

20/15/0005

HOBBY HORSE RIDING CENTRE

CHANGE OF USE FROM AGRICULTURAL TO EQUESTRIAN USE OF 2 No FIELDS TO THE SOUTH WEST AND 1 No BARN AND VARIATION/EXTENSION TO DAYS AND TIMES OF OPERATIONS AT HOBBY HORSE RIDING CENTRE, PICKNEY FARM, KINGSTON ST MARY (PART RETENTION OF WORKS UNDERTAKEN)

Location: PICKNEY FARM, PICKNEY LANE, KINGSTON ST MARY,
TAUNTON, TA2 8AS

Grid Reference: 319304.129039

Retention of Building/Works etc.

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

RECOMMENDED CONDITION(S) (if applicable)

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

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A4) DrNo 2015024 001 Location Plan

(A4) DrNo 2015024 002 Site Plan

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Unless otherwise agreed in writing by the Local Planning Authority, the riding stables hereby permitted shall not be operated outside of the following times:

Tuesday 10:00 - 18:00

Thursday 10:00 - 18:30

Friday 10:00 - 18:00

Saturday 09:30 - 18:00

Sunday 10:00 - 16:00

Reason: In the interests of residential amenity and to ensure that the business operates at a scale commensurate with the capacity of the local

highway network.

Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.

PROPOSAL

The application seeks planning permission for the change of use of land from agricultural to equestrian, the change of use of an agricultural building to provides an indoor turn out and stabling area and an extension to the days/times on which the Hobby Horse Riding Centre can operate. The change of use of land to the South of the yard area does not involve any works.

The proposed use of an existing barn for a covered turn out area has been implemented; approximately half the building has been laid to wood chip area in order to provide a small indoor school for walking ponies during inclement weather. The remaining half of the building contains four stable boxes that have been created with timber boarding and such are used solely by for the housing of the applicants private horses. A small service corridor has been retained between the indoor school area and stable boxes to allow free movement and storage of implements and other equine related paraphernalia.

With regard to hours of operation, the application seeks permission for the following:

Tuesday 1000 - 1800
Thursday 1000 - 1830
Friday 1000 - 1800
Saturday 0930 - 1800
Sunday 1000 - 1600

SITE DESCRIPTION AND HISTORY

Pickney Farm lies in a countryside location between Kingston St Mary and Bishops Lydeard. It is surrounded by a scattering of farms and residential properties and is accessed by a single track country lane. The site itself is accessed by a concrete driveway which crosses a ditch on the roadside edge and a hedge bounds the driveway on both sides. The existing stable building lies to the rear of the dwelling and annex. It is a single storey rendered building with a corrugated sheet roof and openings in the gable end. It is a former milking parlour, with part being used as a garage/storage and this would remain. To the north-west of the building are a range of further buildings, used for storage and stabling. Customer parking is provided to the Southern boundary of the site, furthest from the adjacent dwelling houses. There are two residential properties that have common boundaries with the yard area; one being a converted barn and a second which is the other half of the semi-detached farm house.

The Hobby Horse Riding Centre was originally granted planning permission for its establishment under LPA reference 20/14/0026. At that time, the business was restricted in its operation by the following condition:

The riding stables hereby permitted shall not be operated outside of the following times, Saturday 09:30 - 16:30; Sunday 09:30 - 14:30 and Thursday 15:30-18:30, unless otherwise agreed in writing with the local Planning Authority.

Reason: To ensure that the riding stables is operated at appropriate times and at an appropriate scale that does not cause harm to highway safety.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

KINGSTON ST MARY PARISH COUNCIL - No comment to make other than omission of additional hours/days from description.

Request the decision be taken by planning committee to give residents a chance to air concerns and in view of transparency.

SCC - TRANSPORT DEVELOPMENT GROUP - Refer to standing advice. Should consult Rights of Way regarding footpath over the land.

SCC - RIGHTS OF WAY - No comment.

DIVERSIONS ORDER OFFICER - Mr Edwards - No comment.

Ward Cllr Waymouth - Objects to the extended hours from 15 hours per week to 39 hours. Due to local concerns request application be determined by planning committee.

Representations

1 letter of concern from local resident making the following planning related comments:

- Would like to highlight the impact of intensification of business and impact upon neighbours;
- Speed of traffic is often excessive and size of machinery/vehicles can be intimidating, especially for more vulnerable road users;
- Any proposal to play music of host parties would not be appropriate in this rural setting with properties in close proximity;
- Do not believe stag/hen parties would be covered by the existing or proposed consent.

4 letters of OBJECTION received from local residents making the following planning related comments:

- The riding centre has not adhered to planning conditions laid down by original permission;
- Riding centre has operated outside the restricted days/times;
- Extra operations has led to significant additional flow of traffic along Pickney Lane and other local routes which can only have severe highway health and safety consequences;
- Vulnerable age groups would be no match for industrial farm machinery that operate on a daily basis along Pickney Lane, which is not a quiet country lane;
- Road network is not designed to support increased traffic flows;
- Indoor riding facility began in August 2014; Enforcement Officers advised the use was for owners private horses only, as a turn out area;
- The impact of these issues has been to disturb neighbours who have a right to peaceful enjoyment of their home;
- Proposed increase in hours, use of land and indoor turn out area will impact on quality of life, highway safety, loss of privacy and security;
- The structure of the proposed indoor turn out area appears to be rusting and in a dangerous condition;
- There is a distinct difference between how the livery opposite operates and how a riding school does;
- The increase in use will increase litter, which is noticeable even now;
- Entrance to the school is not wide enough and not good enough splay;
- Concerned that young riders are being led along the road by inexperienced people;
- There is a long established riding school in the area and there is no need for an additional one;

11 letters of SUPPORT received from 8 households making the following planning related comments:

- As the nearest neighbour I can assure you that noise disturbance and traffic is minimal;
- The applicant is a trustworthy, honest and committed person, excellent with children and is developing a strong reputation who will be sympathetic to any concerns raised in a reasonable manner;
- Applicant always puts student health and safety first and never puts anyone in danger;
- Provides a great service to the village and local area;
- As a local resident my family has not noticed any upsurge in traffic;
- I have never experienced any excessive noise;
- As a close neighbour we fully support the application;
- The turnout area barn will only be used in poor weather and shouldn't disturb neighbours;
- There is a need for a riding school in the area that caters for a wider age group range as the other local school only caters for children up to 12 years of age;
- Local infrastructure has managed to cope with the additional traffic of adjacent livery, which is open 7 days a week; proposal will not be as busy as this;
- The applicant is running a fantastic business that is benefiting all in the community;
- As a customer, the applicant is fantastic, very knowledgeable riding instructor;
- It would be extremely helpful if the hours were extended as I often struggle to get a lesson during designated times due to shift work;

- As a customer it is very rare that we encounter another vehicle on the lanes;
- The objections from the adjacent neighbours do not represent the feelings of the hamlet as a whole; the noise and disruptions are extremely over-exaggerated and non existent;
- The adjacent livery yard has at least 15 cars, twice per day; I know having been a customer for over ten years yet the main complainant had no objections;
- The children are supervised and have a nominated person as well as parents present and are off road the majority of the time;
- The proposal will improve access to rural living for a population of the community who would otherwise be unable to access what this business offers - rural living, animal welfare and access to the countryside for all;
- The countryside is a working environment and needs to generate its own income to prosper;
- Applicants horses would be no more of a hazard to the many existing equines that already use the highway;
- There is an equal ratio of handlers to ponies, with hi visibility clothing, being instructed how to use the highway in the correct manner;
- As a customer I am shocked by some of the comments; the applicant always teaches road safety in lessons;
- I feel the area is safe for my daughter to ride;
- The stables and yard is always a quiet, peaceful place.

PLANNING POLICIES

ROW - Rights of Way,

DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,

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CP2 - TD CORE STRATEGY - ECONOMY,

NPPF - National Planning Policy Framework,

DETERMINING ISSUES AND CONSIDERATIONS

The application has received a number of letters setting out reasons for objecting and supporting the proposed development. One matter to set out, however, is that the principle of the use of the site as a riding centre has been determined as being acceptable by the Council previously in 2014. Therefore, the principle of the riding centre use does not fall to be considered again. Instead, the pertinent issues to consider are the impact of the proposed development upon the character and appearance of the surrounding landscape, residential amenity and highway safety.

Landscape Impact

The application seeks permission to change the use of two adjoining agricultural fields to equestrian use; such will allow the applicant to undertake an increased number of riding lessons clear of the highway. Notwithstanding, at a meeting on site it was noted that it is important to provide riding lessons on the local highway network so that riders can learn the essential elements of highway safety and matters such as how to deal with scenarios such as passing vehicles along the lanes.

The use of the two fields for equestrian purposes is considered to be acceptable; the fields are separated from residential properties to the North and are bound by agricultural land, some of which appears to be used by a neighbour to graze their own horses. The fields are well screened by mature hedgerows and trees; whilst horses and the occasional jump may be seen from the public footpath, this is not considered to be entirely at odds with the rural setting of the site and any harm is not considered to be significant; the proposals would therefore comply with Core Strategy Policies DM1 and CP8..

Residential Amenity

Contrasting responses have been received from neighbouring residents regarding the impact of the proposed development upon neighbouring amenity. There are two dwellings that share a common boundary with the application site, yet one household vigorously supports the proposals whilst the other raises strong objections on amenity grounds.

Experience on site suggests that the general operation of the business is quiet and low key, in keeping with the rural setting and respectful towards neighbouring residents. The riding centre has seven ponies and horses, which are used for riding lessons for children and adults. Lessons take place throughout the day on a group and private individual basis although childrens lessons normally take place after school has finished. The business use is currently restricted to three days a week and whilst complaints have been made about these hours being exceeded, it is my understanding that all other activity relates to the applicant riding and working their own horses in a private capacity, as is necessary for sound animal husbandry.

It is accepted that an increase in operating hours will result in increased vehicle movement and general activity within the yard area. That said, vehicles park away from the neighbouring properties and the yard is screened by dense coniferous hedgerow; it is also noted that main garden areas to neighbouring properties appear to be further away from the site than the dwelling houses.

Experience suggests that the activity of riding horses is generally one of peaceful enjoyment and is not normally associated with the creation of uncontrolled noise and disturbance; such would be unsafe for riders and likely to cause distress to the horses. The applicant strikes me as a well regarded and experienced handler, who is qualified, licensed and insured; this opinion is confirmed within comments from existing customers.

The proposed covered turn out area will only be used when the weather is poor and can only accommodate two ponies at a time. It is accepted that the building is close to the neighbouring property, but it also backs onto the neighbour's own stable building; good screening is provided and no loss of privacy would occur from its use. In terms of noise and disturbance, if the area is only used when the weather is bad, neighbours are unlikely to be using their gardens. Whilst such cannot be controlled, it is a reasonable conclusion that the use of the covered turn out area will not harm neighbouring amenity. Similarly, the use of the remainder of the building for stabling is acceptable, given its close proximity to neighbouring stables.

Mention has been made about hosting adult 'stag' and 'hen' parties; the applicant has clarified that this would be to provide a riding activity only, with no parties, games or drinking involved. Such is suitable and provides an added visitor attraction to the area.

I do not consider the expansion of the business operating hours to cause any significant harm to neighbouring amenity, having regard to the existing use of the site, which appears to be well managed and courteous towards local residents. The proposals will therefore comply with Core Strategy Policy DM1.

Highway Safety

There have been objections to the increased operation of the business on grounds that the local highway network cannot support additional vehicle movements in a safe manner. Conversely, other local residents and customers of the riding centre state that the roads are quiet and other vehicles are rarely met.

The Highway Authority have referred to Standing Advice and do not make formal comments on the application; in this regard parking provision is the only consideration and it is clear that ample space is available for parking and turning around the yard area.

Comments regarding the health and safety of riders when using the lanes have been made; however, the use was originally deemed to be acceptable without harm to highway safety being raised as a significant matter of concern. The applicant is responsible for riders when using the local lanes; high visibility clothing and other safety precautions are taken. In rural areas, horse riders are a common sight along lanes and the majority of drivers are courteous towards them for safety reasons. The lanes generally have good forward visibility which enables riders to see and be seen. I do not consider an increased number of horse riders on the lanes to be a reason to refuse planning permission.

The proposed increase in use will result in more two way vehicle movements over the local highway network. Were the Highway Authority concerned with such intensification then formal comments to that effect would have been forthcoming. The applicant has advised that the majority of lessons take place in late afternoon, once schools have finished for the day and also at weekends.

Notwithstanding the lack of highway comments on vehicle movement and highway safety, the local highway network is lightly trafficked in general. Whilst the lanes are generally single carriageway in width, there are ample passing places between the site, local villages and main distributor roads such as the A358. The overall intensification in vehicle movements will be relatively low and these movements will normally occur outside of peak hours. Access into the site is considered to be safe, as was determined under the original permission.

Conclusions

The applicant has advised that the business is now operating at capacity and that new customers are having to be turned away. The original permission was restricted in hours to ensure times of operation and that the scale does not harm highway

safety. It is important to support rural businesses where there is an essential need for them to be located within the countryside, as is the case here and such is reflected within Policy CP2 and the NPPF. The business is capable of expanding without causing any significant harm to landscape character, neighbouring amenity or highway safety.

Taking the above matters into consideration, the proposals comply with Core Strategy Policies DM1, DM2, CP2 and CP8 and guidance within the NPPF. It is therefore recommended that planning permission be granted, subject to conditions.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

CONTACT OFFICER: Mr R Williams Tel: 01823 356469