

# **DELEGATED DECISION REPORT**

## **APPLICATION NUMBER**

### **171746**

The Laurels Farm, Webton Court Lane, Kingstone, Hereford, HR2 9NF

---

**CASE OFFICER: Mr Scott Low**  
**DATE OF SITE VISIT: 13/7/17**

**Relevant Development**      **Herefordshire Local Plan – Core Strategy**  
**Plan Policies:**                **Policies SD1, LD1**

**National Planning Policy Framework**

**Kingstone and Thruxstone Group NDP made on 1 December 2016 –Policy KTD1**

**Relevant Site History:**      **DS022641/S – SW2002/2386/S – Agricultural building for calving of heifers and general stockmanship -Prior Approval Not Required 13.9.2002**

**DS031485/F – DCSW2003/1458/F – Temporary farmhouse dwelling -Approved 17.11.2003**

**DS061540/O – DCSW2006/1421/O – Site for agricultural dwelling –Withdrawn 6.2.2007**

**DS070364/F – DCSW2007/0569/F – Farm barn for cattle rearing and fodder storage – Approved 30.3.2007**

**DS071447/O – DCSW2007/1396/O – Vehicular amendment and site for agricultural dwelling –Withdrawn 9.7.2007**

**DS072308/O – DCSW2007/2194/O – Vehicular access amendments and site for agricultural dwelling – Approved 20.8.2008**

**DS091037/F – DCSW2009/1134/F – Construction of a new dwelling –Refused 22.7.2009**

**S112219/RM - Reserved Matters application for vehicular access and agricultural dwelling – Approved 22.12.2011**

**S112234/RM – Reserved Matters application for new farm**

house – Approved 9.1.2012

**P162428/F – Extension of occupation of log cabin approved for temporary accommodation under DCSW2003/1458/F, until, from date of approval for two years –Withdrawn 22.9.2016**

## CONSULTATIONS

	Consulted	No Response	No objection	Qualified Comment	Object
Parish Council	X	X			
Transportation	X		X		
Ecologist	X		X		
Site Notice	X	X			
Local Member	X	X			

## PLANNING OFFICER'S APPRAISAL:

### Site description and proposal:

The site is on the eastern side of the C1193 that links the B4348 road to the south, on the south western approach to Kingstone and to the north, Stoney Street and Brampton Road. Stoney Street runs along the northern boundary of the applicant's farm holding. The area of ground is gently undulating.

The proposal is to change the use of 3 separate parcels of land within the agricultural holding (marked A, B & C) from agricultural land to land for grazing for horses, albeit retrospectively.

### Representations:

Kingstone & Thruxton Parish Council – No response

Transportation – No objection (following further consultation with the applicant and subsequent discussion with The Transportation Officer, they were satisfied that there would be no highway safety concerns as the horses are transported to the site via vehicle).

Ecology – No objection

Local Member – No response

### Pre-application discussion:

Arose following enforcement complaint

### Constraints:

None

### Appraisal:

This application arises due to an enforcement complaint received.

The retrospective proposal is to change the use of 3 separate parcels of land within the agricultural holding (marked A, B & C) from agricultural to land for grazing for horses who are old and unlikely to be re-homed. This represents a material change of use of the land from agricultural to personal grazing for horses, as they will not be wholly supported by grass but will be given supplementary feed and kept in the field for exercise and accommodation.

Policy SD1 states that development proposals should create safe, sustainable, well integrated environments for all members of the community. In conjunction with this, all development proposals should incorporate the following requirements:

Ensure that proposals make efficient use of land –taking into account the local context and site characteristics.

Policy LD1 states that development proposals should:

Demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the setting of settlements and designated areas;

Conserve and enhance the natural, historic and scenic beauty of important landscape and features, including Areas of Outstanding Natural Beauty, nationally and locally designated parks and gardens and conservation areas; through the protection of the area's character and by enabling appropriate uses, design and management.

Kingstone and Thruxstone Group NDP was made on 1 December 2016 and is therefore a material planning consideration.

Policy KTD1 – Protecting and Enhancing Green Infrastructure states that development proposals should:

Development proposals should protect existing green infrastructure and where appropriate, enhance or provide new green infrastructure by:

1. Retaining existing trees, hedgerows, woodlands, water courses and gardens
2. Providing on site new green infrastructure or an improvement to the existing facility
3. Making links and connections to the surrounding network of green infrastructure.

The Wildlife Trusts (see <https://www.wildlifetrusts.org/wildlife/habitats/traditional-orchard> ) suggest that enhancing biodiversity may be achieved by little or no use of chemicals, such as pesticides, herbicides and inorganic fertilisers; allowing long-lived trees to reach the veteran stage; and seasonally grazing grassland and cutting for hay. In contrast, 'intensively' managed orchards are run to maximise fruit production.

Given that the proposal does not seek to make any alterations to the land or erect any buildings, the application complies with the above policies and is therefore recommended for approval.

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

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

*(please note any variations to standard conditions)*

C06 Development in accordance with the approved plans

The development shall be carried out strictly in accordance with the approved plans [Location Plan received 14<sup>th</sup> June 2017], except where otherwise stipulated by conditions attached to this permission.

Reason. To ensure adherence to the approved plans in the interests of a satisfactory form of development and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy [and the National Planning Policy Framework].

C88    Retention of trees and hedgerows

None of the (existing trees) (and/or) hedgerows on the site shall be removed, destroyed or felled without the prior approval in writing of the Local Planning Authority.

Reason: To safeguard the amenity of the area and to ensure that the development conforms with Policies SD1 and LD1 of the Herefordshire Local Plan – Core Strategy [and the National Planning Policy Framework].

INS    This permission relates to the change of use of the land to the keeping of horses only. No landform modification shall be undertaken nor stables, caravans, shelters or other ancillary buildings or structures, temporary or otherwise, shall be erected without the consent of the Local Planning Authority.

Reason: To safeguard the amenity of the area and to ensure that the development conforms with Policies SD1 and LD1 of the Herefordshire Local Plan – Core Strategy [and the National Planning Policy Framework].

## **Informatives**

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. The Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

This permission does not extend to any livery use, separate permission for which will be required.



Signed:

..... Dated: ...29/8/17.....

**TEAM LEADER'S COMMENTS:**

**DECISION:**

**PERMIT**

☒

**REFUSE**

☐

Signed:

..... Dated: 29/8/17 .....