

5 DCSE2008/2427/F - RETENTION OF 2 FIELD SHELTERS WITH NEW EXTERNAL CLADDING, LAND ADJACENT TO BODENHAM FARM, MUCH MARCLE, LEDBURY, HEREFORDSHIRE, HR8 2NJ.

For: The Singing Stud Ltd per Mr C Goldsworthy, 85 St Owens Street, Hereford, HR1 2JW.

Date Received: 1 October 2008

Ward: Old Gore Grid Ref: 65080, 31881

Expiry Date: 26 November 2008

Local Member: Councillor BA Durkin

Introduction

This application was deferred at the last meeting of the Southern Area Planning Sub-Committee for further improvements to the appearance of the field shelters and clarification on the specific nature and use of the associated paddock. The applicant's agent has said:

"I can confirm that my client is willing to alter the cladding from waney edged to shiplap boarding as is more usual for this type of building.

There is no good reason for erecting a pitched roof over this structure, other than wanting to increase the impact on the landscape. I do not think this is what you want to achieve. The monopitch roof is a very common design solution for such structures and therefore there is no reason for amendment.

The structures are field shelters and not winter stabling as suggested by one member. Illustrations of those on the market can be provided and would prove this point. The fencing around the shelters is configured so that different paddocks can use the same shelter.

I request that you present this application as originally submitted back to the committee with the above comments for determination.

Some points I want to bring to the committee are:

- These shelters were erected without permission because of the manner in which your authority has gone about determining the applications submitted. They were desperately needed for the welfare of the animals and approval decisions could not be expected from your authority. It is wrong to have erected them but understandable. In the majority of cases these decisions were against the planning officer's recommendation to approve.
- The expense of submitting all the different applications and appeals has meant that funds allocated towards the development of this business have been drastically reduced, resulting in a poorer presentation of the structures and landscaping.
- We are on the second application for these structures and it was possible to have resolved any concerns when the application was submitted and even now your council is still prevaricating over a very simple and straightforward application.

- If the application is refused there are three possible courses of action my client can take (1) purchase mobile field shelters, (2) appeal and (3) apply for a certificate of lawfulness. I would be grateful if you could inform members of the likely outcomes”

1. Site Description and Proposal

- 1.1 The Singing Stud occupies about 8ha of land between the A449 and the unclassified road that leads from Lyne Down and Old Pike to the north of Bodenham Farm. There is access off the unclassified road to the stud farm. On the south side of the access track that leads from the unclassified road is a riding arena and stables and to the south of these are 2 shelters, which this application proposes to retain and re-clad with shiplap boards that will be stained dark brown to match other building in the stud farm complex. The shelters are adjacent to a small copse.

2. Policies

2.1 Planning Policy Statements

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| PPS1 | - | Delivering Sustainable Development |
| PPS7 | - | Sustainable Development in Rural Areas |

2.2 Herefordshire Unitary Development Plan

| | | |
|------------|---|--|
| Policy S2 | - | Development Requirements |
| Policy DR1 | - | Design |
| Policy LA2 | - | Landscape Character and Areas Least Resilient to Change |
| Policy E11 | - | Employment in the Smaller Settlements and Open Countryside |

3. Planning History

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|-----|-----------------|---|---|---|
| 3.1 | DCSE2005/0795/F | Continuation of use as an equine stud | - | Approved 15.07.05 |
| | DCSE2005/1015/F | Continuation of a use as equine stud farm, training area, hay barn, winter barn, stables including groom's flat | - | Refused 30.06.05 |
| | DCSE2005/3770/F | Fenced training ring at equine centre | - | Refused 16.01.06 Appeal allowed 05.06.06 |
| | DCSE2005/3806/O | Dwelling for stud farm worker at equine centre | - | Refused 20.06.07 Appeal allowed 04.02.08 |
| | DCSE2006/1486/F | Retention of two field shelters | - | Refused 17.05.06 |
| | DCSE2006/1495/F | Retention of foaling boxes and one infill stable | - | Refused 20.06.07 Appeal allowed 04.02.08 |
| | DCSE2007/0704/F | Retrospective application for blockwork skin to existing stable | - | Refused 20.06.07 Appeal allowed 04.02.08 |

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|------------------|--|---|--|
| DCSE2007/0705/F | Retention of lean-to building for storage purposes | - | Refused 20.06.07 Appeal allowed 04.02.08 |
| DCSE2008/1195/F | Variation of condition | - | Approved 24.06.08 |
| DCSE2008/2037/RM | Dwelling for stud worker | - | Withdrawn |

4. Consultation Summary

Statutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 The Traffic Manager has no objections to the grant of planning permission.

4.3 Public Rights of Way Officer - "The proposed retention of 2 field shelters would not appear to affect the use and enjoyment of public footpath MM11, which passes outside the field's north boundary some 90+ metres from the shelters, and the PROW Manager has no objections to this application."

4.4 Landscape Officer - "The field shelters are located to the south-west of Bodenham Farm, in an elevated position within a grass field which slopes down to the A449. The field shelters are positioned against a small coppice within the field. There is a view of the shelters from a short section of the A449 in the vicinity of Bodenham Farm.

In my view the proposed improvements to the appearance of the shelters, through applying new cladding, capping and a dark brown stain, will help to reduce the adverse visual impact of the shelters. The fact that the field shelters are viewed against the backdrop of the coppice, from most of the section of the A449 from which the shelters can be seen, also helps to reduce the adverse impact of the shelters. Taking these factors into account, I consider that the adverse visual impact has been reduced sufficiently for the retention of the field shelters to be accepted."

5. Representations

5.1 A Design and Access Statement has been submitted:

Existing site:

- The existing site and buildings occupy a location, which is sited so that it is not visible from outside the stud farm apart from a glimpse from the A449;
- The buildings are located against a backdrop of trees and are not silhouetted in the landscape;

Proposed use:

- The shelters are an essential part of the stud and they provide protection from the elements for the animals;
- The location means that the structures can serve a number of the paddocks and are central to the fields they serve;
- They are also within easy reach of the stabling and are further protected from the elements by the small coppice against which they are positioned;

- The shelters are an essential element for any equine stud and primarily for the well being of the animals;

Design and appearance:

- The size and shape of the structures are dictated by their function;
- The original finish will be improved by the cladding and capping which is easily applied;
- The colour will be a dark brown stain to match other buildings in the main complex and will blend in with the coppice background;

Landscape:

- The buildings are set into the field and no landscaping is proposed;

Access:

- This is only required by the animals from different paddocks;
- The gates are opened and closed as required.

5.2 Much Marcle Parish Council "Because of their appearance in open countryside they are obtrusive features in the landscape. Retention would be detrimental to the character of this attractive rural area and conflict with policy LA2 of the Unitary Development Plan"

5.3 Objections have been received from N Pope, Avenue Cottage, Much Marcle and Mr B Morgan, Bodenham Farm, Much Marcle:

- These are substandard buildings, of poor design and construction on a beautiful bank adjoining a parkland of national significance - they are an eyesore which new cladding will not disguise;
- These buildings have been erected without planning permission and enforcement action should be taken to remove them immediately;
- The continual expansion of this site with ever more buildings should be halted until a clear understanding of the financial viability of all the companies trading at the site has been carried out;
- An audit of the existing space available to the businesses and numbers of horses involved at this site and their Hillingdon Barn site should be carried out to ascertain why these buildings are required;
- The buildings are visible from our property, as well as the A449. The buildings are very much "silhouetted in the landscape" as seen from the A449 particularly during the winter months;
- The shelters cannot be an "essential part of the stud" as the last application asked for "the retention, for a temporary period of two years", only;
- The alterations described are minimal, and the buildings are already stained dark brown. The alterations will not affect the block house appearance of them on the skyline as viewed from the A449; and
- Having lived with these "obtrusive features" in an "attractive rural area" for over four years I ask they are refused again and the buildings removed forthwith.

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

6. Officer's Appraisal

6.1 Planning permission for continuation of use as a stud farm was granted in 2005, DCSE2005/0795/F refers. It was apparent that some of the buildings had not been granted planning permission and further structures were erected including these two field shelters which are within the southern section of the stud farm and immediately to

the north of a copse which partially divides this area of grazing. They are about 50 metres west of the A449, on elevated land. They can be glimpsed when travelling the A449. The unauthorised shelters are clad in plywood sheets (or similar sheet material) painted brown with a shallow mono-pitch roof. This application proposes to clad the shelters with waney edged boards to give the appearance of other stables in the locality.

6.2 This application has been submitted following the refusal of DCSE2006/1486/F when it was proposed to retain the buildings without improvement to their appearance. The application was refused for the following reason:

“The field shelters because of their appearance and open position would be obtrusive features in the landscape. Their retention would therefore be detrimental to the character of this attractive rural area and conflict with policy LA2 of the Herefordshire Unitary Development Plan 2007.”

6.3 Whilst it is acknowledged that the existing shelters are not attractive and do not form part of the two existing groups of stables (nearest is about 60m to the north) it is considered that the cladding of the buildings with shiplap boards that will be stained a colour to match other buildings at the stud farm, will blend the shelters into the landscape so as not to be detrimental and obtrusive features in the landscape. Also, it is considered the copse against which the shelters are seen help to assimilate the buildings into the landscape and accordingly on the key planning issue, the landscape impact, the application is recommended for approval.

6.4 The applicant has revised the external appearance of the buildings but not to the extent sought by Members. Nevertheless it remains the view that these structures with their improved appearance would be an acceptable form of development in the landscape.

RECOMMENDATION

That planning permission be granted subject to the following condition:

- 1. Within 3 months of the date of this permission the field shelters shall be clad in shiplap boards and stained a dark brown colour and thereafter maintained.**

Reason: In the interests of visual amenity and to ensure the shelters comply with Policy LA2 of the Herefordshire Unitary Development Plan.

Informatives:

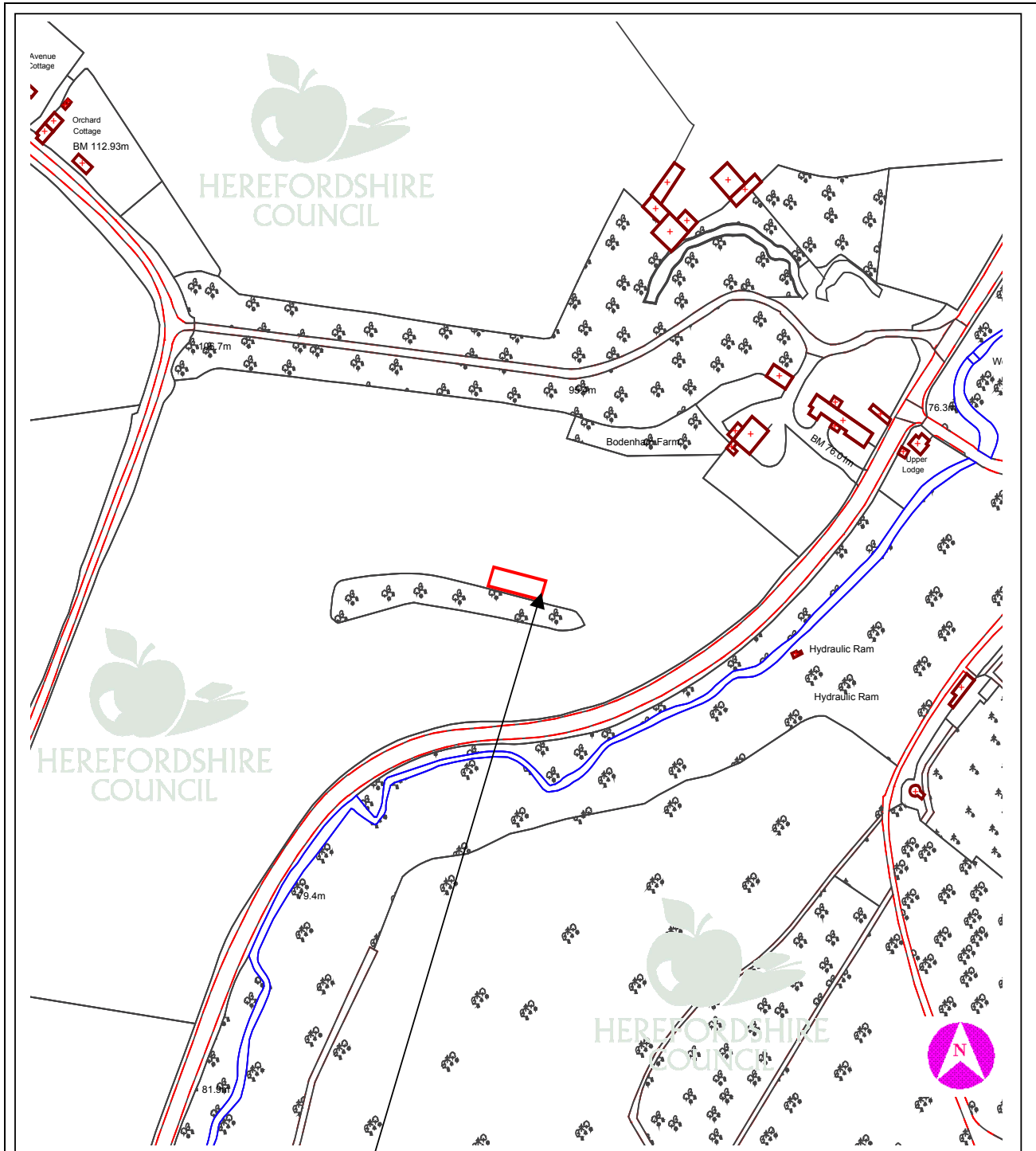
- 1. N19 - Avoidance of doubt - Approved Plans**
- 2. N15 - Reason(s) for the Grant of Planning Permission**

Decision:

Notes:

Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2008/2427/F

SCALE : 1 : 2500

SITE ADDRESS : Land adjacent to Bodenham Farm, Much Marcle, Ledbury, Herefordshire HR8 2NJ

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