

Case No: 1200867FUL (FULL PLANNING APPLICATION)

Proposal: CHANGE OF USE FROM AGRICULTURAL TO EQUESTRIAN TO INCLUDE ERECTION OF THREE TIMBER STABLES, FEED STORE AND TACK ROOM. HARDSTANDING FOR PARKING AND USE OF ADJACENT Paddock FOR SCHOOLING, JUMPING AND EXERCISING OF HORSES.

Location: LAND SOUTH OF BROADPOOL FARM FENSIDE ROAD

Applicant: FERGUSON BROADBENT LLP (FAO MR M FERGUSON)

Grid Ref: 533743 281670

Date of Registration: 02.07.2012

Parish: WARBOYS

RECOMMENDATION - APPROVAL

1. DESCRIPTION OF SITE AND APPLICATION

- 1.1 This site lies in the open countryside approximately 3km north east of Warboys. It is located between Fenside Road and Heath Road, and has an area of 5.5ha. The land rises from both roads to a high point in the centre and is presently in agricultural use. It is largely devoid of natural features although there are some substantial boundary hedges.
- 1.2 Development in the area is relatively scattered although there is a dwelling on the opposite side of Fenside Road, and a property on the opposite side of Heath Road. On Fenside Road, surrounded on three sides by the site is a building known as the "Barn". This is now in commercial use.
- 1.3 The proposal, as amended, is to change the use of the land from agricultural use to equestrian use, and to erect three stables, a feed store and tack room, and lay out hardstanding for parking use. This will occupy a small area of the site, and the remainder will be used as paddocks for the schooling, jumping and exercise of horses. The stables and other facilities will be located at the western end of the Fenside Road frontage (they were to be located at the eastern end of the Fenside Road frontage initially), where a new access from the road will be provided. The stable block will be "L" shaped, and will measure a maximum of 14m by 8.5m. It will have a ridge height of 4.5m and an eaves height of 3m. The walls will be tanalised timber and the roof dark grey profile sheeting. A post and rail fence will surround the building/ parking area.
- 1.4 The site is in the open countryside and there is a public footpath along the western boundary of the site linking Fenside Road and Heath Road. Heath Road is classified (A141) as is Fenside Road (C116).

2. NATIONAL GUIDANCE

- 2.1 The National Planning Policy Framework (2012) sets out the three dimensions to sustainable development - an economic role, a social role and an environmental role - and outlines the presumption in favour of sustainable development. Under the heading of Delivering Sustainable Development, the Framework sets out the Government's planning policies for : building a strong, competitive economy; ensuring the vitality of town centres; supporting a prosperous rural economy; promoting sustainable transport; supporting high quality communications infrastructure; delivering a wide choice of high quality homes; requiring good design; promoting healthy communities; protecting Green Belt land; meeting the challenge of climate change, flooding and coastal change; conserving and enhancing the natural environment; conserving and enhancing the historic environment; and facilitating the sustainable use of minerals.

For full details visit the government website <http://www.communities.gov.uk> and follow the links to planning, Building and Environment, Planning, Planning Policy.

3. PLANNING POLICIES

- 3.1 Further information on the role of planning policies in deciding planning applications can also be found at the following website: <http://www.communities.gov.uk> then follow links Planning, Building and Environment, Planning, Planning Information and Guidance, Planning Guidance and Advice and then Creating and Better Place to Live
- 3.2 East of England Plan - Revision to the Regional Spatial Strategy (May 2008) Policies viewable at <http://www.go-east.gov.uk> then follow links to Planning, Regional Planning then Related Documents
- **SS1:** "Achieving Sustainable Development" – the strategy seeks to bring about sustainable development by applying: the guiding principles of the UK Sustainable Development Strategy 2005 and the elements contributing to the creation of sustainable communities described in Sustainable Communities: Homes for All.
 - **ENV6:** "The Historic Environment" - Within plans, policies, programmes and proposals local planning authorities and other agencies should identify, protect, conserve and, where appropriate, enhance the historic environment of the region including Conservation Areas and Listed Buildings.
 - **ENV7:** "Quality in the Built Environment" - requires new development to be of high quality which complements the distinctive character and best qualities of the local area and promotes urban renaissance and regeneration.
- 3.3 Cambridgeshire and Peterborough Structure Plan (2003) Saved policies from the Cambridgeshire and Peterborough Structure Plan 2003 are relevant and viewable at <http://www.cambridgeshire.gov.uk>

follow the links to environment, planning, planning policy and Structure Plan 2003.

- None relevant

3.4 Huntingdonshire Local Plan (1995) Saved policies from the Huntingdonshire Local Plan 1995 are relevant and viewable at www.huntingdonshire.gov.uk/localplan95

- **R2:** "Recreation and Leisure Provision" – applications for recreational facilities will be considered on their merits bearing in mind: advice from sporting recreation authorities on the need for further provision; the effect on residential amenity; the effect on landscape, visual amenity, nature conservation and archaeological interest; access, parking and traffic generation; the siting, design and materials of any building and structures.
- **R13:** "Countryside Recreation" – provision of facilities for informal countryside recreation subject to the criteria of R2 will be supported.
- **En11:** "Archaeology" – Permission will normally be refused for development that would have an adverse impact on a scheduled ancient monument or an archaeological site of acknowledged importance.
- **En17:** "Development in the Countryside" - development in the countryside is restricted to that which is essential to the effective operation of local agriculture, horticulture, forestry, permitted mineral extraction, outdoor recreation or public utility services.
- **En18:** "Protection of countryside features" – Offers protection for important site features including trees, woodlands, hedges and meadowland.
- **En20:** Landscaping Scheme. - Wherever appropriate a development will be subject to the conditions requiring the execution of a landscaping scheme.
- **En25:** "General Design Criteria" - indicates that the District Council will expect new development to respect the scale, form, materials and design of established buildings in the locality and make adequate provision for landscaping and amenity areas.

3.5 Huntingdonshire Local Plan Alterations (2002) Saved policies from the Huntingdon Local Plan Alterations 2002 are relevant and viewable at www.huntingdonshire.gov.uk/localplan - Then click on "Local Plan Alteration (2002)

- None relevant

3.6 Policies from the Adopted Huntingdonshire Local Development Framework Core Strategy 2009 are relevant and viewable at <http://www.huntsdc.gov.uk> click on Environment and Planning then click on Planning then click on Planning Policy and then click on Core Strategy where there is a link to the Adopted Core Strategy.

- **CS1:** “Sustainable development in Huntingdonshire” – all developments will contribute to the pursuit of sustainable development, having regard to social, environmental and economic issues. All aspects will be considered including design, implementation and function of development.
- **CS3:** “The Settlement Hierarchy” – states that any area not specifically identified are classed as part of the countryside, where development will be strictly limited to that which has essential need to be located in the countryside.

3.7 Policies from the Development Management DPD: Proposed Submission 2010 are relevant.

- **E1:** “Development Context” – development proposals shall demonstrate consideration of the character and appearance of the surrounding environment and the potential impact of the proposal.
- **E5:** “Tree, Woodland and Hedgerows” – proposals shall avoid the loss of, and minimise the risk of, harm to trees, woodland or hedgerows of visual, historic or nature conservation value, including ancient woodland and veteran trees. They should wherever possible be incorporated effectively within the landscape elements of the scheme.
- **E10:** “Parking Provision” – car and cycle parking should accord with the levels and layout requirements set out in Appendix 1 ‘Parking Provision’. Adequate vehicle and cycle parking facilities shall be provided to serve the needs of the development. Car free development or development proposals incorporating very limited car parking provision will be considered acceptable where there is clear justification for the level of provision proposed, having consideration for the current and proposed availability of alternative transport modes, highway safety, servicing requirements, the needs of potential users and the amenity of occupiers of nearby properties.
- **H7:** “Amenity” – development proposals should safeguard the living conditions for residents and people occupying adjoining or nearby properties.
- **P7:** “Development in the Countryside” – development in the countryside is restricted to those listed within the given criteria.
 - a. essential operational development for agriculture, horticulture or forestry, outdoor recreation, equine-related activities, allocated mineral extraction or waste management facilities, infrastructure provision and national defence;
 - b. development required for new or existing outdoor leisure and recreation where a countryside location is justified;
 - c. renewable energy generation schemes;
 - d. conservation or enhancement of specific features or sites of heritage or biodiversity value;
 - e. the alteration, replacement, extension or change of use of existing buildings in accordance with other policies of the LDF;

- f. the erection or extension of outbuildings ancillary or incidental to existing dwellings;
- g. sites allocated for particular purposes in other Development Plan Documents.

3.8 Policies from the Huntingdonshire Local Plan to 2036 – Draft Strategic Options and Policies (2012) are relevant:

- **Draft Policy 7:** “Scale of development in the countryside” - sets out the limited circumstances where sustainable development in the countryside will be considered.

3.9 Policies from the Huntingdonshire Local Plan to 2036 – Draft Development Management Policies (2012) are relevant:

- **DM6:** “Parking provision” – development proposals should ensure that sufficient parking is provided to meet its needs and minimise impacts on existing neighbouring uses.
- **DM13:** “Good design and sustainability” – requires development proposals to be designed to a high standard which reflects the surroundings and contributes positively to the local character of the built area, and has regard to the Design Guide.
- **DM14:** “Amenity” – requires development proposals to provide a high standard of amenity for existing and future users of the proposed development and its surroundings.
- **DM25:** “Trees, woodland and related features” – A sustainable development proposal will be acceptable where it avoids the loss of, and minimises the risk of harm to trees, woodland, hedges or hedgerows of visual, historic or nature conservation value, including orchards, ancient woodland and aged or veteran trees.
- **DM27:** “Heritage assets and their settings” – to protect and conserve the district’s heritage assets, including listed buildings, conservation areas and related assets. A sustainable development proposal will be acceptable where it avoids or minimises conflict with the conservation of any affected heritage asset and the setting of any heritage asset.

3.10 The SPD Landscape and Townscape Assessment is a material planning consideration.

4. **PLANNING HISTORY**

4.1 None recorded

5. **CONSULTATIONS**

5.1 **Warboys Parish Council – Refuse (copy attached)** The Parish Council has been notified of the revised scheme and has adhered to the original recommendation.

5.2 Environmental Health Officer – manure and stable waste should be stored in properly constructed bay and should not be burned on site.

- 5.3 HDC Transportation Planning Officer – no objections in principle but further details required of the internal layout and the access design. The development must not prejudice the right of way.
- 5.4 Middle Level Commissioners – the applicant has not provided adequate evidence to prove that a viable scheme for water level/flood risk management exists.

6. REPRESENTATIONS

- 6.1 Neighbours – three separate neighbours have responded and the following points have been raised:-

1. The proposed access is to be located directly opposite the access serving Broadpool Farm. This access is used by large lorries associated with the farm and potato stores, and these vehicles require the full width of the road to swing into the site. These vehicles will represent a health and safety hazard for people using the stables, and noise from the vehicles could scare the horses.

2. Fenside Road is seeing a significant increase in traffic, and this is already restricting access to the farm. The situation would be made worse by vehicles turning into the stable site, and using the road generally. The road is single track for much of its length and it is already well used by heavy vehicles going to and from the waste disposal site.

3. The proposed use could cause a loss of amenity to the occupiers of Broadpool Farm due to waste smells, noise and disturbance. This is likely to be most prevalent in the early morning and later evening. Activity on the site could upset the guard dogs at Broadpool Farm.

4. Power and water supplies are barely adequate for what is required of them and may not be sufficient to supply any new development.

5. The application has been submitted by an agent and any statements regarding the nature or level of the use may be speculative. The motivation behind the application may not be all that it seems.

6. A Time Team investigation looked at the site to east of the proposal (on the opposite side of Heath Road) in 2009. There is potential for there to be archaeological remains on this particular site.

7. The notice served on the tenant was not correct. This has now been rectified.

8. There is a lack of information to support the proposal and thus enable a full assessment to be made. Additional information has now been submitted. This is referred to below.

9. The proposed use would not be compatible with the adjoining commercial use. The amenity of the office in this quiet location would be adversely affected by additional traffic, noise, smells and general activity. Flies and odour from the manure heaps could be a problem, especially in summer when greater reliance would have to be placed on air-conditioning rather than open windows. Flies could carry disease.

10. The proposal would have an adverse impact on the character of the site and the landscape of the area in general. The site is visible from a number of directions and the provision of jumps, railings etc would have a material and detrimental affect on its overall character and appearance, and the contribution it makes to the surrounding countryside.

11. The size of the site is much larger than that which would normally be associated with domestic related equestrian uses. The change of use of the land would remove it from productive use. It should be safeguarded to ensure its long term potential.

12. The loss of the land from its present use would have an adverse impact on the tenant's business.

13. Horses could escape from the site and get into adjacent properties.

7. SUMMARY OF ISSUES

7.1 The main issues in this case relate to the principle of the development, the effect of the proposal on the character of the landscape, the impact on neighbours and highway issues.

7.2 In correspondence with the Agent, he has confirmed that the proposal is for a non-commercial operation. The application is made because they believe there is a shortage of equestrian facilities in the area and the land area lends itself to being of an appropriate size to accommodate the type of facility proposed. The site will not be used as a riding school, dealers' yard etc but is to be used by a single or shared occupier for non-commercial stabling and the keeping of horse and ponies. These would need to be locally based to ensure the proper management of their horses. The stables could be let to one or two individuals for occupation by their own animals only although a partial livery use cannot be ruled out. The size of the site could, theoretically take up to 7 horses, but this may be reduced to 5 to place less of a strain on the grass condition and avoid overgrazing. The paddock would be sub-divided to enable efficient grazing and use of the land. The fences are likely to be post and wire or post and rail in the long term, and electric fences in the short term. All are standard agricultural methods of fencing. Given the low stocking rate, the number of mini paddocks is unlikely to be large.

The principle of the development

7.3 This site is in the open countryside for the purposes of the Development Plan and emerging planning guidance. The policies in the Plan and guidance are restrictive, and, generally, will only permit development which has a specific need to be in a rural location. Policy P7 specifically refers to the fact that essential operational development for equine related activities is one of the permitted exceptions. Both policy P7 and En17 refer to outdoor recreation as being one of the exceptions to the normal policies of restraint, as do policies R2 and R13.

7.4 In land use terms, there are no overriding objections to the use of this site for equestrian purposes, and the development proposed will not prejudice the implementation of the above policies in other cases. An equestrian use can, effectively, only take place in a rural location, and, unless there are strong grounds to reject the proposal for other reasons, it should be acceptable in principle. The Agent has agreed to the imposition of a condition to restrict the use to private use only and not for use for any commercial or livery business. The proposed stables and the ancillary parking area etc. are a relatively small part

of the overall development, and are considered to be essential for the welfare of the animals.

- 7.5 In principle, the development is acceptable as a permitted exception to the normal policies of restraint and it does not conflict with policies En17, R2, R13, P7, CS3 and draft policy 7.

The effect of the proposal on the character of the landscape.

- 7.6 This is a large site and it is clearly visible from both Fenside Road and Heath Road. The conversion of the land to paddocks and the provision of internal fencing and jumps will have some impact on the character of the site, but it is considered that this will not be so deleterious to the visual amenities of the locality that a reason for refusal could be justified. The site is in the "Fen Margin" for the purposes of the Landscape Assessment SPD and one of the key characteristics noted for this area is a matrix of land uses. There is no reason why a series of paddocks should not fit in with this overall pattern, although the erection of the fences will add a degree of formality to the otherwise informal, landscape. The applicant has stated that the gaps in the present hedges will be filled with new planting, and, where the hedge is not stock proof, post and rail fencing will be installed. The form and scale of the proposed stables are acceptable in the context of this site, and the land take for this element of the development will be small by comparison with the land devoted to the paddocks. The design and form of the stables will be no different from many others which have been approved across the District.
- 7.7 Overall, it is considered that the development will not have a significant impact on the character of the site and its environs, and that it is in keeping with the requirements of policies ENV7, En18, En25, E1, E5, DM13 and DM25.

Impact on neighbours

- 7.8 There are two immediate neighbours to this site - the "Barn" which is in commercial use and is surrounded on three sides by the site, and Broadpool Farm on the opposite side of Fenside Road, facing the proposed access. On the basis of the evidence supplied by the applicant, the proposed use for equestrian activities will be on a very small scale, and its effect on the amenities of the immediate properties is therefore likely to be similarly limited. There will be some increase in noise and disturbance from the animals and the riding activity although, it should be noted that the field could currently be used for the grazing of farm animals without any further need for planning permission. The use of the field by a herd of cows, say, is likely to have a greater effect than the proposed riding activities. It is possible that, on some days, there will be no activity on the site at all, apart from the grazing of the horses.
- 7.9 The storage of manure could be an issue, although, provided this is stored in accordance with present guidelines and the advice from the Environmental Health Officer, this should not pose an overriding problem. The applicant has stated that manure could be stored at the opposite end of the field, away from the immediate neighbours. The EHO has not objected to the proposal, subject to the provision of

suitable manure storage bins which can be secured through an appropriately worded condition.

- 7.10 The concerns of the neighbours are noted, but it is considered that a refusal on amenity grounds could not be supported. The proposal complies with policies H7 and DM14.

Highway issues

- 7.11 For most of its length, Fenside Road is a single track with passing places. Traffic volumes do not appear to be high, although it is used by farm traffic, and by vehicles going to and from the waste disposal site on Puddock Road. The likely traffic generation from the proposed development should be low, possibly no more than 10 movements per day on a busy day. It is considered that this level of generation will have a minimal effect only of the free flow and safety of traffic using the road. The location of the access opposite to Broadpool Farm should not pose a problem given the limited amount of traffic generated by both site. There are no specific parking standards relating to stables in the DMDPD and appendix 1 but it is considered that the three spaces proposed by the applicant are sufficient for the number of stables to be provided.
- 7.12 It should be noted that the site is not in a sustainable location in that all access to it will be by private vehicle.
- 7.13 The proposal does not conflict with policies E10 and DM6.

Other issues

- 7.14 Archaeology – the location of the stables and the parking area have been moved to the opposite end of the frontage at the request of the County Archaeologist in order to reduce the potential impact of the development on any archaeological remains. Such remains have been found in the field to the east of the site, and in a field on the opposite side of Heath Road (the site was excavated by Time Team). Should consent be granted for the development, it would be appropriate to impose an archaeological condition to secure an investigation. There is no evidence that the application will be contrary to policies ENV6, En11 and DM27.
- 7.15 Landscaping – there is no need for additional landscaping but the gaps in the boundary hedges need to be filled to provide enhanced screening. The proposal does not conflict with policies En18, E5 and DM25.
- 7.16 Right of Way – there is a public right of way along the western boundary of the site. The submitted plans do not indicate that the right of way will be affected by the proposal, but a note should be placed on any planning permission reminding the applicant of his obligations to retain it.
- 7.17 Flooding – this site is not in a designated flood area. The comments of the MLC are noted but there is no flooding issue in this case. The applicant has stated that water from the roofs of the buildings will be collected and used for the horses. The water from the concrete

forecourt will drain into the ground. There is no intention of connecting the site to the mains.

- 7.18 Serving of notice to tenant – this has been remedied by the service of a new notice.
- 7.19 The loss of the site from agricultural use – the land is classified grade 3, and whilst a small part of it will be developed with permanent structures and car parking, the majority will be paddock which can be easily brought back into productive agricultural use.

Conclusions

1. The proposal is acceptable in principle and in land use terms.
 2. The development will not have a significant impact on the character of the site or the locality in general.
 3. The proposal will not have an overriding impact on the amenities of the immediate neighbours.
 4. There are no overriding highway issues.
 5. There are no other material planning considerations which have a significant bearing on the determination of this application.
- 7.20 Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be granted in this instance.

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388388 and we will try to accommodate your needs.

- 8. RECOMMENDATION - APPROVE** subject to conditions to include the following:

02003 Time Limit (3yrs)

NONSTAND - Not commercial or livery

05001 Buildings

NONSTAND - parking and turning facilities

NONSTAND - hedge planting scheme

NONSTAND - no more than 5 horses at any one time

NONSTAND - archaeological work

NONSTAND - manure storage

NONSTAND - maintenance of footpath.

CONTACT OFFICER:

Enquiries about this report to **David Hincks Development Management Officer 01480 388406**

To: Hincks, David (Planning Serv.) [/O=HUNTS DISTRICT COUNCIL/OU=HDC/CN=RECIPIENTS/CN=DHINCKS];
Subject: RE: Change of use from agricultural to equestrian use - land south of Broadpool Farm, Fenside Road 1200867FUL
Sent: Wed 10/10/2012 3:27:27 PM
From: Roy Reeves

David,

This was considered at a meeting of the Parish Council's Planning Committee on Monday evening.

The amendments submitted by the applicant didn't change the Committee's view on this application and the recommendation is still for refusal on the grounds previously supplied.

Regards,

Roy

Roy Reeves,

Clerk to Warboys Parish Council,

2 Blenheim Close, Warboys, Huntingdon, PE28 2XF

01487 823562

-----Original Message-----

From: Hincks, David (Planning Serv.) [mailto:David.Hincks@huntingdonshire.gov.uk]

Sent: 21 September 2012 12:31

To: Roy Reeves

Subject: Change of use from agricultural to equestrian use - land south of Broadpool Farm, Fenside Road 1200867FUL

Roy

I refer to the above planning application and to the Parish Council recommendation dated 10th July 2012.

I have discussed this proposal further with the applicant, and he has submitted additional information regarding the nature of the use, and aspects such as traffic generation etc. His letter can be viewed on the public access website. The position of the building/parking area has also been moved on the basis of advice received from the County Archaeologist. The plan is also viewable on the website. I would be grateful if this information could be presented to the Parish Council at the first opportunity and I look forward to receiving the Council's comments as soon as possible. If you would like to discuss the matter further, do not hesitate to contact me.

Regards

David.

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Head of Planning Services
Pathfinder House
St. Mary's Street
Huntingdon
Cambridgeshire PE 29 3TN

Application Number: 1200867FUL Case Officer David Hincks

Proposal: Change of use from agricultural to equestrian to include erection of three timber stables, feed store and tack room. Hardstanding for parking and use of adjacent paddock for schooling, jumping and exercising of horses.

Location: Land South Of Broadpool Farm Fenside Road Warboys

Observations of Warboys Town/Parish Council.

Please box as appropriate

Recommend **approval** because (please give relevant planning reasons in space below)

Recommend **refusal** because... (please give relevant planning reasons in space below)

The application as submitted contains insufficient information about access from the highway, hardstanding and turning arrangements for vehicles, waste disposal, whether the proposal is for personal or commercial use and, if the latter, the volume of vehicular movements.

No observations either in favour or against the proposal

 Clerk to Warboys Town/Parish Council.

Date: 10/7/12

Failure to return this form within the time indicated will be taken as an indication that the Town or Parish Council do not express any opinion either for or against the application.

(Development Management)

Development Management Panel

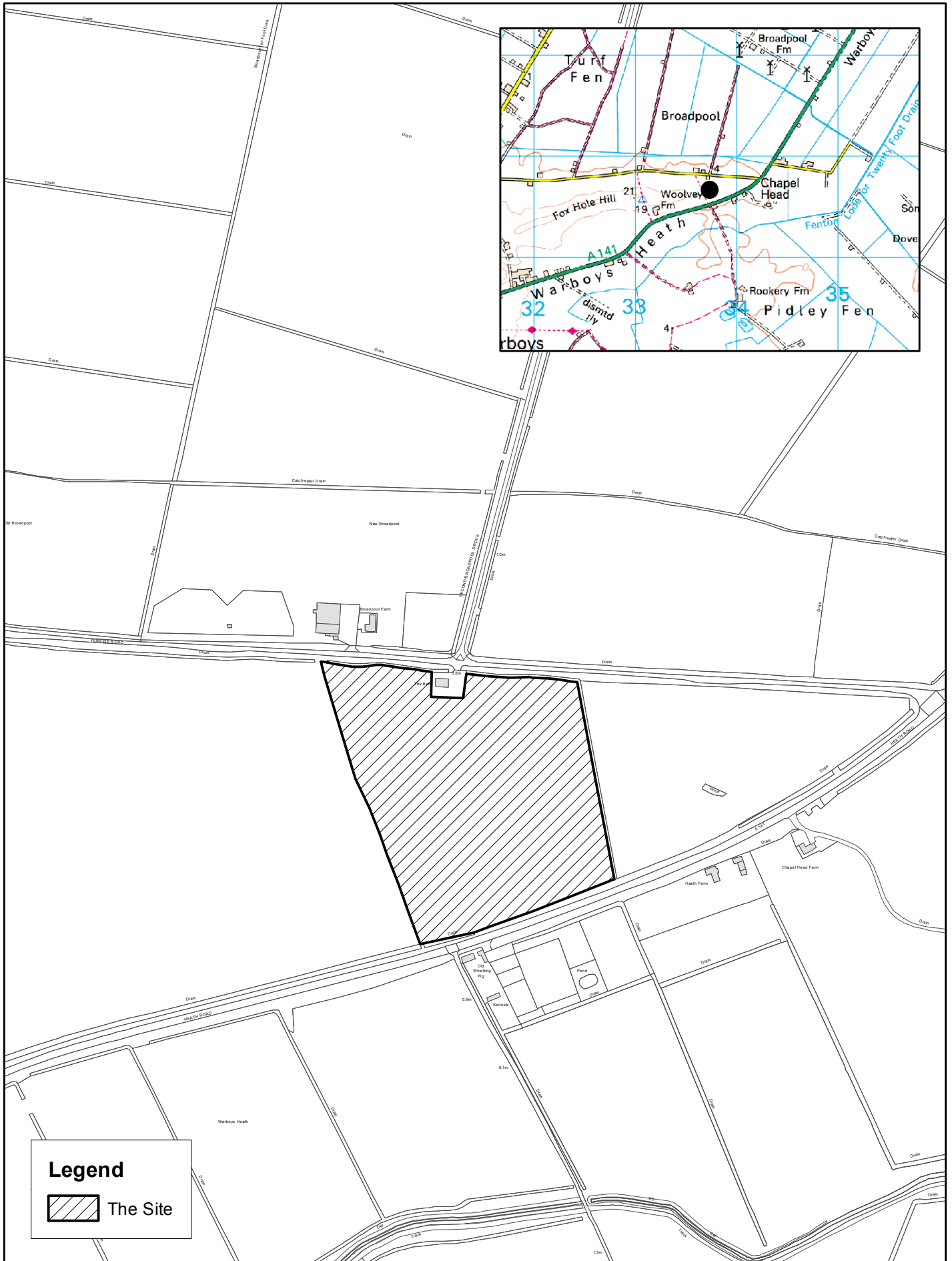


Scale = 1:5,000

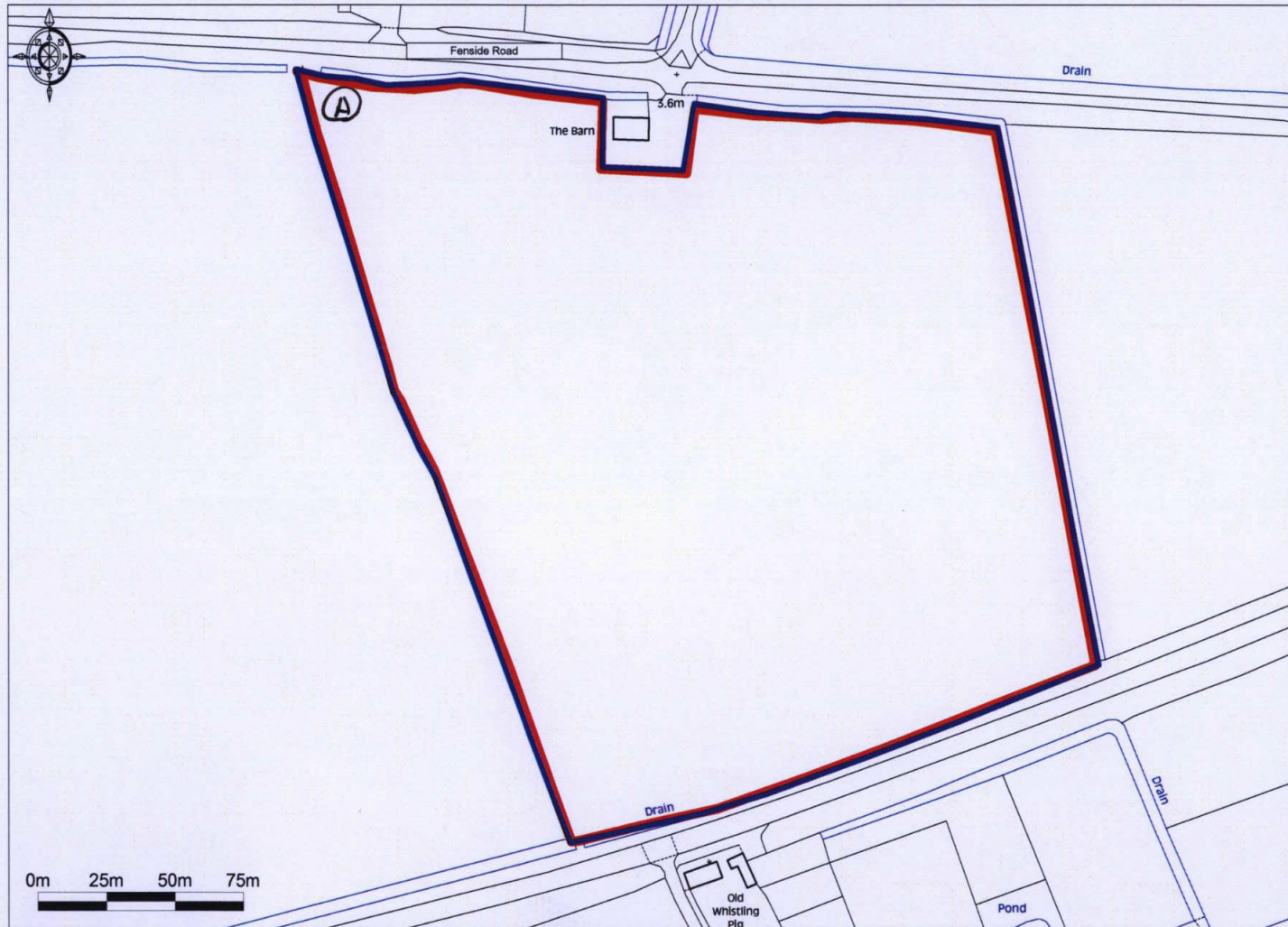
Date Created: 26/10/2012

Location: Warboys

Application ref: 1200867FUL



Plan showing 13.8 acres (or thereabouts) at Fenside Road,
Warboys, Huntingdon, PE28 2XR



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BOUNDARY HEDGE

(A)

10M BUFFER
AREA
BETWEEN
HEDGE &
STABLES.

STABLES / FEED & FORAGE

CONCRETE
HORSTANDING.

CONCRETE
SURFACE

POST & RAIL
CORRAL

DOUBLE 12" GATES

HARD CORED/
HARD STANDING

POST & RAIL FENCE

BOUNDARY HEDGE

POST & RAIL FENCE

TRAILER
TURNING
AREA.

REVISED PROPOSED STABLE YARD
LAYOUT IN THE NORTH WESTERN
CORNER OF THE FIELD. (POSITION
'A' IS SHOWN ON THE ATTACHED
FIELD PLAN). AT 'ONNETTS'
FENSIDE ROAD, WARGOYS
HUNTINGDON CAMBS, PE28 2XR.
SCALE 1:100