

Planning Committee 6 December 2016
Report of the Chief Planning and Development Officer



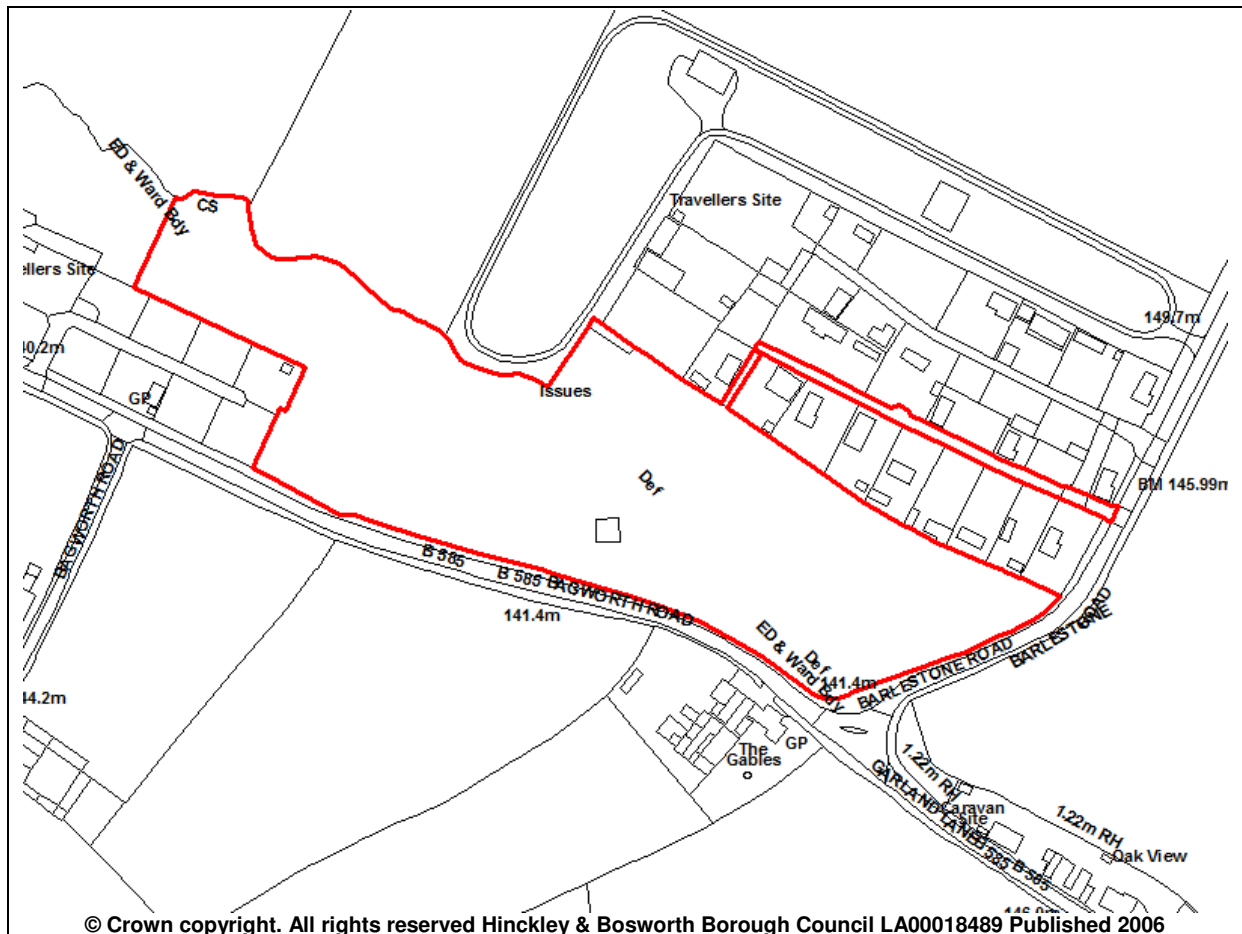
Hinckley & Bosworth
Borough Council

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Planning Ref: 16/00712/FUL
Applicant: Mr Amos Wilshere
Ward: Ratby Bagworth And Thornton

Site: 9 Costalot Stables Barlestone Road Bagworth

Proposal: Erection of livestock building



1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report.

2. Planning Application Description

- 2.1. This application seeks planning permission for the erection of a livestock building for the purposes of rearing horses.
- 2.2. Amended plans to reduce the size of the building have been submitted during the assessment of the application.

3. Description of the Site and Surrounding Area

- 3.1. The application site is located to the south west of Bagworth, adjacent to the junction of the B585 and Barlestone Road. The area is rural in character with

several agricultural fields surrounding the application site. Immediately adjacent to the north of the application site are several Gypsy and Traveller dwellings ranging from caravans to single storey bungalows. Immediately west of the application site is an unauthorised gypsy and traveller site.

- 3.2. The application site comprises a large paddock accessed through the gypsy and traveller site to the north. The site is bounded by a mix of post and rail fencing and hedgerows.

4. Relevant Planning History

None relevant.

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site.
- 5.2. No representations have been received.

6. Consultation

- 6.1. No objections, some subject to conditions, have been received from the following:
- Environmental Health (Pollution)
 - Environmental Health (Drainage)
 - Leicestershire County Council (Highways)
 - Leicestershire County Council (Ecology)

7. Policy

- 7.1. Core Strategy (2009)
- None applicable
- 7.2. Site Allocations and Development Management Policies DPD (2016)
- DM1: Presumption in Favour of Sustainable Development
 - DM4: Safeguarding the Countryside and Settlement Separation
 - DM10: Development and Design
 - DM17: Highways and Transportation
- 7.3. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2012)
 - Planning Practice Guidance (PPG)

8. Appraisal

- 8.1. Key Issues
- Assessment against strategic planning policies
 - Impact upon the character of the area
 - Impact upon residential amenity
 - Impact upon the highway

Assessment against strategic planning policies

- 8.2. The application site is located in the countryside as defined by the Site Allocations and Development Management Policies DPD. Policy DM4 seeks to protect the intrinsic value, beauty, open character and landscape character of the countryside from unsustainable development in the countryside is considered sustainable where:

- a) It is for outdoor sport or recreation purposes (including ancillary buildings) and it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries; or
- b) The proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting; or
- c) It significantly contributes to economic growth, job creation and/or diversification of rural businesses; or
- d) It relates to the provision of stand-alone renewable energy developments in line with Policy DM2: Renewable Energy and Low Carbon Development; or
- e) It relates to the provision of accommodation for a rural worker in line with Policy DM5 – Enabling Rural Worker Accommodation.

8.3. This application seeks planning permission for the erection of a livestock building. The building would be used for the sheltering of horses overnight and in winter and the storage of associated hay and feed. The rearing of horses would be considered to constitute a rural business and is an appropriate use in the countryside. At present, the horses are reared in the field where the building is proposed with no shelter and there have been instances of horses escaping onto the road. The applicant has commented that the breed of horse being reared on the site has recently changed and the current breed is more susceptible to impacts from cold weather over winter months. At present, and to be continued in the proposed building, horses are reared on-site to be sold at horse shows once they reach maturity. The supporting text to Policy DM4 notes that rural enterprises can entail a variety of activities which can all contribute to job creation and economic growth. The proposed use of the building would accord with criterion c) of Policy DM4 of the SADMP. The use of the building for the purposes of livestock only should be secured through a planning condition.

Impact upon the character of the area

- 8.4. Policy DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features. Policy DM4 of the SADMP seeks to ensure that development does not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside.
- 8.5. The building is proposed to be sited in the north west corner of a parcel of land currently used as a paddock. The topography of the area is relatively flat although the area where the building is to be sited dips slightly below the land surrounding to the east and west. The paddock is bounded by a mix of hedgerow and timber post and rail fencing.
- 8.6. This application proposes an agricultural style open fronted building constructed of low level concrete walls, timber boarding and steel sheeting for the roof. The building would have an eaves height of 3.3m rising to 4.3m to the ridge line. The design of the building is characteristic of agricultural buildings in the countryside and would not appear out of place. The siting of the building in the north west corner of the paddock, at the lowest point, and in close proximity to the built form of Costalot, minimises the intrusion of the built form into the countryside and the buildings visibility from public viewpoints along Barlestone Road and the B585. It is considered that the proposed building would not have an adverse impact on the intrinsic value, beauty, open character and landscape character of the countryside and is in accordance with Policies DM4 and DM10 of the SADMP.

Impact upon residential amenity

- 8.7. Policy DM10 of the SADMP seeks to ensure that development proposals do not harm the amenity of neighbouring residential properties. By virtue of the location and scale of the proposed building, it is not considered that there are any residential properties within the vicinity that would be impacted. Therefore, the proposed building is considered to be in accordance with Policy DM10 of the SADMP.

Impact upon Highway Safety

- 8.8. Policy DM17 of the SADMP seeks to ensure new development would not have an adverse impact upon highway safety.
- 8.9. The proposed building would be served by an existing access through the Costalot site from Barlestone Road. Leicestershire County Council (Highways) was consulted on the application and responded by referring to their standing advice.
- 8.10. The egress has adequate vehicular visibility in a northerly direction but limited visibility in a southerly direction. The proposed building would be used for the rearing of horses to be sold at horse shows once they reach maturity and not for any other purpose i.e. a riding school or livery.
- 8.11. The owner of the building lives on the Costalot site and would not need to travel to the site from elsewhere to maintain the livestock, therefore reducing the overall trips associated with the use. The movements associated would be limited and would not have a material impact on the highway. It is considered that the proposed development would not have an adverse impact on highway safety and is in accordance with Policy DM17 of the SADMP.

9. Equality Implications

- 9.1. Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2. Officers have taken this into account and given due regard to this statutory duty in the consideration of this application. The Committee must also ensure the same when determining this planning application.
- 9.3. There are no known equality implications arising directly from this development.

10. Conclusion

- 10.1. The application site is located in the countryside where development is limited to that which is considered sustainable development in the countryside in accordance with Policy DM4 of the SADMP. This application proposes a livestock building for the rearing of horse which is considered in accordance with criteria c).
- 10.2. By virtue of the design, layout and scale, the proposed building would not have an adverse impact on the intrinsic value, beauty, open character and landscape character of the countryside. The building would not give rise to vehicular movements that would materially impact on highway safety.
- 10.3. The proposed development is considered to be in accordance with Policies DM1, DM4, DM10 and DM17 of the SADMP.

11. Recommendation

11.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report.

11.2. Conditions and Reasons

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

Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, details and materials:

- Site Location Plan (received on 23 November 2016)
- Elevations (received on 22 November 2016)

Reason: To ensure a satisfactory impact of the development to accord with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies DPD.

3. The proposed building hereby permitted, shall be used for the purposes only of rearing horses for sale and for no other purpose.

Reason: To ensure the use of the building is considered to constitute sustainable development in the countryside and does not have an adverse impact on highway safety in accordance with Policies DM4 and DM17 of the Site Allocations and Development Management Policies DPD.

11.3. Notes to Applicant

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.