

**10 DCNE2005/2774/F - ERECTION OF CROSS COUNTRY JUMPS TO INCLUDE ADDITIONAL USE OF LAND AT TACK FARM, ULLINGSWICK, HEREFORD, HEREFORDSHIRE, HR1 3JQ**

**For: Mrs K Kawczynski Judith Norris Ltd Well House  
Farm Office Pooters Lane Hawkhurst Cranbrook  
TN18 5BB**

**Date Received:**  
**22nd August 2005**

**Ward:**  
**Frome**

**Grid Ref:**  
**59665, 49241**

**Expiry Date:**  
**17th October 2005**

Local Member: Councillor R Manning

**1. Site Description and Proposal**

- 1.1 Tack Farm lies to the south of Ullingswick on the C1118 road, approximately 6 miles to the south-west of Bromyard. It lies within an undulating pastoral landscape with large open fields demarcated by mature hedgerows.
- 1.2 The built element of the farm comprises the farmhouse together with a group of buildings of varying sizes and designs. A number of them have been converted to provide stabling in association with a livery business. This included the formation of a new schooling area and ancillary equestrian activities.
- 1.3 This application seeks to change the use of 16 hectares of land from agriculture to a cross country course for horse riders. The land lies to the west and south west of the farm buildings and is dissected by a public bridleway (MJ1). It is bounded on two sides by a designated ancient woodland known as Moreton Wood. A small number of dwellings lie to the north, adjacent to the public highway and some will have distant views across.
- 1.4 The application is in fact retrospective as 25 jumps are stationed on the land, of these, 13 are described as mobile, being readily movable with a 4x4 or tractor. A further 8 are positioned within fence or hedge lines (two have resulted in the removal of sperate 10 metre high lengths of hedgerow) and 4 are permanent structures in open fields. All are constructed in natural materials, predominantly timber, and have limited visual prominence.
- 1.5 The application is supplemented by a report on the highway implications of the scheme and a statement prepared by the applicants planning consultant. The former advises that the use of the course is for schooling of riders over cross country fences. Sessions will last up to 1.5 hours and involve groups of up to six riders and any one time.

## 2. Policies

### Hereford and Worcester County Structure Plan

CTC6 – Landscape Features  
CTC9 – Development Requirements  
A1 – Development on Agricultural Land  
LR2 – Leisure and Recreation Development  
LR14 – Countryside Sports

### Malvern Hills District Local Plan

Landscape Policy 1 - Development Outside Settlement Boundaries  
Transport Policy 11 - Traffic Impact  
Recreation Policy 4 - Public Rights of Way  
Recreation Policy 14 - Commercial Equestrian Development

### Herefordshire Unitary Development Plan (Revised Deposit Draft)

LA5 – Protection of Trees, Woodlands and Hedgerows  
RST1 – Criteria for Recreation, Sport and Tourism Development

## 3. Planning History

NE2004/4231/F - Change of use from agriculture to cross country course - Withdrawn 13th April 2005.

NC2003/3755/F - Upgrading of access track to a stone surface - Approved 24th March 2004.

NC2001/2391/F - Conversion of farm buildings to stables, livery yard and saddlery. Formation of 20x40 metres schooling area - Approved 21st November 2001.

## 4. Consultation Summary

### Statutory Consultations

4.1 None required.

### Internal Council Advice

4.2 Transportation Manager - comments as follows: "Having driven the length of the two routes by which the facility would be accessed, my comments are as follows, and concur with the supporting statement accompanying the application.

The route from A417 to Tack Farm is the wider of the two routes and is approximately 2 km in length. Over the majority of its length it is of adequate width to allow two cars to pass easily and initially the width is around 4.5m or more, narrowing to less than 4m over the last 600m to Tack Farm. Over this narrower length there are regular established passing points which will allow larger vehicles to be passed, and these passing bays are intervisible. The southern leg from Upper Town to A417 is slightly narrower than the other, but reasonably straight with good visibility

The route from A465 to Tack Farm is of similar length but of lesser width, generally between 3.0m and 4m, but again with a good number of passing points which are intervisible and give opportunity for vehicles to pass.

The existing traffic flows that are using these lengths of road at present during peak hour are a maximum of 25 vehicle movements, ie less than one vehicle movement on average every two minutes. Under the proposals, it is anticipated to only add 34 movements a day and this will have little effect as these are to be spread through the day.

The only conflict in vehicles which might require a vehicle to reverse, would be if two horseboxes met on the narrower sections of road and could not be accommodated by the passing bays, but due to the small flows which are involved, this is fairly unlikely. In view of the fact that a small number of sessions are planned in any one day, it could also be minimised by selective timing of the sessions.

I would comment that the visibility at the entrance, particularly to the east, would benefit by hedge trimming."

- 4.3 Public Rights of Way Manager - Comments as follows: "This application states that during schooling, the bridleway will only be walked over, however it also states that up to 28 events' could be held per year, and with the jumps only used in summer months this would equate to at least 1 per week. This would cause a hindrance to bridleways users that would be wholly unacceptable, and with events taking place so frequently we would not be sure that adequate supervision would be provided to protect the safety of users of the public bridleway."
- 4.4 Conservation Manager - No objection in principle to the proposed development. The jumps within the fields are small scale and would only have a slight adverse visual impact on the countryside.

The intention to retain jumps 3 and 16 in the hedgerow on the eastern side of the bridleway is noted. A Hedgerow Replacement Notice was served on 1st June 2004 in respect of the two lengths of hedgerow that have been removed without authorisation.

The view is maintained that the removal of these two sections of hedgerow and replacement jumps detracts from the amenity of the bridleway and erodes the character of the Principal Timbered Farmlands landscape. Field boundary hedgerows are a key characteristic of this landscape type.

## 5. Representations

- 5.1 Ullingswick Parish Council - No objection to the proposed expansion of the facilities of the existing equestrian business.

There is however public concern regarding the implications of the proposed change of use relating to:

- a) Noise from tannoy systems
- b) Movement of large vehicles/highway safety
- c) Public safety of bridleway users

- 5.2 Moreton Jeffries Parish Council comment as follows: "The Parish Council has no objections to the application if the site is used only for schooling and tuition with a limited number of trainees at any time. They believe it does not represent an accurate picture of how the roads could be affected. Concerns were also raised to the fact that there was a traffic gridlock in Ullingswick in August 2003 when an event was held at Tack Farm. If Herefordshire County Council does consider planning for the jumps to remain then we strongly urge the Council to limit the number of trainees and visitors that can attend the site at any one time. Jumps should be placed in the hedgerow to be removed and the hedge reinstated."
- 5.3 Ramblers Association is concerned that jumps 3 and 16 will affect the bridleway. Also concerned at the position of 13, 14 and 15 which are close to the bridleway.
- 5.4 Eight letters of objection have been received from:

Mr & Mrs O'Dell, Harry's Croft, Ullingswick  
Mr & Mrs Fisher, Tidmore Cottage, Ullingswick  
T A & F Horobin, Wellfield, Ullingswick  
Mr & Mrs Wilson, The Old Rectory, Ullingswick  
Dr J Stevens, Fairview, Ullingswick  
Mr N G Stevens, Fairview, Ullingswick  
Mr & Mrs G Spencer, Dora Cottage, Ullingswick  
Dr A K Barlow, Hill View, Ullingswick

In summary the points raised are as follows:

- a) Concern over highway safety.
  - b) Potential increases in traffic movements along minor roads and the detriment to residential amenity that will occur as a result.
  - c) Detrimental visual impact.
  - d) Removal of hedgerow without the requisite consent.
  - e) Safety issues of horse riders crossing the bridleway.
- 5.5 Six letters of support have been received. They highlight the lack of opportunities to school horses and country jumps and consider that the proposal meets this need.
- 5.6 The full text of these letters can be inspected at Northern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

## **6. Officers Appraisal**

- 6.1 The points of concern can be distilled into four issues, highway safety, visual impact, removal of the hedgerow and the safety of pedestrian users of the bridleway. Each will be dealt with in turn.

### Highway Safety

- 6.2 This application is specifically for the provision of a schooling facility for cross country horse riders and their horses. This is made explicitly clear in both of the reports submitted by the applicants planning and highways consultant.

The main thrust of objectors concerns in this respect seem to focus on traffic problems caused by an event held in 2003.

Members attention is drawn to the comments of your Transportation Manager who has commented on the highway report. He notes that movement along the road peak at 25 per hour and that the current proposal represents a further 34 movements per day. He concludes that this will have little effect when spread through the day.

In order that concerns regarding traffic movements are addressed, it is recommended that a condition is imposed limiting the use of the course to that applied for, that being for the schooling of horses and riders and to limit the number of events that can take place in any calendar year. This would effectively remove the permitted use rights that exist and it is recommended that a maximum of eight days are permitted by condition. This equates to one event per month between March and October when ground conditions are suitable.

More generally the Transportation Manager highlights that a number of good passing places exist from both the A417 and A465 to Tack Farm. It is therefore your officers opinion that there are not sufficient grounds to refuse the application on the basis of highway safety.

#### Visual Amenity

- 6.3 Twenty-five fences of a maximum height of one metre are dispersed across 16 hectares of undulating land. All are constructed in natural materials and have a minimal visual impact. This view is reinforced by the Conservation Manager generally, who also suggests that enhancements to the landscape could be achieved by an appropriate planting scheme. A condition could be imposed to this effect to mitigate any perceived visual impact.

#### Hedgerow Removal/Bridleway Safety

- 6.4 Objections have been maintained by both Conservation and Public Rights of Way Managers. The former advises that their objection would be removed if small field gates were installed in replacement of the two fences. Similar comments are made by the latter.
- 6.5 These comments have been passed on to the applicant's agent who has agreed to amend the scheme and remove fence 3 but to retain fence 16. It is your Officer's opinion that the continued objection to this particular element by the Conservation and Public Rights of Way Managers, as well as members of the public are well founded on issues of both safety and visual impact. It is therefore recommended that the removal of the two fences within a set timescale, reinstatement of the hedgerow and details of any new gates should be the subject of condition to render the proposal acceptable on this basis the application is recommended for approval.

## RECOMMENDATION

**That planning permission be granted subject to the following conditions:**

- 1 - a) Within two months of the date of this permission, details of the removal of fences 3 and 16 and the reinstatement of the hedgerow shall be submitted to the local planning authority for their written approval.**

b) The hedgerow reinstatement shall be completed in accordance with the approved details within 2 months of their approval.

c) Any trees or plants which within a period of five years from the date of this approval die, are removed or become seriously damaged or deceased shall be replaced in the next planting season with others of a similar size and species, unless the local planning authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the five year defects period.

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

2 - Notwithstanding the provisions of schedule 2, Part 4, Class B of the Town and Country Planning (General Permitted Development) Order 1995, the land shall be used for a maximum of eight days in any one calendar year for the purposes of any horse shows or competitions. The development shall otherwise be used for the schooling of horses and riders and for no other purpose.

Reason: Order to safeguard the residential amenities of dwellings in the locality.

3 - G04 (Landscaping scheme (general) )

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

4 - G05 (Implementation of landscaping scheme (general) )

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

**Informative(s):**

1 - N15 - Reason(s) for the Grant of PP/LBC/CAC

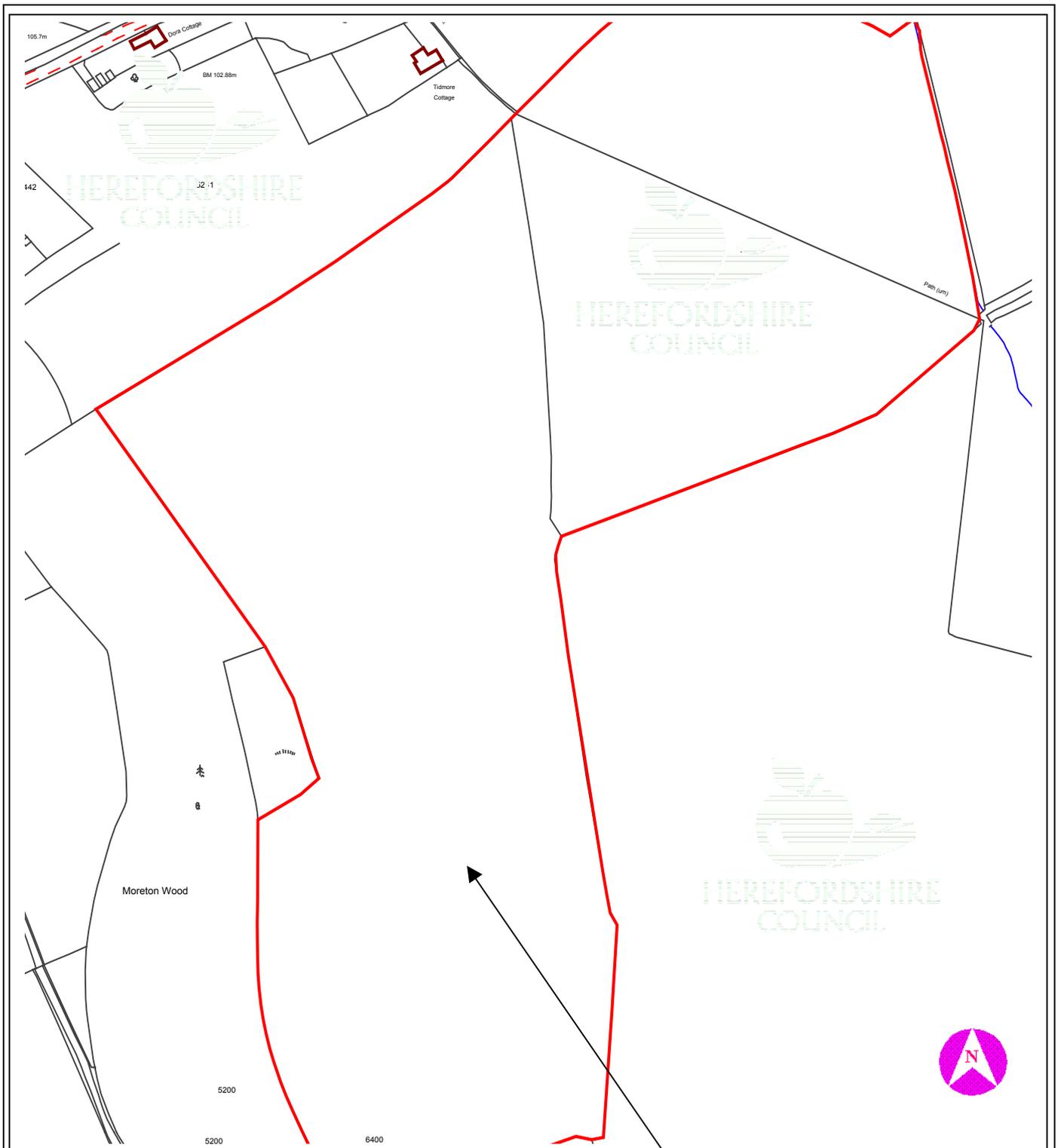
Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

**APPLICATION NO:** DCNE2005/2774/F

**SCALE :** 1 : 2500

**SITE ADDRESS :** Tack Farm, Ullingswick, Hereford, Herefordshire, HR1 3JQ

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office. © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005