

**9 DCSE2006/1748/F - CONTINUATION OF USE AS EQUINE STUD FARM AND CONSTRUCTION OF TRAINING AREA, HAY BARN, WINTER BARN AND STABLES AT HILLINGTON BARN, WOODREDDING, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7RG.**

**For: The Singing Stud Ltd per Wall, James & Davies,  
15-23 Hagley Road, Stourbridge, West Midlands, DY8  
1QW.**

**Date Received: 2nd June, 2006      Ward: Old Gore      Grid Ref: 64188, 28385**  
**Expiry Date: 1st September, 2006**  
Local Member: Councillor J.W. Edwards

**1. Site Description and Proposal**

- 1.1 Hillington Barn occupies an elevated site off the A449 Ross on Wye - Ledbury Road about 1 km east of the junction of that road with the B4224 (How Caple - Crow Hill). The barn is a large, stone agricultural building that has been converted to residential use. The surrounding land amounting to about 46 ha has been used as grazing, in connexion with a stud farm operated from premises (The Singing Stud) near Bodenham Farm, Much Marcle, about 4 km to the north. There are no equine-related buildings at Hillington Barn.
- 1.2 The current application is for the erection of a stable complex, hay/straw barn, winter barn and outdoor arena at Hillington barn. The barn is about 300 m to the east of the A449. Between the barn and highway the land falls steeply to a stream, lined by trees. The new complex would be sited immediately to the east of the stream. The hay barn, and American stabling barn and winter barn would occupy the area to the north of the public footpath (UB1) which bisects the site, with the training arena to the south. The hay barn would be 24.5 m x 18.3 m, the stabling barn 33.4 m x 22 m (maximum dimensions) and the winter barn 36.5 m x 18.3 m. They would be constructed with Yorkshire boarding above concrete blockwork with corrugated fibre-cement roofing sheets. The training area would be 60 m x 20 m. As the site is not level the buildings would be partly cut into the slope and partly erected on raised ground. Access would be off the drive to Hillington Barn, using an existing track.
- 1.3 An earlier application (SE2005/1015/F) for a similar range of buildings and facilities was refused permission in June 2005 for the following reasons:
1. The proposal would involve development on a significant scale on an isolated site in open countryside and would be visually intrusive in the landscape, which is identified as of Great Landscape Value in the Hereford and Worcester County Structure Plan. The proposal would conflict therefore with the Council's policies for the development of enterprises in the open countryside and for the protection of the natural beauty and amenity of the countryside. The policies referred to are CTC2 of Hereford and Worcester County Structure Plan, C1 and C8 of South Herefordshire District Local Plan and LA2 of the emerging Unitary Development Plan.

2. The Council has taken account of the advice in paragraph 32 of PPS7 but considers that the harm to the character of the countryside is compelling grounds to refuse planning permission.
3. The Council is not satisfied that the need for a dwelling in addition to Hillington has been established. The proposal would conflict therefore with the advice in Annex A of PPS7, Policies H20 of Hereford and Worcester County Structure Plan, SH11 of South Herefordshire District Local Plan and H8 of the emerging Unitary Development Plan.

## 2. Policies

### 2.1 Planning Policy Statement

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 A3 - Construction of Agricultural Buildings  
 Policy E6 - Development in Rural Areas outside the Green Belt

### 2.3 South Herefordshire District Local Plan

Policy C1 - Development Within Open Countryside  
 Policy C8 - Development Within Area of Great Landscape Value  
 Policy ED6 - Employment in the Countryside  
 Policy ED9 - New Agricultural Buildings  
 Policy T3 - Highway Safety Requirements  
 Policy GD1 - General Development Criteria

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

Policy LA2 - Landscape Character and Areas least Resilient to Change  
 Policy LA5 - Protection of Trees, Woodlands and Hedgerows  
 Policy E6 - Expansion of Existing Businesses  
 Policy E11 - Employment in the Countryside  
 Policy E13 - Agricultural and Forestry Development

## 3. Planning History

- |     |                 |  |   |                       |
|-----|-----------------|--|---|-----------------------|
| 3.1 | SE1999/2036/F   | Change of use from redundant barn to dwelling, incorporating outbuilding.  | - | Refused<br>17.9.99    |
|     | SE1999/3004/F   | Change of use from redundant barn to dwelling and outbuilding.   | - | Approved<br>13.1.2000 |
|     | SE2002/1614/F   | Proposed single storey garage  | - | Approved<br>23.7.2002 |
|     | DCSE2005/1015/F | Continuation of use as equine stud farm and erection of training area, hay barn, Winter barn, stables (including groom's flat) | - | Refused<br>30.6.05    |

#### 4. Consultation Summary

##### Statutory Consultations

- 4.1 Health and Safety Executive does not advise, on safety grounds, against the granting of planning permission in this case.
- 4.2 Environment Agency has no objection to the proposal in principle but recommends conditions regarding drainage. The site has a low risk of flooding and the Agency does not wish to make formal comments.
- 4.3 Forestry Commission advises that there is no woodland affected and consequently do not have any comment to make on this occasion.

##### Internal Council Advice

- 4.4. Traffic Manager recommends that conditions be included with regard to improvements to visibility at the access to the A449 and provision of parking and turning areas.

#### 5. Representations

- 5.1 The applicant's agent has drawn attention to the following:

- (1) The current application has addressed the reasons for refusal previously stated, and amendments have been made to the proposal. The significant amendments are:
  - a) the deletion of the groom's flat from the proposal, and
  - b) the grouping of buildings at the lower part of the field, close to and behind the significant tree belt, which both reduces the proposed change to the physical landscape and the impact of the buildings on the wider landscape.
- (2) Further, a supporting statement from Kernon Countryside Consultants provides evidence relating to the scale and need for the proposed buildings. The materials proposed are considered to be appropriate to the function of the buildings and in the wider landscape. The existing footpath across the site will remain unaffected by the proposal.
- (3) These amendments result in a scheme which is appropriate in the countryside and paragraph 32 of PPS7 should also be borne in mind.
- (4) It is also held that the scheme is in compliance with Policy LA2 of the Emerging Unitary Development Plan, in that the siting of the proposed buildings and training area has been located at the lower part of the site, but behind a landscaped screen, to result in the least change to the landscape.

- 5.2 Upton Bishop Parish Council's observations are as follows:

- a) The comments made on the original application DCSE2005/1015/F dated 31st March, 2005 still stand.

- b) The reason for the refusal of planning permission dated 30th June 2005, the Parish Council agree with completely, including PPS7 paragraph 32.
- c) The Parish Council would also like to draw to attention on the Planning Policy Statement 7:

The Government's Objectives

item (i) 4<sup>th</sup> point 'continued protection of the open countryside for the benefit of all, with the highest level of protection for our most valued landscapes and environmental resources'.

item (ii) 1<sup>st</sup> and 3<sup>rd</sup> point 'focussing most development in, or next to, existing towns and villages.' 'Discouraging the development of greenfield land, and, where such land must be used, ensuring it is not used wastefully.'

The Countryside

item 15 'Planning policies should provide a positive framework for facilitating sustainable development that supports traditional land-based activities and makes the most of new leisure and recreational opportunities that require a countryside location. Planning authorities should continue to ensure that the quality and character of the wider countryside is protected and, where possible, enhanced. They should have particular regard to any areas that have been statutorily designated for their landscape, wildlife or historic qualities where greater priority should be given to restraint of potentially damaging development.'

- d) Part of the land belonging to this property has public footpaths across it, the Parish Council has been led to believe that the horses along this footpath have caused a problem for walkers.

5.3 The earlier comments to which reference is made are:

- 1) It is considered that the development is in open country and will ruin what is currently an attractive unspoilt rural location;
- 2) The proposed development is extensive. It will cover a large area and it is out of all proportion to the location;
- 3) Much of the development will be elevated ground and will not easily lend itself to screening;
- 4) The development will be visible to users of the main Ross - Ledbury road and to those using the public footpath which runs through the development;
- 5) The development is contrary to the Parish Plan adopted by the Parish Council;
- 6) The Council has concerns that if the proposed venture fails then the Planning Authority will be faced with applications for alternative uses which may well be unacceptable and for which planning consent would not have been granted initially as has already happened in two other large developments in the Parish in recent years.

5.4 3 letters have been received objecting to or expressing concerns regarding this proposal. In summary these objections are:

- (1) the main issue in the earlier application was the policy with regard to rural areas that equine enterprises should maintain environmental quality and countryside character - this has not been addressed in the Supporting Statement;
- (2) in general the Supporting Statement does not address any of the issues that led to the previous refusal : no evidence;
- (3) no evidence adduced to support claim that one of the top Trakehener studs in the country;
- (4) Hillington Barn only used for grazing in summer months in last 3 years or so and if this has allowed increase in herd size this is not in itself a justification for creating further facilities here;
- (5) shall seek a site outside an area of Great Landscape Value (which was main grounds for earlier refusal) - assimilation into the landscape is problematic as site plainly visible from road as are barns and its outbuildings;
- (6) the staff rooms and office complete with bathroom and kitchen could easily be converted to a flat for a groom - only a matter of time before a resident groom found to be necessary;
- (7) progressively at Hillington Barn a dwelling has been created, followed by outbuildings, now a second application - very concerned where this will stop;
- (8) concern that a herd of horses in adjoining fields could intimidate walkers on public footpath - recently one walker was kicked and injured by them. Suggested that a post and rail fence to enclose whole length of footpath and that horses should not be able to reach over fences/hedges and intimidate walkers;
- (9) if permission granted suitable landscaping and screening should be required as development will potentially have an impact on landscape when viewed from the east.

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. Officer's Appraisal**

- 6.1 There are two main issues, namely the principle of developing a stud farm at Hillington Barn and the effect on landscape. On the first issue there are no specific policies relating to the development of equine enterprises in the countryside in the Development Plan or the emerging Herefordshire Unitary Development Plan (Revised Deposit Draft) (UDP). In these documents the proposal would be considered under policies ED6 (South Herefordshire District Local Plan) and E11 (UDP) which relate to employment proposals. Unlike agricultural development such proposals are not encouraged in isolated rural locations. However Government guidance in PPS7 gives specific support for 'equine enterprises that maintain environmental quality and countryside character'. Equine enterprises, especially horse training, are a significant part of the District's rural economy and the advice in PPS7 would apply to Herefordshire. In principle therefore the development of a stud farm, both extending existing facilities and new complexes would be in accord with national policies. In this case the enterprise is now becoming an established and viable business. The

intention to undertake very significant investment at Hillington Barn is a further indication of long term intentions. Evidence submitted in connexion with other applications by The Singing Stud indicates that the foals are of high quality and this is supported by the Council's Land Agent.

- 6.2 Advice on appropriate locations for agricultural buildings are considered to be relevant to this proposal. Ideally new buildings should be clustered near to existing buildings. In this case however the converted barn and its outbuildings are on or near a hill top and visible over a wide area. Development here would be obtrusive in the landscape, which is part of the area defined as of Great Landscape Value in the County Structure Plan, and would not be acceptable. The least conspicuous part of the applicant's land is the application site. The line of trees along the stream, which thickens to the north west section of the site, would provide screening during the Summer months and limit views at other times from the A449. However as a public footpath bisects the site it would be impossible to screen from all public viewpoints. The application site forms a natural bowl with the stream at the lowest point and forms an appropriate location for a new complex of buildings.
- 6.3 The application site is well away from other dwellings and would not be visible from them. No objections have been made by the Environment Agency and provided published guidelines, incumbent on agricultural and other rural enterprises, are followed there is no reason to consider that environmental quality would be harmed significantly. The buildings would be akin to agricultural buildings and training rings have been allowed on sites throughout the District. Although there would be an impact on the landscape I do not consider that this would be so serious as in itself to warrant refusal of permission. The re-arrangement of the buildings, bringing them closer together with the evidence referred to above of an established and viable enterprise, are not dramatic changes compared to the earlier proposal but are sufficient to allow a positive recommendation.

## **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. B01 (Samples of external materials)**

**Reason: To ensure that the materials harmonise with the surroundings.**

**3. G01 (Details of boundary treatments)**

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

**4. G04 (Landscaping scheme (general))**

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

**5. G05 (Implementation of landscaping scheme (general))**

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

**6. G07 (Details of earth works)**

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

**7. E10 (Use restricted to that specified in application)**

**Reason: To control the specific use of the land/premises in the interests of the visual amenities of the area.**

**8. H03 (Visibility Splays)**

**Reason: In the interests of highway safety.**

**9. H13 (Access, turning area and parking)**

**Reason: In the interests of highway safety.**

**Informative:**

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

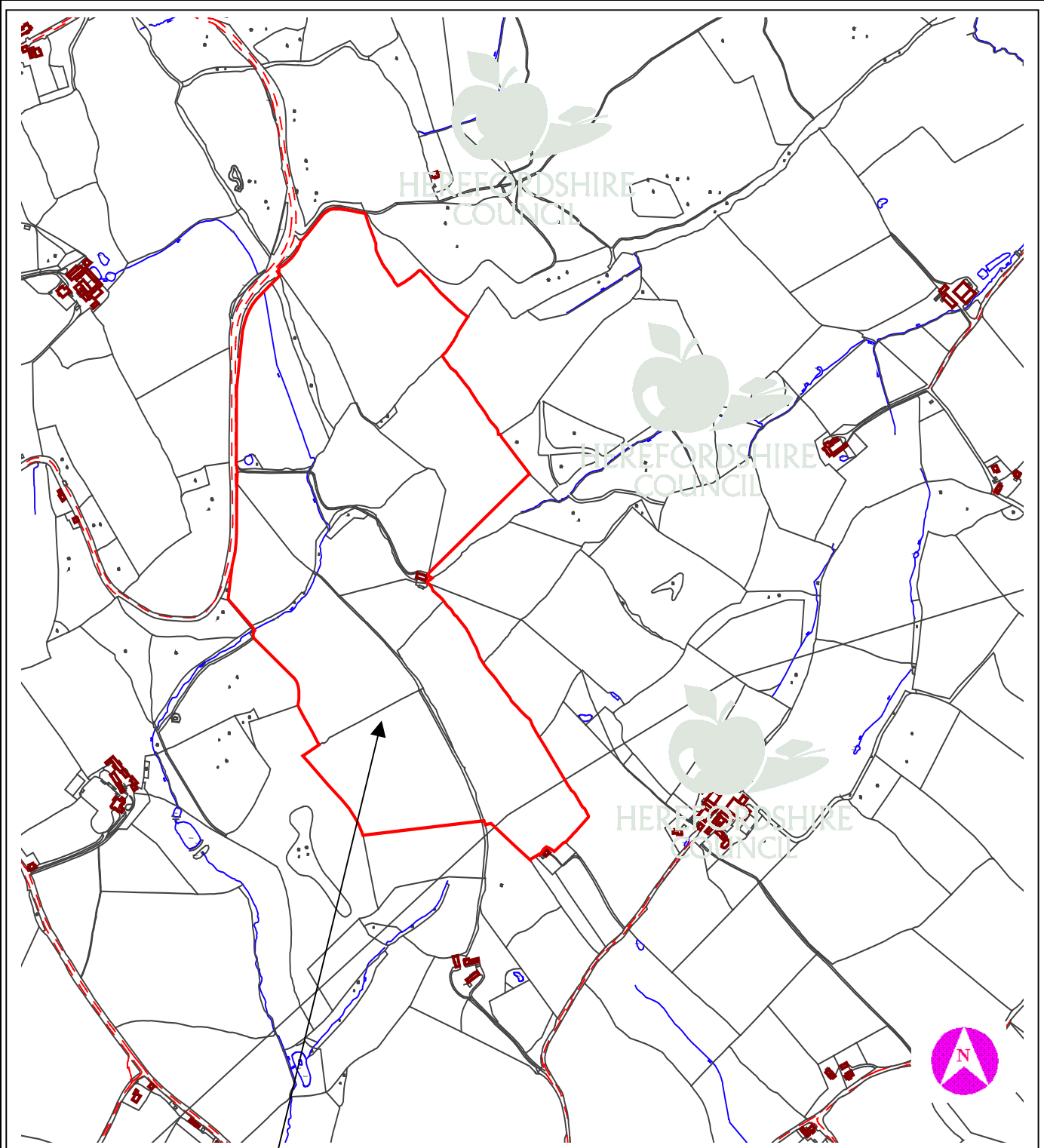
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCSE2006/1748/F

**SCALE :** 1 : 10000

**SITE ADDRESS :** Hillington Barn, Woodredding, Ross-on-Wye, Herefordshire, HR9 7RG

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