

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2nd June 2010

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)

S/0452/10/F - BARRINGTON

**Ménage at Land to the Northwest of, Cedarwood House (West Green),
Accessed off Orwell Road for Mr Michael Brunner**

S/0453/10/F - BARRINGTON

**Change of Use of Land From Agricultural to Horse Grazing, Horse Livery (Private),
including Erection of Stables, Barn, Horse Exerciser and Access Driveway at Land to
the Northwest of, Cedarwood House (West Green), Accessed off Orwell Road
for Mr Michael Brunner**

Recommendation: Approval

Date for Determination: 26th May 2010

Notes:

**This Application has been reported to the Planning Committee for determination
because Barrington Parish Council recommended Refusal.**

Members will visit this site on 2nd June 2010

Site and Proposal

1. The application site consists of 5 hectares of agricultural land, is located outside the village framework and adjacent to the Conservation Area, which runs along the rear of the properties along West Green from Cedarwood House down to the junction with Orwell Road.
2. There is one listed dwelling located to the west of the site along Orwell Road and there are 3 more listed dwellings whose gardens back onto the application site from West Green.
3. To the northwest of the site are four silos and two agricultural barns. The area to the north is open countryside. The site is set back from the road by 60m. The boundary treatment consists of post and rail fencing and 5-bar gate securing the site.
4. The full applications were received 31st March 2010. Planning application reference S/0452/10/F proposes a Ménage measuring 42m by 22m, which is to be located immediately behind existing redundant farm buildings between the site and the road. The ménage is proposed to have a grassed bank around it.
5. Planning application reference S/0453/10/F proposes to change the use of the land from agricultural to horse grazing. It also proposes a horse livery area for private use, which includes the erection of a stable block between the existing agricultural buildings and the proposed ménage measuring 29m by 11.5m and 2.4m to the eaves,



*Iron Age Settlement
and
Anglo Saxon Burial Ground*



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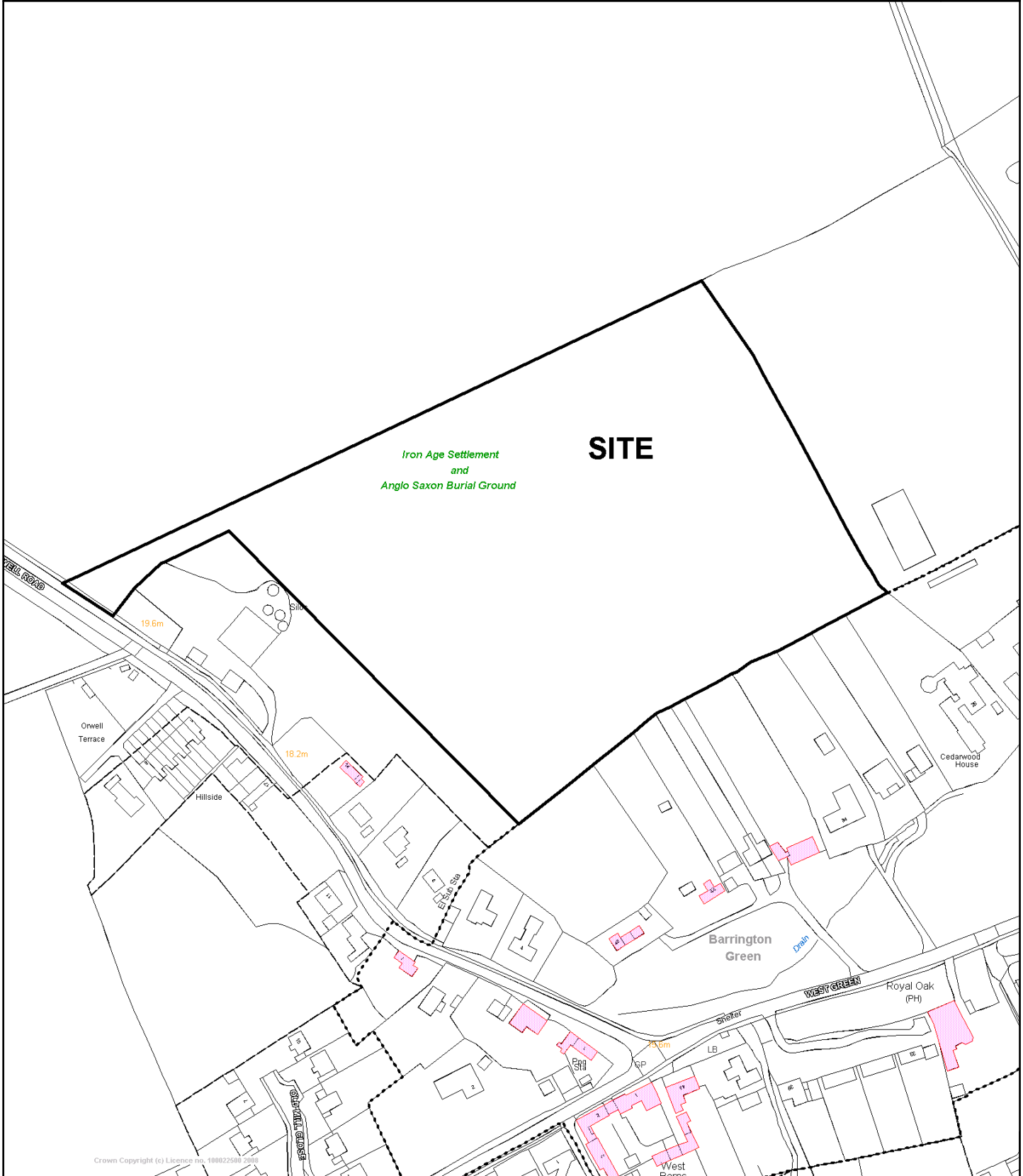


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June 2010 Planning Committee



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June 2010 Planning Committee

3.35m to the ridge. The stable block includes 6 stables with wash down area, tack and storage rooms.

6. The proposal also includes a barn measuring 10m by 5m, with an eaves and ridge height similar to the stables. The barn is proposed to be located to the northwest of the site. The barn and the stables are of timber construction.
7. Consent is also sought for a horse exerciser to be located at the side of the ménage on the north of the site and is proposed to have a diameter of 15m. The driveway into the livery area is to be laid with hardstanding.

Planning History

8. **S/0135/09/F** – Change of use of land from agricultural to horse grazing, horse livery (private), including erection of stables, barn, horse exerciser and access driveway – Withdrawn.
9. **S/0137/09/F** – Ménage – Withdrawn

Planning Policy

10. **South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007**

Policy **DP/1** Sustainable Development
Policy **DP/2** Design of New Development
Policy **DP/3** Development Criteria
Policy **DP/7** Development Frameworks
Policy **CH/2** Archaeological Sites
Policy **CH/4** Development
Policy **NE/4** Landscape Character Areas
Policy **NE/14** Lighting Proposals
Policy **NE/15** Noise Pollution
Policy **NE/17** Agricultural land
Policy **TR/1** Planning for more sustainable travel

Consultation

11. **Barrington Parish Council**

S/0452/10/F - Recommends Refusal

- (a) The ménage forms part of the proposed development in application S/0453/10/F and has to be considered alongside it. Therefore the points raised by the Parish Council in its refusal of S/0453/10/F are linked to this application.

S/0453/10/F – Recommends Refusal

- (a) The Parish Council is concerned over the size of the development which is meant to be for personal/private use. It appears to be a very large development.
If approval is given it should be limited to current ownership.

- (b) Application does not address sufficiently the requirements for waste management. No timing given for removal of waste from site. Not clear if liquid waste is being discharged into the sewer or local watercourse.
- (c) There is a major risk of pollution from the site into the nearby ditch system, which flows through West Green Pond to the River along an awarded watercourse.
- (d) Traffic concerns have not been addressed in terms of volume and types of vehicles.
- (e) Nearby houses would be overlooked by the development due to the rising ground and would be affected by noise and by lights.
- (f) Jumps should not be placed anywhere near the residential properties as it would be unacceptable in terms of noise and loss of residential amenity.
- (g) The change of use so near to established residential development does not follow through previous planning decisions, it is valuable agricultural land.

12. **Environmental Health Officer**

Planning reference S/0452/10/F

- (a) No significant impact on noise and pollution.

Planning reference S/0453/10/F

- (a) Would recommend that a pest control scheme is in place with professional contractor, with any documentation available upon request.
- (b) No significant impact on noise.

13. **County Archaeology**

Archaeological investigation has taken place and it has been found that there are no archaeological remains present; therefore there are no objections to the start of works on the site.

14. **Conservation Officer**

Recommends approval:

The site is not in the Conservation Area and it is presumed that the consultation is due to the nearby listed building. The proposed site is some distance from the listed building and the proposals will have no impact on its setting. There are concerns about the impact of the proposal on the countryside and I presume these will be considered in relation to current policies.

15. **Landscape Officer**

The proposed hedge and tree planting will provide necessary screening to the proposed stables, barn and horse exerciser. The applicant needs to state the spacing between the trees. The varied spacing should be between 10 and 15m. The tree planting should be extended along the boundary of the field as discussed on site. A smaller scale plan is required marking the extent of the hedge and trees section, and the trees without hedge section.

16. **Local Highways Authority**

Request that a condition is added that the livery and stables are for private use only. It also requests conditions that gates should be 20m at least from the edge of the highway; the access should had a minimum width of 5.5m for a minimum distance of 10m from the edge of the highway; visibility splays should be provided at 2.4m by 215m; provision of adequate drainage to prevent surface water run off onto the adjacent public highway; and finally the need to use unbound material for the driveway.

Representations

17. Peter Jolly on behalf of Owners/Occupies of 14 Orwell Road, Barrington

- (a) Applicants seem to be determined to gain unrestricted use of the 5 hectare site for a wide range of equestrian activities. In particular, it is not clear where mobile jumps are to be placed and this is wholly unacceptable and planning consent should not be granted on good intentions.
- (b) Jump course should be confined to a prescribed area of land away from residential properties and this should be defined on a plan. If planning permission is granted as it currently stands the jumps could be placed anywhere in the fields or at any time to suit the applicants.
- (c) Would like a condition restricting the use of field shelters on this site or that planning permission is required in accordance with Policy NE/4.
- (d) The provision of stables for up to 8 horses with supporting training facilities would appear to be excessive for private use of one locally based family. If planning consent is granted the Council should request a Section 106 (S106) agreement to ensure that the stables and equestrian facilities are for domestic purposes only.
- (e) The land should remain as agricultural land.
- (f) Owners of a strip of land beyond the gardens of those properties adjoining the site were advised by the Council that this land needed to remain in agricultural use to protect the landscape and these similar circumstances should apply to this site also.
- (g) The erection of these buildings and equestrian facilities with a network of enclosures would spoil the natural character and appearance of this attractive and distinctive landscape character contrary to Policy NE/4. It would also impact on the wider setting of the listed building at 14 Orwell Road, which is contrary to Policy CH/4 and PPG15.
- (h) There are strong grounds for refusing these applications. However, if the Council takes a different view, the planning conditions and a S106 should be imposed to ensure that the equestrian activities and the use of the land are properly restricted to safeguard the amenities of local residents.

18. Owner/Occupier of 12 Orwell Road, Barrington

- (a) The land has been in use over 40 years for food production and there are concerns about valuable agricultural land being taken out of this category.
- (b) The buildings on site would also change the farming outlook into a recreational site.

19. Owners/Occupiers 40 West Green, Barrington

- (a) The scale, content and position of the proposals remain of great concern.

- (b) Provision is for 8 horses, would like S106 agreement if planning consent is granted requiring that it remains for private use only.
- (c) The character of the area would be further eroded by proliferation of structures in open countryside were this to be allowed. The applicants do not take into account the feelings of local residents who will have to live with this development on a daily basis.
- (d) Would like condition to be applied to the site with regards to waste management scheme in terms of muck heaps, contract details of pest control firm.
- (e) Increase in potential highway safety issues.
- (f) Welcomes that the landscaping scheme has been addressed by the Council's Landscape Officer.
- (g) A lighting plan should be required.
- (h) Policies should be applied to this site as it was to proposed garden land at the rear of nearby residential properties where residents were not allowed to change agricultural land to garden land.
- (i) Lack of information for instance where are the jumps to be placed
- (j) It is believed that the application should be refused, however, if consent is granted it should be conditioned to take into consideration the concerns of neighbours.

20. Owner/Occupier of 44 West Green, Barrington

- (a) The development is in conflict with the Conservation Area and the buildings are of excessive bulk & scale and introduce unnatural features into the area.
- (b) The development will spoil the natural contours and is incompatible with the design of existing buildings nearby.
- (c) Traditional field patterns will be destroyed and visually damage landscape.
- (d) It will result in loss of high quality agricultural land.
- (e) It will over look adjoining properties.
- (f) It will generate noise, disturbance, smells and pollution.
- (g) The use will carry on during unsociable hours of operation.
- (h) It will dominate nearby buildings and conflict with the pattern of development.
- (i) Prejudice highway safety.
- (j) There are better alternative sites.

21. Owners/Occupiers of 36 West Green, Barrington

- (a) Contrary to Policy NE/4 as it will impact negatively on the open countryside.
- (b) Lighting proposed would be harmful to wildlife and residential amenity.
- (c) Limited information provided on waste management at the site, run-off is a potential problem and emissions from the site.
- (d) Vehicular movements, use of the horse walker etc could generate noise nuisance.
- (e) Highway safety as there will be an increase in the use of the site, which has limited visibility.
- (f) Parking designation seems to be significant for what is a private use.
- (g) Concerns about what the private use would entail. Request that condition is added to any consent stipulating that this is for personal/private use only not commercial.

Planning Comments – Key Issues

Residential Amenity

22. The proposed buildings/structures are to be located in the northwest corner of the site behind the existing disused agricultural buildings and within close proximity to the access to the site.
23. The proposed barn and stable are considered to be modest in scale, form and in height (3.35m to the ridge), and the applicants have worked with the Council's Landscape and Design Officer to develop an appropriate landscaping scheme to minimise the impact of the proposal. Most of the activity will take place where the buildings are proposed with the horses using the field for grazing. The properties along West Green have long rear gardens with good screening along the boundary and the development has been positioned as far away from Orwell Road residents as possible. It is not considered that overlooking would be a problem in this instance.
24. It is proposed to have low level lighting inside the buildings and in the stable yard. No floodlighting is proposed. The layout is as such as to minimise light spillage to properties on West Green and Orwell Road. If consent is granted, a condition could be imposed to control external lighting to reduce potential impact on residential amenity.
25. Noise from the site was also a concern of nearby residents. The site is for private use for stabling of 6 horses and the Environmental Health Officer has confirmed that there are no concerns with regards to noise.
26. Again if the application is granted consent it can be conditioned to be for private use only and that no trade or business can take place from the site.

Loss of Agricultural Land and Countryside Impact

27. The land is currently in agricultural use and is classified as grade 2. This means that it comprises the best and most versatile land, and is a national resource. Land outside village frameworks are restricted to that required for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside. The proposal is therefore still considered to be a suitable use for the land and could easily revert back to agricultural use if required. This is in accordance with Policy NE/17 Protecting High Quality Agricultural Land.
28. It has been argued by objectors that there will be a proliferation of buildings in the countryside if this application is granted consent. However, these buildings are located nearby an existing cluster of disused agricultural buildings in front of the site and the proposed structures are located within a cluster also and not spread across the site. If additional field shelters/structures were to be required in the future planning consent would be required as there are no permitted development rights for buildings designed to house horses.
29. If jumps and markers are placed within the site these are not uncommon features in rural areas and would not necessarily be considered to detract from the appearance of the countryside. The applicant has submitted a landscaping scheme to mitigate the impact of the proposal, which the Council's Landscape and Design Officer generally supports with some minor adjustments.

30. A condition could be placed on any consent restricting where these structures are placed. However, I am not convinced that there is a need to do so considering the scale of the site and the relationship of adjacent residential properties.

Listed Building Impact and Conservation Area

31. It is not considered that the proposal would impact significantly on the listed building or the Conservation Area; this is due to the distance of the proposed buildings/structures from the listed building and Conservation Area. The buildings are to be located near to the northwest boundary of the site while the listed building and Conservation Area is located to the west and south east of the site.

Environmental Health Issues

32. The Environmental Health Officer had no objections to the proposal in terms of noise or environmental pollution but recommends a pest control scheme is in place with a professional contractor, with any documentation available upon request. The application states in the Design and Access Statement and via email dated 10 May 2010, that there is an existing contract with a pest control contractor and that this would be continued to include this site should planning consent be granted. A condition can be imposed requesting details of a scheme to deal with waste produced on site.

Planning application for conversion of garden land

33. It would appear that the owners of nos. 8, 10, 12, and 14 Orwell Road, Barrington, acquired land directly behind these properties, which was originally part of the application site. The owners of no. 12 Orwell Road sought planning consent to change the use of this land from agricultural to garden land. However this was refused, as "the change of use of the land residential garden land would visibly alter the rural character of the area as it would result in a significant expansion of the boundary of the village that is presently clearly defined by the rear boundaries of numbers 8, 10, 12 and 14 Orwell Road. This expansion of the village boundary would result in a significant encroachment into the surrounding countryside by residential curtilages with all the domestic paraphernalia that they contain. The proposed change of use would therefore be contrary to policy DP/3 of the South Cambridgeshire Local Development Framework 2007, which seeks to retain countryside character".
34. The above application is different to that of the current proposal in that the domestication of this land in question would result in an encroachment of residential use into the countryside. However, horsiculture is an expected use in the countryside and one that is acceptable under Policy DP/7.

Highways Issues

35. The site already has an existing access from Orwell Road, which was granted consent by planning application S/0686/06/F. It has already been laid with hardcore. There is also an existing 5-bar metal gate setback 20m from the near edge of the highway. The access is shared with the adjacent field. New hardcore/hardstanding will be laid within the fenced area of the site leading into what will be the stable yard.
36. The Local Highway Authority has raised no objections to the proposal. It does request that several conditions are added to any planning consent. The design and access statement states that vehicular movements to the site will be minimal with 2-3 car movements in the mornings and in the evenings, with deliveries of hay and

bedding taking place every 6 weeks with the vet making regular visits to the site 5 times a year which could be more if the horses are ill or injured. It is not considered that highway safety would be compromised in this instance if the conditions are adhered to as the development at the site is on a relatively small scale.

37. The proposal under both planning applications are considered to comply with Policies DP/1, DP/2, DP/3, DP/7, CH/2, CH/4, NE/4, NE/14, NE/15, NE/17 of the South Cambridgeshire Local Development Framework, Development Control Policies, adopted July 2007. I therefore recommend these planning applications for approval.

Recommendation

38. Approval

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission. (Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. The development hereby permitted shall be carried out in accordance with the following approved plans Barn Elevations and Plan, Stable Elevations, Stables Plan View, Tree Planting Plan, Landscaping Plan, Site Plan Scale 1:500, Site Plan Scale 1: 500 showing existing entrance, fencing and gate all date stamped 21 March 2010. (Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. The change of use of land to horse grazing, horse livery including stables, barn, ménage and horse exerciser, hereby permitted, shall be for private purposes only and no trade or business shall be carried on therefrom. (Reason – Only the impact of a private use has been considered by this planning application there if the site is to be use for commercial purposes the impact of this would have to be assessed separately in terms of impact on residential amenity, the countryside and in the interests of highway safety in accordance with Policy DP/3, NE/4 of the adopted Local Development Framework 2007.)
4. No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. (Reason -To minimise the effects of light pollution on the surrounding area and residential amenity in accordance with Policies DP/3 and NE/14 of the adopted Local Development Framework 2007.)
5. No development shall commence until details of a pest control scheme have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details. (Reason - Insufficient information was submitted with the application to assure the Local Planning Authority exactly how waste will be managed at the site to control pests and not create a nuisance to comply with Policy DP/3 of the adopted Local Development Framework 2007.)

6. Prior to commencement of the use hereby permitted any gate or gates to the vehicular access shall be set back a minimum of 20m from the near edge of the highway boundary. Any access gate or gates shall be hung to open inwards. (Reason – In the interest of highway safety.)
7. The access shall be a minimum width of 5.5m, for a minimum distance of 10m measured from the near edge of the highway boundary. (Reason – In the interests of highway safety.)
8. Prior to the commencement of the use hereby permitted visibility splays of 2.4m x 215m shall be provided each side of the vehicular access measured from along the highway boundary. Such splays shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the highway verge. (Reason – In the interests of highway safety.)
9. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority. The access shall be constructed as approved. (Reason – To prevent surface water discharging to the highway.)
10. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site. (Reason: To avoid displacement of loose material on to the highway in the interests of highway safety.)

The development is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise:

- Residential Amenity
- Impact on Listed Building and Conservation Area
- Loss of Agricultural Land and Impact on Countryside
- Highway Safety

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

- **S/0135/09/F** – Change of use of land from agricultural to horse grazing, horse livery (private), including erection of stables, barn, horse exerciser and access driveway – Withdrawn.
- **S/0137/09/F** – Ménage – Withdrawn

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