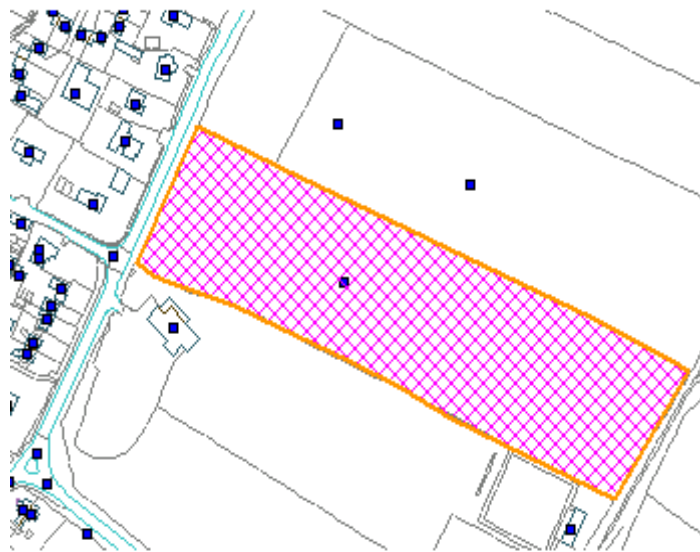


Reference: 15/00345/FUL
Date Submitted: 30.04.15
Applicant: Mrs E Crowther
Location: Field opposite 11 Harby Lane, Hose (field 9929)
Proposal: Erection of a static field shelter with attached hay store for 2 horses for domestic use



Introduction:-

This application seeks planning permission for the erection of stables and hay store in an existing paddock lying outside of the village envelope and designated Conservation Area for Stathern. Access to the paddock is via Harby Lane, however, the applicant proposes to relocate this adjacent to 13 Harby Lane for safer access and egress away from the junction of Dairy Lane. Positioned east of the village envelope adjacent the highway, the development will be sited behind a dense mature hedge line, close to the village hall and the bus shelter. The topography of the site is fairly flat falling slightly away from the built form of the village toward the tennis courts and bowls green further east.

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

- **Compliance with the Development Plan**
- **Impact upon the open countryside**

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

Planning Policies:-

Melton Local Plan (saved policies):

Policy OS2 - 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 recreation development, development for statutory undertakers and telecommunications operators, changes of use of existing buildings and affordable housing.

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

Policy C4 – allows for the erection of agricultural buildings providing they are within existing groups of buildings and 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.

Policy C5 states that planning permission for stable should only be granted providing the proposal complies with policy C4 to avoid a proliferation of buildings in the open countryside.

NPPF: - offers no guidance on this particular kind of development but seeks to support sustainable development for businesses, tourism and recreation in a similar way as supported by policy OS2, chapter 11 however speaks in broad terms about conserving and enhancing the natural environment.

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
Highway Authority – The Local Highway Authority refers the Local Planning Authority to current standing advice provided by the Local Highway Authority dated September 2011. For private use only, reinstate redundant access, ensure new accesses comply with LHA standards	A new access is proposed to the paddock further along Harby Lane away from the junction of Dairy Lane. This will in effect be safer for all highway users and conditions can be imposed to ensure not only the hedge is reinstated, the use of the stables are for that of personal use only but also adequate visibility splays, materials and gates would meet the current standing advice which complies to highway standards. It is not considered that the proposal would have any adverse impact on highway safety.
Parish Council –	No comments have been received to date.

Representations:

A site notice has been posted at the entrance of the site and neighbouring properties consulted by letter. As a result no letters of representation have been received to date.

Other material considerations (not raised through consultation or representation)

Consideration	Assessment of Head of Regulatory Services
<p>Application of the Development Plan Polices –</p> <p>The saved policy OS2 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 recreation development, 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 principle it will also be considered against more detailed criteria contained in other policies of the plan which relate specifically to the activity. For stables policy C5 and C4 are applicable.</p> <p>Policy C5 states that planning permission will not be granted for stabling outside of the town or village envelope 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 and 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 to site a static field shelter with attached hay store fulfills the objectives of OS2 as the development is purely for recreational use. The more detailed policy objectives are defined within policy C4 and C5. It is considered that the stables can comply in some part with policy C4 due to there being an adequate access, having a limited impact upon the countryside or residential amenities due to its siting and screening. The proposal also partly complies with being sited within a group of buildings, albeit the village Hall and bus shelter, 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.</p> <p>Whilst the proposal does not comply fully with the Melton Local Plan Policy C4 and C5, principally Policy OS2 does support leisure use within rural areas providing the intrinsic character of the area is not affected. The application site is densely screened to the highway and although not within an existing group of equestrian or agricultural buildings can be linked closely with the village hall and nearby bus shelter, which alleviates any potential harm resulting from the siting of the stables outside of a group of buildings.</p> <p>It is considered that given the site location and the screening of the paddock from neighbouring land, there would be limited impact upon the open countryside and the proposal complies with the objectives of OS2 and the NPPF as it can be demonstrated that there has been little impact upon the open countryside which would warrant a refusal in this instance.</p>
<p>Impact upon residential amenity -</p>	<p>The stables sit within open countryside designation, to the east of the main highway through the village where residential dwellings are predominantly positioned adjacent to the west. Further north along Harby Lane are other equestrian uses taking place while to the south are further dwellings following the contours of the highway as it leads out of the village toward Long Clawson.</p> <p>Access to the paddock will be via an improved opening and gateway, whereby the access, siting and location of the field shelter is considered of an adequate separation distance with acceptable access arrangements that there will be no impact upon residential amenities as currently enjoyed by the adjoining neighbouring residents.</p>

<p>Compliance (or otherwise) with Planning Policy</p>	<p>The proposal is to be considered against Local Plan Policy OS2 BE1, C4 and C5 together with the NPPF, Whilst the proposal complies in some part with OS2 which supports leisure use within rural areas, it is not positioned within a group of equestrian or agricultural buildings, which is a policy objective of C4 and C5 in seeking to avoid sporadic, small scale developments within the open countryside. The NPPF offers no guidance on this particular kind of development but seeks to support sustainable development for businesses, tourism and recreation in a similar way as supported by policy OS2, chapter 11 however speaks in broad terms about conserving and enhancing the natural environment.</p> <p>The application is therefore presented to the Development Committee to consider the balance of the application is terms of compliance, with its minimal impact on that of the character and appearance of the open countryside, there would be no loss of residential amenities or impact on the highway user and that it will be grouped close to other buildings, preventing the sprawl of small scale sporadic development.</p> <p>In this instance, the policies are not considered to conflict with the NPPF and as such there is no requirement to balance the regimes against one another.</p>
<p>Design:</p>	<p>Typically constructed of timber shiplap, the field shelter will be of a lean to design with a maximum ridge height of 3.1 metres sloping to 2.16 metres. With its length of 10.8 metres backed to the hedgeline adjacent to the highway, it will have a width of 5.4 metres with openings into the field.</p> <p>The field shelter is considered of a size, scale and of construction material typical of stables that would not appear as an alien feature within this part of the open countryside and is therefore considered to comply with policy OS2, BE1 and the NPPF</p>

Conclusion

The application seeks full planning permission to construct the field shelter with haystore within a field outside of the village envelope. The paddock has been used for grazing of horses for a considerable amount of years and no consent is required for change of use; grazing of horses is permissible. It is considered that given the relationship close to other buildings, with improvement to access and egress the use of the stables for personal use is acceptable in this location. It has been demonstrated that the site will have adequate access arrangements and that there has not been a detrimental impact upon the countryside resulting from small scale development which is considered to be of appropriate design. Likewise the

sensitive siting close to existing building along with the mature screening ensures that the intrinsic character is not harmed. Accordingly the application is recommended for approval.

Recommendation : Approve, 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 development hereby permitted shall be constructed strictly in accordance with the plans submitted (detailing elevations and floor plan) together with the amended site plan received by The Local Planning Authority via email dated 25th May 2015.**
3. 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
4. The stables shall be used only in connection with personal recreational use and no livery nor other business nor commercial use is permitted.
5. 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 5 metres behind the Highway boundary and shall be hung so as to open inwards only
6. the access should be constructed in tarmacadam, concrete or other similar hard bound material from the edge of carriageway up to the gates.
7. The existing access should be permanently closed, once the new access has been brought into use.
- 8.

Reason:

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt
3. To ensure a satisfactory standard of external appearance.
4. In the interest of Highway Safety.
5. To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic, including pedestrians, in the public highway.
5. In the interest of highway safety
7. In the interest of highway safety

Officer to contact: **Mrs Deborah Wetherill**

Date: 16th June 2015