

COLYTON
(Coly Valley)

05/2259/FUL
(Full)

17/10/05

Applicant:

Mr Hayman

Location:

Party Close (formerly Badbury Knapp)
Old Sidmouth Road
Colyton
(Grid Ref: 324019/93233)

Proposal:

Erection of stable block and tack room.

Consultations

County Highway Authority
Does not wish to comment.

South West Water
No objections.

Environment Agency
Conditions suggested regarding drainage.

Planning History

App. No.	Year	Proposal	Date of Decision
P2404	2000	Renewal of permission for erection of stable block	29/01/01
P0254	1996	Renewal of permission for erection of stable block	12/04/96
91/P0209	1991	Stable Block	23/04/91

Parish Council

“Colyton Parish Council feel the plans for this application are misleading however after a site meeting recommend refusal to this application as it stands. It is felt the stable block and tack room are over elaborate for its purpose and a wooden building would be more in-keeping with the surroundings. The access is not viable, the Devon bank and three oak trees should be protected against removal. There is concern over the surface water run off in question.”

Ward Member

Councillor Dr. Waterworth has commented;
“This three stable block, with tack room etc. is of unusual and expensive construction (cavity walls etc.) for stabling but appears to be in keeping with the locality.”

Representations

No letters of representation have been received.

Location

Party Close, is located on the south side of the Old Sidmouth Road to the west side of the junction with Salter’s Lane. The property is set back from the road on lower land and there is a annexe building in the Northwest corner of the site. The boundary of the site with the road to the north is marked by mature hedgerow and there are also several mature trees within the hedgebank.

Apart from the main driveway entrance to the property there is a further field entrance within the hedgebank to the west. The land on the site slopes gently from north west to south east and the surrounding area is designated as an Area of Great Landscape Value.

The proposal site lies to the west of the existing driveway entrance, inside the roadside hedgebank.

The Proposed Development

The proposal seeks planning permission for the erection of a stable block and tack room. This would feature a tiled roof with rendered elevations featuring brick quoins and detailing. The application also features a proposed access drive to the building off the existing driveway to the main dwelling house.

Planning Policy

East Devon Local Plan (Revised deposit – 2003);

- D1 Design and Local Distinctiveness.
- EN2 Areas of Great Landscape Value.
- S4 Countryside Protection.

Devon Structure Plan (2001 - 2016);

- C04 Areas of Great Landscape Value.

Observations

It is considered that the main issues in the determination of the application are the design and external appearance of the proposal and its likely effect on the mature protected Oak tree adjacent to the site and on the surrounding designated Area of Great Landscape Value.

The Parish Council have raised concerns over the scale and form of the building. However, the site history shows that there have been a number of previous proposals for stables on the site (91/P0209, 96/P0254 and 00/P2404) all of have been approved, and the last of which 00/P2404 remains valid and could be implemented, provided works on site begin before 29th January 2006. It is therefore considered that although not precluding members from taking a different view on the current proposal the valid permission for similar development is a material consideration in the determination of the application.

The current proposal would be sited to the west of the main entrance driveway and would be largely screened from view from the north by the roadside hedgebank and a mature Oak tree (the subject of a recent tree preservation order). The previous approvals were for the same form of development, albeit the location and access has been revised.

The difference between the approved and proposed siting is considered to have negligible effect on the impact of the development on the wider area of great landscape value. However, the proposed development would be sited in slightly closer proximity to the other buildings on the site, meaning it may be viewed as less of an isolated structure.

To the immediate north of the proposal site within the roadside hedgebank is a protected mature Oak tree. The current proposal would come in closer proximity to this than the previously approved siting for the building. The previously approved building was shown to be approximately 19 metres from the western edge of the access drive, the proposed building is shown to be approximately 8 to 9 metres from the same point on the drive. The Oak tree in question has its trunk approximately 14 metres from the edge of the drive. Therefore, although

the application states that the proposal would not involve the felling of any trees it is considered likely that the proposal would have a detrimental impact on this tree, due to the siting of the proposal directly beneath its canopy.

Conclusion/Summary

In summary the siting of the building in the revised location is not considered to increase the impact of the proposal, in general, on the surrounding area of great landscape value. The applicant has a current permission to construct the same building in a revised location and therefore it is considered the principle of the building is accepted.

However the proposal would impact adversely on the protected mature Oak tree to the immediate north of the site, potentially leading to its loss. For this reason it is considered that the application should be refused and that the applicant should look at revised sitings for the building, further from this tree and preferably for a building of less permanent construction.

Recommendation

Refuse for the following reasons.

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1. The proposal would be in close proximity to a mature tree which has been protected for its amenity value and would be detrimental to the future health and growth potential of this tree which is likely to come under pressure for removal. The proposal is therefore contrary to the provisions of policies D5 (Trees on Development Sites) and EN2 (Areas of Great Landscape Value) of the East Devon District Council – Revised Deposit - Local Plan.

**List of Background Papers**

The file containing all letters, consultations and documents referred to in the report.