

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan. Ref Expiry Date
<b>Miss Abigail Baldrey "A"</b>	Erection of a stable block with associated parking and turning area. Change of use of land to mixed-use Agricultural/Equestrian. Land At E:397827 N: 272980, Littleheath Lane, Lickey End, Worcestershire	GB	09/0758 04.01.2010

**RECOMMENDATION:** that planning permission be **REFUSED**.

### Consultations

WH	Consulted – view received 13.11.2009. Recommends conditions HC7 and HC8 and note HN5.
Highways Agency	Consulted – view received 02.11.2009. No objection.
Tree Officer	Consulted – view received 23.10.2009. No objection subject to conditions C13 to C19.
Publicity	1 site notice posted 23.10.2009 (expired 13.11.2009). 1 press notice published 15.10.2009 (expired 05.11.2009). 1 response received offering support for the proposal. The L-shaped building seems suitable bearing in mind the prevailing wind and weather and shelter from the two large oak trees. It is considered that the proposal would have minimal effect on the immediate environment. A nearby building built some years ago blends into its surroundings and it is expected this would happen with the proposal.

### The site and its surroundings

This application relates to a piece of land measuring 3.53 hectares located to north side of Littleheath Lane. The site forms part of a larger field which appears to have been subdivided in terms of ownership although there is no physical boundary on the site. The roadside and south west boundaries are marked by mature hedgerow. To the north is a partly tree and shrub covered embankment rising up to the M42. The field slopes gently down to the embankment. Vehicular access to the site is provided by an existing gateway off Littleheath Lane opposite its junction with Lower Shepley Lane. The site is located in a recognised area of Green Belt.

### Proposal

This application proposes an L-shaped stable building, associated hardstanding and change of use of the site to equestrian and agricultural purposes. The agricultural element would relate to hay production to be used on site.

### Relevant Policies

WMSS	QE6
WCSP	SD.2, CTC.1, CTC.5, D.38, D.39, T.1, RST.10,
BDLP	DS1, DS2, DS13, C4, C17, TR11, RAT1, RAT2, RAT16, RAT17
Others	PPS1, PPG2, PPS7, PPG17, SPG5

## Relevant Planning History

None.

## Notes

The main issue in the determination of this application is whether the proposed stable block is an appropriate form of development in the Green Belt and if not whether there are any very special circumstances that would override the harm caused. Consideration must also be given to the visual impact of the proposal on the surrounding landscape, residential amenity issues, trees and highway safety.

## Green Belt and visual impact

Policy DS2 of the Bromsgrove District Local Plan is in general accordance with the provisions of PPG2: Green Belts in setting out the instances when development may be considered appropriate in the Green Belt. Criterion (b) of this policy allows for essential facilities for outdoor sport and recreations. PPG2 explains that a possible example of such facilities includes small stables. Policy RAT2 of the BDLP explains that outdoor sport and recreation facilities will be supported in the Green Belt subject to a number of conditions. Policy RAT16 states that proposals involving the use of agricultural land for equestrian pursuits in the Green Belt will be considered favourably provided that any stabling does not conflict with the visual amenities of the Green Belt and the proposal is in compliance with Policy RAT17. Clearly grazing land is an essential requirement of equestrian activities and I am therefore of the view that the proposed change of use and the principle of the proposed stable building are appropriate forms of development in the Green Belt.

Policy RAT17 of the BDLP relates specifically to stable developments. Criterion (a) of the policy requires new buildings to be kept to a minimum necessary and consist only of essential facilities genuinely required on a parcel of land which preserves the openness of the Green Belt. Save in exceptional circumstances buildings will only be permitted where they are closely related to existing farm buildings or other groups of buildings. Criterion (b) states that where possible the re-use of existing agricultural buildings should be achieved. Criterion (c) requires the design, materials and landscape treatment of a stabling development to be of a high standard and sensitive to its surroundings in order to protect the visual amenity of the Green Belt and to ensure integration into the rural setting.

The stable building is to consist of three stables and a tack/feed/fodder store. The individual stables meet the size requirements specified under criterion (e) of Policy RAT17 and given the size of the site, I am satisfied that there is sufficient grazing land for three horses (even with part of the site used for the production of hay). The applicant has justified the size of the store in relation to the items which would need to be stored at the site for the horses to be stabled for part of the day. The stables are to be timber clad with a black roof covering and these materials are considered to be appropriate for the development. There are no existing buildings on or adjacent to the site which the stable building could be positioned adjacent to and as such the proposal is contrary to Policy RAT17(a). Criterion (h) of the policy states that, where exceptionally a site in open

countryside is allowed, the proposal should integrate with existing planting and landform to minimise the impact on visual amenities. Although the proposed building has been set against an existing boundary hedge, its L-shaped footprint fails to take account of the line of the hedge, extending 9 metres out into the field. The Design and Access Statement puts forward a view that the mature trees and hedges surrounding the site would ensure that it would be well screened and minimise any impact on the surrounding area. However, the boundary hedge is just 2 to 3 metres in height and the proposed development would be clearly visible from Littleheath Lane. I therefore consider that the proposal occupies an isolated position and fails to integrate within its surroundings as required under Policy RAT17. The 7.3 metre wide side wall of the stables would be visually intrusive and detrimental to the surrounding landscape and visual amenities of the Green Belt.

To overcome this objection, the applicant was advised to amend the scheme to form a linear building running parallel with the hedge. In response to this the applicant has explained (letter dated 23.11.2009) that the application site is particularly susceptible to the prevailing wind. The horses that are to be stabled are thoroughbreds which are susceptible to cold and in particular draughts. The stable block has been designed in an L-shape to protect the horses and contents from the worst of the worst prevailing winds. Without such protection, the horses would be put at an unacceptable level of risk. Whilst I appreciate the applicant's need to provide suitable accommodation for the horses, I do not consider that this provides justification for the Council to depart from its adopted policy or outweighs the level of harm that would be caused and the potential setting of a precedent which could be repeated over the whole District. Instead, I would suggest that a site which offers no level of natural shelter from the wind is unsuitable for the stabling of thoroughbred horses. The applicant has stated that the suggested amendment would increase the footprint of the development from 98 to 114 square metres. I disagree that this would be the case as the concrete apron in front of the stables could be reduced in size whilst still providing a sizeable area in front of the stables. The applicant has made reference to other schemes where the Council has granted consent for L-shaped stable buildings. In conversations three specific schemes have been referred to. I consider the circumstances relating to these applications are quite different to those to the proposal. The L-shaped stable block approved under B/2003/1514 was closely related to existing buildings and was therefore in compliance with Policy RAT17(a). As such, there was no requirement for the building to integrate with the existing landscape. The stables approved under B/2004/0931 was in the vicinity of an existing dwelling and were located in a two sided space created by the roadside hedge and a proposed ménage. The building approved under B/2002/0615 was located towards the corner of a field clearly integrating with the existing boundary hedge. A third party has made reference to a stable building built some years ago which is considered to blend with its surroundings. I am aware of three examples of stables close to the application site. However, unlike the application site, these examples are well screened from the highway.

Paragraph 42 of PPS7: Sustainable Development in Rural Areas encourages Local Planning Authorities to support equine enterprises that maintain environmental quality and countryside character. In my opinion, the proposed development will be of harm to the character of the locality and therefore does not benefit from the support provided under PPS7.

### Residential amenity issues

The proposed stable building is located away from nearby residential properties and I therefore do not consider the proposal raises any residential amenity issues.

Policy RAT17 requires stable developments to provide adequate provision for the storage and disposal of waste materials without detriment to neighbouring occupiers or pollution of any watercourses or water supply sources. It is understood that a muck trailer would be used to remove waste from the site.

### Tree issues

Policy C17 of the BDLP states that development proposals should retain existing trees wherever possible. The proposed stable building would be located just outside the canopy of a large oak tree within the roadside boundary hedge. The Tree Officer has raised no objection to the proposal subject to conditions.

### Highway safety

Policy RAT(d) requires adequate highway access and parking facilities to exist or be provided without detriment to highway safety or the visual amenities of the Green Belt. The proposed development would utilise the existing field access. The proposed hardstanding would consist of a 34 square metres of concrete in front of the stables and 120 square metres of tarmac planings leading from the access to the stables. The applicant has explained that the area of tarmac planings would allow for a vehicle to safely park off the highway and to be turned around. I am aware that the Council has previously granted consent for similar sized areas of hardstanding areas in association with stable developments (applications B/2003/1514 and B/2004/ 0931). The use of two different materials to the hardstanding would break up its expanse reducing its impact on the visual amenities of the Green Belt.

Worcestershire Highways has requested a condition requiring the existing gate to be set back 7.3 metres from the highway and a second condition requiring the construction of a formal vehicular access. I note from the Design and Access Statement, that the applicant already proposes to set the gates back and as such I consider the first condition to be appropriate. As the access to the field is already in place, I do not consider that the second condition is reasonably necessary.

### Conclusion

The proposed development is located away from existing buildings and fails to integrate with the existing landscape as required under Policy RAT17 of the BDLP. Failure to integrate with the existing landform would create an intrusive feature which would cause an unacceptable level of the harm to the appearance and character of the locality.

### **RECOMMENDATION:**

The proposed stable building occupies an isolated position and, by reason of its L-shaped footprint, fails to integrate with the existing planting and landform to the application site. The proposal will therefore unduly harm the appearance and character of the landscape

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**and the visual amenities of the Green Belt and is found to be contrary to Policy CTC.1 of the Worcestershire County Structure Plan 2001 and Policies RAT2, RAT16, RAT17 and C4 of the Bromsgrove District Local Plan 2004.**