

19 DCNW2004/0759/F - CONSTRUCTION OF ALL WEATHER CORRAL FOR ASSOCIATED EQUESTRIAN USE AT MILLFIELD, KINGSLAND, LEOMINSTER, HEREFORDSHIRE**For: Mr C.S. French per Mr P Titley New Cottage Upper Common Eyton Leominster HR6 OAQ**

Date Received:
1st March 2004
Expiry Date:
26th April 2004

Ward:
Bircher

Grid Ref:
44901, 62277

Local Member: Councillor W L S Bowen

1. Site Description and Proposal

- 1.1 The application site comprises land and buildings located on the western side of the C1039 approximately 0.8 km to the north east of Kingsland. The site has an historical use for equestrian activities including horse rearing and training and includes livery stabling and indoor schooling facilities.
- 1.2 The site lies in open countryside but is surrounded by a scattering of residential properties including Millcroft to the south east, The Bungalow, Meadow Bank and Bank Farm to the north, and Kingsland Mill House and Lugg Mill to the west.
- 1.3 The previous owner initially secured a permission to site a temporary mobile home for residential purposes (application no: N98/0833/C) and more latterly an outline permission was granted for a permanent dwelling (NW2002/0721/O). The new owner and applicant in this case has permission for the detailed design of the dwelling (NW2003/3081/F) but is also seeking to improve the associated facilities at the site to maintain the viability of his own business.
- 1.4 Permission is therefore sought for the construction of an all-weather corral on part of the paddock between the existing buildings and the eastern boundary with the main road to Lucton and Yarpole. The all-weather area measures some 60 metres by 30 metres and the surface would comprise a mix of sand, rubber and bark being enclosed by a post and rail fence. The original application included the erection of 8 no. lighting gantries which have subsequently been withdrawn from the proposal with the applicants agreement.

2. Policies

Planning Policy Guidance Note 7 – The Countryside – Environmental Quality and Economic and Social Development.

Hereford and Worcester County Structure Plan

CTC9 – Development Requirements

LR1 – Design and Recreation Development

CR2 – Leisure and Recreation Development

Leominster District Local Plan (Herefordshire)

A1 – Managing the Districts Assets and Resources

A2(D) – Settlement Hierarchy

A9 – Safeguarding the Rural Landscape

A15 – Development and Watercourses

A24 – Scale and Character of Development

A38 – Rural Tourism and Recreation Activities

A54 – Protection of Residential Amenity

Herefordshire Unitary Development Plan (Deposit Draft)

S2 – Development Requirements

DR2 – Land Use Activity

E6 – Expansion of Existing Business

RST1- Criteria for Recreation, Sport and Tourism Development

3. Planning History

N98/0832/F – Change of use of agricultural buildings to livery stables. Approved 17th March 1999.

N98/0833/C – Temporary siting of mobile home. Approved 17th March 1999.

NW1999/1480/S – General purpose fodder storage building. Approved 21st June 1999.

NW2002/0721/O – Site for 4 bedroom house. Approved 2nd May 2002.

NW2003/3081/F – Erection of new dwelling. Approved 9th December 2003.

NW2004/0754/F – Amendments to approved house design. Application undetermined.

4. Consultation Summary

Statutory Consultations

4.1 Environment Agency raises no objections.

4.2 River Lugg Internal Drainage Board raises no objections.

Internal Council Advice

4.3 Head of Engineering and Transport raises no objection.

5. Representations

5.1 Two letters of representation have been received from the following persons:

Mr B B Smith of Millcroft, Kingsland HR6 9SW

Mr T Goodison on behalf of Mrs E Goodison of Meadow Bank, Lugg Green, Kingsland, HR6 9PY

5.2 The concerns raised can be summarised as follows:

- a) Site already has an indoor school allowing for use in all weathers and located further from my property.
- b) Proximity of corral and elevated position of riders will enable riders to clear view of my property reducing privacy regardless of the time of season.
- c) Inevitable disturbance resulting from noise associated with the use of the corral.
- d) Corral would enable competition type activities to be organised increasing traffic from spectators and competitors.
- e) 6 metres high lights wholly unsuitable and would be very visible in this rural area.

5.3 Both letters suggest conditions that might be considered should the application be deemed acceptable. These will be addressed in more detail in the Officers Appraisal but generally relate to limiting the usage of the site to an appropriate level.

5.4 Kingsland Parish Council raises no objection.

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

6. Officers Appraisal

6.1 The Mill field site has an established history of use in connection with the provision of livery stables and associated equestrian activities and this proposal seeks to enhance the currently available facilities through the construction of an all-weather corral. Annex F of PPG7 offers support for the development of equestrian-related activities in rural areas and the expansion of existing rural enterprises is encouraged by the Local Plan policies subject to the scale and character of development being in keeping with the locality.

6.2 In this case the main issues that require careful consideration are the effect of the use of the corral upon the amenities of local residents, the impact of introducing an all weather artificial surface on the character of the countryside and the likely effect of traffic associated with the use.

6.3 A number of concerns are raised in the responses to this application which essentially relate to loss of privacy and noise and disturbance associated with the use of the all-weather facility. The corral itself would be some 58 metres away from the nearest property (Millcroft) and whilst it would be possible for riders in an elevated position to look into the private garden of this property which is within about 13 metres of the site it is not considered that this relationship would unacceptably affect the neighbours privacy. Noise and disturbance associated with the use of the all-weather facility has also arisen as a matter of concern.

6.4 In response to these concerns the applicant has advised that the proposed corral would probably result in additional activity involving up to 10 horses twice a week (once during the week and once at the weekend) and otherwise the site would remain as currently used with individuals having lessons during the week. These lessons take place during normal working hours and all activities would be limited to the summer months only (May to September). In this respect the main changes to the current level of activity would be more frequent usage on Saturdays during the summer.

- 6.5 When compared with the potential use of the site for horse riding activities at present it is not considered that the additional use would be so detrimental to the neighbouring occupiers that planning permission could realistically be refused. It is proposed to limit the use of the corral to an appropriate time in order to address neighbours concerns but it is advised that these restrictions would not apply to the use of the remainder of the land and buildings.
- 6.6 Conditions restricting the installation of lighting and public address systems are also proposed in order to bring about an acceptable level of control over the use of the corral.
- 6.7 In terms of the impact on the character and appearance of the surrounding countryside, the relatively flat nature of the area coupled with the well-established network of hedgerows is such that the all-weather surface will not be widely visible from the public footpaths to the north and west. The 6 metre high lighting gantries have been removed from the proposals and in view of this it is considered that the artificial surface and post and rail fencing can be accommodated without detriment to the site and surroundings.
- 6.8 The final issue, which potentially has both amenity and highway safety implications relates to the possibility of increased traffic movements associated with the all-weather facility. It is advised that the level of vehicular activity whilst likely to increase moderately would not be significantly different from that which has become established. The applicant considers that the absolute maximum number of horse boxes brought onto the site would be approximately 10, which can comfortably be accommodated in the paddock to the south of the proposed corral via the existing field gate from the private drive to the main complex of buildings. This activity would be limited to the approved use of the land and buildings as livery stables and would not extend to the use of the site for organised jumping events. This activity would require planning permission in its own right and therefore whilst there are concerns about the possibility of such events these are not relevant to the consideration of the current application. The implication of this is that the associated level of activity will be more limited and at an acceptable level having regard to neighbouring occupiers and the use of the local road network.

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 - A07 (Development in accordance with approved plans)(site/location plan received on 1st March 2004 omitting the gantry lights from the proposal)**

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

- 3 - The use of the all-weather corral shall be restricted to 0900 hours to 1900 hours Mondays to Saturdays between 1st March and 30th September in any calendar year and shall not be used at any time on Sundays unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard the amenities of the locality.

- 4 - There shall be no means or artificial illumination and the use of public address systems or any amplified sound is specifically precluded from any activities associated with the all weather corral hereby approved.

Reason: To safeguard the amenities of the locality.

- 5 - G01 (Details of boundary treatments)

Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.

Informatives:

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC
- 2 - The applicant is advised that this permission is granted in connection with the approved use of the land and buildings at Millfield as livery stables. It does not infer any right to hold organised equestrian related events for which seperate planning permission would be required.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.