

12 DCSE2004/2607/RM - EQUESTRIAN CENTRE, CAR PARKING AND ANCILLARY WORKS AT NEWTON FARM, WELSH NEWTON, MONMOUTH, HEREFORDSHIRE, NP5 3RN**For: Mr. J. Gilling per M. John Crowther & Associates,
Suite 2, Cobb House, 82 Newport Road, Caldicot NP26
4BR****Date Received: 14th July, 2004 Ward: Llangarron Grid Ref: 50069, 17882****Expiry Date: 8th September, 2004**

Local Member: Councillor Mrs. J.A. Hyde

1. Site Description and Proposal

- 1.1 This site is located in a field immediately to the south-east of the small settlement/hamlet of Welsh Newton. The site itself is on sloping grassland on the side of a hill. There are some existing buildings on the land to the north-west of the proposed site, two of which have planning permission for conversion to residential use i.e. one dwelling and also for 3 holiday cottages. Work to convert these two buildings has commenced. There is an existing vehicular access off the class III road to the north which serves the site. There is also a public footpath which runs past the proposed development on its western side.
- 1.2 Outline planning permission was granted on this site on 11th October, 2001 for an equestrian centre with car parking (ref no. SW2000/0312/O). The details relating to siting and means of access were also approved at that stage. The outline planning permission was augmented by a Section 106 Legal Agreement which basically required (i) the equestrian centre, the accommodation and the farmhouse must remain part of the land, (ii) the whole of the land shall remain in same ownership, (iii) no further dwellings or mobile homes/caravans be erected/stationed on the land (iv) certain buildings be removed from the land and the sites be landscaped and not used for farming or equestrian purposes. This current application for approval of reserved matters is for the remaining reserved matter details relating to external appearance, design and landscaping.
- 1.3 The proposal is for an 'L'-shaped building split into 3 sections by two access points. The building is single storey with natural stone walls with a natural slate roof. The building is approximately 58.5 m along the western side and 33.5 m along the northern side and 7.8 m wide. The top of the ridged roof will be 5.4 m high. The building will consist of 22 loose boxes with a tack room and toilet/changing facilities and a menage area attached to the south-east side i.e. within 'L' shape. A car parking area is to be situated immediately to the north of the building catering for 34 cars and 6 horse box parking. The proposed landscaping is essentially for the planting of trees around the site.

2. Policies**2.1 Planning Policy Guidance and Statements**

- PPG1 - General Principles
- PPS7 - Sustainable Development in Rural Areas

2.2 Hereford and Worcester County Structure Plan

- Policy CTC2 - Area of Great Landscape Value
- Policy CTC6 - Development and Significant Landscape Features
- Policy CTC9 - Development Criteria
- Policy A2 - Diversification of Agricultural Units
- Policy LR1 - Enjoyment of the Countryside
- Policy LR2 - Development Criteria
- Policy LR3 - Promotion of Facilities

2.3 South Herefordshire District Local Plan

- Policy GD1 - General Development Criteria
- Policy C1 - Development Within Open Countryside
- Policy C8 - Development Within Area of Great Landscape Value
- Policy C9 - Landscape Features
- Policy R1 - Provision of New Recreational Facilities
- Policy ED6 - Employment in the Countryside
- Policy ED8 - Farm Diversification
- Policy T3 - Highway Safety Requirements

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

- Policy S2 - Development Requirements
- Policy DR1 - Design
- Policy E12 - Farm Diversification
- Policy LA2 - Landscape Character and Areas Least Resistant to Change
- Policy LA6 - Landscaping Schemes
- Policy RST1 - Criteria for Recreation, Sport and Tourism Development

3. Planning History

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| 3.1 | SW2000/0312/O | Equestrian centre with car parking. | - | Outline Planning Permission
11.10.01 |
| | SW2000/0313/F | Conversion of equestrian building to farmhouse. | - | Planning Permission
11.10.01 |
| | SW2000/0314/F | Conversion to form 6 holiday cottages | - | Planning Permission
11.10.01 |
| | N.B. A Section 106 Legal Agreement was approved in association with the above-mentioned permissions. | | | |
| | SW2002/2136/F | Barn conversion for residential purposes | - | Planning Permission
13.11.02 |
| | SW2002/3708/F | Erection of domestic garages | - | Planning Permission |

SW2002/3712/F	Conversion of stable block into three holiday cottages	- 06.03.03 Planning Permission 01.05.03`
DCSE2003/2909/F	Upgrading existing access	- Refusal of Planning Permission 20.11.03
DCSE2003/3063/F	Equestrian Centre, including Restaurant, Staff and Instructors Accommodation, Car Parking and Ancillary Works.	- Refusal of Planning Permission 08.01.04. Subject of current Appeal to DoE
DCSE2004/0912RM	Proposed equestrian centre, car parking and ancillary works	- Refused 07.05.04
DCSE2004/3729/F	Conversion of Existing Stables into Holiday Accommodation	- Not yet determined.

4. Consultation Summary

Statutory Consultations

- 4.1 The Environment Agency has no objections but notes that the applicant is proposing a Package Sewage Treatment Plan and as such a discharge consent may be required which may not be granted. All washwaters, manure and stable waste should be disposed of in accordance with DEFRA requirements.
- 4.2 The Open Spaces Society comment that proposal does not affect their interests.
- 4.3 The Ramblers Association are concerned with safety of walkers on public footpath. The footpath must not be encroached upon nor obstructed during building work.

Internal Council Advice

- 4.4 The Head of Engineering and Transportation recommends that any permission includes a condition relating to the parking spaces and that there should be a restriction on surface waste discharge from site to equivalent of 'green field site' run off and pollutants must not reach watercourse.

In addition he observes that the public footpath WNN8 will be affected and that certain points should be taken into consideration i.e. warning signs be erected at access with class III road and at exit to car park warning drivers of pedestrians. The track should be wide enough to cater for vehicles and pedestrians. Any works to surface of public footpath requires approval from PROW Department and it is an offence to render a footpath inconvenient as a public right of way. Applicants should ensure they have lawful authority to drive over footpath.

- 4.5 The Chief Conservation Officer has no objections. Finishes and materials should be to approval. Could Barn Owl box be provided?

4.6 The Head of Environmental Health has no adverse comments to make.

5. Representations

5.1 The Parish Council observe:

The Parish Council were split in their decision. Some opposed the actual development in its entirety. Whilst others generally supported this original proposal with reservations concerning access as below. The Council would reiterate there is very strong local opposition to the proposal. This is fundamental and covers all aspects of the plans.

The Parish Council do have strong concerns over the proposed access to the centre. This would be from a small lane on a blind bend and there are serious concerns for safety. It was felt that an alternative access should be considered.

5.2 Eight letters of objection have been received from:

Mr. R. and Mrs. G. Moseley, Malicar Mill, Welsh Newton, Monmouth NP25 5RN
G. & P. Ravenhill, Hunters Post, Welsh Newton, Nr Monmouth NP25 5RW
Mrs. M.P. Swinglehurst, Pembridge House, Welsh Newton, Monmouth NP25 5RN
E. Swinglehurst, Pembridge House, Welsh Newton, Monmouth NP25 5RN
Mrs P. Fender, Farley Cottage, Welsh Newton, Monmouth NP25 5RN
Mr. D. Fender, Farley Cottage, Welsh Newton, Monmouth NP25 5RN
M.S. Phillips, The Old Post Office, Welsh Newton, Nr Monmouth, NP25 5RN
J.C.M. Phillips, The Old Post Office, Welsh Newton, Nr Monmouth, NP25 5RN

The main points being:

- bemused outline planning permission was originally granted,
- increase in traffic will be a hazard to local residents,
- the character of area will be changed by the development,
- major earth moving will be required, how will hillside be retained?
- public footpath has not been shown on the plans,
- no longer any justification for this development which was originally granted for Miss Telford's expanding business,
- proposed development will be an eyesore and discordant with the area,
- the proposal is poorly conceived and would not meet basic standards of the British Horse Society, loose boxes too small, whole design inappropriate,
- difference in levels from existing barn to site. Some of land has been excavated to get more space behind barn. Extensive earthworks will be required to get vehicular access from lower level to site level,
- the proposal does nothing for local people. Already equestrian facilities in area,
- access track will be dangerous for walkers etc,
- loss of privacy to local residents,
- effect the character of Pembridge House and Grade II Listed building,
- no staff accommodation vital in previous applications,
- the choice of Acer trees in countryside inappropriate,
- menage area overlooked by stabled horses which is not good practice,
- public footpath by barn has been destroyed and dug deeper to allow barn conversion floor to be made lower,
- where will excavated soil be dumped?
- a massive construction will need to be built to contain the hillside
- discrepancies in levels,

- is it an equestrian centre or riding school
- each planning application submitted has been changed. Restaurant and staff accommodation now omitted from current scheme,
- no intention of applicant to use property for equestrian purposes,
- many changes to proposals on site suggesting main intent is just to develop site,
- the equestrian centre is not a viable proposition.

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 This application for 'approval of reserved matters' purely relates to those matters relating to external appearance, design and landscaping. As such the main issues will relate to the size, design and appearance of the building, its effect on the landscape and surrounding properties. The most relevant planning policies are GD1, R1 and C8 of the Local Plan and also CTC2, CTC9 and LR2 of the Structure Plan which relate to these issues.
- 6.2 This application has been submitted following negotiations with officers, the applicant and his agents with respect mainly to the size, design and external appearance of the building and the uses contained within it. The size of the building has been reduced considerably from that previously considered and refused, which also included a restaurant and residential accommodation. Although the site is in an elevated and prominent position it is considered that the current proposal is probably the best solution given the provisions of the original outline planning permission. The building is low level and the use of local stone on the most prominent walls and natural slate on the roof are considered to be acceptable. The proposed building will not adversely affect the residential amenities of neighbouring properties and with the landscaping proposals will not be too obtrusive on the surrounding area designated as an Area of Great Landscape Value.
- 6.3 Some of the objectors have referred to whether there is a need for an equestrian centre as well as traffic implications. However the principle of the building/use and the traffic implications were considered at the time the outline planning permission was granted.
- 6.4 The details relating to the required earthworks fall under the ambit of landscaping and can be dealt with via conditions on any approval. However the development will be cut into the ground in accordance with details submitted and approved at the outline stage and form part of the siting of the development.
- 6.5 In conclusion it is considered that the proposed development is considered to be acceptable and in accordance with the relevant planning policies. Matters relating to the layout of the proposal with respect to good practice and standards of keeping horses/training etc are not material planning considerations.

RECOMMENDATION

That approval of reserved matters be granted subject to the following conditions:

- 1 A07 (Development in accordance with approved plans)**

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

2 B07 (Stonework laid on natural bed)

Reason: In the interests of conserving the character of the building.

3 Notwithstanding the details shown on the approved drawings the roofs shall be clad in natural blue/black Welsh slate and the ridges/hips shall be blue clay to match the slate roof unless otherwise first agreed in writing by the local planning authority.

Reason: To protect the visual amenities of the area.

4 Before any work commences on site details of the colour intended for the render to be used externally on the walls shall first be submitted to and be subject to the prior written approval of the local planning authority.

Reason: To protect the visual amenities of the area.

5 Before any work commences on site full details of all earthworks/banking etc. shall first be submitted to and be subject to the prior written approval of the local planning authority.

Reason: To protect the visual amenities of the area.

6 All external doors and windows shall be stained a matt dark brown colour unless otherwise first agreed in writing by the local planning authority.

Reason: To ensure the development is satisfactory in appearance.

7 F48 – (Details of slab levels)

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.

8 G05 – (Implementation of landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

Informatives:

1 N09 - Approval of Reserved Matters

2 The applicant/developer should ensure that the public footpath WNN8 which runs along the western boundary of the application site is not affected in any way. If in doubt the applicant should contact the Council Public Rights of Way Manager.

3 The Environment Agency advises that a Discharge Consent under the Water Resources Act 1991 may be required from the Agency.

4 The applicant should ensure that no pollutants from the development reaches any watercourse.

5 N15 - Reason(s) for the Grant of Planning Permission

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.