DELEGATED REPORT

Recommendation Made: 21 April 2011

Reference:- 11/00149/FUL **Parish:- Hinckley**

Applicant:- Mr D Hewitt
12 Atkins Way
Burbage
Hinckley
Leicestershire

Location:- Land East Of Stoke Road Hinckley Leicestershire

Proposal:- CHANGE OF USE FROM AGRICULTURAL TO EQUESTRIAN USE WITH CONSTRUCTION OF MENAGE AND STABLES

Introduction:-

This is an application for the change of use of land for equine use together with the erection of a block of 4 stables and tack room and the construction of a manege and parking area on land off Stoke Road which is located between the settlements of Hinckley and Stoke Golding, within the countryside. This is a resubmission of a previous application which was withdrawn due to highway objections. The area is characterised by agricultural land with isolated development. On the opposite side of Stoke Road to the application site is a fishing lake.

The proposed stable block will be L-Shaped situated on a square concrete base measuring 141.37 square metres. The stable block will have a ridge height of 3.3 metres will be of wooden construction and will form four stables and a tack room. The proposed manege measures 40 metres x 20 metres. Both are proposed to be located close to the south western boundary to the site. The application also includes an altered access and the setting back of the boundary treatment to the highway in order to improve visibility.

The overall size of the site is approximately 2 hectares. It has mature hedges to its boundaries

A Design and Access Statement has been submitted with the application which states that the proposal is for recreational purposes only.

Amended plans have been received during consideration of the application which amend the position of the proposed altered access.

History:

10/00735/FUL Change of use of agricultural land to equestrian with construction of menage and stable Withdrawn

Consultations:-

No objections subject to note to applicant from:

Central Networks
The Head of Community services (Land Drainage)

The Head of Community Services (Pollution) comments that it is unclear if lighting is included within the proposal. He suggests consideration of residential amenity if lighting is included.

The Director of Environment and Transport (Highways) recommends refusal.

Development Plan Policies:-

Central Government Guidance
PPS7

Local Development Framework: Core Strategy 2009

There are no relevant policies within the Core Strategy

Local Plan

BE1
NE2
NE5
NE12
NE14
T5

Other Documents

Leicestershire County Council document 'Highways, Transportation and Development' provides further guidance on all highway related matters.

Appraisal:-

The main considerations with regards to this application are: the principle of development in the countryside; the design and layout of the proposed development; and its impact on the countryside, highway safety and other issues.

Principle of Development

Government guidance in Planning Policy Statement 7 and adopted local plan policy NE5 seek to protect the countryside for its own sake, however, it is also recognised that certain forms of built and other development, including those related to equine enterprises and activities, can be appropriate in countryside locations and there is support for such development subject to there being no harm to the character or appearance of the countryside, neighbouring properties, the environment or highway safety. The keeping of horses is a land use that is generally acceptable in principle in countryside locations and the provision of stables for the health and welfare of horses is not unreasonable and is also generally acceptable in principle in such locations.

Design, Layout and Impact on the Countryside

Whilst the proposal would introduce built form to the site where none currently exists, the site is relatively flat and the boundaries are currently provided with mature hedges. The design, location and scale of the proposed stables and menage together with the proposed materials of construction are considered to be acceptable for the site location. Therefore, in terms of visual amenity issues the proposal is considered to be acceptable within the countryside location.

The manege is located away from the highway close to, but beyond the stables and does not include of any form of lighting. It is of a size which is generally acceptable for a manege.

The agent has confirmed that the intended use of the development would be for horses owned by the applicant and family members so no business use is proposed from the site by the application.

The removal of the hedgerow to the front of the site in order to improve visibility would be a concern as it would result in a more open site not in keeping with the surrounding area. It would make the stables and manege much more visible from the road frontage. However, this issue could be resolved by requiring the replanting of a new native hedge beyond the visibility splays by condition.

Highways

The field has an existing access off Stoke Road located to the southern end of the site. Amended plans have

been received which alter the position of the access to the centre of the site and set it back, removing the hedge from the frontage of the site in order to improve visibility. The Director of Environment and Transport (Highways) has comments that the proposed development would be served via a direct access from Stoke Road, a busy de-restricted, unlit, Class III highway. Driven speeds past the site frontage are high and therefore the introduction of slow turning traffic to/from the site is a concern. It is noted that there is no bridleway provision in the immediate vicinity which is likely to result in horses being ridden along Stoke Road or transported off site in trailers/horseboxes etc.

In conclusion, he considers that the applicant has failed to demonstrate that an appropriate level of visibility onto Stoke Road could be provided in accordance with established standards. Whilst it may be possible to provide a satisfactory splay in the critical direction this would involve the removal/cutting back of around 30-40m of hedgerow. In terms of the left hand sightline, the situation is less straight-forward as this would involve the removal of vegetation outside the red-line boundary. He therefore recommends refusal of the application.

Other Issues

There are no nearby neighbouring dwellings that would be adversely affected in terms of residential amenity.

Conclusion

The erection of stables for use in association with the keeping of horses on the site is considered to be an acceptable form of development in this countryside location. As a result of the layout, design, scale and appearance of the stables together with existing landscaping it is considered that the development will not have a significant adverse impact on the character or appearance of the site, the wider landscape or biodiversity and that it is not out of keeping with the size of the land holding. However, because there are objections in terms of highway safety which cannot be overcome, the application is recommended for refusal.

RECOMMENDATION:- REFUSE, for the following reasons:-

Reasons :-

1 The proposal, if permitted could result in an unacceptable increase in traffic using an access which lacks appropriate visibility for the speed of traffic on the main road which could lead to increased dangers for road users. The proposal is therefore not in accordance with Policy T5 of the adopted Hinckley and Bosworth Local Plan.

2 The proposal, if permitted could result in an unacceptable increase in traffic turning onto or off a class III road in an area remote from main development and where traffic speeds are generally high. Such an increase would not be in the best interests of Highway safety. The proposal is therefore not in accordance with Policy T5 of the adopted Hinckley and Bosworth Local Plan.

Notes to Applicant:-

1 List of plans used in the determination of this application:-
Site location plan received 17 March 2011. Amended block plan and Drawing 10/015/04/4B received on 4 April 2011.

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