

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

10th January 2007

AUTHOR/S: Executive Director / Head of Planning Services

S/2126/06/F – HIGHFIELDS CALDECOTE
Use of Land as Paddock, Erection of Stables and Haystore, Provision of Riding Arena,
All for Private and Family Use
at Land Rear of 16 East Drive for Michael Swinhoe

Recommendation: Approval

Date for Determination: 29th January 2007 (Major Application)

Notes:

This Application has been reported to the Planning Committee for determination because the Parish Council objection does not accord with the Officer recommendation.

Site and Proposal

1. The application site is an area of poor quality scrub/grassland of approximately 1.6ha. It is located to the rear (east) of the dwellings fronting East Drive, along a private drive, which measures approximately 110m long from the back edge of East Drive and is positioned between the dwellings at 16 and 20 East Drive. The western boundary of the application site is located approximately 70m from the nearest dwelling, 16 East Drive. The boundaries of the main bulk of the site consist of 1.5m high post and rail fencing on all sides, with a mixture of scrub planting and more mature trees and hedgerows, particularly to the north, east and south.
2. This full application, received 30th October 2006, proposes the change of use of the field to a paddock; the erection of a timber clad structure measuring 30m in length, by 5.4m in width at its widest dimension and 3.5m in height at its tallest, to provide stables for 3 horses, 3 tack rooms and 2 hay barns; and the provision of a riding arena/ménage measuring 40m by 40m; all for private and family use. The proposals also refer to some additional planting to be undertaken on the site.

Planning History

3. There is no previous planning history of relevance on this site.

Planning Policy

4. **Policy SE9** of the South Cambridgeshire Local Plan 2004 ("The Local Plan") states that development on the edges of villages should be sympathetically designed and landscaped to minimise the impact of development on the countryside.
5. **Policy CS4** of the Local Plan states that development will not be permitted which poses an unacceptable risk to the quality of the underlying groundwater.
6. **Policy CS5** of the Local Plan states that planning permission will not be granted for development where the site is liable to flooding, or where development is likely to: (1)

increase the risk of flooding elsewhere by materially impeding the flow or storage of flood water; or (2) increase flood risk in areas downstream due to additional surface water runoff; unless it is demonstrated that the above effects can be overcome by appropriate alleviation and mitigation measures and secured by planning conditions or planning obligation providing the necessary improvements would not damage interests of nature conservation.

7. **Policy RT1** of the Local Plan states that in considering applications for the development of recreation facilities, the District Council will have regard to the need for such facilities and the benefits which might accrue. The District Council will resist any proposals which would: (1) result in the irreversible loss of the best and most versatile agricultural land (grades 1, 2 and 3a); (2) not be in close proximity to and not be well related with an established settlement and its built-up area; (3) result in buildings and other structures not directly related to the proposed use; (4) by reason of its scale, form, design and materials of the proposal, together with any associated development such as buildings and structures would create an intrusive feature in the landscape or surrounding area; (5) result in the loss of ecological, wildlife and archaeological interests; (6) generate significant motorised traffic movements; (7) have inadequate provision for parking and manoeuvring of cars and service vehicles to the District Council's standards; (8) not provide appropriate provision for screening and to minimise the visual intrusion into neighbouring development and the countryside; (9) not undertake adequate measures for the screened storage and safe disposal of refuse.
8. **Policy EN3** of the Local Plan states that in those cases where new development is permitted in the countryside the Council will require that (a) the scale, design and layout of the scheme (b) the materials used within it, and (c) the landscaping works are all appropriate to the particular 'Landscape Character Area', and reinforce local distinctiveness wherever possible.
9. **Policy EN14** of the Local Plan states that the District Council will encourage (and require where planning permission is required) developers to retain, enhance or provide roost sites for bats or barn owls in the conversion of farm buildings or the erection of new farm buildings over 3m high.
10. **Policy ES6** of the Local Plan states that the District Council will seek, by the means of appropriate planning conditions, to minimise the impact of noise and pollution on noise-sensitive development arising from any new recreational activities.
11. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") states that inter alia development will be restricted in the countryside unless the proposals can be demonstrated to be essential in a particular rural location; where there is an unacceptable risk to the quality of ground or surface water; and where the best and most versatile agricultural land would be significantly affected.
12. **Policy P4/1** of the County Structure Plan states that inter alia new or improved recreation and leisure development should protect or improve the local environment, landscape and residential amenity.
13. **Policy P6/4** of the County Structure Plan states that all new development will be expected to avoid exacerbating flood risk locally and elsewhere by utilising water retention areas and other appropriate forms of Sustainable Drainage Systems (SuDS) for the disposal of surface water run-off.

14. **Policy P7/2** of the County Structure Plan states that all development will seek to conserve and enhance the biodiversity value of the areas which they affect. Landscape features of major importance to wild fauna and flora will be retained, managed and enhanced.
15. **Policy P8/9** of the County Structure Plan states that inter alia the use of the public rights of way network will be encouraged by protecting the existing definitive map routes from development.
16. **Policy NE/6** of the Draft Local Development Framework 2006 ("The LDF") states that new development will have regard to the conservation and enhancement of biodiversity, and opportunities should be taken to achieve positive gain through the form and design of development. Where appropriate, measures may include creating, enhancing and managing wildlife habitats and natural landscape. Priority for habitat creation should be given to sites which assist in achieving targets in the Biodiversity Action Plans (BAPs).

Consultation

17. **Caldecote Parish Council** recommends refusal and comments "Over development, far too extensive for private use. Increase in vehicle access including large vehicles such as horse boxes using a very narrow access road. Use of Hardwick bridleway for access. Could be used for horse breeding. Inaccurate particulars on the application claiming that the land has been purchased from 16 East Drive."
18. **Hardwick Parish Council** – no comments received at the time of preparing this report (eastern boundary of site abuts Parish boundary).
19. **Chief Environmental Health Officer** comments "I have considered the implications of the proposals in terms of noise and environmental pollution. I conclude there are no significant impacts from the Environmental Health standpoint."
20. **Environment Agency** – comments "the application, as submitted, does not consider sufficiently issues of surface water drainage and pollution control. In view of the local geology soakaways may not operate satisfactorily. Percolation tests must be carried out prior to development." The Agency has recommended a number of conditions and informatives to be attached to any approval so as to ensure that the aforementioned issues are suitably addressed.
21. **Ecology Officer** raises no objection to the proposed development. Suggests that the scheme presents an opportunity for enhancements through additional planting, and requests a landscape condition to be attached to any approval. Furthermore requests the provision of nest boxes upon the stables and an informative regarding a barn owl box, should the scheme be approved.
22. **Definitive Map Officer – County Council Countryside Access Team** comments "no objection to the proposed development and notes that the applicant has referred to the existence of the public bridledways that about the site. The Countryside Access Team are pleased to note that the applicant has addressed the issue of vehicular access to the site, and has indicated that they have a private right of vehicular access over the Public Bridleway. The Team is also pleased to note that the applicant has addressed the issue of potential conflict between legitimate users of the bridleway and construction traffic. The Countryside Access Team notes that it is the intention of the applicant to plant hedging along the eastern boundary of the site, adjacent to the public bridleway and we would comment that this should be planted 2m away from

the edge of the bridleway to allow growth without encroachment in accordance with our guidelines to developers and planners. The maintenance of the hedge to ensure it does not encroach onto the public bridleway would remain the responsibility of the landowner.

23. **Cambridgeshire Local Access Forum** – no comments received at the time of preparing this report.
24. **Ramblers Association**– no comments received at the time of preparing this report.
25. **British Horse Society**– no comments received at the time of preparing this report.

Representations

26. Representations have been received from the owner/occupiers of Acresway (10), The Poplars (12), 20, 24, 26 and 28 East Drive. The following objections/concerns/comments were made:
 - (a) No objection to a small number of stables, to include a hay store and fenced paddock, however riding arena appears excessive for private/family use.
 - (b) No objection to erection of buildings but on no account must this become an application for public use, which will seriously impact usage and overall environment of East Drive.
 - (c) Buildings are large, often unsightly and used as riding schools.
 - (d) East Drive is a bridleway – development will result in an increase in horse boxes/traffic, further resulting in change in nature of East Drive, to the detriment of residents and will exacerbate existing traffic and pedestrian safety issues.
 - (e) In addition to car traffic there will be heavy traffic delivering hay, straw and animal feeds to this site.
 - (f) There are no turning or passing places on this narrow drive so lorries and large vans have to reverse the length of East Drive, approximately 300m, damaging trees and hedges. May result in vehicles turning in residents' driveways.
 - (g) The maintenance of East Drive is responsibility of residents/landowners. Road is already in poor condition (unmetalled) and will be made worse by traffic generated by use – long term implications to existing residents, including additional expense.
 - (h) East Drive is 10ft wide only. Whole aspect of application is inappropriate on such a narrow access.
 - (i) East Drive is only accessible via Hall Drive, which has the same status as East Drive.
 - (j) Hall Drive is also narrow width and unmetalled – residents responsible for maintenance.
 - (k) East Drive is a quiet village backwater across private land. It is already under strain from infill residential developments.
 - (l) Application incorrect – land was purchased from Carrara Farm, Caldecote, not owner of 16 East Drive.
 - (m) Application is outside village envelope.
 - (n) The proposed ménage is double the Olympic size requirement.

- (o) Turning area for access is on top of water utilities serving 20 East Drive. Whose responsibility if pipes are cracked?
- (p) Issues of smell and surface water drainage cause concern – flooding in this area has happened fairly recently.
- (q) Muck pile from 2/3 horses is considerable – not indicated where this intended to be positioned or disposed of. Incineration can be a problem with flies and vermin.
- (r) Is this use essential in rural location – will it lead to further changes of use?

Planning Comments – Key Issues

- 27. The proposed stable/hay store building is a relatively low level structure, measuring approximately 3.5m in height. The proposed paddock and stable/hay store building are located some distance from the nearest dwellings in East Drive, 16 East Drive being the closest at approximately 70 metres.
- 28. The existing landscape features surrounding the site serve to obscure views of the paddock and location for the proposed building from the adjacent residences. The applicants have also stated that they intend to improve planting on the eastern boundary of the site. Whilst this is not the boundary nearest to the neighbouring dwellings, a landscape condition is recommended to be attached to any approval that could serve to bolster the existing planting. It is therefore my opinion that this approach would accord with the aims of Policy EN3 of the Local Plan.
- 29. The proposed building would directly relate to the keeping of horses on the site and the proposed use of the land as a paddock. Although the proposed stable/hay store building would result in a new structure in the countryside, the character and form of the structure, combined with the nature of the intended use is not uncommon for a rural location, such as the application site. The site is not identified as being high-grade agricultural land and therefore it is my opinion that the proposals would not conflict with Policy RT1 (1, 3 and 4) of the Local Plan. Should members be minded to approve the application a condition requiring the submission of materials prior to commencement of development is recommended below. Furthermore a condition is also recommended, at the suggestion of the Council's Ecology Officer, for the provision of nesting bird facilities within the development. This approach would accord with aims of Policy EN14 of the Local Plan, Policy P7/2 of the County Structure Plan and Policy NE/6 of the draft LDF.
- 30. The Council's Chief Environmental Health Officer has considered that the proposed development will not unduly impact upon noise and environmental pollution. With regard to the issue of surface water drainage and flooding, the site is not identified as being in an area at high or medium risk of flooding. However, the Environment Agency considers that the application does not sufficiently consider issues of surface water drainage and pollution control. As such they have recommended conditions to be attached to any approval in order to secure sufficient schemes of control, prior to the commencement of any development. Whilst the location of any spoil heap has not been included on the plans, given the distance from the nearest dwellings, and the potential existing use of the site, it would not be unreasonable to secure such details by condition, together with methods for the control of any pollutants, as suggested by the Environment Agency. It is therefore my opinion that the use of the land as paddock and the presence of the stable would be unlikely to result in a direct increased detrimental impact on the amenities of the adjacent dwellings, in accordance with the aims of Policy ES6 of the Local Plan.

31. The applicant has indicated that the use is intended to be carried on by their family and that no trade or business would occur from the site. They have anticipated that the site would be visited once per day. Furthermore, they have stated that in considering that access to the site is achieved via a bridleway, they will undertake to employ vehicles of a size so as to not disturb hedging along the bridleway. Considering this and the comments of the County Council's Countryside Access Team, it is therefore my opinion that given the indicated level of traffic movements, the number of stables proposed, and the subsequent likely level of general activity, the proposals would not be likely to result in undue harm both in terms of highway safety to road users in East Drive and the amenity of neighbouring residents. Whilst I accept that it is possible that the site may be visited on occasion more than once per day, a private/non-business use for three horses would not be likely to generate a significant level of traffic, such as to be out of keeping with the rural nature of East Drive. A condition to restrict the use of the site to personal/non-business use would therefore suitably restrict the degree of activity on the site in order to preserve the amenity of residents and users of East Drive. Whilst I note that the paddock, stables/hay store and ménage appear larger than the minimum required for accommodating three horses it would not be within the remit of this application to pre-empt any intensification of activity beyond reasonable planning control. Should any further change of use, or other activity requiring planning consent, occur at a later date then this would be considered on its planning merits.
32. The issue of maintenance of the private drive and privately owned utilities are not material planning considerations as they are not within the control of planning legislation. They would, however, need to be suitably addressed by the applicants under the terms of any relevant legislation. Furthermore, the issue of who the land has been purchased from is not a material planning consideration. Adjoining landowners have received postal notifications of the development where identifiable. Furthermore a site notice was erected at the entrance to the application site on the 23rd November 2006 in order to notify anyone passing the site that an application has been made for the proposed development.

Recommendation

33. Approve subject to the following conditions:
1. Standard Condition A – Time limited permission (Reason A).
 2. SC5 – the materials to be used for the external walls and roofs. (Reason – To ensure that visually the development is not incongruous.)
 3. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage, shall be submitted to and agreed in writing by the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans. (Reason – To prevent the increased risk of pollution to the water environment and to ensure a satisfactory method of surface water drainage.)
 4. Prior to the commencement of any development, a scheme for the provision and implementation of Pollution Control shall be submitted to and agreed in writing by the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans. (Reason – To prevent the increased risk of pollution to the water environment and to ensure a satisfactory method of surface water drainage.)

5. No development shall take place until details of the provisions to be made for nesting birds, together with details of the timing of the works have been submitted to, and are subsequently approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details. (Reason: Local Plan 2004 Policy EN14 encourages the provision of features for protected species within farm buildings. Planning Policy Statement 9, Key Principals ii & v also support the inclusion of appropriate biodiversity features within new developments).
6. SC51 (Landscaping Scheme)– (RC51).
7. SC52 (Implementation of Landscaping)– (RC52).
8. The paddock, stables and hay store building and riding arena, hereby permitted, shall not be used as a livery or as part of a riding school open to the public, nor for any other commercial use. (Reason – To ensure that the use of the facilities is limited to a small scale development and that the use of the site does not escalate in order to protect the amenities of the neighbouring residents and in the interests of highway safety).

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
P1/2 (Environmental Restrictions on Development)
P4/1 (Tourism, Recreation and Leisure Strategy)
P6/4 (Drainage)
P7/2 (Biodiversity)
P8/9 (Provision of Public Rights of Way)
 - **South Cambridgeshire Local Plan 2004:**
SE9 (Village Edges)
CS4 (Ground Water Protection)
CS5 (Flood Protection)
RT1 (Recreation and Tourism Development)
EN3 (Landscaping and Design Standards for New Development within The Countryside),
EN14 (Protected Species in Farm Buildings)
ES6 (Noise and Pollution)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Character and Appearance of the Countryside
 - Essential Need in a Rural Location
 - Drainage
 - Residential Amenity
 - Biodiversity

- Landscaping
- Public Rights of Way

Additional Informatives

1. The development provides an opportunity to incorporate a barn owl box within the design of the building. Further details can be sought from the Council's Ecology Officer on 01954 713402.

+ Environment Agency Informatives outlined in letter dated 21/11/06

Background Papers: the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Ref: S/2126/06F

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