

PLANNING PERMISSION

Applicant:

Mrs Vicki Pearce
25 Burton Wood
Weobley
Hereford
HR4 8SU

Agent:

Date of Application: 20 May 2019

Application No: 191600

Grid Ref:341257:251158

Proposed development:

SITE: Field opposite Marsh House Farm, Weobley, Herefordshire,
DESCRIPTION: Proposed 22 x 42m riding arena which will include change of use from agricultural land to equestrian and change of use of agricultural building to stabling.

THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL hereby gives notice in pursuance of the provisions of the above Acts that PLANNING PERMISSION has been GRANTED for the development described above in accordance with the application and plans submitted to the authority 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.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby approved shall be carried out strictly in accordance with the approved plans (Site Plan, Block Plan, Arena Cross Section and Design and Access statement received 20 May 2019) and the schedule of materials indicated thereon.

Reason: To ensure adherence to the approved plans and to protect the general character and amenities of the area in accordance with the requirements of Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 3 The stables, arena and land edged red on the approved plans shall be used to accommodate and exercise the applicant's own horses only. It shall not at any time be used for any riding, breeding, training or other equestrian purposes as part of a commercial enterprise.

Reason: In order to ensure the development is used in line with the specific terms applied for, and to ensure that highways safety and the general amenity of the area is safeguarded in accordance with policies MT1 and SD1 of the Herefordshire Local Plan Core Strategy and the National Planning Policy Framework.

- 4 Details of any new external lighting proposed to illuminate the development shall be submitted to and approved in writing by the local planning authority prior to its installation. Development shall be carried out in accordance with the approved details and there shall be no other new external illumination of the development.

Reason: To safeguard local amenities and to comply with Policy SD1 and LD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

Informatives:

- 1 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 2 The applicant is reminded that this permission does not authorise the erection of any floodlighting. This would require separate planning consent.

Planning Services
PO Box 4
Hereford
HR4 0XH

Date: 9 August 2019


KEVIN BISHOP
LEAD DEVELOPMENT MANAGER

YOUR ATTENTION IS DRAWN TO THE NOTES BELOW

Notes

This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation. In particular consent may be required under the Building Regulations.

The applicant is advised that additional Council Tax payments may be sought in the event that the Valuation Office, who routinely monitor decision notices, consider any part of the development hereby permitted to be self-contained. This assessment is particularly likely to be the case in respect of flats, basement conversions, granny annexes, studio rooms and log cabins and/or where the additional accommodation contains its own kitchen, bathroom and bedroom. Further information can be found on the Council's website at <https://www.herefordshire.gov.uk/search?q=annexes>

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within 6 months of the date of this notice, or 12 weeks if the scheme is for that of "household" development using a form which you can get from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

DELEGATED DECISION REPORT

APPLICATION NUMBER

191600

Field opposite Marsh House Farm, Weobley, Herefordshire,

CASE OFFICER: Mr Adam Lewis
DATE OF SITE VISIT: 5th June 2019

Relevant Development **Herefordshire Local Plan Core Strategy**
Plan Policies: SS1, SS4, SS6, MT1, LD1, LD2, LD3, SD1, SD3

National Planning Policy Framework

The Weobley Neighbourhood Plan has passed examination and will undergo local referendum, on 12th September 2019. At this stage the emerging plan attracts significant weight in accordance with Paragraph 48 of the NPPF
WE01, WE09, WE10, WE11, WE12, WE23

Relevant Site History: **172865/F:** Proposed erection of a barn and hay store - Approved

CONSULTATIONS

	Consulted	No Response	No objection	Qualified Comment	Object
Parish Council	X	X			
Transportation	X			X	
PROW	X		X		
Press/ Site Notice	X	X			
Local Member	X		X		

PLANNING OFFICER'S APPRAISAL:

Site description and proposal:

The application relates to a parcel of land in the open countryside to the south west of Weobley. The proposal site is a field bound by mature hedgerows lying on the opposite side of the C1094 to Marsh House Farm. The field currently hosts a small timber building near the gated access onto the highway and the land has been subdivided into smaller parcels with post and rail fencing in association with the keeping of livestock.

The application seeks consent for the formation of a riding arena measuring 22m x 42m. The arena would be sited away from the adjacent around towards the rear of the field on its south

advanced stage of progression, it is considered the NDP holds significant weight in accordance with Paragraph 48 of the Framework.

The proposal here is for a riding arena and the associated change of use of the land and existing field building from agricultural to equestrian. The main issues to consider are the potential for impacts as a result of the operational development to create the arena and the potential impacts associated with the alternative use of the site.

Considering first the change of use, it is noted that the site already hosts a stable building which is used alongside the field by the applicant in a manner best described as a hobby small holding. It is not considered that the proposal to use the site, building and arena for equestrian proposes instead of this would lead to any detrimental impacts over the current situation, particularly given it has been confirmed the facilities would be used for private purposes only (and not for any trade or business). On that basis, it is considered the use is appropriate to the context.

In considering access arrangements, Core Strategy policy MT1 is relevant to highways matters and broadly requires that adverse impacts upon highways safety are avoided. This includes by ensuring that appropriate access arrangements are provided, which is in line with policy WEO23 of the emerging NDP. In this case the proposal would utilise the existing field access onto the C1094. Whilst the comments of the Council's Highways Engineer are acknowledged, it is not considered this arrangement would have any demonstrable adverse impact on highways safety. The access is existing and the use of the arena for private purposes only is not likely to lead to any significant intensification in its use over the current situation. No conflict with MT1 is therefore found.

It is not considered the proposal would have any adverse impact on neighbouring residential amenity. The nature and private use of the site is such that its operation is not likely to create any adverse impacts through noise or other nuisance. A condition will be attached to restrict the installation of any external lighting in order to ensure neighbouring amenity and the rural character of the site is maintained.

With the conclusions above being reliant on the private use of the site only, it is appropriate to attach a condition to this effect to ensure the use can be controlled going forward.

In visual terms, the location of the proposed arena is relatively discrete and screened within the wider rural landscape by existing hedgerow. The surface of the arena would be muted in its colour and finish, and the use of post and rail fencing to enclose the arena is not out of keeping with the rural vernacular. On this basis, it is not considered any adverse landscape impacts would occur and therefore no conflict with SD1, LD1 or emerging policy WE09 is found.

The PROW to the rear of the site would be unaffected by the development, and no conflict with MT1 is therefore found in these terms.

The applicant has confirmed that surface water from the arena will be dealt with using a soakaway system. This is an acceptable solution which would ensure that run off rates are not increased in accordance with policies SD3 and WE11.

In light of the preceding appraisal, the proposal is considered to constitute an acceptable form of development which would accord with relevant planning policy. The application is accordingly recommended for approval.

The local member has been updated and had no objection to the scheme or a delegated decision.

RECOMMENDATION: **PERMIT** ☒ **REFUSE** ☐

CONDITION(S) & REASON(S) / REASON(S) FOR REFUSAL:

(please note any variations to standard conditions)

1. C01
2. C07 - Site Plan, Block Plan, Arena Cross Section and Design and Access statement received 20th May 2019
3. The stables, arena and land edged red on the approved plans shall be used to accommodate and exercise the applicant's own horses only. It shall not at any time be used for any riding, breeding, training or other equestrian purposes as part of a commercial enterprise.

Reason: In order to ensure the development is used in line with the specific terms applied for, and to ensure that highways safety and the general amenity of the area is safeguarded in accordance with policies MT1 and SD1 of the Herefordshire Local Plan Core Strategy and the National Planning Policy Framework.

4. Details of any new external lighting proposed to illuminate the development shall be submitted to and approved in writing by the local planning authority prior to its installation. Development shall be carried out in accordance with the approved details and there shall be no other new external illumination of the development

Reason: To safeguard local amenities and to comply with Policy SD1 and LD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework

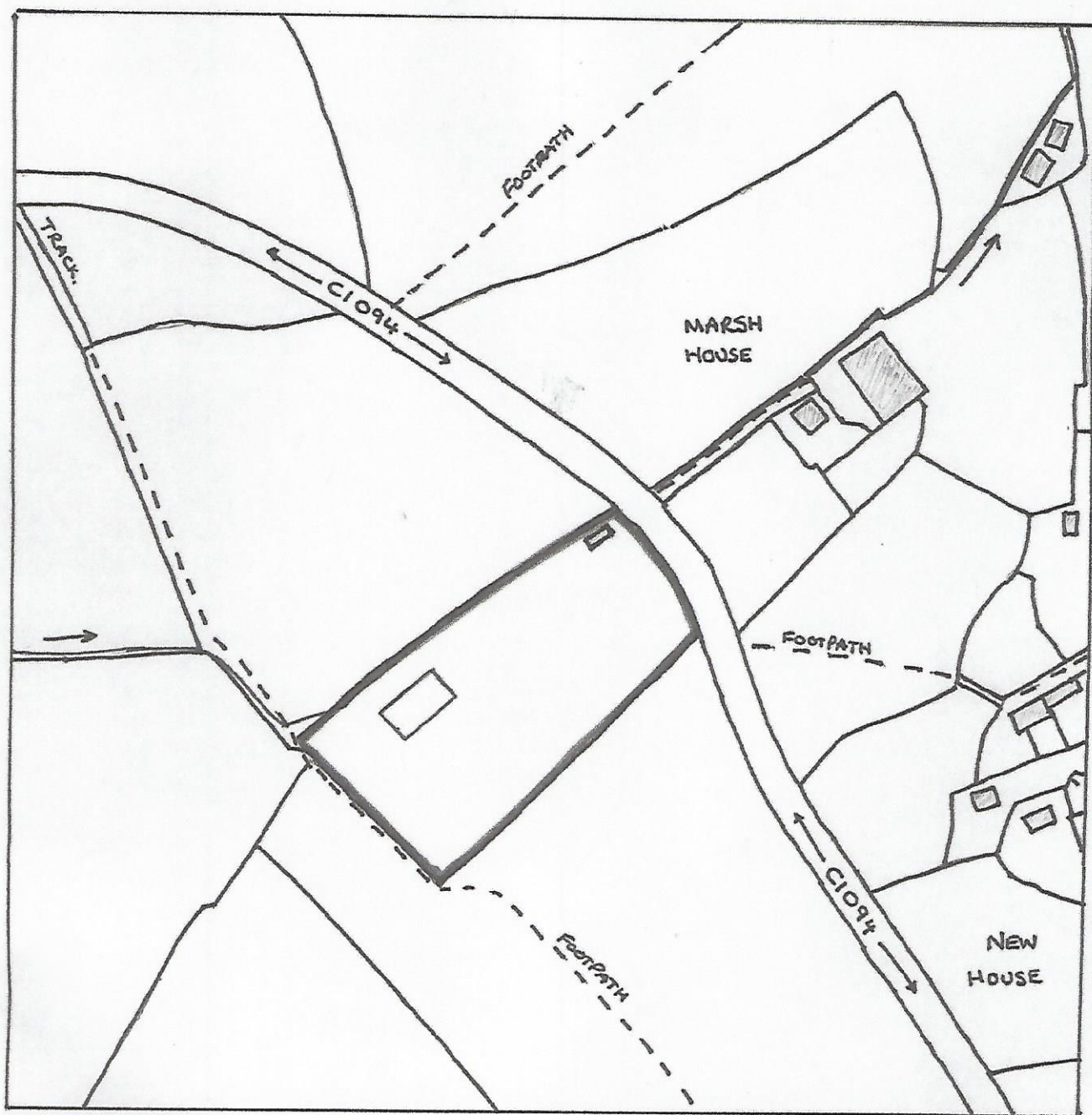
Informatives

1. IP1
2. The applicant is reminded that this permission does not authorise the erection of any floodlighting. This would require separate planning consent.

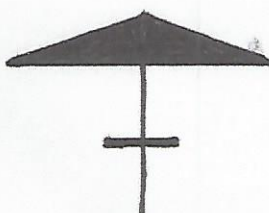
A. M. L.

Signed:

Dated: 5th August 2019



PROPOSED SITE PLAN
 EOBLEY, HEREFORDSHIRE
 MRS V. PEARCE.



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HEREFORDSHIRE COUNCIL
 PLANNING SERVICES
 DEVELOPMENT CONTROL

20 MAY 2019

To 191600