

**5 DCSE2003/2577/F – PROPOSED HORSE ARENA 40 X 20 METRES, THREE STABLES WITH TACK ROOM & LEAN-TO HAY STORAGE BARN AT 2 DOCTORS PLACE, WALFORD, ROSS-ON-WYE, HEREFORDSHIRE HR9 5RE**

**For: Mr & Mrs D.J. Jewell, 2 Doctors Place, Walford, Ross-on-Wye, Herefordshire HR9 5RE**

**Date Received: 21st August 2003    Ward: Kerne Bridge    Grid Ref: 5998 1977**

**Expiry Date: 16th October 2003**

Local Member:    Councillor Mrs R Lincoln

**1. Site Description and Proposal**

- 1.1 The site lies in open countryside in planning policy terms and within the designated Wye Valley Area of Outstanding Natural Beauty and Area of Great Landscape Value at Kiln Green, to the southeast of Walford. The area is characterised by loose knit, spoadic development, narrow lanes and mature landscaping. The site comprises a 1.06 hectare field, which is used for the grazing of horses. A public right of way lies to the north, but outside of the application site. The natural land levels slope uphill from the southeast to the northwest. Mature hedgerows define the boundaries of the site.
- 1.2 A 40 metre by 20 metre outdoor riding arena is proposed with 1.1 metre high post and rail fence to all sides, to the rear (north) of numbers 1 and 2 Doctors Place, a pair of semi-detached cottages. Both of these properties are in the applicants ownership, but number 1 is currently being rented. The arena would run parallel with the northern boundary of the field on a gradually sloping area of ground. To provide a level riding arena the northern section would be dug into the ground some 0.5 metres and the southern area raised by the same amount. It is proposed to grade and grass seed the resulting banks.
- 1.3 In addition it is proposed to erect three stables, a tack room and fodder store to the northwest of the riding arena. The scheme proposes one stable and the tack room at right angles to and detached from the fodder store and the other two stables. The cumulative floor area of the proposed stable block, tack room and fodder store would be some 53 square metres. The roof ridge height of the stables would be some 3.3 metres, whilst the fodder store and tack room would have lower roof heights, 2.8 metres and 3 metres respectively. The roof design of the buildings, with the exception of the fodder store, incorporates an overhang to the front elevation.

**2. Policies**

**2.1 Department of Environment**

PPG.1	General Principles
PPG.7	The Countryside: Environmental Quality and Economic & Social Development

**2.2 Hereford and Worcester County Structure Plan**

Policy CTC1	Development in Areas of Outstanding Natural Beauty
Policy CTC2	Development in Areas of Great Landscape Value
Policy CTC9	Development Criteria

**2.3 South Herefordshire District Local Plan**

Policy GD1	General Development Criteria
Policy C1	Development within Open Countryside
Policy C5	Development within Areas of Outstanding Natural Beauty
Policy C8	Development within Areas of Great Landscape Value

**2.3 Unitary Development Plan – Deposit Draft**

Policy S1	Sustainable Development
Policy S2	Development Requirements
Policy LA1	Areas of Outstanding Natural Beauty
Policy LA2	Landscape Character and Areas Least Resilient to Change

**3. Planning History**

- 3.1 SE2002/2991/F Proposed horse arena 60 x 20 metres. Three stables with tack room and fodder store - Refused 27.11.2002

**4. Consultation Summary**Statutory Consultations

- 4.1 The Environment Agency has no objections to the proposal, but makes comments regarding the disposal of waste materials and the adequacy of the soakaways.

Internal Council advice

- 4.2 Head of Environmental Health has no objections to the proposal.
- 4.3 Head of Engineering and Transportation has no objections to the proposal, provided that it is for personal use and not commercial purposes.

Responses by internal consultees that raise material planning issues are summarised and considered in the Officers Appraisal.

**5. Representations**

- 5.1 Walford Parish Council - The Parish Council hopes that with the mature hedge and trees, the arena and stable block will not be visible either from Kiln Green or the Walford Road. They are concerned about possible nuisance to neighbours from lighting and the positioning of the manure heap.
- 5.2 One letter of objection has been received from Peter Dewhurst of Kiln Green House, Kiln Green. The main issues raised are:
- a similar application on the same site was refused
  - such a construction would be visually intrusive and detract from the surrounding AONB landscape
  - there are already too many horses in this area putting pressure on available land and the many footpaths. Most horse owners seem to care little about whether a track is

designated a bridleway or not. Such a construction would undoubtedly add to this pressure.

The full text of these letters can be inspected at Southern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

## 6. Officers Appraisal

- 6.1 The main considerations in the determination of this application are the effect of the proposed development on the character and appearance of the area, the impact on highway safety and effect on the neighbouring dwellings.
- 6.2 Policy C1 of the SHDLP states that new development in the open countryside will not be allowed without special justification. The policy sets out when development will be accepted and of these it is considered that only sustainable recreational purposes is applicable in this case. It is necessary under the policy to have regard to conserving the natural beauty and amenity of the open countryside when considering proposals for development. As the site lies within the Area of Outstanding Natural Beauty and Area of Great Landscape Value, policies CTC1 and CTC2 of the Structure Plan and C5 and C8 of the Local Plan are applicable. These require that proposals are small in scale, would have either an enhancing effect or a minimal adverse impact and are sensitively designed having regard to their surroundings. PPG7, at Annex F: Development Involving Horses states that *'the Government wishes to see a positive approach towards planning applications for horse-based development which respect the rural environment.'*(F5). Furthermore in considering applications recommended standards for safety and comfort of horses should be borne in mind alongside the need to ensure that buildings are sited and designed to blend in with their surroundings (F2).
- 6.3 A previous application on the site was refused planning permission under the Scheme of Delegation to Officers in 2002. The refused scheme was for a larger riding arena, some 60 metres by 20 metres and for a 'L' shaped stable block, with fodder store and tack room incorporating a large area of hardstanding, and sited to the east of 2, Doctors Place. It was considered that the buildings did not relate to the boundaries of the site and cumulatively the impact of the development would be harmful to the character and appearance of the area. The revised scheme incorporates the reduction in the size of the arena by one third of its footprint. Also there would be a 20% reduction in terms of the floor area of the buildings, a revised building design incorporating differing roof ridge heights, together with their resiting and the deletion of the previously proposed area of hardstanding.
- 6.4 It is considered that the proposed siting of the stables etc would relate well to existing field boundaries and by virtue of this and their design, size and height they would not be visually prominent in the wider landscape. With regard to the arena it is considered that by reason of its siting, parallel to a tall mature hedgerow and trees and the minimal ground works required it would not be unduly obtrusive in the rural landscape. The Local Plan policies also require compliance with policy GD1, which specifies general development criteria. It is considered that the proposal would accord with the requirements of this policy in that the siting of the proposed development would have regard to the setting of neighbouring buildings, landscape features etc. The public right of way lies to the north of the proposed arena but outside of the application site. The proposal would not impinge upon the right of way being separated by a minimum of some 5 metres and a mature hedgerow.

- 6.5 The proposal is for private use only. On this basis it is considered that the development would not materially increase the vehicular traffic movements to and from the site. If however the arena or stables were used commercially it is considered that by reason of the narrow lanes the road network could not satisfactorily absorb the additional traffic generated. The Head of Engineering and Transportation concurs with this view. It is therefore considered necessary and reasonable to impose a condition restricting the use to private use only.
- 6.6 The proposed buildings would be some 45 metres and the arena would be 30 metres from Doctors Place. The objector's property lies approximately 107 metres to the southeast of the arena. A manure heap is shown on the submitted plans on the applicants' orchard, some distance from the neighbouring properties. By virtue of its siting and non-commercial use it is considered that the proposal would not adversely impact upon the living conditions of occupants of the neighbouring properties. Provided that the storage/disposal is carried out in accordance with the Environment Agency's comments it is considered that there would not be a detrimental impact upon the environment. If manure were disposed of elsewhere or caused nuisance to residents this could be controlled under Environmental Health legislation. The Head of Environmental Health has raised no objections to the scheme.
- 6.7 As proposed the scheme would not include any flood lighting of the arena. Taking into account the rural nature of the surrounding area, devoid of street lighting it is considered that the provision of flood lighting could have a significant impact upon the appearance of the area and dark skies. Therefore it is recommended that a condition is attach requiring a further planning application if floodlighting were proposed in the future.
- 6.8 In conclusion it is considered that subject to reasonable and necessary conditions the proposal is acceptable in planning policy terms and there are no other material planning considerations to warrant a refusal of permission.

## **RECOMMENDATION**

**That planning permission be granted subject to the following conditions:**

**1 A01 (Time limit for commencement (full permission) )**

**Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.**

**2 A06 (Development in accordance with approved plans )**

**Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development and to protect the visual amenities of the area, noted for its landscape quality.**

**3 The external cladding on the buildings hereby approved shall be stained a matt, dark colour, details of which shall first be submitted to and agreed in writing with the local planning authority before development commences.**

**Reason: To ensure that the materials harmonise with the surroundings and to protect the visual amenities of the area, noted for its landscape quality.**

- 4 No development shall take place until details or samples of materials to be used for the surfacing of the riding arena have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the materials harmonise with the surroundings and to protect the visual amenities of the area, noted for its landscape quality.

- 5 E11 (Private use of stables and arena only )

Reason: In order to safeguard the residential amenities of the area and because the local planning authority considers that the adjacent road network and access is not suitable for commercial purposes.

- 6 There shall be no floodlighting of the riding arena hereby granted.

Reason: To protect the appearance of the locality and residential amenity of nearby properties.

- 7 G11 (Retention of hedgerows and trees (where not covered by Hedgerows Regulation))

Reason: To ensure that the application site is property landscaped in the interests of the visual amenity of the area.

- 8 The buildings and riding arena hereby granted shall only be used in connection with Doctors Place and shall not be sold, leased or used separately.

Reason: In order to safeguard the residential amenities of the neighbouring properties and to ensure that the development would not materially increase the vehicular movements to and from the site.

**INFORMATIVE NOTES**

- 1 All washwaters, manures and stable waste should be collected, stored and disposed of in accordance with DEFRA "Code of Good Agricultural Practice for the Protection of Water".
- 2 The applicant should ensure that the land proposed for the soakaway has adequate permeability in accordance with BS 6297 : 1983.
- 3 Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with section 34 of the Environment Protection Act 1990.

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.