

REPORT FOR NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	28 January 2015
Application Number	14/09422/FUL
Site Address	Land Adjacent To Ashley Lane Box Wiltshire SN13 8AN
Proposal	Change Of Use From Agricultural To Equestrian Use, Erection Of 2 Stables, storage building & 2 Mobile Field Shelters. (Part-Retrospective)
Applicant	Mr M Regnard
Town/Parish Council	BOX
Ward	BOX AND COLERNE- Cllr Parker
Grid Ref	381289 168246
Type of application	Full Planning
Case Officer	Charmian Burkey

Reason for the application being considered by Committee

The application has been called to Committee by the Local Member, in order to consider the impact on the Green Belt and AONB, the impact of the traffic on the lane and the sustainability of keeping 4-7 horses on the land.

1. Purpose of Report

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

Box Parish Council object and 9 letters of objection and 1 letter of support have been received.

2. Main Issues

The main issues in considering the application are:

- Retrospective nature of the application and changes to the original submission..
- Impact on the openness of the Green Belt.
- Impact on the landscape quality of the Area of Outstanding Natural Beauty.
- Access.

3. Site Description

The application lies within the Bath Green Belt and the Cotswolds Area of Outstanding Natural Beauty (AONB) on a sloping site with mature trees along its north western boundary with Ashley Lane and mature hedging to its south eastern boundary with Wormcliffe lane. Access is from Ashley Lane with the village of Ashley lying approx. 100m to the east of the site entrance.

The stables and field shelters are already on site together with a mobile home and 2 containers.

There has been some subdivision of the land to form paddocks, but the land is laid to grass.

4. Proposal

The proposal has been amended from its original submission following negotiations. The mobile home and containers have been removed from the proposal. However, they were still on site and if not removed will need to be subject of enforcement action.

The remaining part of the proposal is for a change of use of the land from agriculture to land for the keeping of horses; the retention of the 3 stables and haystore and another general store and the retention of 2 field shelters. All but the additional store are already in place although one of the field shelters is not in the position shown on the plans. The buildings are all timber and are simple in design with low pitched roofs except for the new store which has a hipped roof.

The 2 stable buildings would measure approx. 7.5m x 4.5m x 3m in height to the ridge. The additional store would measure 5m x 5m by approx 3.3m in height. The field shelters would measure 4.4m x 4.5m and 3m in height.

5. Consultations

Box Parish Council has strong objections as the site description is incorrect. The previous owner did not have permission for a mobile home. It is a caravan with no lawful use as a dwelling. WC and tea making facilities are domestic use. It is also not part retrospective as everything is currently on site. This is over development of the site in the Green Belt and AONB and would ask why 2 storage containers plus storage in the caravan is required for 3 horses. If this is a change from agriculture to equestrian, why do they need machinery on site?

Highways comments were not received by the time this report was drafted, but will be reported at the Committee meeting.

The Cotswold Conservation Board recommends that any approval is accompanied by a restriction on the number of horses kept on the site; that a pasture and waste management plan is approved by The Council in order to maintain the biodiversity of the site; Permitted development rights for the erection of shelters, fences, jumps etc on the land area restricted to avoid clutter in the AONB and external lighting is limited to prevent harm to tranquillity and dark skies.

6. Local planning Policy

Wiltshire Core Strategy:
Core policies 51 and 57

North Wiltshire Local Plan 2011:
saved policies NE1 and NE4

National Planning Policy Framework 2014

7. Publicity

The application was advertised by way of site notice and neighbour consultation.

9 letters of objection have been received raising the following key points:

- Inconsistencies between what is on site and the design and access statement.
- The whole application is retrospective.
- The retention of the caravan for storage etc is unacceptable. The caravan is fully kitted out to live in.
- Unsightly and extensive in the Green Belt and AoNB.
- There is no need for additional storage.
- Reference needs to be made back to the Inspector's decision.
- Potential for damaging paraphernalia.

1 letter of support has also been received.

8. Planning Considerations

The application is in retrospect but has been amended since its original submission. The amendments are the removal of both the mobile home and the containers from the description, but the addition of a further store and the re-location of one of the mobile field shelters. Both the containers and mobile are planned to be removed from the site when ground conditions permit, but should this not be done in a timely fashion, the Council will be in a position to invoke enforcement proceedings.

The use of land for the keeping of horses for leisure purposes is an appropriate use within the Green Belt and, subject to careful controls, should not negatively impact on its openness nor on the landscape quality of the Area of Outstanding Natural Beauty. The number of horses kept on site should be restricted to approx 1 per acre to prevent over grazing of the land; the siting of any containers, van bodies or other forms of shelter should be conditioned against as should the siting of temporary/permanent jumps; the use should be restricted to private use to prevent commercial livery etc.

The access to the site has recently (unlawfully) been tarmacked on the basis that such works are required to get the mobile home and containers off the site. The tarmac will be removed once this has been done and the access returned to its agriculture appearance.

The Green Belt and AONB are often key areas of land for the keeping of horses for recreational purposes and have little negative impact on the landscape quality of the area and its openness. In fact within the immediate surrounding area there are a number of other areas of land that are used for the keeping of horses and, despite its retrospective nature, the proposal is largely considered to be similar to them.

The proposal is considered to comply with core policies 51 and 57 of the Core Strategy and saved policies NE1 and NE4 of the North Wiltshire Local Plan 2011 and the guidance contained within the National Planning Policy Framework 2012.

RECOMMENDATION

To GRANT planning permission subject to the following conditions:

- 1 There shall be no more than 10 horses kept on site at anyone time, including foals at foot.

REASON: To prevent over grazing of teh land to the detriment of the landscape quality of the Area of Outstanding Natural Beauty.

- 2 Within 3 months of the date of this permission, the mobile home and 2 containers on site, including any fixtures and ancillary pipework, shall be fully removed from the site.

REASON: To protect the amenity and landscape quality of the Area of Oustanding Natural Beauty and Green Belt.

- 3 No fences or jumps shall be erected on the site without the prior approval in writing of the Local Planning Authority.

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

- 4 Within 2 months of the date of this permission details for the storage of manure and soiled bedding (including the location of such storage) and its disposal from site (including frequency) have been submitted to and approved in writing by the Local Planning Authority. Before the development is first brought into use, the works for such storage and disposal shall be completed in accordance with the approved details and shall subsequently be maintained in accordance with the 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.

- 5 The development 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 equestrian tuition or leisure rides.

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

- 6 There shall be no parking of horse boxes, caravans, 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.

- 7 No portable buildings, van bodies, trailers, vehicles or other structures used for storage, shelter, rest or refreshment, shall be stationed on the site without the prior approval in writing of the Local Planning Authority.

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

- 8 The development hereby permitted shall be carried out in accordance with the following approved plans: Drwgs PL05A; PL03A dated 4th December 2014 and Drwg PL02PL06 dated 6th October 2014.

REASON: For the avoidance of doubt and in the interests of proper planning.

