

WOODBURY (Raleigh) 06/1817/FUL (FULL) 22.08.06

Applicant: Mr & Mrs Chennery

Location: Land at Dog Lane (Grid ref: 302424/88402)

Proposal: Erection of stable barn and access track for equine use and grazing

Consultations

County Highway Authority
Does not wish to comment

Environment Agency
No objections subject to separation of drainage, no buildings within 7m of a watercourse and the appropriate siting of manure/dung heaps

Planning History

App. No	Year	Proposal	Date of Decision
2094/FUL	2005	Erection of stables and hardcore surface area	23.09.05. Refused

Representations

4 letters of objection have been received
1 letter of support have been received

Summary of Objections

Building appears disproportionate for private use
Concerns that the applicant only has a single horse and is applying for a substantially larger scheme
Traffic will increase and because of road width congestion and safety issues may arise
Despite assertion within supporting statement there have not been horses kept in the field before.

Town/Parish Council

Woodbury Parish Council has no objection in principal to this application, but in view of residents concerns regarding this becoming a commercial livery/riding school feel a condition of planning should be for "private use only".

Ward Member

Cllr Liverton: Support

This application is close to many other sites for horses and stabling. Being so close to Woodbury Common there is a lot of equine activity. This is a large field on a low lying site with very little visibility from the surrounding area. It is large enough to take the stabling proposed and the applicant owns the next large field which can only be accessed from the application site so that there is more than adequate provision for

grazing. The applicant keeps horses for her personal use and enters them in eventing and other competitions.

They need adequate stabling if they are to be 'fit for purpose'. Should there be any doubt as to this application being approved I would like members to visit the site to see for themselves the situation.

In the event that this application comes to Committee I would reserve my position until I am in full possession of all the relevant facts and arguments for and against.

Location

The land is located within a countryside setting to the south east of Woodbury Salterton adjacent to Cannonwalls Farm. The land is accessed from a narrow lane via an existing field gate and consists of two agricultural field within the ownership of the applicant. Substantial hedgerows surround the plot, particularly on the roadside. With the plot, the land slopes upwards, away from the field entrance, although there is a drop to the southern boundary.

Planning Background

This application follows a previous refusal for a large stabling complex on the site. Prior to the original application being determined significant earths works were undertaken at the site to try and accommodate the building and access driveway. Although these have not been regularised, they now form part of the current application.

The Proposed Development

The current application proposes the erection of a barn style arrangement for four stables, tackroom and hay storage. This would have a footprint measuring 11.1m x 11.3m with a central pitch spanning the building. Eaves height would be set at 2.6m and ridge at 4.3m. The building which would set within the south east corner of the lower field and would be clad in timber with a sheeted roof.

The internal arrangement would be set such there is a central corridor for washing and accessing and then individual compartments accessed from inside the building.

Planning Policy

Devon Structure Plan 2001 to 2016

- ST5 (Development Strategy)
- CO6 – Quality of New Development

Adopted East Devon Local Plan

- S4 (Countryside Protection)
- D1 (Design and Local Distinctiveness)

Policy Guidance

- PPS1: The Planning System General Principles (delivering Sustainable development)
- PPS7: Sustainable Development in Rural Areas

Observations

East Devon District Council do not have specific policies relating to the provision of stabling in the countryside, but practice is similar to those authorities who do have formal adopted policies. It is accepted that equine activities are part of the countryside and small scale stabling is often accepted for personal use if it is not visibly intrusive into the landscape, and (preferably) is in close proximity to an existing dwelling for supervisory purposes. Large scale and/or commercial facilities need special justification and invariably lead to a pressure for a supervisory presence on site once granted – the Authority lost an appeal on these grounds recently. It is considered preferable that large scale or commercial facilities are located in or adjacent to existing or redundant farmsteads, large properties and/or where access can readily be obtained to them.

The main issues with the application remain as previous and pertain to the impact that the large scale American style Barn would have on a countryside setting where there is a general presumption against development, and the scale of the proposed facility in an isolated and rural setting.

In the current instance the provision of an American style barn, accommodating four stables, an hay store and tack room is not only considered large but of a scale that on site supervision is likely to be required. In this instance the existing hedgebank screening the field from the lane, together with the boundary hedgebanks and the additional planting proposed by the applicant would significantly limit the intrusion resulting from the building. Notwithstanding this screening the scale and nature of the building is large given its location in the countryside remote from existing buildings and dwellings. On this issue therefore the scale of such a large building within the countryside setting is contrary to the provisions within PPS1 which seeks to ensure that development is sited in the most appropriate locations.

As part of the application it was proposed to rectify the previous ground works which were undertaken without planning consent. Following lengthy negotiations and a full landscape assessment (together with levels submitted by the agent) these are considered largely acceptable. Irrespective of whether the barn is refused or not, the landscape works would return the existing field to an attractive environment and remove the unnatural and engineered elements within its form.

Although the development scheme for stabling is considered unacceptable, the landscape works are still important and therefore these should be undertaken in the near future. In order to achieve the reinstatement of the land with such a refusal and as the works were undertaken without planning permission, it is recommended that enforcement authority be obtained to require such works. This mechanism would allow the application to be refused, and the landscape works to be implemented. The applicant would also have the right of appeal against both aspects.

Conclusion/Summary

By reason of the scale of the building proposed within an isolated and countryside location, the development is considered contrary to the aims of national planning policy and countryside protection. Although landscape works already taken need to be remedied, these can be achieved through enforcement proceedings.

Recommendation

REFUSE on the following grounds:-

The proposed development by reason of its scale and massing is considered harmful to the nature of the open countryside location where without sufficient justification there is a presumption against development within plan policy. Given the size of the proposed facility, it is considered that the remote and rural location is not suitable and is likely to generate additional traffic to and from the site and a need for on site supervision. The application is therefore considered contrary to the aims of Policy ST5 (Development Strategy) of the Devon Structure Plan 2001 to 2016 and Policy S4 (Countryside Protection) of the adopted East Devon Local Plan 1995 2011.

FURTHER RECOMMENDATION

- (1) That the Chief Executive be authorised to take such legal action as is considered necessary to remedy the alleged breach of planning control. It being expedient to do so because the ground works that have already taken place appear alien and create an engineered landscape within the rural countryside that is incongruous and damaging to its character

Compliance period 3 months

List of Background Papers

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