

REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	09.11.2011		
Application Number	W/11/02185/FUL		
Site Address	Land North Of Dunch Lane Melksham Wiltshire		
Proposal	Change of use to mixed equestrian and agricultural use including erection of 2 stable blocks, lambing shelter and associated sheds/chicken coops		
Applicant	Mr Carol Ward		
Town/Parish Council	Melksham (Town)		
Electoral Division	Melksham North	Unitary Member:	Rod Eaton
Grid Ref	389910 165296		
Type of application	Full Plan		
Case Officer	Miss Jennifer Fivash	01225 770344 Ext 01227 770297 jennifer.fivash@wiltshire.gov.uk	

Reason for the application being considered by Committee

Councillor Eaton has requested that this item be determined by Committee due to:

* Environmental/highway impact and access via a very narrow lane and in the interests of public debate.

1. Purpose of Report

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

Neighbourhood Responses - seven letters of objection (4 from same households) received.
Melksham Town Council - Object
Melksham Without Parish Council - No objection

2. Report Summary

The main issues to consider are:

- Impact on Residential Amenity
- Landscape Impact
- Impact on Highways

3. Site Description

The site is located on the outskirts of Melksham down a narrow lane linking the A350 and the A365. The fields are located to west of the railway line running through Melksham. There are three fields which make up the application site which all run parallel to and along the boundary of the railway. The first field closest to Dunch Lane has several buildings including 2 wooden stable buildings. The centre field and the furthest field from the lane are paddocks with horses grazing/exercising. The site is accessed via an entrance close to Northbrook Road, but the majority of the site is separated from the residential estate by an intervening field.

4. Relevant Planning History

W/09/00244/FUL – Change of use to mixed use agricultural and equestrian use including erection of two stable blocks, hay shed and hardstanding – Withdrawn 20.03.2009
06/03676/AGD – Erection of hay barn and implement shed – Prior Approval of Details not required 02.01.2007

5. Proposal

The application seeks retrospective planning permission for the change of use of the land from agricultural to mixed use of agricultural and equestrian with associated buildings including the two wooden stable blocks; an open sided wooden structure, chicken coops and associated sheds.

6. Policies

Government Guidance
PPS7 Sustainable Development in Rural Areas

West Wiltshire District Plan First Alteration 2004
C1 Countryside Protection
C38 Nuisance
E10 Horse Related Development

7. Representations

Melksham Town Council

Object.

- Highways. Access is currently a problem.
- Environmental Hazards
- Increase in noise from extra vehicles
- Flood plain

Melksham Without Parish Council

No objection

Wiltshire Council Highways

No objection

Environmental Health (PROTECTION)

No objection, subject to conditions preventing the burning of manure or other material derived from the keeping of horses and the provision of adequate facilities for the storage, removal and disposal of manure from the site.

Network Rail

No objections

8. Publicity

The application was advertised by site notice/neighbour notification - expiry date: 9 September 2011

Summary of points raised:

Seven letters of objection (4 from same households) received. Comments relate to:

- Traffic
- Access
- Turning in and out of site blocking the lane
- Mud and manure on road
- Manure on roads from riding
- Flood plain
- Parking

- Nuisance in terms of noise
- Building carried on after history file was withdrawn
- Rats in the vicinity
- Smells and smoke coming from the site
- Dung heap

9. Planning Considerations

Principle

The change of use of land to mixed agricultural and equestrian in principle is not in conflict with the policies of the development plan, provided that the proposal minimises the impact on the appearance of the area and has no adverse highway implications.

Residential Amenity

The main part of the site, including the stable blocks and paddocks, are located over 75 metres from the rear of the nearest dwellings, which are separated from it by an intervening field. The Council's Environmental Health Officer does not consider that any adverse impact would be created to residential amenity and subject to the conditions recommended by the EHO, the application is considered acceptable on these grounds.

Landscape Impact

The buildings are low key in nature and size, with the stables built from appropriate wooden materials with a dark roof. The open sided building beyond the stables is less well designed, but due to its small size and limited visual impact does not have any significant visual impact. Although the hay bales have been the subject of objection, their siting does not require planning permission as they are not a building.

Highways

The existing access was granted consent under planning reference 06/03676/AGD. The highways officer has no objection and it is clear that any additional traffic generated by this use will make no material difference to the traffic use of Dunch Lane.

Conclusion

Subject to the imposition of appropriate conditions, the application complies with policy and retrospective planning permission is recommended.

Recommendation: Permission

For the following reason(s):

The proposed development would not materially affect the amenities of the neighbours and any planning objections have been overcome by conditions.

- 1 Within one month of the date of this permission, details of the proposals for the storage of manure and soiled bedding (including the location of such storage) and its disposal from site (including frequency) shall be submitted to and approved in writing by the Local Planning Authority. The operation of the use authorised by this permission shall be carried out in accordance with these approved details. No storage of manure and soiled bedding shall take place outside of the storage area approved under this condition.

REASON: In the interests of public health and safety, in order to protect the natural environment and prevent pollution.

- 2 The equestrian use hereby permitted shall only be used for the private stabling of horses and the storage of associated equipment and feed and shall at no time be used for any commercial purpose whatsoever, including for livery, or in connection with any commercial equestrian tuition.

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

West Wiltshire District Plan 1st Alteration 2004 - POLICY: E10 and C38

- 3 No manure or materials shall be burnt on site.

REASON: In order to minimise nuisance and safeguard the amenities of the area in which the development is located.

POLICY: West Wiltshire District Plan First Alteration 2004 policy C38 and E10

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

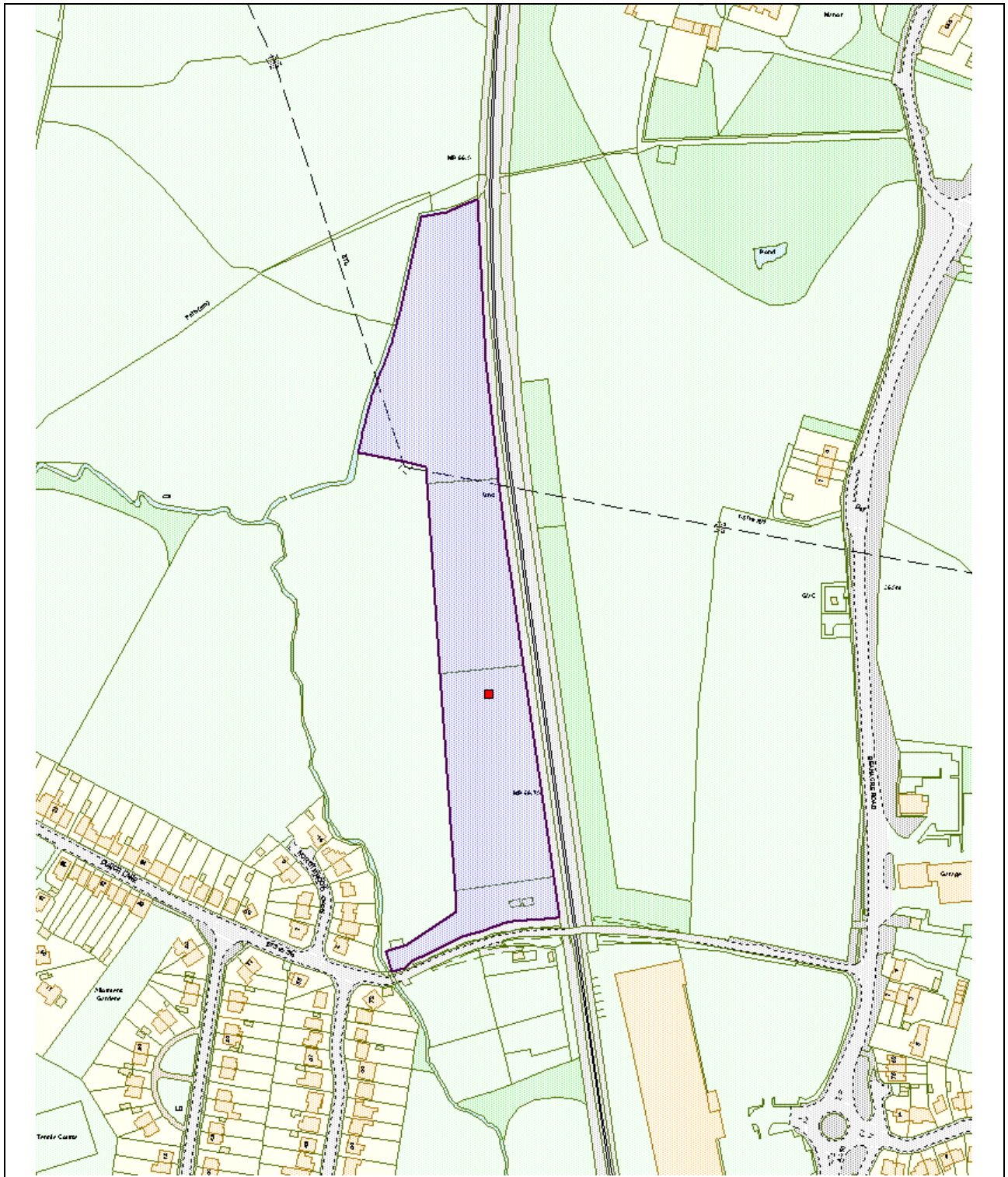
Site location plan received on 2 August 2011

Block Plan received on 2 August 2011

AH2011/47 Rev A received on 24 August 2011

Reason: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the local planning authority.

Appendices:	
Background Documents Used in the Preparation of this Report:	



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