

9 DCSW2005/0224/F - CHANGE OF USE OF AGRICULTURAL BUILDINGS TO EQUESTRIAN USE AND CONSTRUCTION OF OUTDOOR ALL WEATHER RIDING SURFACE. PROVISION OF TOILET/KITCHEN BLOCK, HILL FARM, ABBEYDORE, HEREFORDSHIRE, HR2 0AG

For: M.J. & M.D. Day, Hill Farm, Abbeydore, Hereford, HR2 0AG

Date Received: 25th January, 2005 **Ward: Golden Valley** **Grid Ref: 39217, 32639 South**

Expiry Date: 22nd March, 2005

Local Member: Councillor J. B. Williams

1. Site Description and Proposal

- 1.1 Hill Farm is approximately 50 metres off the western side of the Class III road (C1223) that leads northward to Kerry's Gate from the north-eastern extremity of Abbeydore. Hill Farm is an elevated position in relation to the aforementioned Class III road. The complex comprises the Grade II Listed farmhouse, 40 metres south-west of that, across a surfaced courtyard, a brick faced purpose built office building approved in 1997, and 40 metres to the west a range of imposing modern farm buildings.
- 1.2 It is proposed to utilise the middle building, one of three for stabling horses and the building adjoining it to the north will be used as indoor riding arena. An all-weather riding surface has been delineated to the west of the northern most farm building. This arena is approximately 2 metres away from the boundary of Hill Farm. The land starts to decline northward beyond this boundary to the property. The indoor arena building is 27.5 metres long and 18.3 metres wide, the building used for stabling 23 metres wide and 27.5 metres long, and the outdoor riding arena 25 metres by 25 metres in area. Trees have been planted already between the farm buildings and the proposed siting for the riding arena and on the western side of the strip of ground identified for the riding arena.
- 1.3 The applicants have described the equestrian use applied for as a DIY livery (own livery) business to comply with current diversification agricultural activities required by the EU.

2. Policies

2.1 Planning Policy Guidance

- PPS.1 - Delivering Sustainable Development
PPS.7 - Sustainable Development in Rural Areas

2.2 Hereford and Worcester County Structure Plan

- Policy CTC.2 - Areas of Great Landscape Value
 Policy CTC.9 - Development Requirements

2.3 South Herefordshire District Local Plan

- Policy GD.1 - General Development Criteria
 Policy C.8 - Development within Area of Great Landscape Value
 Policy C.29 - Setting of a Listed Building
 Policy ED.8 - Farm Diversification

3. Planning History

- 3.1 SH950143LA/
SH950145PF Removal of buildings and conversion of barn into additional living accommodation - Approved 01.06.95
- SH970883PF Construction of office for farm business, repositioning of barn and demolition of existing buildings - Approved 04.08.98 (Subject to Planning Obligation/S.106 Legal Agreement)
- SW2003/1953/S Repositioning of farm building - Prior Approval Not Required 15.07.03

4. Consultation SummaryStatutory Consultations

- 4.1 The Environment Agency raises no objection subject to a condition being attached to any grant of planning permission.

Internal Council Advice

- 4.2 The Traffic Manager has no objection.
- 4.3 The Head of Environmental Health and Trading Standards has no adverse comments.
- 4.4 The Conservation Manager does not object on principle from an architectural point of view. This is subject to any alterations to the buildings externally being the subject of prior approval of the local planning authority.

5. Representations

- 5.1 In a letter that accompanied the application the applicants state that:
- the change of use is for a DIY livery (own livery) business to comply with the current diversification of activities required by the EU
 - livery business to be to BHA standards, supplying facilities to specialists in the horse world.

5.2 Abbeydore Parish Council make the following observations:

"Following a full meeting of the Abbeydore & Bacton Group Parish Council. The Parish Council were unable to give an informed decision as no plan of the proposed project had been received. However grave concern was expressed as to vehicular access on the C1223, and would request that passing places would be required on this approach road and the applicant should contribute to the cost."

5.3 Two letters of objection have been received from:

D.J. Moffatt, Longwood, Abbeydore, HR2 0AG

The main issues raised being:

- work already carried out on site (barn 1), barn has been re-positioned
- on highest point of site, size and design made it overbearing, detrimental impact on landscape and our amenity
- all-weather arena, concerned at proximity to our boundary and any floodlighting
- no allowance for landscaping, should be sited further away
- although it may not be a planning issue applicant intends to discharge surface water from relocated building onto our land
- (in a subsequent letter) our land has been flooded in places following prolonged period of rain, water is flowing through our property.

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 issues are considered to be the impact that the new enterprise will have in the landscape, on the setting of the Grade II Listed building, the impact on local residents and traffic generation associated with the new use.

6.2 The new use is primarily sited within existing buildings at Hill Farm. The indoor arena being sited within a building repositioned from a site closer to the applicants' listed farmhouse. This was dealt within the remit of an application under Sections 6/7 of the Town and Country Planning (General Development) Order 1995. This fact has been relayed to the one objector to the proposal, who otherwise believed the applicants had repositioned the indoor arena building in anticipation of this submitted scheme. The repositioned building is better sited away from the Grade II Listed farmhouse. The Conservation Manager has no objections to the application subject to control of changes to the elevations, in particular of the buildings facing the Listed farmhouse.

6.3 Issues have been raised from a property that borders Hill Farm relating to drainage, floodlighting and proximity of the riding arena and the impact of the development in the wider landscape. The drainage issues raised are matters for the two parties concerned. The riding arena could be moved away from the boundary which it is considered would reduce the impact of potential noise and disturbance from riders and horses. Floodlighting should be strictly controlled, and indeed should not be permissible on the west elevation of the building given its elevation. This is given the elevated position of Hill Farm in the wider landscape.

- 6.4 It is not considered that the proposal, notwithstanding the issues addressed above relating to the siting of the outdoor arena and floodlighting, will have a detrimental impact in the wider landscape. This is as laid out in Government advice in PPS.7: Sustainable Development in Rural Areas that implicitly supports small-scale rural diversification projects that have regard to the amenity of nearby residents.
- 6.5 The Parish Council have grave concerns relating to access to the site, and request passing places. Although the Traffic Manager has not objected in principle, nor indeed recommended any conditions, it is considered following further discussions with the applicants that at least two passing places should be provided along the stretch of the relatively straight Class III road that is immediately to the east of Hill Farm. The specifications for the passing places and the feasibility of providing them has been carried out by the Traffic Manager.
- 6.6 The applicants have informally confirmed that a maximum number of 16 horses will at any one time be looked after at Hill Farm, it is though expected that the number will be between 10 – 12 horses. Nevertheless, a condition restricting the number of horses should be attached to any planning permission granted. This should be with the proviso that no floodlighting is installed and firstly that the outdoor riding arena is re-sited. The application can then be supported as one that complies with diversification policies in the South Herefordshire District Local Plan, namely Policy ED.8, and in Government advice relating to rural businesses and farm diversification set out in PPS.7.

RECOMMENDATION

That subject to the receipt of revised plans re-siting the outdoor arena, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any conditions considered necessary by officers:

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)

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

3. Details of the toilet/kitchen block, i.e. internal layout, and any alterations to the external appearance of the building, i.e. doors and windows, shall be the subject of the prior written approval of the local planning authority before any development commences on site.

Reason: In order to define the terms to which the application relates and in the interests of protecting the setting of a Grade II Listed building.

4. No development approved by this permission shall be commenced until a scheme for the provision of foul drainage works has been approved by the local

planning authority. The scheme shall be implemented in accordance with the approved details.

Reason: To prevent pollution of the water environment.

- 5. No floodlighting shall be installed/erected to the western side of any buildings to the west of Hill Farm.

Reason: To define the terms to which the application relates and in order to reduce the impact of the use in the wider landscape on this elevated site.

- 6. The maximum number of horses housed at Hill Farm shall be sixteen at any one time.

Reason: In order to define the terms to which the application relates.

- 7. Before the development is first brought into use two passing places shall be provided on the western side of the Class III road (C1223). The details of the siting and specification for these passing places shall be submitted to and be approved in writing by the local planning authority prior to the commencement of development. The passing places shall be completed in accordance with the approved details prior to the development hereby permitted being first brought into use.

Reason: In the interests of general highway safety.

Informative(s):

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

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.