

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

DATE 9 APRIL 2008

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

08/0394/REV

The Stables, Kirk Hill, Redmarshall

Erection of stable block for use as horse breeding business

Expiry Date 18 April 2008

SUMMARY

Planning permission is sought for the erection of a stable block in connection with a horse breeding business.

A previous application was refused and subsequently dismissed at appeal due to the impact of the proposed development on the landscape.

A total of 14 letters of objection have been received in respect to the proposal which relate mainly to the impacts of the development on the character of the area, highway safety, the business case and residential amenity.

The Head of Technical Services has accepted the principle of access to the site although has requested a speed survey be carried out to ascertain the necessary visibility splays whilst the landscape officer has advised a scheme of landscaping would be required. Other consultees have indicated the need for control over various elements including foul water discharge.

The proposed development is considered to be of a suitable scale and appearance for its setting, sited far enough away from surrounding residential properties to prevent undue impacts to privacy and amenity whilst relate to a land based use which is generally considered to be acceptable for such a location

In view of the sites location and its proximity to the adjacent bungalow which is within the same ownership as the application site, it is considered necessary to tie the occupation of the adjacent bungalow to the proposed stables.

RECOMMENDATION

Planning application 08/0394/REV be Approved with Conditions subject to

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>SBC001</i>	<i>15 February 2008</i>
<i>453/1</i>	<i>15 February 2008</i>
<i>453/2</i>	<i>15 February 2008</i>

Reason: To define the consent.

- 02. Notwithstanding details shown on the plans hereby approved, prior to any works commencing on site, a scheme of finished floor levels for the stable block shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall indicate the existing ground levels immediately adjacent to the stable block. The development shall be carried out in accordance with these approved details.**

Reason: To take into account the impact of the development on the surrounding landscape in accordance with Policy GP1 of the Stockton on Tees Local Plan.

- 03. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a landscaping scheme. Such a scheme shall detail the following;**
- a) Areas of soft landscaping including plant species, numbers, densities, locations, and sizes, planting methods, maintenance and management.**
 - b) Hard landscaping throughout the site,**
 - c) Areas of landscaping to be retained and a scheme for their protection.**
- The development shall be carried out in accordance with the approved details. Planting works shall be carried out during the first planting and seeding season following the substantial completion of the development, and any trees or plants which within a period of five years from the date of planting, die are removed or become seriously damaged, shall be replaced with others of a similar size and species in the next planting season unless the Local Planning Authority gives written consent to any variation.**

Reason: In the interests of visual amenity and to comply with Policy GP1 of the Stockton on Tees Local Plan.

- 04. Notwithstanding details hereby approved, the proposed car park and vehicle manoeuvring area shall be constructed and surfaced in accordance with details to be submitted to and approved in writing with the Local Planning Authority.**

Reason: In order to limit the impact of the development on the character of the area and to comply with Policy GP1 of the Stockton on Tees Local Plan.

- 05. Notwithstanding details shown on the plans hereby approved, prior to the use being brought into operation, a livestock proof boundary shall be erected in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.**

Reason: In order to prevent any undue impacts on adjoining residential properties and to accord with the provisions of Policy GP1 of the Stockton on Tees Local Plan.

- 06. The development hereby approved shall not be brought into use until a scheme of foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the approved scheme has been implemented on site and brought into use.**

Reason: In order to prevent pollution of the water environment.

- 07. The existing adjacent bungalow known as 'The Stables' shall be occupied solely in association with the operation of the stables hereby approved.**

Reason: In order to prevent the proposed business use having a detrimental impact upon the privacy and amenity of unrelated future occupiers of the adjacent property in accordance with the requirements of Policy GP1 of the Stockton on Tees Local Plan.

- 08. The development hereby approved shall be limited in use as a stable block in connection with a horse breeding business only.**

Reason: In order to adequately control the use and impacts of the development.

- 09. Notwithstanding details hereby approved there shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.**

Reason: In order to prevent the pollution of the water environment and to comply with the provisions of Policy GP1 of the adopted Stockton on Tees Local Plan.

- 10. There shall be no burning of waste on the site.**

Reason: To protect the amenity of the occupants of nearby properties in accordance with the requirements of Policy GP1 of the Stockton on Tees Local Plan.

- 11. Notwithstanding details hereby approved, there shall be no external lighting provided at the site other than that which forms part of an approved scheme which has been submitted to and approved in writing by the Local Planning Authority.**

Reason: In order to prevent light pollution of the surrounding environment and to comply with the provisions of Policy GP1 of the adopted Stockton on Tees Local Plan.

- 12. Notwithstanding details hereby approved, there shall be no external storage of any materials within the site other than those which form part of an approved scheme of storage which has been first submitted to and approved in writing by the Local Planning Authority.**

Reason: In order to limit the impact of the proposed development on the character of the area in accordance with the provisions of Policy GP1 of the Stockton on Tees Local Plan.

- 13. Notwithstanding details hereby approved there shall be no plant or machinery operated at the site other than that which forms part of an approved scheme for such which has been first submitted to and approved in writing by the Local Planning Authority.**

Reason: In order to limit the impact of the proposed development on the character of the area and the amenity associated with surrounding residential properties in accordance with the provisions of Policy GP1 of the Stockton on Tees Local Plan.

- 14. Notwithstanding the provisions of classes A, B, and C of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), there shall be no erection of walls, fences or other means of enclosures and no laying of accesses within the site and no exterior painting of the building hereby approved without the written approval of the Local Planning Authority.**

Reason: To adequately control the level of development on the site and its impact on the character of the area.

15. **No development shall take place until a speed survey of the adjacent highway has been undertaken to the written satisfaction of the Local Planning Authority and a visibility splay provided to the site access in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall detail the area of visibility splay, ground levels and associated landscaping works.**

Reason: In order to prevent undue impacts on highway safety and to comply with the provisions of Policy GP1 of the Stockton on Tees Local Plan.

Informatives

The proposed development is considered to be of a suitable scale and appearance for its setting, sited far enough away from surrounding residential properties to prevent undue impacts to privacy and amenity whilst relate to a land based use which is generally considered to be acceptable for such a location. Furthermore, it is considered that adequate access is achievable to the site subject to survey and implementation works being undertaken,, thereby being in accordance with Policies GP1, EN11, EN13 and TR15 of the Stockton on Tees Local Plan.

In view of the submitted design and access statement containing details which conflict with the content of the submitted plans, it should be noted that this approval relates to the plans submitted with the application only.

BACKGROUND

01. The site and the adjoining land as edged blue within the submitted documents have been the subject of several applications and an appeal. Furthermore, enforcement proceedings are currently being undertaken in respect to development at the site. The planning history is as follows;
02. 03/2705/REV - Resubmission of reserved matters application for the erection of a detached dormer bungalow and installation of a private treatment plant. Approved with conditions.
03. 04/1194/COU - Proposal to reposition access of approval ref 03/2705/REV, change of use of agricultural land to domestic garden and erection of stable block on remaining land. The application was refused on 24th June 2004 for the following reason:
The proposal will extend development beyond the defined village limits into open countryside leading to an unjustified loss of agricultural land to the detriment of local amenities and contrary to strategic and local plan policy.
04. Appeal made and dismissed against refusal of 04/1194/COU. Appeal considerations are summarised as;
The proposed new access, change of use of the field and new stable block would be located outside the development limit defined in the local plan.
The stable block would be entirely for the appellants private use and PPS 7 makes no specific reference to buildings for equine pursuits which are not linked to the rural economy. No evidence had been submitted to indicate that the proposed stable would generate any economic activity.
It does not appear to be linked to an equine business or farm diversification scheme.

It would add a new building in an open field outside the limits of development. The road crests beyond the appeal site travelling towards Carlton, reducing visibility at the access

The Inspector was satisfied that the continued use of the existing access would not result in a significant additional impact on highway safety and that the disadvantage of restricted visibility at it is not sufficient to outweigh setting aside the defined limit to development.

The proposal would effectively extend the defined development limit to the adjacent village. It would introduce additional domestic curtilage and paraphernalia on a piece of land which is currently clearly agricultural in character.

It is concluded that the proposal would harm the character and appearance of the surrounding area of open countryside contrary to structure plan Policies ENV13, ENV19 and Local Policies GP1 and HO11.

05. 06/3790/FUL - Erection of stable block for use as horse breeding business. Refused for reasons relating to insufficient evidence of the proposed development being financially viable and therefore being unable to justify its impacts on the countryside, inadequate visibility at the access which is at a point in the highway where there are several highway obstructions thereby compromising highway safety and a detrimental impact on the character of the surrounding area as a result of its relatively prominent position, its location on the edge of the village and the proposed use of materials. The refusal was appealed against and dismissed due to its impacts on visual grounds and their being no justification which outweighed this impact, although considered the proposal to be unlikely to give rise to conditions prejudicial to highway safety.

PROPOSAL

06. Planning permission is sought for the use of land and the erection of an L shaped stable block to be used in connection with a horse breeding business. Ancillary development is shown as a car parking area immediately adjacent to the stable. It is indicated that the use will utilise the existing access to the site.
07. It is indicated that prior to the construction of the dwelling adjacent to the site, a stable block existed which contained 6 separate stables and that the grazing and equine use was contained wholly within the 1.75 acre paddock, the majority of which now falls within this proposed site. It is indicated that a further 7 acres of adjoining land has been negotiated for use as required which will be used for the grazing and exercising of horses.
08. There is an element of contradiction between the Design and Access Statement and the Plans which have been submitted in relation to the design of the building, its size and its internal layout. However, the plans submitted for approval show a timber boarded L shaped stable block measuring 9.7m x 12.3m max. and 3.45m to ridge, having a fibre cement roof. The internal layout shows 2 no. birth stalls and 2 no. stables.
09. The submitted plans indicate that a silver birch tree is to be removed as part of the scheme with alternative planting to be provided.
10. Surface water is proposed to be dealt with via soakaway and although no information is indicated with respect to foul water, the applicant has advised this would be dealt with in the same way.

CONSULTATIONS

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

Redmarshall Parish Council

11. Objects based on the business case already been rejected by the Local Planning Authority and the Planning Inspectorate, and there being no business case to support this.
The site is outside the village development area,
The building would be in a prominent location and would dominate adjacent bungalows.
The development would be visible from Letch Lane.
Contrary to PPS 7 and EN13 as it would harm the character of the countryside.
Contrary to EN14 as it would affect the open nature of the landscape,
Contrary to EN31 as the noise and smell would have serious affects on the local environment.
Contrary to EN33 due to agricultural slurry possibly affecting water courses,
The proposed building will double traffic movements, result n large vehicles accessing the site and reduce highway safety at a location where there are bus stops etc.

Carlton Parish Council

12. Objects on grounds that the development is unsuitable for its location and would set a precedent which would lead to further development of the site.

The Environment Agency

13. No objections. Informative comments relating to drainage, contaminated waters and guidance on pollution prevention.

Urban Design Engineers

14. This application is a revision to a previously refused application for a stable block at Kirk Hill, Redmarshall. My previous objection was as follows:
15. The proposed introduction of the stables for business use will result in an over intensification of usage of this access, which is on a national speed restricted road, and one which should have requisite visibility splays of 2.4 x 215metres (which has not been indicated can be achieved by the applicant).
16. Previous applications regarding this site (04/1194/COU) the transportation engineer stated that 'in order to avoid intensification of the access the use of the proposed stable block should be conditioned preventing its use for business purposes and limiting its use to the applicant only'. Therefore for this reason i object to the proposed application.
17. I note that the previous application was also dismissed at an appeal, however I note the comments made by the Inspector that the intensification of use of the access was acceptable. I feel that concerns for highway safety are well founded and in order to mitigate these concerns it will be necessary to condition speed surveys to be undertaken in order to determine an appropriate visibility splay, as the speed limit is currently 60MPH, it is unlikely that the full visibility splay of 215m will be necessary. It should also be conditioned that in order to achieve the determined visibility, the hedge should be removed and replanted so that no planting above 600mm is within this area.

Urban Design - Landscape & Visual Comments

18. I have visited the site, considered the submitted documents and would comment that I would not object to the application per se on landscape and visual grounds; however this is subject to approved resolution of a number of points I feel require further consideration / detail comments from the applicant, set out below.
-The re-location of the stables toward the existing fence/access gate would serve to sit better within the building massing of the ex

Northumbrian Water Limited

19. No objections

Spatial Plans Manager

20. No policy objections subject to the business not involving more than 10 horses and that the building remains of a scale which does not harm the appearance and character of the area. The development will support the local economy and the vitality of the area.

PUBLICITY

21. Neighbours were notified. 14 letters of objection were received and comments received are summarised below:-
22. Objections have been received from the following addresses:
8, 10, 12 Windermere Avenue, Redmarshall
3 Coniston Crescent, Redmarshall
2 Mainside, Redmarshall
2, 10 Rydall Way, Redmarshall
7, 9, 27 Drovers Lane
6, 8 Derwent Close
Barford Cottage, Drovers Lane
23. Visual / appearance
The building would be a blot on the landscape
The development would not be in keeping with the village
The use of neighbouring land will necessitate the removal of hedgerow and or fencing
Policy SUS 1 of the TVSP requires new development to make a positive contribution, this does not.
Previous inspectors have insisted that the landscape remains open
The building would be a major feature in the open countryside
24. Highway Safety
There is a major issue with access to the site
The adjoining highway is already dangerous, especially at Peak Hours
Entrance on the brow of a hill, close to a bus stop, opposite another bus stop and offset from a cross roads.
The entrance of the commercial business will be close to a busy junction used by large vehicles, near to a bus stop used by school children on Drovers Lane.
The need to dispose of waste off site will add to increased traffic.
Large articulated vehicles may leave the site causing risk to highway safety.
There have been recent accidents at this location.
The adjoining property was refused permission to access onto this highway
Traffic movements are grossly understated.
A significant area would be required for a tanker to serve the Package Treatment Plant which does not appear to have been provided.
25. Residential Amenity
Unsuitable due to proximity to residential properties
Access is very restricted and would be detrimental to the residents of the new bungalow on the site as vehicles will access the site within a few metres of the bungalow.
The impacts of waste from the site, potentially attracting rodents,
The use will result in smells
The general operation of a business at this location would have detrimental impacts for nearby residents.
26. Business use

Will the site be attended 24/7

The business will not have any significant affect on the rural economy with no economic benefit to the village

There are already a good number of stables within the surrounding area.

The proposal does not relate to farming, forestry, tourism or sport.

27. Other matters

The proposal will further stretch overstretched services

It is a Greenfield site outside of the village envelope

The proposal may attract rodents and other pests

The proposal will not benefit the local community

PLANNING POLICY

28. 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)*.

29. 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 EN11

The planting of trees, of locally appropriate species, will be encouraged within the area indicated on the proposals map as community forest. In considering applications for planning permission in the community forest area, the Local Planning Authority will give weight to the degree to which the applicant has demonstrated that full account has been taken of existing trees on site, together with an appraisal of the possibilities of creating new woodland or undertaking additional tree planting. In the light of the appraisal the Local Planning Authority will require a landscaping scheme to be agreed which makes a contribution to the community forest.

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 TR15

The design of highways required in connection with new development and changes of use will provide for all the traffic generated by the development, while the provision of off-street parking will normally be required to accord with the standards set out in the Stockton on Tees Borough Council Design Guide and Specification, Edition No 1.

SITE AND SURROUNDINGS

- 30. The site lies on the north eastern edge of Redmarshall Village, beyond the existing built development of the village. There is an existing dwelling immediately adjacent to the site from which the access to the site would be gained and which outlooks onto the application site.
- 31. The village of Carlton lies to the east with agricultural land intervening the two settlements. The application site is being located at a high point in respect of land to the north and east.
- 32. The site area is currently formed by an open grassed paddock to the southern section which is boarded by residential curtilage boundaries to the north and west and existing field boundaries to the south and east. These field boundaries consist mainly of dilapidated post and rail timber fences with occasional hedgerow trees adjacent. A gravel access road has been laid within the site. This northern section lies immediately adjacent to the western elevation of an existing bungalow, whilst adjoins the highway to the north.

MATERIAL PLANNING CONSIDERATIONS

- 33. There are several key issues to consider relating to the policy framework for such proposals which include definitions of the proposed development, the business status of the proposals, the impact on the countryside and surrounding properties, highway matters and other ancillary issues. These are considered as follows;

Definition of uses and principle of development on land

The use of horses in connection with a business operation is considered to result in a material change in the use of the land from agriculture or from informal grazing of horses. Within para.23.232 of DC practice notes, it is stated:

'Other horse uses involving the breeding , training and exercising of horses such as stud farms and racing stables may also be accepted as appropriate to the countryside subject to a sufficiently strong need case being made for the use'.

It is further indicated that many authorities consider such uses much in the same way as agriculture in accepting them as important enterprises which must be located in the rural

areas and which can contribute to the economy in terms of exports and employment. Furthermore, it is advised that the loss of agricultural land to such uses does not normally raise any serious policy objection unless the site relates to high quality land.

34. The site lies outside of the limits of development as defined within the Stockton on Tees Local Plan. Within such areas, Local Plan Policy EN13 guides new development, indicating that new development in such areas may be permitted where it is necessary for farming or forestry, relates to the reuse of an existing building (with additional restraints), it contributes to the diversification of the rural economy or it is for sport or recreation. The only relevant criteria of policy EN13 relates to whether the proposal would contribute to the diversification of the rural economy and there are no other provisions within the Local Plan which relate specifically to the provision of development of this nature. In view of the guidance referenced, it is considered that the general principle of a stable block used as part of a horse breeding business could be in accordance with Local Plan Policy EN13 and National Planning Policy Statement No. 7 subject to it being demonstrated that the proposed use was viable.
35. PPS7 guides on development within the countryside. It is considered that PPS 7 is only supportive of equine related development where it can be justified to be a business operation which has a specific requirement to be located at a given location i.e. a functional test. Furthermore, PPS 7 requires strict control of such development suggesting that there should be adequate evidence to indicate that the proposed business would be financially sound. Without this, question is raised with respect to the ability for the business to operate.
36. In view of PPS7 it is considered that the proposed business would need to establish a need. Breeding horses require some form of shelter and accommodation as well as adequate land for grazing and exercise. It is considered that the proposed building and extent of land referred to within the submission would be serving this need. Although there is no specific evidence of need for the business at this location, the site sits adjacent to an existing settlement and an existing dwelling within the same ownership as the applicant and as such the locational attributes are generally considered to be acceptable.

Impact of the building

37. PPS7 requires 'all development within the countryside should be well designed and inclusive, in keeping and scale with its location, and sensitive to the character of the countryside and local distinctiveness'. The proposed site is located at the edge of the village settlement, where there are limited views from the adjoining highway although views do exist from surrounding properties. Furthermore, the site is at a high point within the landscape as viewed from the adjoining village of Carlton with limited surrounding tree cover or hedgerows boundaries. However, the proposed building is considered to have a limited footprint coverage and height which would not unduly dominate the surrounding area, being of a reduced height to nearby properties and set several metres away from these properties. The proposed use of a timber boarded building is considered to be a suitable treatment for a stable block in such a location. As such, it is considered that the proposed development would not unduly affect the character of the site or surrounding area.

The business operation

38. In view of the proposed stable block being almost of a domestic scale and having a limited impact on the character of the surrounding area, the limited costs that would be associated

with its erection and the land and adjoining building already being available to the applicant, it is not considered necessary to need any significant demonstration of business plans for the proposal. However, it is considered entirely appropriate to limit the use of the building to that of the permission in order to prevent any use being applied which does not have specific requirement for such a site.

39. The proposed use is based on the ability to use 7 acres of land which is outside of the applicant's ownership or control, however, it is indicated that this land is available by the land owner, an argument which has been accepted by the Planning Inspectorate in considering the previous appeal for a stable block at the site. As such, the ability to achieve adequate land for exercise and grazing is accepted.

Drainage

40. The Environment Agency has raised no objection to the proposed development but has advised that the site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters, advising that there should be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways. An appropriate condition has been recommended.
41. Surface water is indicated as being dealt with by soakaway and a condition is recommended accordingly to achieve adequate drainage.

Residential Amenity

42. The nearest residential property apart from the adjoining bungalow which is in the ownership of the applicant is located approximately 27m away from the proposed stable block. Based on the scale of the proposed development and the number of horses involved, it is considered that subject to good management and control of waste disposal, that the proposal would not unduly affect the amenity of surrounding residents who live on the edge of the open countryside.
43. Horses are not considered to make any significant amount of noise and as such should not create an amenity problem for neighbours, furthermore, the ancillary noise generated at the site as a result of the operation, should not result in any significant noise in view of the position of the stable block to the nearest houses. The horses may foal during the night and as such may result in some noise generated within the early hours, although in view of the number of horses it is considered that this should not be a common occurrence.
44. As the site is located immediately adjacent to the bungalow known as 'The Stables' and this bungalow has a door and three windows within an elevation which forms the site boundary, it is considered that were the bungalow ever separated from the ownership of the adjoining land and operated separately then the proposed stable block could have significantly detrimental impacts on this property, taking into account the demands that this bungalow has placed on the adjoining land for privacy and amenity. As such, it is considered necessary to require the applicant to enter into a S.106 agreement that ties the property known as 'The Stables' to this proposed business use.
45. Based on previous comments from the Council Environmental Health Officer, it is considered necessary to ensure that there is burning of waste on the site except in a properly constructed appliance, that animal carcasses and animal by products should be

disposed of in accordance with the necessary regulations and that manure should be disposed of by method to be agreed with the Local Planning Authority.

46. In view of residential curtilages bounding the exercise area associated with the development, it is considered appropriate to condition some form of buffer to prevent horses damaging neighbouring residential property.

Traffic and highway safety

47. The proposed use will result in an intensification of the existing access as a result of employees attending the site as well as care workers such as vets, feed and supply deliveries, the moving of horses to stud or vice versa and waste disposal which in turn will require long slow moving vehicles to access and egress the site.
48. The proposed access was previously considered unacceptable by the Council's Head of Technical Services due to the nature of the highway, which is subject to a national speed restriction (60mph) with sub standard visibility splays. It was considered that this would pose risk to highway safety, which would be further increased given that vehicles leaving the site may be towing a horse box and travelling at slow speed. However, in considering an appeal for the former proposal, which related to a larger enterprise, the Inspector considered that the proposal would be unlikely to give rise to conditions prejudicial to highway safety. The Head of Technical Services has accepted the access in principle, although remains to have concerns and advises that a speed survey would be required in order to establish an appropriate visibility splay for the site. It is further advised that this may require the removal and / or replanting of the existing hedgerow forming the site boundary. The Council's Landscape Officer is not opposed to this subject to appropriate replanting works taking place.

CONCLUSION

49. The proposal relates to a land based activity, the principle of which is considered to be suitable in such an area. The proposed stable block is of limited scale and impact on the surrounding area and as such would not require the same justification as a development of more significant impacts.
50. The fact that the site is on the urban fringe assists in limiting its visual impact whilst the adjoining dwelling which is within the same ownership as the proposed development could offer an element of sustainability and security.
51. Based on the previous appeal decision relating to the intensification of the highway access it is considered that the proposed access is acceptable.
52. It is considered that the proposed development is of an appropriate scale and appearance for its surroundings, would not unduly erode the open nature of the area as a result of the proposed use
53. It is recommended that the application be approved subject to conditions.

**Corporate Director of Development and Neighbourhood Services
Contact Officer Mr Andrew Glossop Telephone No 01642 527796**

Human Rights Implications

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

Environmental Impacts

As Report

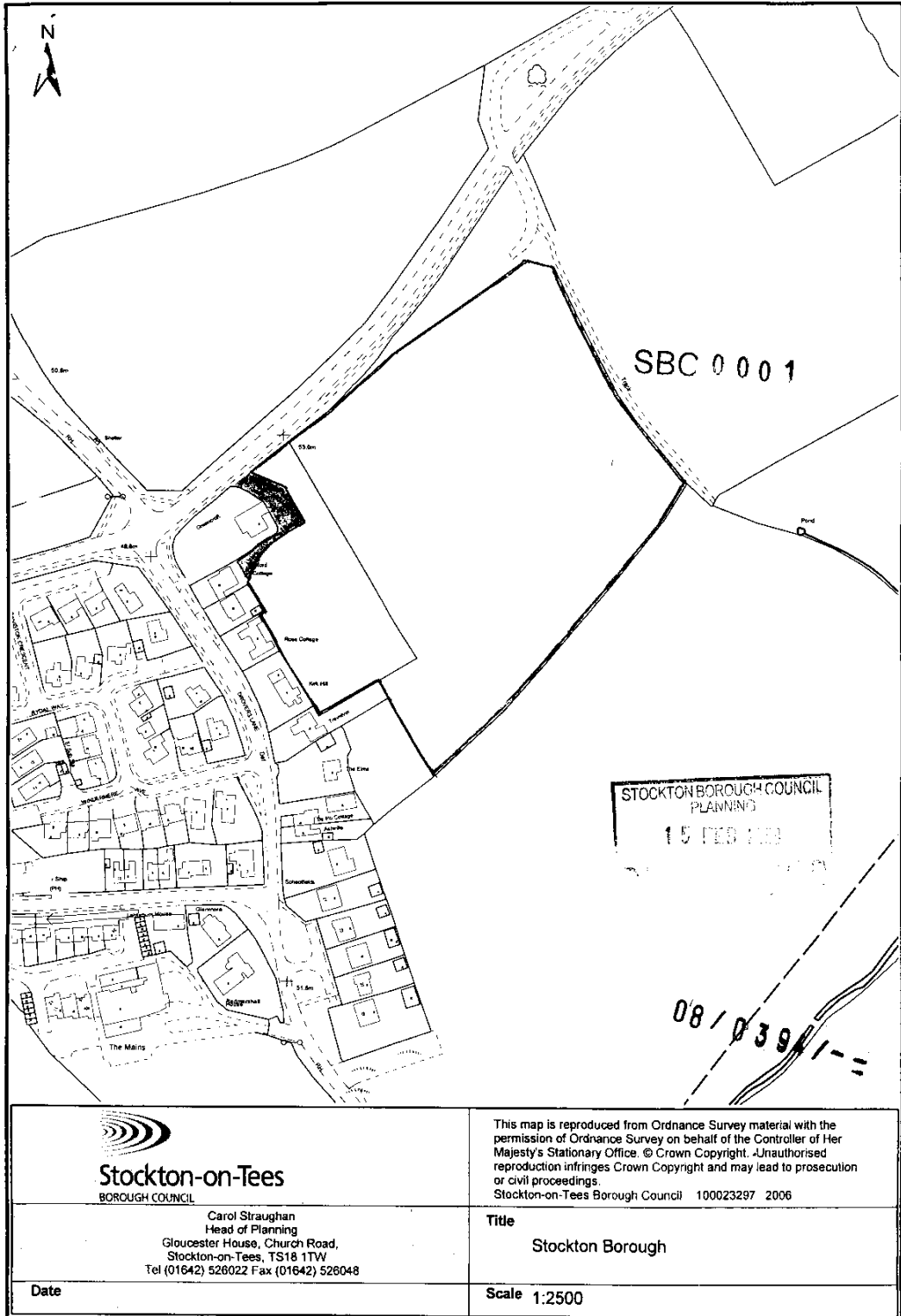
Financial Impacts

None

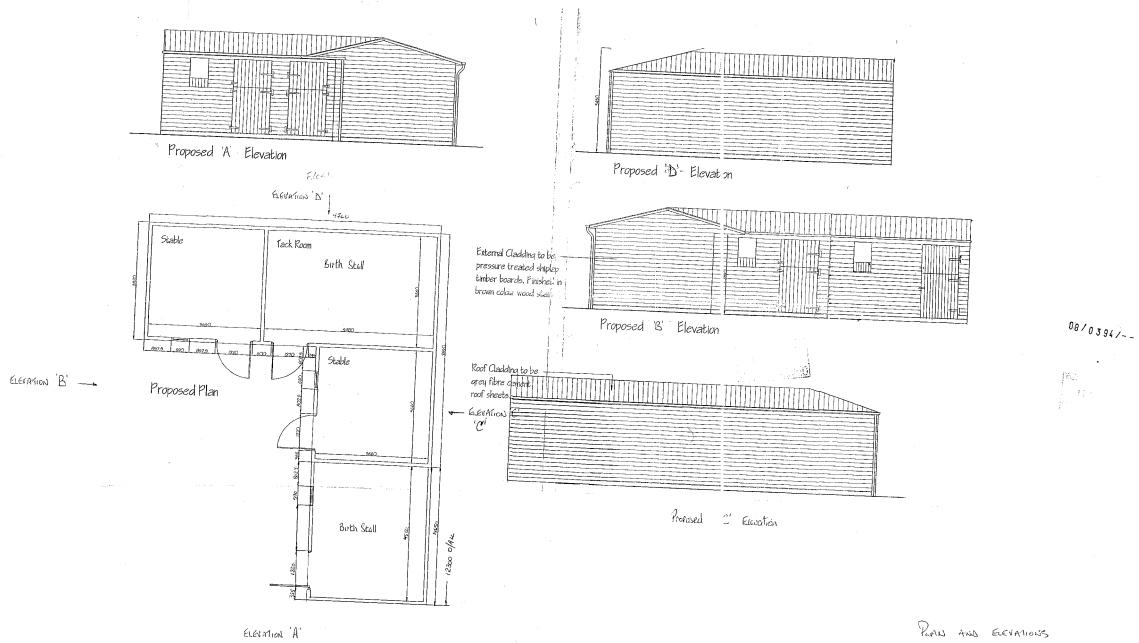
WARD AND WARD COUNCILLORS

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

Appendix ref. 1. Site Location Plan



Appendix ref. 3. Stable elevation details



PLANS AND ELEVATIONS
SCALE 1:50
TO BE READ IN CONNECTION
WITH DRAWING NO. 453/2, ENCLOSED.
AND SET: 454/2.