a satisfactory standard of external appearance
3. In the general interests of highway safety.

Officer to contact: **Mrs Sarah Legge**

**3<sup>rd</sup> April 2012**