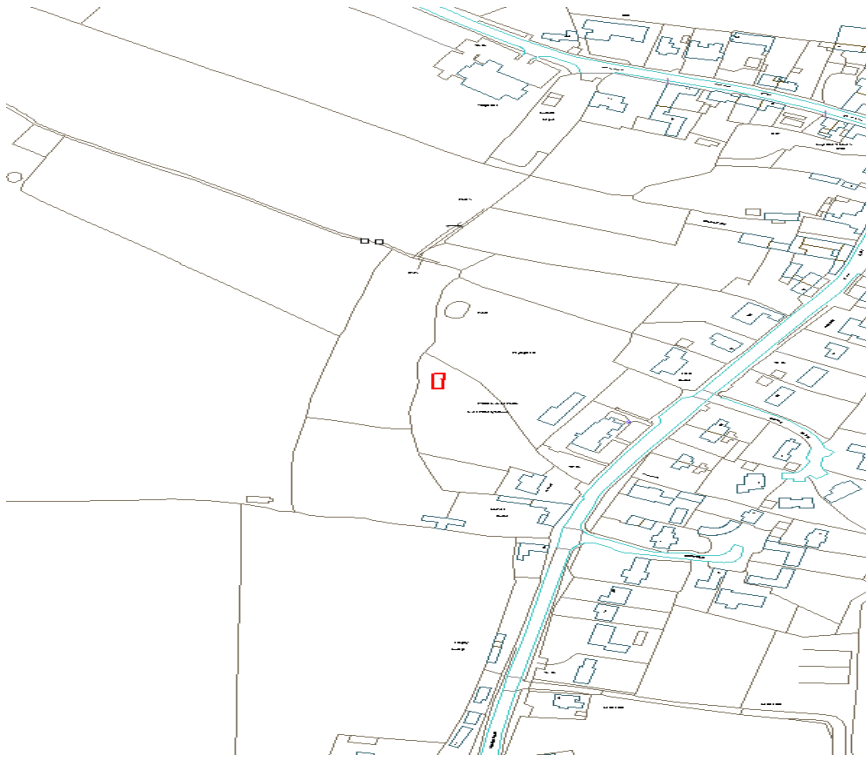


Reference: 10/00914/FUL
Date Submitted: 26.11.10
Applicant: Mr Richard Snodin
Location: Beverley 24 Melton Road, Waltham On The Wolds
Proposal: Retrospective application to site wooden stables



Introduction:-

This application seeks retrospective planning permission for the erection of stables and hard standing in an existing paddock lying outside of the village envelope and designated Conservation Area for Waltham on the Wolds. Access to the paddock is via the existing vehicular access serving the dwelling off Melton Road and through a separate gated access to the paddock. The topography of the area to falls away from the built form of the village and the stables are sited at the lowest corner of the paddock.

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

- **Compliance with the Development Plan**
- **Impact upon the open countryside**
- **Impact upon the setting of heritage Assets (Waltham Primary School and Conservation Area)**

The application has been submitted in response to an enforcement investigation and is required to be considered by the Committee as it presents a departure from the approved policies of the Development Plan.

Planning Policies:-

PPS7 - Sustainable Development in Rural Areas – sets out advice on development in the countryside. It states in the key principles (paragraph 1) that the Government’s aim is to protect the countryside for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and so it may be enjoyed by all. PPS7 supports equine based activities in the open countryside providing the intrinsic character is not affected.

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.

Melton LDF Core Strategy: seeks to protect the countryside and limits development to small scale for employment and leisure purposes. An objective of the LDF is to promote the tourism potential of the Borough through its food, equestrianism and heritage assets.

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
Highway Authority – No objection to the proposal providing no commercial use takes place.	The access to the paddock utilities existing vehicle access which complies to highway standards. A condition is to be imposed to ensure that the stables are for personal use only as stated by the applicant. The proposal is not considered to have an impact on highway safety.
Parish Council –	No comments have been received to date.

Representations:

A site notice was posted at the entrance of the site on and neighbouring properties consulted by letter. As a result 1 letters of support has been received to date.

Representations	Assessment of Head of Regulatory Services
<p>Waltham Pre School –</p> <ul style="list-style-type: none"> • The stables are in keeping with the rural character of the area • The design and materials are of high standard • The stables are far enough away for the children’s environment to remain safe but the children benefit from observing the pony’s in their natural habitat. 	<p>PPS7 supports equine based activities in the open countryside providing the intrinsic character is not affected. The stables are discretely located within the lowest corner of the paddock and can not be viewed from the highway or village centre. The stables occupy a footprint of approx 52 square meters and sits upon a concrete base. The overall height of the stable is 3.43 metres sloping to eaves height of 2.235 metres which is considered to be small in scale and size so as to not have a detrimental impact upon the open countryside. Due to the steep topography of the site the stables are sat relatively low in the landscape.</p> <p>The construction materials are stained timber with polyester coated steel sheeting in green. The materials and design are appropriate for the functional requirements.</p> <p>The pre-school is located to the rear of Waltham Primary school and benefits from open views into the countryside. The stables are sited in an adjacent paddock where a mature hedgerow separates the two sites. It is considered that the separation distance is acceptable.</p>

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 polices 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</p>	<p>The proposal is to retain the stables and hard standing 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 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.</p> <p>Whilst the proposal has no policy support within the development plan national policy PPS7 ‘Sustainable Development in Rural Areas’ supports equestrian use providing the intrinsic character of the area is not affected. The application site has a sloping topography and the paddock tapers off presenting an irregular shaped paddock. The stables are discretely sited at the lower end of the field which alleviates any potential harm resulting from the siting of the</p>

<p>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>PPS7 supports equine based activities in the open countryside providing the intrinsic character is not affected.</p>	<p>stables outside of a group of buildings. It is considered that given the topography and the screening of the paddock from neighbouring land that there has been limited impact upon the open countryside and the proposal complies with the objectives of PPS7. PPS7 post dates the development plan and it is considered that in this instance national policy should outweigh the development plan 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 the setting of heritage assets –</p>	<p>Waltham Primary school is a grade II listed building which sits adjacent the application site on higher land. The setting of the listed building is a material consideration as is the setting of the Conservation Area. PPS5 seeks to ensure that new development does not have a detrimental impact upon the setting of a Heritage Asset. It is considered that there is sufficient separation distance between the stable and heritage asset to ensure that the setting will not be affected. A mature hedgerow separates the site and offers screening of the stables, albeit more sparse in the winter months. The stables are of small scale and sit relatively low in the landscape to ensure that little impact will occur to the setting of any heritage assets.</p>
<p>Impact upon residential amenity -</p>	<p>The stables sit within open countryside designation to the west of the main highway through the village. To the north is the primary and pre-school facilities whilst to the south is a residential dwelling that is screened from the stables by the applicants dwelling fronting Melton Road. Access to the paddock is via the applicants access and it is considered that given that there is adequate separation distance and access arrangements there will be no impact upon residential amenities as currently enjoyed by the neighbouring residents.</p>

Conclusion

The application seeks full planning permission to retain the stables and hardstanding 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 with the host dwelling, utilising the existing access that the use of the stables for personal use is acceptable in this location. It has been demonstrated that the site has 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 on the lowest land level 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 stables shall be used only in connection with personal recreational use and no livery nor other business nor commercial use is permitted.

Reason:

1: In the interest of Highway Safety.

Officer to contact: **Mrs Denise Knipe**

Date: 22nd December 2010