

**CHANGE OF USE OF LAND FROM AGRICULTURAL TO EQUESTRIAN,
ERECTION OF STABLES AND CONSTRUCTION OF MENAGE AT BIRDS FARM,
KNAPP, NORTH CURRY**

Grid Reference: 329679.125497

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval for the following reason:

The proposal is considered not to have a detrimental impact upon visual or residential amenity and is therefore considered acceptable and, accordingly, does not conflict with Taunton Deane Local Plan Policies S1 (General Requirements) and S2 (Design).

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:

(A3) DrNo.LPA.755.106 Rev A Location and Site Plan

(A1) DrNo.LPD.755.105 Rev A Proposed Site, Layout and Roof Plan with Levels and Drainage

(A1) DrNo. LPA.755.104 Rev D Proposed Stable and Manege Plans and Elevations

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

3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the existing building in

accordance with Policy S2 of the Taunton Deane Local Plan.

4. (i) Before any part of the permitted development is commenced, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority.
- (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.
- (iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policy S2.

5. A new layby/passing area shall be constructed and surfaced in accordance with details as indicated on plan No LPA.755.106 Rev A. Such bay shall be completed before the use of the livery commences and shall at no time thereafter be obstructed.

Reason: In the interests of highway safety in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.

Notes for compliance

1. You are advised to ensure that the manure heap is located or protected so that seepage does not pollute nearby water courses or constitute a nuisance to adjoining owners. Its regular removal should avoid the occurrence of such nuisances.
2. With regard to condition 04, the landscaping scheme should include details of the new field hedge proposed at the new layby.
3. Any proposed works must not encroach on to the width of the footpath.

If any changes to the surface of footpath T 17/65 are to be carried out authorisation for these works must be obtained from SCC Rights of Way Group. I have attached a form that should be completed and returned to Esther Harbour (Rights of Way Officer - email: EHarbour@somerset.gov.uk).

The health and safety of walkers must be taken into consideration during works to carry out the proposed development. Somerset County Council (SCC) has maintenance responsibilities for the surface of the footpath, but only to a standard suitable for pedestrians. SCC will not be responsible for putting right any damage occurring to the surface of the footpath resulting from vehicular use during or after works to carry out the proposal. It should be noted that it is an offence to drive a vehicle along a public footpath unless the driver has lawful authority (private rights) to do so.

In addition, if it is considered that the development would result in any of the outcomes listed below, then authorisation for these works must be sought from Somerset County Council Rights of Way Group.

- A PROW being made less convenient for continued public use.
 - New furniture being needed along a PROW.
 - Changes to the surface of a PROW being needed.
 - Changes to the existing drainage arrangements associated with the PROW.
- If the work involved in carrying out this proposed development would
- make a PROW less convenient for continued public use (or)
 - create a hazard to users of a PROW

Then a temporary closure order will be necessary and a suitable alternative route must be provided. A temporary closure can be obtained from Sarah Hooper on (01823) 483086.

PROPOSAL

The proposal comprises the change of use of land from agricultural to, equestrian to erect a building to accommodate 8 stables and a construct a manege. The stables are proposed to be run as a full-time livery business with 16 horses, 8 within the stables and 8 to pasture.

The new stable building will be constructed in stone, timber cladding and clay tiled roof.

Amended plans have been received reducing the height of the covered way and removing the bell tower. An additional plan has also been submitted showing the location of a proposed new passing area for motor vehicles.

SITE DESCRIPTION AND HISTORY

The farm is located in an elevated position in Knapp, North Curry, sited at the end of a no-through road. The farm has had previous barns that have been converted to residential and holiday use. The main farmhouse is a grade II listed building and the holding consists of 29 hectares.

The proposed stable/manege will be sited in a field close to the former barns and the farmhouse. The field contains a small orchard and is bound by existing hedgerows and trees. There is an existing field access within the site, leading to further agricultural land.

Planning history

24/10/0047/AGN - Proposed agricultural barn/store and access track, Birds Farm, Knapp, North Curry. No objection to the proposal, dated 16 December 2010.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

NORTH CURRY PARISH COUNCIL - Supports application subject to the following -

- Satisfactory arrangements are made to meet concerns over the increase of traffic on the approach road, such as the provision of a passing bay.
- The double roman clay tiles used for the roof are reclaimed.

SCC - TRANSPORT DEVELOPMENT GROUP - The site is considered unsustainable in terms of transport policy, however as the proposed use is for an activity that cannot be carried out easily in a town centre location, and if this is considered as farm diversification it must be a matter for the Local Planning Authority to decide whether the use of the equestrian buildings or any other overriding planning need outweighs the transport policies that seek to reduce reliance on the private car.

Access to development is located at the end of Higher Knapp Lane an unclassified piece of highway to which the national speed limit applies, however vehicle speed travelling along this section of carriageway will be significantly reduced, due to its narrow and constricted nature. The junction adjoining Knapp Road is of good width and geometry, providing adequate visibility.

In detail the proposal is situated at the end of Higher Knapp Lane, as mentioned already Higher Knapp Lane is very constricted neither are there any vehicle passing places available which will cause problems as the intended use of the site will have equestrian vehicles using the approach road, which will increase the likelihood that vehicles of the size will meet and struggle to manoeuvre.

The site will be likely to increase vehicle traffic movements in this location. Additional information was received stating that a livery facility of a single operator will be provided. However this does not specify whether a DIY or full service livery will be provided. The proposed traffic likely to be generated from this development will cause conflict along the substandard approach road Higher Knapp Lane. Given the above the Highway Authority recommends refusal of the application for the reason:

- The approach road by reason of its restricted width and poor alignment are considered unsuitable to serve as a means of access for the type of traffic likely to be generated by the proposed development. The proposal is therefore contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011 (Adopted April 2000).

SCC - RIGHTS OF WAY -

- Public right of way crosses area of development. Works should not encroach on to the width of the footpath.
- Any works to change surface of footpath must be authorised by SCC Rights of Way Group.

- Advisory notes suggested.

LANDSCAPE LEAD -

- Subject to retention of existing tree and hedgerows and appropriate building materials for the stable block, the proposals should have limited landscape impact.

Representations

FOUR LETTERS OF OBJECTION: -

- No objection to diversification and support development, objection to use of lane and increased traffic.
- Increased vehicle movements which will be generated, possibly another 16 vehicles travelling up and down the lane possibly twice a day as well as horse boxes, feed, lorries, farrier etc. Lane cannot support further 21st Century development.
- Already concerned about large number of vans, cars and HGV's (including 44 tonne articulated vehicles that reverse down the lane), which service businesses that operate from properties at the end of the lane.
- Lane to serve Birds Farm is narrow, single track, bound by high hedges and a bank, has two blind sight lines and only four possible pull-ins (mainly entrances to properties).
- Lane used by walkers, using footpath network, cyclists and horse riders.
- Suggest a passing bay.
- Bell tower to be removed; rooflights to be removed; no external flood lighting; use of second hand clay tiles; restrict horse manure pile not to be within 20m of dividing boundary.

PLANNING POLICIES

S1 - TDBCLP - General Requirements,

S2 - TDBCLP - Design,

EN12 - TDBCLP - Landscape Character Areas,

S&ENPP49 - S&ENP - Transport Requirements of New Development,

EC8 - TDBCLP - Farm Diversification,

DETERMINING ISSUES AND CONSIDERATIONS

The main considerations of this proposal are highway safety, visual amenity and landscape impact.

Visual amenity

The site of the proposed barn and manege will be screened by existing hedgerows and trees and the nearest property (Carriage Barn) is approximately 60m away from the new stable. Given the design of the stables and its proposed siting, there is not considered to be any detrimental harm to the visual amenity or landscape character of the area.

Design and character

The stable is proposed to be constructed in traditional materials, using stone, timber

cladding and reclaimed clay tiles. This design will replicate a recently proposed barn, close to the proposed stable, that also proposed to use similar materials.

The design has been amended so the stone covered way into the manege has been lowered to the same ridge height as the main stable. At the same time, a bell tower has also been removed from the ridge of the covered way.

The design and materials are considered appropriate to the area and the stables are sited 95m away from the listed farmhouse (Birds Farmhouse). Given this distance there is not considered any detrimental harm to the setting of the listed building.

Highways

The Highway Authority have raised an objection to the proposal and have recommended refusal as it is considered that the width and poor alignment of the approach road is unsuitable to serve the type of traffic likely to be generated by the proposed development.

In response the agents have proposed a new layby on land owned by the applicant. the layby would be sited approximately 90m away from the access into the manege. Further details submitted by the agent confirms that there will be no eventing or separate rental of the proposed manege. The livery is also proposed to be facilitated by a single operator and not for DIY livery.

These additional details have altered the view of the Highway Authority who consider the number of potential traffic movements generated by this proposal would be far greater than considered by the agent. Furthermore, the proposed layby would be 250m from the junction with Knapp Road.

Notwithstanding the comments raised from the Highway authority; The site is currently used as a farm, though maybe less than in the past, and the access road has always served agricultural machinery, tractors etc. Since buildings within the farm complex have been converted there a number of business uses, residential properties and holiday lets than use the lane on a regularly basis. It is not considered that the addition of a livery (stables and manege) would generate traffic beyond the existing use to the point that the proposal would be unacceptable.

Furthermore, the addition of the stable and manege are considered acceptable uses in a rural location when considering farm diversification. Such locations are normally approached by such roads that have previously catered for agricultural machinery and transport.

Conclusion

The stable building is compatible within this rural location, as is the proposed use, without causing any significant harm to the visual amenity or landscape character of the area. Though the proposal will generate some additional traffic, it is not considered to such an extent to recommend refusal of this application. The proposal is therefore considered acceptable.

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

CONTACT OFFICER: Mr D Addicott Tel: 01823 356463