

21/2004/026

T J & B J PRISCOTT

**ERECTION OF STABLES FOR DIY LIVERY AND IMPROVEMENTS TO ACCESS,
FIELD NG ST1123/2308 EAST OF LANGFORD BUDVILLE (AMENDED SCHEME).**

11110/23120

FULL PERMISSION

PROPOSAL

The proposal provides for the erection of a block of 3 stables for DIY livery and the improvement to the existing access to the field from the road leading into Langford Budville from Langford Gate. The stables proposed are 10.8 m x 3.6 m and are proposed to be tanalised softwood walls and brown steel roof. There is a mains water supply running through the field and there is a water meter and drinking trough near to the proposed site for the stables. The proposed improvements to the access comprise the closure of the existing access and the formation of a new access closer to the village. The field also has the benefit of a further existing access at its north western corner. The applicants state that the field was part of a larger field accessed from Chipley. The applicants contend that now that they are using the gateway in the south eastern corner of the field, this is not satisfactory from a visibility point of view. After a minor traffic incident on this section of highway, the applicants sought advice from the County Highway Authority and they indicated that the best course of action was to provide a new gateway with the visibility splay as proposed.

Since the earlier application, my officers have held site meetings with the applicant together with a representative of the County Highway Authority. The current proposal reduces the proposed visibility at the point of the new access from 47 m indicated previously to 35 m.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY the stables are to be sited on the northern side of the field near to a field gate which has access to Butts Lane via a private access. The applicant has an unrestricted right of way over this private access. The proposed stables would therefore have the benefit of two accesses. The classified un-numbered road through Langford Budville is subject to a speed limit of 30 mph. The proposed access would be sited off this road at the eastern end of the village just within the speed limit. The visibility requirement for 30 mph is 2.4 m x 90 m. Considered that 45 m is the absolute minimum y distance required in this instance. In the event of planning permission being granted would recommend conditions with regard to access, hard surfacing for first 4.5 m, gradient no more than 1 in 10, provision to prevent discharge of surface water onto highway and entrance gates to be set back 4.5 m. Advisory note re contacting Highway Service Manager.

ENVIRONMENTAL HEALTH OFFICER recommends advisory note re clean and surface water should be kept separate from foul drainage, foul drainage and foul surface water run off should be disposed of in such a way to prevent any discharge into any well, spring or watercourse, manure heaps not to be sited in an area where they will cause pollution water course or water source and storage and disposal of collected wastes to be undertaken in accordance with the MAFF Code of Good Practice.

PARISH COUNCIL object to proposal on grounds of access to the field being on a dangerous stretch of road with not enough visibility, development on a site outside the village settlement, concern over the drainage of surface water from the stables into existing drains, which at the moment discharge onto the highway and concern over proposed change of use of the field.

7 LETTERS OF OBJECTION inaccurate plans; potential traffic hazard at what is already recognised as a dangerous approach road to Langford Budville with inadequate sight lines; introduction of 30 mph limit has not improved safety; private drives used as passing places with damage to property; outside the village settlement limits in open countryside and would therefore constitute an undesirable intrusion into this scenic area; bordering a conservation area; surface and foul water entering the existing drain which discharges onto the highway at Chipley may pollute the stream into which it discharges; the loss of such a vast amount of ancient hedgerow on the approach to the village will have a devastating effect; will be detrimental for visitors to the church; this attractive area of countryside is irreplaceable and should not be allowed to be desecrated; will affect the forefront of the historic and beautiful church; proposed access has no relevance to the stabling which it purports to supply - access to the stables will actually be from existing driveway to north over which applicant has a right of way for reasonable agricultural access; would object to increase in traffic over this driveway due to invasion of privacy and marked increase in maintenance involved; due to severe slope at this point difficulty in accessing from existing driveway, especially towing horse boxes and trailers; will result in vehicles turning on objector's land; safety issues with horses running free adjacent to public footpath on northern boundary of field; proposed stable and access are at the same point as for the proposed village hall, the application for which is currently the subject of an appeal - appears to be an attempt gain changes to access in advance of this; impracticality of access which leads into the field on a considerable slope and would make reaching the intended stables very difficult and almost impossible if the conditions were anything other than bone dry; stable would have big impact on privacy of objector's property.

1 LETTER OF SUPPORT not out of keeping with the rural view from the church; the opportunity for improvement to road safety at this notorious accident black spot outweighs aesthetic considerations and that provided that the highways experts are convinced that the access can be made safe it should be permitted; given that the proposed village hall does not appear to be a possibility, the applicant should be given every chance to make good use of the field; increasingly doubt that the Parish Council are behaving fairly and impartially with regard to applicant's proposals.

POLICY CONTEXT

Policy STR6 states that development outside towns, rural centres and villages should be strictly controlled and restricted to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel.

WD/SP/2 of the West Deane Local Plan states that outside defined settlement limits, development will not be permitted unless it is for the purposes of agriculture or forestry or accords with a specific development plan policy or proposal. Policy WD/EC/7 of the same plan states that the removal of hedgerows will be resisted by the strict control of development. Proposals involving a new or altered access should be located and designed to minimise the loss of hedgerow for visibility splays or other development. The supporting text notes that hedgerows are important to the character of the landscape and settlements, providing habitats for wildlife and screening.

Policy S1 of the Taunton Deane Local Plan Revised Deposit includes general requirements for new developments. One of these is that the appearance and character of any affected landscape, settlement, building or street scene would not be harmed as a result of the development. Policy EN5 of the same plan states that development which would harm trees, woodlands, orchards, historic parklands and hedgerows of value to the area's landscape character or wildlife will not be permitted unless adequate provision is made for tree cover to compensate for this loss. The supporting text notes that hedgerows are a particularly important part of the pastoral landscape, their loss potentially harmful to the rural character of villages and lanes. Policy EN13 states that development proposals must be sensitively sited and designed to respect the distinct character and appearance of Landscape Character Areas. The site is located within the High Vale Landscape Character Area where a contribution towards the character of the area is the presence of fields bounded by thick hedgerows and standard trees.

ASSESSMENT

The applicants state that there will be no requirement for a new track as horse boxes will pull in to the new entrance to load and unload the horses which will then be walked across the grassland to the stables. The field is at present used for hay/silage making, which requires access and egress for large machinery. The applicants contend that it will be much safer with the proposed new entrance and that the short-term loss of the hedgerow is far outweighed by a long-term benefit to road safety. They also contend that the approach to the village will be made safer and that the speed of traffic would not increase. The applicants indicate that only a small area of the field will be grazed, the remaining area will be conserved as at present. Furthermore, the hedge to the rear of the proposed site for the stables is much higher than the proposed stables. The applicants state that the stables at Chipley are all used, as is the grazing land, so to put more stables there is not an option. Mains electricity is not essential for the stabling. The applicants confirm that the existing access was in place when they purchased the field in 1984. The field slopes away from the proposed entrance gate, other than the first 11m. The applicants state that they would not use the access at the north western end of the field for vehicles towing horse boxes.

The current proposed alterations to the access will have less of a harmful visual impact than that proposed with the previous application and much less again than that was proposed for the proposed village hall within this field. This latter proposal is currently the subject of an Appeal. The applicant is agreeable to the provision of a hedge to the

rear of the proposed visibility splay by either pulling back the existing hedge or replanting with local native hedgerow species. Although the proposed visibility does not meet with the full standard required by the County Highway Authority, the latter does not object to the proposal and it will provide for an improvement to the safety of the existing access. It is considered that this should balance out the loss of the length of hedgerow to provide for the visibility splays. I do not consider that the provision of the stable building will have a particularly detrimental impact on the visual amenity or setting of the church and conservation area. A condition and advisory note are recommended to cover the concerns raised with regard to drainage.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, landscaping, access, hard surfacing for first 4.5 m, gradient no more than 1 in 10, provision to prevent discharge of surface water onto highway, entrance gates to be set back 4.5 m and visibility splay. Notes re contacting Highway Service Manager, clean and surface water should be kept separate from foul drainage, foul drainage and foul surface water run off should be disposed of in such a way to prevent any discharge into any well, spring or watercourse, manure heaps not to be sited in an area where they will cause pollution water course or water source, storage and disposal of collected wastes to be undertaken in accordance with the MAFF Code of Good Practice and landscaping scheme to include native hedge to rear of visibility splay.

REASON(S) FOR RECOMMENDATION:- It is considered that the proposed development will not harm the visual amenity of the area or adversely affect the setting of the Conservation Area or listed church in accordance with Taunton Deane Local Plan Revised Deposit Policies EN5, EN13, EN15 and EN18.

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

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NOTES: