

**11 DCNW0009/1228/F - CHANGE OF USE FROM AGRICULTURAL TO MIXED USE DOMESTIC LEISURE/AGRICULTURAL, RETENTION OF EXISTING STABLES AND PROPOSED EXTENSION TO STABLES ON LAND AT BURCHER WOOD, STANSBATCH, LEOMINSTER, HEREFORDSHIRE, HR6 9LW.**

**For: Ms J Twiston-Davies Well Cottage, Raddhurst, Presteigne, Powys, LD8 2LH.**

**Date Received: 5 June 2009    Ward: Pembridge & Lyonshall with Titley    Grid Ref: 33328, 61471**

**Expiry Date: 31 July 2009**

Local Member:    Councillor RJ Phillips

### **1. Site Description and Proposal**

- 1.1 The site is located in open countryside adjacent to the B4355 public highway, which is located alongside the application site's eastern boundary. Alongside the application site's western boundary is deciduous woodland.
- 1.2 Application is 'retrospective' for change of use of agricultural land to mixed use of domestic/leisure/agricultural along with the retention of a recently constructed stable to which the application proposes an extension to be used as a hay store to replace an existing garden shed currently in situation.

### **2. Policies**

#### **2.1 Herefordshire Unitary Development Plan:**

Policy S1	–	Sustainable development
Policy S2	–	Development requirements
Policy S8	--	Recreation sport and tourism
Policy DR1	–	Design
Policy DR2	–	Land use and activity
Policy DR3	–	Movement
Policy DR4	–	Environment
Policy E15	–	Protection of Greenfield land
Policy LA2	–	Landscape character and areas least resilient to change
Policy NC1	–	Biodiversity and development

#### **2.2 Planning Policy Statement 7: Sustainable development in rural areas.**

### **3. Planning History**

3.1 None

### **4. Consultation Summary**

#### Statutory Consultations

4.1 None required.

Internal Council Advice

4.2 The Transportation Manager raises no objection to the proposed development, although advises that hedges on the entrance to the site from the public highway are dipped back to maximise visibility from the access in both directions.

**5. Representations**

5.1 Staunton-on Arrow Parish Council have responded stating:

"Considerable local concern regarding this application for change of use was expressed. The Application seems unclear in this mixed usage, which worries the community and the Parish Council. On this bases the Parish Council is minded to object to this application."

5.2 Two letters of comment/objection have been received from:

- Mr Douglas Crowley, Highland Farm, Stansbatch
- Dr Roger and Mrs Jackie Pietroni, Ashley Farm, Stansbatch

The key issues raised can be summarised as follows:

The application site is in a rural open and undeveloped area and the building that was erected in 2007 on this land detracts considerably from the beauty of the landscape to which it has a negative impact upon.

If planning permission is granted there should be restrictive conditions attached to any approval notice subsequently issued to prevent further expansion, such as commercial use of the site, and a requirement for additional landscaping in the form of tree screening.

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

**6. Officer's Appraisal**

6.1 The key issues with regard to this application are:

- Impact on the surrounding landscape
- Use of the site

Impact on the surrounding landscape

6.2 The application site is located in open countryside from which there are far ranging views in an easterly direction. The western elevation is screened by woodland known as Weobley – Ash Wood.

6.3 The building (already constructed on site) is a timber framed and clad structure divided into two separate stable units with a floor area of approximately 27-38 square metres (measured externally) on an elevated site above the adjacent B4355 public highway from where it can be easily viewed from.

6.4 Adjacent to the western side of this stable is a small garden shed proposed for replacement by an extension to the existing stable with a floor space of approximately 11.4 square metres.

- 6.5 As such the existing building and the proposed extension is of a relatively simple structure positioned as it is alongside its northern boundary, alongside a native hedgerow, and therefore, although quite conspicuous in the immediate landscape, if painted in an appropriate colour a typical structure of the rural landscape.

Use of the site

- 6.6 The applicant wishes to retain use of the site in order to retain ponies on site, who share the site with sheep and hay-making for winter feed use (the latter two not requiring planning permission).
- 6.7 As such this form of use is considered acceptable, albeit unfortunate that the applicant does not reside within close proximity to the application site, presently residing at Well Cottage, Roddhurst, Presteigne, Powys, and hence the need for some form of shelter on site for the horses.
- 6.8 However, in consideration of the sites quite conspicuous location, in open countryside, any other form of use on site such as commercial use would be considered unacceptable in consideration of landscape impact, as well as sustainability issues, and therefore if members are mindful to support the application, it is recommended that conditions are attached to any approval notice subsequently issued restricting use of the site to the applicant only for personal use, with the requirement for additional landscaping and external painting of the building in an appropriate colour.

## 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. **C08 (Colour of cladding (stables))**

**Reason: To protect the visual amenities of the area and to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.**

3. **G02 (Retention of trees and hedgerows)**

**Reason: To safeguard the amenity of the area and to ensure that the development conforms with Policy DR1 of Herefordshire Unitary Development Plan.**

4. **G13 (Tree planting)**

**Reason: In order to maintain the visual amenity of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan.**

5. **F09 (Private use of stables only)**

**Reason: In order to safeguard the character and amenity of the area and to comply with Policy (specify) of Herefordshire Unitary Development Plan.**

## Informatives

1. **N15 - Reason(s) for the Grant of Planning Permission**

**2. N19 - Avoidance of doubt - Approved Plans**

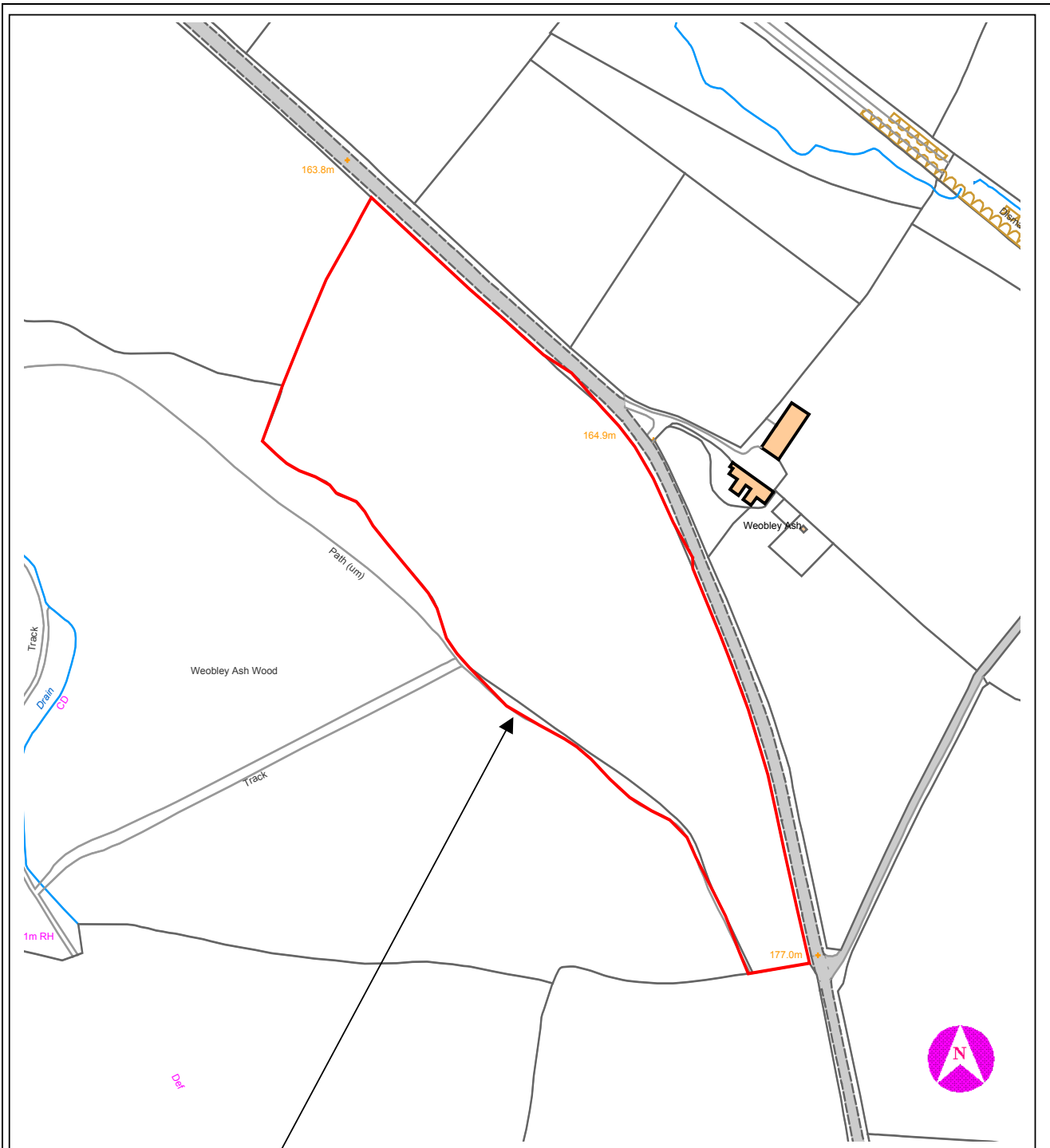
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCNW0009/1228/F

**SCALE :** 1 : 2500

**SITE ADDRESS :** Land at Burcher Wood, Stansbatch, Leominster, Herefordshire, HR6 9LW

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