

Item No. 15

SCHEDULE C

APPLICATION NUMBER	CB/11/01430/FULL
LOCATION	The Paddocks, Springfield Road, Eaton Bray, Dunstable, LU6 2JT
PROPOSAL	Change of use from builders yard to all weather riding arena and construction of stables
PARISH	Eaton Bray
WARD	Eaton Bray
WARD COUNCILLORS	Cllr Mrs Mustoe
CASE OFFICER	Abel Bunu
DATE REGISTERED	12 April 2011
EXPIRY DATE	07 June 2011
APPLICANT	Mr K Janes
AGENT	Mr C A Emmer
REASON FOR COMMITTEE TO DETERMINE	Applicant is a Councillor
RECOMMENDED DECISION	Full Application - Granted

Recommendation

That Planning Permission be **GRANTED** subject to the following:

- 1 The development shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 **Before development begins, samples of the materials to be used for the external walls and roofs of the stable building shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

**Reason: To control the appearance of the building.
(Policy BE8 S.B.L.P.R).**

- 3 The stable building and manege hereby approved shall only be used in association with the keeping of horses for private use and not for commercial use and for no other purpose other than with the express written approval of the Local Planning Authority.

Reason: To ensure that the approved development is not used for any

commercial purpose considered inappropriate in the Green Belt.
(Policies BE8 & NE11 S.B.L.P.R).

- 4 Notwithstanding the details submitted with the application, further details of the lighting scheme shall be submitted to and approved by the Local Planning Authority prior to installation and thereafter, no other external lighting shall be installed on the building and at the menage or anywhere within the site without the prior express written approval of the Local Planning Authority.

Reason: To preserve the visual amenities of the Green Belt and in the interests of residential amenity.
(Policies BE8 & NE11 S.B.L.P.R).

- 5 Pursuant to condition 4, the approved lights shall not be lit outside the hours of 0800 to 2100 on any day.

Reason: In the interest of protecting residential amenity and the character of the countryside.
(Policy BE8 S.B.L.P.R).

- 6 Prior to the first use of the development hereby approved, details of the method of manure disposal shall be submitted to and approved by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details and no manure shall be burnt on site.

Reason: To protect residential amenity.
(Policy BE8 S.B.L.P.R).

- 7 If during any site investigation, excavation, engineering or construction works, evidence of land contamination is identified, the applicant shall notify the Local Planning Authority immediately. Any land contamination identified shall be remediated to the satisfaction of the Local Planning Authority.

Reason: To ensure the site is safe to use .
(Policy BE8 S.B.L.P.R).

- 8 The existing stable building shown on Drawing Number 0102/A shall be demolished and the site cleared to the satisfaction of the Local Planning Authority prior to the first use of the development hereby approved.

Reason: To prevent the proliferation of buildings that would be harmful to the openness and visual appearance of the Green Belt.
(Policy BE8 S.B.L.P.R).

- 9 **Details of the method of disposal of foul and surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority including any land drainage system, before the development is commenced. Thereafter no part of the development shall be brought into use until the approved drainage scheme has been implemented.**

Reason: To ensure that adequate foul and surface water drainage is provided and that existing and future land drainage needs are

protected.

- 10. Before development begins, a landscaping scheme for permission of hedgerow planting shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.**

**Reason: To ensure a satisfactory standard of landscaping.
(Policy BE8, S.B.L.P.R).**

- 11. Notwithstanding the details submitted with the application, development shall not begin until further details of the position of the ménage have been submitted in and approved in writing by the Local planning Authority. The development shall thereafter be carried out in strict accordance with the details so approved.**

Reason: To enable consideration to be given to the precise layout of the development in the interest of protecting the hedgerow (Policies BE8, NE3, S.B.L.P.R)

- 12 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 0101, 0102/A, 0103, 0104, 0105, 0106/A & 107.**

Reason: For the avoidance of doubt.

Reasons for Granting

The proposed development is not considered inappropriate in the Green Belt and would not be harmful to the character and appearance of this countryside location. Furthermore, due to adequate separation distances and the existing and proposed landscaping, the development would not be harmful to residential amenities. The development is not likely to generate additional traffic such as would prejudice highway safety. The proposal would therefore not conflict with national, regional and local plan policies comprising policies BE8, NE11 and T10 of the South Bedfordshire Local Plan Review and national advice contained in Planning Policy Statements 1 & 7 and Planning Guidance 2 and 17 and the supplementary Planning Guidance, Design in Bedfordshire, A Guide for Development 2010.

Notes to Applicant

- 1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the Council**

hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial Strategy for the East of England (the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

East of England Plan (May 2008)

ENV7 - Quality in the Built Environment

South Bedfordshire Local Plan Review

BE8 - Design Considerations

NE11 - Horse Related Development

2. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
4. The Buckingham & River Ouzel Internal Drainage Board advise that it is essential that ground conditions be investigated and if found satisfactory, the soakaways constructed in accordance with the latest Building Research Establishment Digest.
In the event that ground conditions are found not to be suitable for soakaway drainage, any direct discharge to the nearby watercourse will require the Board's prior consent. Please contact the Internal Drainage Board at Cambridge House, Cambridge Road, Bedford, MK42 0LH - Telephone (01234 354396) - E-mail contact@idbs.org.uk
5. The applicant is advised that agricultural waste now falls within the definition of controlled waste and is therefore subject to the Duty of Care provisions set out in the Environmental Protection Act 1990. There are however current exemptions for manure waste. Further information in this respect can be obtained from the Environment Agency at www.environment-agency.gov.uk or on 08708 506506.
6. The layout, design and construction of the stables should be in accordance with the current accommodation guidelines set down by the Royal College of Veterinary Surgeons and the British Veterinary Association.
7. In order to discharge condition 4, the applicant's attention is drawn to the guidance from the Institute of Lighting Engineers (ILE), Guidance Notes for the Reduction of Obtrusive light. Any lighting should therefore follow the ILE Guidance for exterior lighting installations.
8. Only clean, uncontaminated surface water should be discharged to any

soakaway, watercourse or surface water sewer.

9. Where soakaways are proposed for the disposal of uncontaminated surface water, percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or CIRIA Report 156), and to the satisfaction of the Local Authority. The maximum acceptable depth for soakaways is 2 metres below existing ground level. Soakaways must not be located in contaminated areas. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted.
10. The Environment Agency advises that manure heaps must not be located within 10m of any ditch or watercourse or within 50m of a well, borehole or spring. Any resulting pollution may lead to prosecution.
11. Pursuant to conditions 6 and 9, liquid and solid animal/vegetable wastes and associated contaminated waters shall be stored and disposed of in a manner that will not lead to pollution of surface or underground waters. Any stable waste retained on site prior to disposal must be stored on a sealed concrete pad, not discharging to surface or ground water.

Notes

(1) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

(2) In advance of the consideration of the application the Committee were advised that the Highways Officer had no objections.