**DELEGATED REPORT**

**Recommendation Made: 2 July 2009**

**Reference:- 09/00403/FUL** **Parish:- Desford Parish Council**

**Applicant:- Miss Elizabeth Mudford**
**Wesley Rise**
**Main Street**
**Botcheston**
**Leicester**

**Location:- Wesley Rise Main Street Botcheston Leicester Leicestershire**

**Proposal:- ERECTION OF STABLES**

**Introduction:-**

This is a full application for the erection of a stable block and associated hard surfacing in a field to the rear of Wesley Rise, Botcheston. The application property comprises one of two substantial dormer bungalows of identical design. These are accessed from a shared drive leading from Main Street. The properties occupy a prominent position resultant of their elevated plot (the land slopes very steeply to the north). They are situated towards the western end of the settlement; the public house is the only property further west. To the rear of the property is open countryside. Views of the fields are screened by the dwellings and the mature hedgerow which bounds them. The stables are to be situated in the field owned by the applicant which spans the rear of the public house to number 34 Main street. The stables are to be positioned adjacent to the hedge, which is over 2m in height and forms the rear boundary of the pub garden. The field is accessed via a gate from the applicant's garden. Vehicular access to the field is gained from the rear of the public house. The applicant has confirmed that she does not require vehicular access as she does not transport her horses and that all feed etc is taken through the access in her rear garden.

The proposed stables have an 'L' shaped footprint , and provide four stables and a hay barn. They will be of timber construction, with black corrugated fibre based roofing sheets, with galvanised metal ridge capping. The building will have a maximum height of 3.1m. There will be an area of hard standing to the front of the stables, resulting in a rectangular footprint.

A design and access statement has been submitted with the application , this states that the hedgerow to the rear of the stables will be retained and any gaps created will be filled. Additional information has also been submitted outlining the area of proposed hardstanding to the front of the stables, and their colour (Golden Brown).

**Consultations:-**

Environmental Health (Pollution) have requested that there be no burning of animal, or any other waste.

Environmental Health (Drainage) have requested that animal waste and surface water contaminated by animal waste should not be discharged to ditches, watercourses or soakaways.

No comments have been received from Parish Council/ Neighbours

**Development Plan Policies:-**

NE5 - Development in the Countryside

BE1 - Siting and Design

**Appraisal:-**

Policy NE5 seeks to restrict new development in the countryside, aside from a few restrict types. The policy is favourable towards development which is for a use compatible with the countryside, is of a design and scale which is not detrimental to the character of the area, and where the development is located in close proximity of existing built development. As the development is for the stabling of horses, in principle, this type of development is acceptable. Furthermore, despite the relatively large footprint of the building, its scale is minimal, and its materials will help assimilate it into the surrounding area. In addition the stables will not be visible from any public vantage point, resultant of the mature vegetation, which surrounds, and so screens the site. Finally, due to their proximity to existing built development, there will be no material impact on either the openness or visual amenity of character of the countryside.

The application will be conditioned to be in accordance with the details of the design and access statement and the additional information received by the applicant indicating the area of hardstanding and the colour of the stables. This will ensure that the development remains compatible with the surrounding open countryside.

**RECOMMENDATION :- Permit subject to the following conditions :-**

**Summary of Reasons for Recommendation and Relevant Development Plan Policies :**

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan. Resultant of the design, scale and location of the proposal there are considered no material impacts on either visual or residential amenity or on the character of the countryside. Accordingly the proposal is considered acceptable.
Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1, NE5

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2 The development hereby permitted shall be constructed in accordance with the details contained in the design and access statement, and the materials specified on the planning application forms and on the letter from the applicant dated 22/07/09, these materials shall be thereafter retained.

3 No horse manure or other waste materials shall be burnt on the site at any time.

**Reasons :-**

1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2 To ensure that the development has a satisfactory external appearance to accord with policy NE5 of the adopted Hinckley & Bosworth Local Plan.

3 To safeguard the amenity and living conditions of residents in the locality to accord with Policy BE1 of the Hinckly and Bosworth Local Plan.

**Notes to Applicant:-**

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3. As from 6th April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4. All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

5 List of plans used in the determination of this application:- Drawing Ref: Elevations - Mudford L May - 09; Location plan - Mudford L OS 2500

6 No animal waste or surface water contaminated by animal waste shall be discharged into any ditches, watercourses or soakaways. Slurry, contanimated runoff - including wash water and leachate from stockpile manure must be collected in tanks (or lagoons) complying with the standards laid down in the 'Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 1991' . Clean roof water should be discharged to soakaways (subject to suitable ground strata) ditches or watercourses.

7 In relation to condition 2, specific reference is made to the maintenance and retention of the hedge and the colouring of the stain of the stables.

**Contact Officer:- Eleanor Shaw Ext 5691**