

DELEGATED

AGENDA NO.

REPORT TO PLANNING COMMITTEE

DATE: 12th July 2006

**REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES**

06/0878/FUL

**ERECTION OF STABLE BLOCK COMPRISING OF 3 STABLES AND HAY/STRAW
STORE AND NEW ACCESS AT LOW MIDDLEFIELD FARM.**

Expiry – 6th June 2006

SUMMARY

This application relates to the erection of three stables and an associated Hay/Straw store in a field adjacent to Low Middlefield Farm and The Barns development. The proposal also includes the provision of a new access from an existing track onto Blakeston Lane.

Six letters of objection have been received from neighbouring residents and Grindon Parish Council has stated that possible issues relating to access should be taken into account.

RECOMMENDATION

Planning application 06/0357/ARC be Approved with Conditions subject to

01. The development hereby approved shall be carried out in accordance with the following approved plan(s); unless otherwise agreed in writing with the Local Planning Authority.

Drawing Number(s): Drg 001

Reason: To define the consent.

02. The development of three stables and storeroom, to which this application relates, shall not be used for commercial purposes.

Reason: In the interests of the amenity of the occupants of neighbouring properties.

03. Prior to the commencement of the construction of the external walls and roofs of the development, hereby approved, precise details of the materials to be used in these structures shall be approved in writing by The Local Planning Authority.

Reason: To ensure a satisfactory form of development.

04. No waste products derived as a result of carrying out the business, hereby approved, shall be burned on site except in a properly constructed appliance of a type and design previously approved by the Local Planning Authority.

Reason: In the interests of the amenity of neighbouring residents

BACKGROUND

Site Description

The application site is a field that lies adjacent to Blakeston Lane, Stockton. North of the site, immediately adjacent to the proposed stables, is an existing stable block. To the North West lies Low Middlefield Farm and a complex of barn conversions, containing five dwellings, known collectively as The Barns.

Planning History

There is no history of planning applications relating to this land.

Proposal

The applicant is proposing to erect a building containing three stables and a storeroom and also provide an access to these stables from an existing access way from Blakeston Lane that leads to five barn conversions.

The proposed stable building will be constructed in an 'L' shape with the Northern edge measuring 14m (approx 46') and the Western edge measuring 10.87m (approx 35.6'). The development will be constructed a pitched roof at 3.7m (approx 12') high.

CONSULTATIONS

Environmental Health Unit

I have no objection in principle to this development. I do have concerns relating to the following environmental issues and recommend the following condition.

Open Burning

No waste products derived as a result of carrying out the business, hereby approved, shall be burned of site except in a properly constructed appliance of a type and design previously approved by the Local Planning Authority.

Head of Integrated Transport and Environmental Policy

The access currently serves a number of dwellings and existing stables. The proposed additional three stables would not result in an over intensification of this access.

The visibility splay at the exit is acceptable, but would be improved by the removal of over hanging vegetation from within the highway boundary.

Therefore, subject to the use of the stables not being for business purposes and the removal of the vegetation from within the visibility splay, I have no adverse comments to make.

Grindon Parish Council

Grindon Parish Council notes that Blakeston Lane is now being used by more and more fast drivers and considers that the issue of road safety should be taken into account when assessing whether this application is appropriate.

Neighbour consultation

The Neighbour consultation period expired on the 9th May 2006, 6 objection letters have been received.

S & J McGuill – The Granary, The Barns

History shows that in the 4 years N Middlemiss has owned the land it has always been rented to other horse owners during the summer months.

In the original planning approval for The Barns it states that no resident can operate a private commercial business from their property, we assume this is applicable to the adjoining land.

As residents of The Barns, of which there are 5 properties, we feel that we have paid a premium to live in this quiet rural location and to have additional traffic coming up and down the lane is not acceptable. The planning application indicates 3 parking bays, I doubt there is sufficient space for 2 and there is no turning area. This would result in cars parking directly outside our property.

The proposed location of the stable block would compromise the position and use of our own stables, which are situated in the field adjacent to the application site. Careful consideration was given to the design, positioning and materials of our own development. We used a reclaimed roof tile, which limits the amount of light getting into the stable. To overcome this we installed high level doors to the South elevation. This allows natural light to get in, ventilation and allows the horses to have unrestricted views from their stable. To have another building situated directly behind our own would seriously undermine the time and effort taken during our own application.

We feel it is the responsibility of the local authorities to uphold the precedence of the original planning approval for the development of The Barns being in an exclusive location, secured only by paying a the premium demanded with no commercial activities attached.

A & J Smith – Howden House Farm

As the owners of this track and the verges, which contain trees, we feel that it would be totally unacceptable to give permission for a new access and removal of any trees. In our opinion the materials with which N Middlemiss is wishing to build the stables would not blend in with the other dwellings. We have been led to believe that the applicant wishes to rent out these stables, which will create more traffic on our track.

Mr and Mrs Lenham – Hill Top Cottage

The application address is incorrect. The land bounds The Barns, comprising of The Granary, The Forge, Cherry Tree Cottage, West View and Hill Top Cottage. The map is

incorrect as access to the land is via a shared drive agreement with the owners of The Barns.

The Barns is a domestic development with no commercial activities, it is a small close-knit community that affords the residents privacy and security. Under our shared drive agreement, single car access to the land was allowed to the owner of the land and non-drive parking. The increased traffic will impact upon wear and tear of the unmade drive and the junction with Blakeston Lane.

The applicant has, in the past, rented the field to other horse owners and this is commercial activity. We have already had the drive access blocked and seen an increase in traffic usage and had horse owners trespassing on our land.

There are no waste facilities on the site and none detailed in the application. Groundwater runoff is already a problem and the drive floods from the applicant's field during heavy rain. We are concerned about the environmental impact of having horse urea and faeces washing across the drive. This concern also extends to the disposal of the waste straw from the stables.

There is no power supply to the site and none proposed. A generator will cause noise and pollution and the stored fuel is an issue.

The stables will be easily seen from Blakeston Lane, which is a well-used public amenity. As the owner is not a resident at The Barns, we are concerned that if the development attracts unwanted attention, this will create issues for residents.

The application states that there are no trees along the development's boundary. This is not the case. The trees are the property of Mr Smith. They cannot be removed without permission.

The proposed buildings are not in keeping with The Barns. The proposed stable block is to be concrete with concrete roofing tiles; this will detract from the overall Barns development.

M Wilson – The Forge, The Barns

The address is not Low Middlefield Farm it is The Barns. In the section for Site Details three spaces have been listed. This is not the case; there are no existing spaces.

In the section for trees, it is indicated that there are no trees to be removed. That is not true, there are trees surrounding the access and no mention of them has been given.

In the section marked Drainage, it is indicated that the surface water disposal would be by soak away. There is no such soak away and the field is prone to flooding. Any additional burden of water will place a greater strain upon the water table.

Although there appears to be no foul water drainage required, the plans are to house three horses. The waste effluent will be very strong and will cause problems in warmer weather.

It has been indicated that the walls will be block work and the roof, concrete tiles. The residential properties within 50m are based upon old barn buildings. The existing stables block has been rendered and painted with a clay tile roof. The proposed materials will cause serious compromise of the traditional farm development.

Any horses stabled at the development will create vast amounts of waste shavings and straw. There is no provision for a muckheap or safe disposal of this heap.

Mr Spensley & Miss Ward - West View, The Barns

There are five barn conversions, which can only be accessed by one narrow lane. This is the lane that Miss Middlemiss wants to build her stables on. The site location plan looks like we can access our homes by another lane. This is not the case.

There are no parking spaces and this caused problems when the land was first purchased. Three stables means more cars, horse boxes and people.

J Corner – Cherry Cottage, The Barns

The actual address is The Barns, Blakeston Lane. The owner is not a resident of The Barns.

Blakeston Lane is already quite a dangerous road, especially in the winter, as it is not gritted. I would presume that as the application is for stables and a hay store that this area would be used a lot more than now and would detrimentally affect the safety of all road users.

An application was granted by you for stables on the land opposite the Granary at The Barns. This now appears to be used as livery and has massively increased the wear and tear to the road and track. I would urge you to turn down this application, as it would adversely affect the amenity of this residential area.

PLANNING POLICY CONSIDERATIONS

Policies GP1 of the adopted Stockton on Tees Local Plan is relevant to this application.

Policy GP1

Proposals for development will be assessed in relation to the policies of the Cleveland Structure Plan and the following criteria as appropriate:

- (i) The external appearance of the development and its relationship with the surrounding area;
- (ii) The effect on the amenities of the occupiers of nearby properties;
- (iii) The provision of satisfactory access and parking arrangements;
- (iv) The contribution of existing trees and landscape features;
- (v) The need for a high standard of landscaping;
- (vi) The desire to reduce opportunities for crime;
- (vii) The intention to make development as accessible as possible to everyone;
- (viii) The quality, character and sensitivity of existing landscapes and buildings;
- (ix) The effect upon wildlife habitats;
- (x) The effect upon the public rights of way network.

Policy EN13

Development outside the limits to development may be permitted where:

- (i) It is necessary for a farming or forestry operation; or
- (ii) It falls within policies EN20 (reuse of buildings) or Tour 4 (Hotel conversions); or

In all the remaining cases and provided that it does not harm the character or appearance of the countryside; where:

- (iii) It contributes to the diversification of the rural economy; or
- (iv) It is for sport or recreation; or
- (v) It is a small scale facility for tourism.

MATERIAL PLANNING CONSIDERATIONS

The proposed stables are to be located within paddock land that is outside of the current limits to development. However, equine related facilities are encouraged within the countryside and Planning Policy Statement 7 states that LPA policies “should provide for a range of suitably located recreational and leisure facilities”. Policy EN13 of the Stockton on Tees Local Plan supports this view, stating that recreational uses are acceptable outside of the limits to development, providing they do not harm the appearance of the countryside. Although, the proposed stables will be restricted for private use only, it is considered that the keeping of horses is a recreational use and is appropriate within the countryside.

The application site is adjacent to Blakeston Lane and is currently accessed via an existing track that also serves the five dwellings at The Barns and an existing stable block.

Grindon Parish Council and the six letters of objection from the neighbouring properties have all raised concerns over the possible increase of traffic using this access.

The Head of Integrated Transport and Environmental Policy (HITEP) has been consulted on the application and has stated that the proposed additional stables would not result in an over intensification of this access, providing they are used for private purposes. A condition has been placed on the application to prevent the use of the stables for commercial business.

HITTEP also requested that any overhanging vegetation is removed from the access. However, the junction of the access with Blakeston Lane and much of the surrounding hedgerow is outside of the control of the applicant. It was stated that the visibility splay at the exit is acceptable and it is, therefore, considered that the proposed access is acceptable.

Neighbouring residents have expressed concerns over the materials to be used in the construction of the development and its possible use for business purposes.

It is considered that both of these concerns can be addressed by suitable conditions and would not warrant refusal of the application.

The proposed stables are to be located adjacent to an existing stable block and it is not considered that the proposal will have any greater impact upon the character of the neighbouring barn conversions or upon residential amenity than the existing stables or neighbouring agricultural buildings.

Concerns have been expressed about the disposal of waste from the site. The Environmental Health Unit has been consulted on the application and had no objections providing a condition was placed to prevent the open burning of waste. It is considered that this would be sufficient to protect the amenity of neighbouring residents.

Other issues raised in relation to this application include the ownership of boundary trees and private access agreements as well as issues relating to drainage from the stables. However, these are not material planning considerations and cannot be addressed within this application.

CONCLUSIONS AND RECOMMENDATION

For the reasons detailed previously in the report it is considered that the proposed stables will not have a significant adverse impact upon the amenity of neighbouring residents or upon highway safety. I

Therefore the application is recommended for approval subject to the conditions stated above.

Director of Development & Neighbourhood Services

Contact Officer: Rebecca Wren - Telephone No. 01642 526065

Financial Implications

None

Environmental Implications

None

Community Safety Implications

None

HUMAN RIGHTS IMPLICATIONS

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report

Background Papers:

Stockton Borough Council Local Plan

Ward Northern Parishes

Ward Councillor Councillor Parry