

DELEGATED

AGENDA NO
PLANNING COMMITTEE

19 September 2007

REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES

07/2239/FUL

Land On Sandy Leas Lane, Elton

Erection of 3 no. stables and storage area for private use

Expiry Date 19 September 2007

SUMMARY

Planning permission is sought for the erection of a stable block on land currently used for grazing horses on Sandy Leas Lane, Elton.

There has been no objections to the proposal, however Elton Parish Council has expressed concerns over the development, which mainly relate to the precedent that this proposal would set if approved.

The proposal accords with Local Plan policy, which is permissible of horsicultural uses in countryside locations subject to other material planning considerations being met. The application is therefore recommended for approval with conditions.

This application is presented to Committee for determination, as the applicant is an employee of Stockton Borough Council.

RECOMMENDATION

Planning application 07/2239/FUL be approved subject to the following conditions: -

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

<i>Plan Reference Number</i>	<i>Date on Plan</i>
<i>SBC0001</i>	<i>25 July 2007</i>
<i>SBC0002</i>	<i>25 July 2007</i>
<i>SBC0003</i>	<i>25 July 2007</i>

Reason: To define the consent.

02. *No waste, including manure, shall be burnt at the site, unless within a properly formed appliance, in accordance with details to be submitted and agreed in writing with the local planning authority.*

Reason : In order that the local planning authority may exercise further control in this locality in the interests of the amenity of the area

- 03. A detailed scheme for supplementary planting of the existing hedgerow fronting Sandy Leas Lane shall be submitted to and approved in writing by the local planning authority before the development authorised by this permission is commenced.. Such a scheme shall specify types and species. The works shall be carried out in the first planting season following the occupation of the stables or the completion of the development whichever is the sooner and any trees or plants which within a period of five year from the date of planting die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the local planning authority gives written consent to any variation.**

Reason: In the interests of amenity and the maintenance of landscaping features on the site.

- 04. The stables hereby approved shall not be used for commercial purposes without the prior written consent of the local planning authority.**

Reason: To enable the local planning authority to retain control over the development.

- 05. Details of a scheme in accordance with BS5837, 2005 to protect the existing hedgerow shall be provided to the satisfaction of the Local Planning Authority. Such a scheme shall include full details of protection measures and should be erected, to the satisfaction of the council, prior to any works commencing on site.and maintained to the satisfaction of the Local Planning Authority throughout the entire building period.**

Reason: In the interests of amenity and the maintenance of landscaping features on the site.

- 06. No development shall take place until full details of the proposed hard and soft landscaping and the verge crossing have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

Reason: In the interest of the visual amenities of the area.

The proposal has been considered against the policies below and it is considered that the scheme accords with these policies as the development will not have an adverse effect on the visual amenity open countryside, the SNCI or on highway safety, no other material considerations which indicate a decision should be otherwise.

**Stockton on Tees Local Plan
GP1 General Principles EN4 SNCI and EN13 Limits to Development**

PROPOSAL

The site is located on Sandy Leas Lane comprises a field currently used for the grazing of horses.

The application proposes the erection of a stable block (3 stables) and associate store situated to the front of the site close to the existing access. The applicant has stated that the stable block and

use of the site is strictly private and reflects the current usage of the site for grazing several horses owned by the applicant.

The proposed building is 'L' shaped and measures 11.89 metres x 7.92 metres at the largest points and 3.3 metres overall height. The building covers an area of 54.087 metres and is sited in a field of approximately 3 Hectares. The building will be a mostly wooden construction with profile sheeting to the roof.

Access is provided to the site using an existing gateway from Sandy Leas Lane and the proposal with therefore not require any additional access or an alteration of the existing, however an area of hard standing will be provided to the front of the stables

The existing hedgerow to the northern boundary will have supplementary planting.

CONSULTATIONS

The following Consultations were notified and any comments received are set out below: -

Councillors

No comments made

Parish Council

No objections but do have concerns;

The site was originally used for agriculture but was divided into 4no paddocks and sold off. Where there was originally 2no entrances there are now 6no. The concerns are

1. If approval is granted then this may lead to the three other owners applying for consent for stables, a recent agricultural building has been refused
2. This may lead to other farmers selling off land and lead to an increase in shelters/stables and harm the appearance of the countryside
3. Consent may lead t caravans placed on the site for tea making etc.
4. Sandy Leas Lane has recently had a number of accidents and our concern is for hose riders. We have requested a 50mph speed limit on Whinney Hill and are awaiting the results of a study

Environmental Health Unit

I have no objection in principle to the development, however, I do have concerns regarding the following environmental issues and would recommend conditions be imposed on the development should it be approved relating to;

- Open burning

Development Plans Officer

No comments made

Northumbrian Water Limited

No objections

Urban Design - Landscape

I would not object to this application, however there are a number of points I would suggest should be addressed by way of additional information from the applicant / planning conditions.

- The approval should not be seen as allowing the stables to become a commercial / larger activity in the future.
- The existing hedge line incorporating trees should be retained fully, and protected during construction works. Full details of the tree and hedge protection measures should be

submitted for approval and should be erected, to the satisfaction of the council, prior to any works commencing on site.

- The planting of a hedge around the stables to provide screening, to match those existing. The planting of additional hedgerow trees to the rear of the existing hedge to soften the effect of the new building.
- Full hard and soft landscape details should be provided to the following minimum standard: A detailed landscape plan indicating proposals for hard construction indicating materials and construction methods.
- Detailed treatments of the enclosures to all boundaries.
- A detailed planting plan indicating soil depths, plant species, numbers, densities, locations, and sizes, planting methods, maintenance and management of the planting suggested above.

Urban Design - Engineers

I have no highways objections to this application. However, it is necessary to provide details of the verge crossing from sandy Leas Lane to the existing track.

PUBLICITY

Neighbours were notified and any comments received are below: -

PLANNING POLICY

The relevant development plan in this case is the adopted Stockton on Tees Local Plan.

Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plans are: - *the Tees Valley Structure Plan (TVSP) and the Stockton on Tees Local Plan (STLP)*.

The following planning policies are considered to be relevant to the consideration of 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.

Policy EN4

Development which is likely to have an adverse effect upon sites of nature conservation importance will only be permitted if:-

- (i) There is no alternative available site or practicable approach; and
- (ii) Any impact on the sites nature conservation value is kept to a minimum.

Where development is permitted the council will consider the use of conditions and/or planning obligations o provide appropriate compensatory measures.

PPS 7: Sustainable development in rural areas - August 2004

SITE AND SURROUNDINGS

The application site is a field located on Sandy Leas Lane. To the north of the site some 370 metres away is Elton Home caravan Park and to the South (360 metres) is a large gas compound. To the east and west of the site are open fields.

The field has a boundary hedge running north to south with access gates to the field forming a break in the hedge.

MATERIAL PLANNING CONSIDERATIONS

The main considerations of this application relate to the impact of the proposed development on the locality in terms of visual impact; environmental impact; vehicular access and highway safety and whether it satisfies the requirements of the Local Plan Policies and Government Guidance.

Local Policies and Government Guidance

The main source of advice on horse related development was set out in Planning Policy Guidance Note 7 (PPG7): The Countryside and the Rural Economy. It stated that high standards of design, construction and maintenance of buildings and care of land were necessary to ensure that equestrian activities did not have an adverse effect on the countryside, and that horses are well housed and cared for. The advice stated, "applicants for planning permission for development involving horses should take particular care to minimise the effect their proposals will have on the appearance of the countryside. Buildings should be sited and designed to blend with their surroundings." The guidance also stated "the keeping and riding of horses for recreational purposes or as part of commercially based equestrian activities is increasingly popular in many parts of the countryside, not least those close to urban areas. Such activities can help provide new opportunities for employment and land use". This document was superseded by PPS7.

Planning Policy Statement 7 (PPS7): Sustainable Development in Rural Areas acknowledges that horse riding and other equestrian activities are popular forms of recreation in the countryside that can fit in well with farming activities and help to diversify rural economies. In some parts of the country, horse training and breeding business play an important economic role. Local Planning Authorities should set out in their policies for supporting equine enterprises that maintain environmental quality and countryside character. These policies should provide for a range of suitably located recreational and leisure facilities and, where appropriate, for the needs of training and breeding businesses. They should facilitate the re-use of farm buildings for small-scale horse enterprises that provide a useful form of farm diversification.

The site is located on Sandy Leas Lane, which is outside the limits to development defined in the adopted Local Plan. Development is strictly controlled within the countryside beyond these limits and is restricted to limited activities including recreational uses provided it does not harm the appearance of the countryside. The keeping of horses can be considered an appropriate recreational use. Although horsicultural uses are considered appropriate to countryside locations, this is subject to other issues such as visual appearance of the stables, location and activity generated by the stables.

Part of the application site is within a Site of Nature Conservation Importance in the Local Plan (SNCI) - which appears to be mainly around the existing hedgerow. Although they do not have any statutory protection, SNCIs are of local importance for their wildlife, habitat or physical features. Any development proposals should pay particular attention to the management of the site's ecological features. The site is currently used for keeping horses and it is considered that the proposed stables and associated activity would not unduly impact on the site's ecological features. The applicant proposes to incorporate supplementary planting of native species to the existing hedgerow, which is presently sparse in places.

Visual Impact of the Stables

The Council has approved a number of stables along this stretch of road and each has been assessed including the visual impact that the stables would have on the area.

The proposed stables are to be constructed of timber with profile sheeting to the roof, which is typical of buildings in a rural location and is to be located behind an existing hedgerow to minimise the impact of the stables on the surrounding countryside.

Access to the field would be from an existing gateway and therefore no alterations are required to widen or change the access with only a verge crossing created.

It is therefore considered that as the proposed stable block is of a modest size and purpose built to accommodate horses and partially screened by an existing hedgerow it will not have a detrimental impact on the character of the countryside.

Traffic and access

The access will be taken from the existing gateway and the Head of Technical Services has raised no objections to the use of the access subject to the details of the verge crossing being submitted and approved before development commences.

The Parish Council has raised concerns over traffic on this stretch of road, however the proposed stables are for private usage only and no commercial activity will occur on the site, accordingly The Head of Technical Services has raised no objections to the proposed scheme subject to the usage being conditioned to private use only.

Landscaping

The Head of Technical Services raises no objections to this application, however has suggested a number of conditions relating to the retention, protection and supplementary planting of the hedge and details of hard and soft landscaping.

One condition suggested was the planting of a hedge around the stables to provide screening, to match those existing. However after discussions with the applicant and Landscape Architect this was considered unnecessary and unpractical as the horses would eat any planting close to the stables.

Precedent

Comments have been made about the precedent that this may set for other stables to be erected in the area, however each application is judged on its own merits and would be subject to the same considerations relating to policy, design, appearance and its effect on the open countryside.

CONCLUSION

The overall size, design and location of the proposal is considered satisfactory and the proposal is in keeping with traditional stable block developments and will be for private use. It is considered that the proposal would not have an adverse impact on residential and visual amenity.

In policy terms the proposal is considered satisfactory, subject to the conditions identified.

Financial Implications:

Environmental Implications:

Human Rights Implications:

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

Community Safety Implications:

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report.

Background Papers: 07/2239/FUL

**Corporate Director of Development and Neighbourhood Services
Contact Officer Mrs Elaine Atkinson Telephone No 01642 526062**

WARD AND WARD COUNCILLORS

**Ward Western Parishes
Ward Councillor Councillor F. G. Salt,**