



Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

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| APPLICATION NO: | 6/2010/0431/DM |
| FULL APPLICATION DESCRIPTION: | Change of use of land to equestrian & erection of timber stable Arbeia, Mickleton |
| NAME OF APPLICANT: | Miss Gemma Batt |
| ADDRESS: | Arbeia 4 West Side Mickleton County Durham DL12 0LL |
| ELECTORAL DIVISION: | Barnard Castle West |
| CASE OFFICER: | Charlie Colling Planning Officer 01833 696206 charlie.colling@durham.gov.uk |

DESCRIPTION OF THE SITE AND PROPOSALS

The site consists of an area of open grassed land, situated within the Mickleton Settlement Limits and Conservation Area. To the east and west of the site are residential properties, and to the north there are agricultural fields. To the south of the site is a further grassed area which the applicant benefits from a right of way across to gain access to this site.

Planning permission is sought for the change of use of this land to equestrian and for the erection of a stable building running parallel with the northern boundary wall of the site. The proposed stable would have a footprint of 4.54m x 11.51m. The building would consist of two stables and a storage area. The building would be constructed in timber with onduline black roofing sheets.

This application is reported to committee as the parish council has raised an objection to the proposals.

PLANNING HISTORY

There is no planning history relating to this site.

PLANNING POLICY

NATIONAL POLICY:

- **Planning Policy Statement 1:** Delivering Sustainable Development sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.
- **Planning Policy Statement 5:** Planning for the Historic Environment sets out the Government's planning policies on the conservation of the historic environment.
- **Planning Policy Statement 7:** sets out the Government's planning policies for rural areas, including country towns and villages and the wider, largely undeveloped countryside up to the fringes of larger urban areas.

REGIONAL POLICY:

The North East of England Plan - Regional Spatial Strategy to 2021 (RSS) July 2008, sets out the broad spatial development strategy for the North East region for the period 2004 to 2021. The RSS sets out the region's housing provision and the priorities in economic development, retail growth, transport investment, the environment, minerals and waste treatment and disposal. Some policies have an end date of 2021 but the overall vision, strategy, and general policies will guide development over a longer timescale.

Policy 8 – Protecting and Enhancing the Environment, seeks to maintain and enhance the quality, diversity and local distinctiveness of the environment throughout the North East.

Policy 32 – Historic Environment, seeks to conserve and enhance the historic environment.

Members should be aware that the Rt Hon Eric Pickles MP (Secretary of State for Communities and Local Government) wrote to all Local Planning Authorities on 27th May 2010, advising of his intention to abolish Regional Spatial Strategies. This is a material planning consideration in the determination of any planning application.

Teesdale District Local Plan Policy:

- GD1 General Development Criteria
- ENV1 Protection of the Countryside
- ENV3 Area of High Landscape Value
- BENV4 Development within and/or adjoining a conservation area

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at (www.durham.gov.uk)

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

County Highways – No objections

Mickleton Parish Council raise the following objections:

- Stables are close to surrounding properties and raise environmental issues for these adjoining properties.
- The land is not large enough for the building and keeping of horses.
- The site is unsuitable for the proposed development.

INTERNAL CONSULTEE RESPONSES:

Environmental Health – No objections raised subject to good practice advice being followed in respect of waste management.

PUBLIC RESPONSES:

Neighbouring properties have been consulted, a site notice posted and an advert placed in the local press with one objection received. Concerns in summary are:

- Goes against planning guidelines for agricultural buildings i.e distance from dwellings.
- Stable will be 10m from property.
- Concerned where the midden will be sited, as it will attract vermin.
- Area will not support one horse.

Applicant's Statement

The application is in response to concerns raised by neighbours and the Council to the development having been originally planned within the garden of the applicant's property which is adjacent to the site. As a result of those concerns an application was submitted to locate stables in this paddock.

The paddock has no planning history but has previously been used for keeping hens. It is an informal and currently rather untidy piece of land with no particular use. The proposal for a small stable building will enable the applicant's horses to be housed next to where she lives during the winter months only. During the summer months, she rents a field elsewhere. She is fully aware of the neighbour's and Parish Council's concerns regarding smell and nuisance, however she also lives next to the site. Therefore she has clear arrangements in place for the regular removal of waste, and the proposal will therefore not impact upon the amenity of those living nearby.

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at (<http://teesdale.planning-register.co.uk/PlanAppDisp.asp?RecNum=19756>).

PLANNING CONSIDERATIONS AND ASSESSMENT

In assessing the proposals against the requirements of the aforementioned policies, and having regard to all material planning considerations, including representations received, it is considered that the principle of development, design, impact on the countryside and conservation area and residential amenity represent the principal material planning considerations.

It is proposed to change the use of this area of land to equestrian and erect a building with a footprint of 4.54m x 11.51m. The walls would be finished in timber with a dark stain and the

roof of onduline black roofing sheets. The height of the building would be approximately 2.12m to eaves and 2.72m to ridge. To the east and west of the site are residential properties. There are open fields to the north and a further grassed area to the south, which access to the site is taken across.

Principle

The proposed building would be divided internally into three areas, two stables and a store. The application includes change of use of this area of land to accommodate the proposed equestrian use.

The site is within the settlement limits of Mickleton, and would appear to have historically been used for some form of agriculture. There are a number of stables on land around the village. The area subject to this application would essentially form a small paddock area. It is considered that the keeping of horses on this land would be commensurate with the rural character of the village and the wider countryside setting.

The principle of having a stable on this land is considered to be acceptable, given the rural nature of the location and the building being sited away from boundaries with neighbouring residential properties in accordance with Teesdale Local Plan Policies GD1 and ENV1.

Design

The proposed building would be of a simple design, constructed in timber with a black onduline roof. There would be two functional windows on the south elevation along with two stable doors and a personnel door. The design of the building is typical of many other stables, incorporating an overhanging roof to the front. Subject to agreeing full details of the external materials of the building including their finish the design is considered to be acceptable and would accord with Teesdale Local Plan Policy GD1.

Impact on Countryside and Conservation Area

The site is situated within the village settlement limits and conservation area, with open countryside to the north. The topography of the site is such that the stable would be at a slightly lower level than the road to the south. As the ground level drops away towards the stable, and the height to the ridge of the building being 2.72m it is not expected that views of the wider countryside which are important to the character of the conservation area would be lost or unduly compromised in accordance with Teesdale Local Plan Policies BENV4 and ENV1.

Amenity

The proposed stables would be sited approximately 23m away from West Holme to the east of the site and 13m from Holmlea to the western side of the site. The environmental health section have not raised any objection to the proposal, but have offered guidance on best practice for dealing with waste generated from the site.

The applicant has advised that the waste from the stables will be stored next to an existing stone building on the site, and will be removed on a weekly basis. It has also been confirmed that there will be no burning of waste on the site.

It is acknowledged that there are residential properties which share a boundary with the site, however it is not expected that the proposals would be detrimental to visual amenity given the distance the proposed stables would be sited from these properties. With regards to smells and noise from the stables, there has been no objection raised from the environmental health section. Subject to agreeing a waste management plan by condition this aspect is considered to be acceptable. This land could be used to accommodate livestock without any planning permission, and there is agricultural land bordering the northern boundary of the site and adjacent properties in accordance with Teesdale Local Plan Policy GD1.

Other Issues

An objection has been raised advising that the proposals go against planning guidelines in respect of agricultural buildings. The proposal is not for an agricultural building, and there is no specific reference as to which planning guidelines are being referred to. The proximity of the building and the likely impact has been assessed in the report. The environmental health officer has raised no objection to the proposals.

With regards to the size of the land available for the horses, it understood that the horses will be exercised off site, and the applicant acknowledges the size of the site limits the number of horses which could be kept, which is reflected in the size and number of stables being applied for.

CONCLUSION

In summary the proposals are for a change of use of land to equestrian and the erection of stables. The site is currently grassed, situated within the development limits of a rural village. Given the nature of the site and its relationship with the wider countryside, this is considered to be acceptable location for this development. The issues raised by the parish council and public consultation are not considered to provide sufficient justification to refuse the application. The siting of the building is considered to be acceptable, running adjacent to an existing field boundary, and would not have any unacceptable impact upon the area of high landscape value or the conservation area. The amenity of neighbouring residential properties has been given due consideration. There has been no objection from the environmental health officer and subject to a condition in respect of agreeing waste management the proposals are considered on balance to be acceptable and would accord with Local Plan Policies GD1, BENV4 and ENV1.

RECOMMENDATION

That the application be APPROVED subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby approved shall be carried out in strict accordance with the following approved plans:-

| Plan Reference Number | Date received |
|-----------------------|---------------|
| A1 | 24/12/10 |

| | |
|----|----------|
| A2 | 24/12/10 |
| A3 | 24/12/10 |
| A4 | 24/12/10 |

3. Prior to the commencement of the development details of the surface treatment and construction of all hardsurfaced areas shall be submitted to and approved in writing by the Local planning authority. The development shall be undertaken in accordance with the approved details.
4. Notwithstanding any details of materials submitted with the application no development shall commence until details of the make, colour and texture of all walling and roofing materials have been submitted to and approved in writing by the Local planning authority. The development shall be constructed in accordance with the approved details.
5. Prior to the erection of the building a waste management plan shall be submitted to and agreed in writing with the Local Planning Authority. The operation of the site shall then conform to the details agreed in the plan.

In the interests of protecting residential amenity in accordance with Policy GD1.

REASONS FOR THE RECOMMENDATION

1. The development was considered acceptable having regard to the following development plan policies: -

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|-------|---|
| GD1 | General Development Criteria |
| ENV1 | Protection of the Countryside |
| ENV3 | Area of High Landscape Value |
| BENV4 | Development within and/or adjoining a conservation area |

2. In particular the development was considered acceptable having regard to consideration of visual impact, affect on conservation area, amenity and design.
 3. The objections which have been received, have been given due consideration. On balance the scheme is considered to be acceptable and without objection from the council's environmental health officer. The proposals are considered to accord with both local and national planning policies, and would constitute an acceptable form of development subject to conditions.
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BACKGROUND PAPERS

- Submitted Application Forms and Plans.
- Design and Access Statement
- Teesdale District Local Plan 2002
- Planning Policy Statements / Guidance, PPS1, PPS5 and PPS7
- Responses from County Highways and Environmental Health
- Public Consultation Responses
- RSS for the North East to 2021

Site Location

