

## REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	24th November 2010		
Application Number	10/02146/FUL		
Site Address	Land at Stoke Common Lane, Purton Stoke, Swindon		
Proposal	Stables and Arena and Create New Access		
Applicant	Mrs L. Beynon		
Town/Parish Council	Purton		
Electoral Division	Purton	Unitary Member	Mrs J. Lay
Grid Ref	407960 190256		
Type of application	Full		
Case Officer	Mrs Charmian Burkey	01249 706667	Charmian.burkey@wiltshire.gov.uk

### Reason for the application being considered by Committee

This application was deferred from committee on 13<sup>th</sup> October 2010 to allow negotiations on the siting of the stables and arena and to allow clarification on the conditions to be applied to this and the adjacent parcel of land (10/03218/FUL)

Councillor Lay has requested this application be considered by Committee for the following reasons:

- To assess the change to the rural scene and the impact of more stables in the area.
- Loss of the hedgerow.
- Additional traffic onto private road and bridleway.

### 1. Purpose of Report

To consider the above application and to recommend that planning permission be GRANTED subject to conditions.

Purton Parish Council do not object but are not happy with the proposal. Their comments on the revised plans are awaited.

7 letters of objection have been received.

### 2. Main Issues

The application is for the erection of 4 stables and a hay barn in an L-shape together with a riding arena. Amended plans have been received moving the entrance, stables and arena eastwards and turning the stables through 90 degrees so that they lie parallel to the road behind the hedge. The key points to consider are as follows:

- Implications on DC Core Policy C3 and Countryside Policy NE15
- Visual impact of additional stables
- Impact on use and appearance of access road, which is a bridleway.
- Loss of hedgerow to form access.

### 3. Site Description

The site is relatively flat pasture land opposite a turning for one of the farms along this bridleway. The boundary between the field and the bridleway (which is tarmacked and maintained as a private road) is a mature native hedge. There are a considerable number of stables in the area.

4. Relevant Planning History		
Application number	Proposal	Decision
97/01853/FUL	Change of use of land from agriculture to use as equestrian and erection of stables	Permission

### 5. Proposal

The proposal is to construct a 40m x 20m riding arena to the east of a new access which is also proposed by removing a section of the mature hedgerow. The 4 stables and haystore would be sited to the west of the access against a hedgerow which separates this parcel of land from the next.

The land would continue to be grazed and is for private use only.

### 6. Consultations

**Purton Parish Council** is not happy about the number of stables along Stoke Common Lane because of the traffic it generates and the visual impact, although they find no reason to object to this application. They ask that conditions are imposed to restrict portable lighting and generators and no caravans or ad-hoc structures. Waste should be removed from the site and disposed of appropriately. Their comments on the revised plans are awaited.

**Highways** originally recommended refusal on the grounds that the proposed development would increase traffic along a designated public bridleway with consequent loss of amenity and risk of additional hazard and inconvenience to all users of the designated right of way.

However, following the applicant's letter dated 31<sup>st</sup> August 2010, he has stated that he considers that subject to the use being for private and personal use only, the objection is withdrawn.

### 7. Publicity

The application was advertised by site notice, press advert and neighbour consultation.

7 letters of letters of objection have been received

Summary of key relevant points raised:

- The new access will require removal of a large section of hedgerow, including some existing mature trees.
- There is an existing access track to the side which could be used.
- Possible presence of protected species/ecology.
- Disturbance by having new access opposite an existing domestic residence.
- Design and access statement is insufficient.
- Deterioration of road surface.

In support of the application the applicant writes that the land has been used for keeping horses for the last 13 years and if it remains private, then there will be no increase in traffic. Previous advice has led her to the decision not to take access up the adjacent bridleway track as it is

unmade and has little surveillance. The hedge would be cut at this time of year anyway and the entrance will avoid mature trees. The land is too muddy and wet to keep the horses out all winter and the arena will allow suitable exercise. Some of the objectors are from the same family.

## **8. Planning Considerations**

- Implications on DC Core Policy C3 and Countryside Policy NE15.

In the surrounding area there is a proliferation of stables and arenas, although the surrounding countryside remains open and rural. The stables and arena will be hidden behind the existing mature hedge and the removal of a section of it to create the access will only allow limited views of the development and certainly no more than in other locations close by. The section to be removed by the revised access position is of lower quality and significant trees can be avoided.

The section of hedge to be removed is approximately 4m. All along Stoke Common Lane there are entrances of similar proportions and the introduction of another is not considered to be unacceptable in this location, where no highway danger can be demonstrated.

The impact of the proposal on the character of its countryside location is considered to be acceptable and in compliance with policies C3 and NE15 of North Wiltshire Local Plan 2011.

- Visual impact of additional stables.

The area is characterised by small scale stable developments and given the screening provided by the existing hedge, the proposed development is considered to be acceptable. The stables have been re-located so that they are parallel to the road behind the hedge and this is in a similar pattern to others in the area and further limits their view from the road.

- Impact on use and appearance of access road, which is a bridleway.

Whilst Stoke Common Lane is a bridleway, it is of metalled appearance and its maintenance is not a material planning consideration in terms of who pays for it.

- Loss of hedgerow to form access.

The character of the area is hedges with holes punched through to form accesses. Whilst the hedge is of mature appearance, it is not considered that the loss of 4m of it is so detrimental to the amenity of the area as to warrant a refusal.

## **9. Recommendation:**

Planning Permission be GRANTED for the following reason:

The proposed stables, riding arena and access are considered to be acceptable in this location where the built development will be largely screened by existing hedging and the new access, although removing a section of hedge, will not cause sufficient harm to justify a refusal. The application is considered to be in accordance with policies C3, NE15 (NE14) of the North Wiltshire Local Plan 2011.

Subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The stables hereby permitted shall be used for the private stabling of horses only with associated storage and for no commercial purpose whatsoever, including livery. The riding arena hereby permitted shall be used only for the exercise of horses kept at the site and for no visiting horses or for any other purpose.

REASON: In the interests of highway safety and/or to protect the living conditions of nearby residents.

#### POLICY—C3

3. Manure storage and disposal and lighting shall be by way of the method described in the applicant's letter dated 28<sup>th</sup> September 2010 and this method shall be permanently maintained thereafter. There shall be no illumination other than by the method described in the letter without the prior written consent of the Local Planning Authority.

Reason: In the interests of the amenity of the countryside.

#### POLICY C3

4. There shall be no parking of horse boxes, trailers or other vehicles during the hours between dusk and dawn on the site.

REASON: In order to protect the living conditions of nearby residents and/or the rural character of the area.

#### POLICY—C3

5. No development shall commence on site until details of finished levels, surfacing materials and any fences have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity

6. The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.

Location plan/block plan dated 4<sup>th</sup> November 2010, elevation plan dated 18<sup>th</sup> June 2010, access plan dated 4<sup>th</sup> November 2010, arena plan dated 18<sup>th</sup> June 2010

REASON: To ensure that the development is implemented as approved.

<b>Appendices:</b>	<b>None</b>
<b>Background Documents Used in the Preparation of this Report:</b>	<b>1.20 2.02 4.02 4.03</b>

