

Item No. 9**SCHEDULE B**

APPLICATION NUMBER	CB/11/04338/FULL
LOCATION	Rubython House, 7 St Johns Road, Moggerhanger, Bedford, MK44 3RJ
PROPOSAL	Change of use of land from agricultural to the keeping of horses and erection of stable block with facility for food, tack and equipment storage (part retrospective).
PARISH	Moggerhanger
WARD	Northill
WARD COUNCILLORS	Cllr Mrs Turner
CASE OFFICER	Samantha Boyd
DATE REGISTERED	07 December 2011
EXPIRY DATE	01 February 2012
APPLICANT	Mr L Albone
AGENT	Jacques Strachan Associates
REASON FOR COMMITTEE TO DETERMINE	Due to public concern
RECOMMENDED DECISION	Full Application - Granted

Site Location:

The application site comprises a rectangular piece of land around 0.916 hectares in size located to the rear of the existing properties along St Johns Road and Bedford Road in Moggerhanger. The land is accessed via the garden of Rubython House (No. 7 St Johns Road) and is outside the defined Settlement Envelope for Moggerhanger.

The Application:

Planning permission is sought for a change of use of the land for the keeping of horses together with the erection of two single storey buildings, one for three stables and a tack room the other for storage of feed/hay and equipment. The application is part retrospective - the access road has already been constructed.

The land is noted on the plans as being 'amenity land', however there is no planning history that permits a use for the land and it falls outside of the settlement envelope.

RELEVANT POLICIES:**National Policies (PPG & PPS)**

PPS7 Sustainable Development in Rural Areas

Regional Spatial Strategy

East of England Plan (May 2008)

Central Bedfordshire Core Strategy and Development Management Policies 2009 (CS)

DM3 High Quality Development

DM4 Development Within and Beyond Settlement Envelopes

DM18 Equestrian Development

Supplementary Planning Guidance

Design in Central Bedfordshire

Planning History

There is no planning history for the site

Representations: (Parish & Neighbours)

Moggerhanger Parish
Council

No comments received at time of writing report.

Neighbours

Five letters received - concerns relating to

- land being development beyond settlement envelope
- builders materials being stored on site
- could develop into a business use
- land is defined as amenity land
- disturbance to neighbouring properties
- loss of light from proposed trees
- additional traffic
- access problems

Consultations/Publicity responses

Public Protection

No objections - see comments below

Tree and Landscape Officer

No objection subject to further details regarding proposed landscaping scheme

Archaeology Officer

No objections subject to conditions

Determining Issues

The main considerations of the application are;

1. The principle of the development
2. The effect upon the character and appearance of the area
3. The impact on neighbouring amenity
4. Any other considerations

Considerations

1. The principle of the development

The application site is located outside the Settlement Envelope for Moggerhanger and therefore classed as open countryside. Policy DM18 of the Core Strategy supports horse related facilities in the countryside and the erection of stables where their design and scale respects the rural setting and are well screened from the surrounding countryside.

PPS7 (Sustainable Development in Rural Areas) supports equine related activities in the countryside stating that Local Planning Authorities should set out their policies for supporting equine enterprises that maintain environmental quality and countryside character.

Therefore the use of the land for the keeping of horses is considered to be acceptable in principle and in accordance with Policy DM18 and PPS7.

2. The effect upon the character and appearance of the area

The application site lies to the rear of the existing properties along St Johns Road and Bedford Road. The North and West boundaries of the site adjoin the rear garden boundaries of the properties. To the South lies Manor Farm, a number of disused green houses and open agricultural land that also borders the site to the East. Currently the land is unused grassland with a small pond to the western end of the site. There are some mature trees close to the pond otherwise the site is relatively clear apart from existing hedgerow along the boundaries. Access to the site is taken from St Johns Road through the garden of a recently built dwelling (Rubython House) and across the land close to the existing dwellings. The access has already been constructed. There are building materials currently stored on the land, however the applicant confirmed that these are surplus from the house build and may be used in the construction of the stables. It is considered that the use of the land for the keeping of horses would not have a detrimental impact upon the character of the area and is an appropriate use within the countryside.

To the South-West corner of the site, two single storey buildings are proposed consisting of three stables and a tack room in one building, and an adjacent building to be used for feed/hay storage and tractor/cleaning equipment. Each building would be less than 2.8m in height and constructed of dark stained timber boarding with fibrous cement sheet roofing. The stable block is to be 13.8m in length and 4m in depth, the store building 8.5m in length and 4m in depth. Between the buildings there would be a small gap of approximately 1.7m. The area surrounding the stables is to be hardstanding with a gravel drive leading to the field access point.

The stable and storage buildings would be sited close to the disused greenhouses on the adjacent land and the existing residential development along St Johns Road therefore they would not be prominent in the landscape. It is not considered that the buildings would be visually harmful in the countryside given their location, design and scale.

In terms of the effect upon the character and appearance of the area the

proposal is considered to be acceptable in accordance with Policy DM18 of the Core Strategy and PPS7.

3. The impact on neighbouring amenity

The site shares boundaries with No.s 13-19 (odds) St Johns Road, 5 St Johns Road, six properties in Bedford Road and No. 7 Dynes Place.

It is considered that the use of the land for keeping horses would not have a harmful impact on the amenities of the surrounding properties. The stable building and hardstanding area, where there would be most activity, is positioned to the rear of No.s 13 - 19 St Johns Road at approximately 11m away from the boundary with No. 19. Between the stable building and the boundary a 5m wide area of landscaping is proposed to screen the stables from the adjoining properties. Given the low height of the buildings and their position it is considered that no overbearing impact or loss of light would occur. The proposed landscaping would screen the buildings and the hardstanding area from the neighbouring properties however it is acknowledged that it may take some time for the new planting to establish. There is existing landscaping and hedgerows along some of the boundaries of the adjacent properties therefore on balance it is considered no adverse loss of privacy would occur.

All other neighbouring properties are well separated from the proposed stables and storage building.

Whilst there may be some additional activity and noise from the proposed use of the land and the stabling area, it is not considered that this would result in an adverse impact upon neighbouring amenity provided the use is not a commercial venture. This can be secured by a condition of planning permission if granted.

Overall it is considered that there would be no adverse impact upon neighbouring amenity therefore the proposal would comply with Policy DM3 of the Core Strategy.

4. Any other considerations

Public Protection have been consulted on the proposal and have no objections provided that details are submitted relating to the storage and disposal of manure, manure is not burnt on site and the development is used only for private purposes.

The proposed development site lies within the historic core of the village of Moggerhanger (HER 17120) and this is a locally identified heritage asset with archaeological interest as defined by PPS5: *Planning for the Historic Environment*. It also lies approximately 200 metres north-west of the Manor Farm medieval moated site (HER 424).

Moggerhanger is almost certainly late Saxon in origin and therefore it is highly likely that archaeological deposits relating to this period and to the later development of the village will survive within the area. The proximity of the proposed development site both to the heart of the village and the medieval moat increases its archaeological potential.

Whilst the proposed development is small scale it will have a negative and irreversible impact upon any surviving archaeological deposits present on the site, and upon the significance of the Moggerhanger historic settlement heritage asset. This does not present an over-riding constraint on the development providing that the applicant takes appropriate measures to record and advance understanding of the heritage assets. This will be achieved by the investigation and recording of any archaeological deposits that may be affected by the development which can be secured by a condition of planning permission.

Recommendation

That Planning Permission be granted subject to the following:

- 1 The development hereby permitted shall be used only as private, non-commercial stabling and for no other purpose.

Reason: To prevent the stables from being used for commercial purposes to the detriment of the locality.

- 2 **Within 3 months of the date of this decision full details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-**

- **proposed finished levels or contours;**
- **materials to be used for any hard surfacing;**
- **planting plans, including schedule of size, species, positions, density and times of planting;**
- **cultivation details including operations required to establish new planting;**

The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area.

- 3 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years of completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority give written consent to any variation.

Reason: In the interests of the visual amenities of the site and the area generally.

- 4 **Within 3 months of the date of this decision details of the storage and disposal of manure shall be submitted to and approved in writing by the Local Planning Authority. Dung shall be stored and disposed of strictly in accordance with the approved details.**

Reason: In the interests of neighbouring amenity and to prevent pollution of the environment.

- 5 **No further development shall take place until the applicant or developer has secured the implementation of a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in accordance with the scheme thereby approved.”**

Reason: To record and advance understanding of the significance of the heritage asset in accordance with Policy HE12.3 of PPS5: *Planning for the Historic Environment*.

- 6 No manure shall be burnt on site.

Reason: To safeguard the amenities of the nearby properties.

- 7 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers LA5/10, LA5/16, LA5/17.

Reason: For the avoidance of doubt.

Reasons for Granting

The proposal would not have an adverse impact on the character and appearance of the area or the amenity of neighbouring properties therefore by reason of its site, design and location, the proposal is in conformity with Policies DM3, DM4 and DM18 of the Core Strategy and Management Policies, November 2009; Planning Policy Statement 7, Regional policies in the East of England Plan (May 2008) and the Milton Keynes and South Midlands Sub-Regional Strategy (March 2005).

Notes to Applicant

DECISION

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