

## REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	30 <sup>th</sup> March 2011		
<b>Application Number</b>	N.10.04304.FUL		
<b>Site Address</b>	Great Dairy Farm, Sodom Lane, Dauntsey, Wiltshire, SN15 4JA		
<b>Proposal</b>	Change of use to equestrian for breeding and rearing horses, provision of outdoor manege and erection of four stables and two tack rooms.		
<b>Applicant</b>	Mrs Cutner		
<b>Town/Parish Council</b>	Dauntsey		
<b>Electoral Division</b>	Brinkworth	Unitary Member	Toby Sturgis
<b>Grid Ref</b>	399823 181628		
<b>Type of application</b>	Full		
<b>Case Officer</b>	Mrs Emma Pickard	01249 706 637	Emma.pickard@wiltshire.gov.uk

### Reason for the application being considered by Committee

This application has been called in to committee at the request of Councillor Toby Sturgis to consider the traffic implications of the proposed development.

### 1. Purpose of Report

To consider the above application and to recommend that planning permission is REFUSED.

### 2. Report summary

The main issues in consideration of this application are the impact of the proposal on:

- highway safety;
- visual and residential amenity; and
- flooding.

### 3. Site Description

Great Dairy Farm is situated just south of the main village of Dauntsey and south of the M4 motorway.

Vehicular access to Great Dairy Farm is off Sodom Lane. There are residential properties to both sides of the access track and, adjacent to the gateway to Great Dairy Farm, is a small triangular shaped area where vehicles park and turn. The track continues beyond this area to a field immediately to the south west of the farm where the development is proposed.

The site area itself is relatively flat and there is a large amount of mature vegetation surrounding the site.

A bridleway follows the line of the access and crosses through Great Dairy Farm.

The site is within floodzone 2.

<b>4. Relevant Planning History</b>		
<b>Application Number</b>	<b>Proposal</b>	<b>Decision</b>
09.01269.ful  (This application was on an adjacent parcel of land belonging to Great Dairy Farm)	Change of use of agricultural land to livery and riding school, provision of outdoor manege and erection of four stables and two tack rooms in single building.	Withdrawn
10.01459.ful	Change of use to equestrian livery, provision of outdoor manege and erection of four stables and two tack rooms.	Refused

## **5. Proposal**

A horse trainer has recently moved in to separate ancillary accommodation at Great Dairy Farm and stables her horse in one of the 4 existing stables. This planning application seeks permission to erect an additional 4 stables, tack rooms and manege to accommodate one brood mare (which is currently in the existing stables) and up to three further horses for training in dressage by the resident trainer. These horses will then be sold, on a timescale dependent on their aptitude for dressage (which appears may be anything between 3 months and 18 months). The horses will also be taken to competitions by the trainer. The applicant anticipates that the three remaining existing stables will be retained for use by the applicants.

Included within the proposal are improvements to the access by widening the drive to allow two cars to pass. The circulation area and parking area will be altered so that it can accommodate 5 parking spaces.

## **6. Planning Policy**

North Wiltshire Local Plan Policy C3 – Development Control Core Policy.  
North Wiltshire Local Plan Policy NE15 – The Landscape Character of the Countryside.  
There are no specific Local Plan policies relating to equestrian development.

## **7. Consultations**

Highways – recommend refusal as the proposed use would increase traffic movements resulting in additional hazard and inconvenience to road users.

Dauntsey Parish Council – No objections in principle however the council would like it to be noted that there is a risk of the boundaries between adjoining properties being damaged as a result of a higher volume of vehicles including heavy good vehicles entering and manoeuvring around this property, so a suggestion that a provision for boundary protection/security is implemented.

Environmental Health – No objection subject to condition.

Environment Agency – No objection subject to condition.

Wiltshire Council Rights of Way – the bridleway should not be obstructed and any new fencing or gates/structures on the path should have permission granted by the highway authority.

Agricultural consultant. Will be detailed in planning considerations below.

## **8. Publicity**

One letter of objection was received which is summarised as follows:

- Current proposal means all traffic will be along the boundary fence with Dauntsey Lodge. Frequent movement of people livestock and vehicles will create disturbance and be intrusive. The development will impact on the amenities of this property;
- Car park is only 8 metres from our house;
- Riders and drivers will be able to look over the fence;
- Fence to Dauntsey Lodge Farm has been damaged by horses;
- To minimise the impact on our property the tarmaced area should be further up the track;
- Question the need for additional parking spaces when the assertion is that reduced movements will result;
- Would want an impermeable surface laid to the parking area; and
- Would ask that a planning condition restrict equine usage to horses owned by the occupiers of Great Dairy Farm to prevent commercial development, and also a legal agreement to tie the use to the house.

A letter of objection was received from the Dauntsey Parish Council Drainage Board who state that their flood objections to the previous application (10.01459) remain.

## **9. Planning Considerations**

The applicant contends that the proposed use is private/domestic as the horses will be owned by the applicant. However, the submitted documents do describe a commercial activity and Officers have realistically concluded the proposal to constitute a commercial use on that basis. The trainer living on site is employed by, and will be training the horses on behalf of, the owner, and the horses will then be sold for financial gain. It is stated that the proposal will make the most of the equestrian knowledge of the trainer and will supplement the applicant's pension while in retirement. In normal circumstances, 8 stables for private use would require special justification.

### Highways

Highway safety is a great concern at this site as the vehicular access onto Sodom Lane, which lies on the inside of the bend, is substandard. When exiting the site visibility splays of 2.4 x 140m should be achieved but only 2.4m x 88m is achievable to the left. In addition, forward visibility of 160m is required but only 147m and 150m are achievable.

Highways have made it clear to the applicant that they could not accept a proposal which generated any additional vehicular movements above the current level (when compared to the agricultural use).

A highways document was submitted by PFA in support of the proposal. An agricultural consultant was also engaged by the local planning authority to make an assessment on the traffic levels between the two uses, based on agricultural and equestrian practice.

The agricultural use comprises currently five alpacas (with possible expansion to 10) and 40 ducks. The assessment also includes keeping up to 100 breeding ewes. Until recently, these numbers of sheep were kept at the site by a separate owner. The assumption also includes four horses kept in the existing stables. The applicants also sell some hay produced at the site.

This proposal seeks to address highway concerns expressed in the two previous applications by proposing a use that does not increase the traffic using the access when compared to the existing use. The PFA report assumes the proposal is for private use only and that, in terms of traffic

generation, differs from the previously refused application which was for full livery. The report nevertheless goes on to describe an activity that is unmistakably commercial in nature.

PFA state that as a result of the development the sheep farming will cease. Any remaining hay will be kept for the additional horses. The assumptions regarding traffic movements are included on table 2.1 within the PFA report. It is stated for the sheep farming that vehicle movements would be:

- 1 visit per day (2 movements) to deliver lambs/sheep from lambing pens;
- 2 visits per day (4 movements) for attending the sheep during lambing season;
- 2 visits per day (4 movements) to attend to the sheep during the summer season;
- 1 visit per week (2 movements) to take lambs to market when ready generally during August/September;
- In addition to this, 2 deliveries per week (4 movements) for fodder throughout the year.

With the proposed equestrian use the report assumes that feed will be supplied with the existing deliveries and that, apart from occasional visits from a farrier and vet, the only additional generation of traffic would be by prospective buyers and which is assumed at 2 per horse (4 traffic movements).

The table assumes there would be an average of 4 traffic movements per day associated with the 'typical' sheep farming use and 0 movements per day for the equestrian use. Peak movement would be 6 for sheep farming and 6 for equestrian. However, the PFA report concludes that the equestrian use offers a reduction in vehicular movements. This is considered to be an unrealistic conclusion.

Indeed, the Council's own agricultural consultant's assessment of a sheep enterprise differs from the assumptions in the PFA report. He concludes, 'the ewe enterprise would utilise the grassland for its principle foodstuff, possibly supplemented by hay and a concentrated feed in the run up to lambing. The occasional trip might be required for the collection of delivery of bulk feed, however, I would not anticipate a frequency greater than once a month. Trips would also be needed to collect lambs for sale at a finished weight; however, such trips would again be infrequent.'

For the assumption of traffic generation for training horses, the agricultural consultant takes into account weekly trips for competition throughout the year (although the trainer takes her horse at present and can accommodate an additional horse). He also states, 'there will also be trips to and from the holding for the vet and for prospective owners/dealers for horses that are not retained to compete.'

His opinion, overall, is that the frequency and regularity of trips for the proposed dressage enterprise will be significantly greater than those associated with the ewe enterprise that it is proposed to replace.

Following matters of clarification by the applicant and receipt of the agricultural report, the Highway officer has reviewed their initial conclusions. The Highway officer has now also concluded that the proposal is commercial in nature and now objects to the application on the grounds that 'they are satisfied the proposed use will actually lead to an increase in vehicular movement on top of what could be considered a fallback position.'

The applicants have suggested that a condition which limits the use of the stables and manege only by horses within the ownership of Great Dairy Farm or those residing at the site, may overcome the council's objection. However, it is considered that this condition would not impact on vehicular movements. In addition, it may not be reasonable given that officers consider the use to be commercial in nature and that it is assumed that buyers would wish to ride horses at the site before buying them.

### Residential Amenity

The proposal utilises an existing parking area and access track. Whilst it is considered that the proposed use would increase the level of movements on this access, it is considered that the increase would not unduly compromise residential amenity.

In addition, concerns have been raised about overlooking from riders on horseback. However, as the access track is also bridleway there is already the possibility for this to happen.

### Visual Amenity

The stable building and manege would be sited in a location fairly close to Great Dairy Farm and would be screened by a large amount of existing mature vegetation. It is considered that the proposal would not adversely affect the appearance of the area.

### Flooding

A flood risk assessment was submitted as part of this application within which it is recognised that the area has experience significant flooding in recent years, specifically, 2007 and 2008, (although Great Dairy Farm was largely unaffected). Mitigation measures are set out in the report and the Environment Agency has no objection subject to these measures being carried out.

## **10. Conclusion**

Whilst there is no objection to the principle of a small-scale business enterprise within this rural location, it is considered that the proposed use would generate vehicular movements in excess of the existing agricultural use on site which in the context of a substandard access from the highway, would cause a hazard to road users.

## **11. Recommendation**

Planning Permission is REFUSED for the following reason:

1. The proposed development would result in an increase in use of a substandard access which would be detrimental to highway safety, and is, therefore, contrary to policy C3 of the North Wiltshire Local Plan 2011.

