

**Application Number:** DM/2019/00548

**Proposal:** Extension to existing agricultural building. Change of use to equestrian centre for maximum of 16 horses with external manege.

**Address:** Latimer Farm, Earlswood Road, Earlswood

**Applicant:** Mr. Raymond Williams

**Plans:** All Drawings/Plans Proposed Site Layout - , All Drawings/Plans Existing Site Layout - , All Drawings/Plans Elevations - , All Drawings/Plans Floor Plan - , Location Plan Site Location Plan - ,

## **RECOMMENDATION: APPROVE**

Case Officer: Ms Kate Young  
Date Valid: 17.04.2019

**This application is presented to Planning Committee at the request of the Local Member**

### **1.0 APPLICATION DETAILS**

1.1 In 2015 planning permission was granted for a new agricultural building on this site to replace a storage building that had blown down. At that time the 12 acre site supported livestock in the form of suckler cows. The building was erected larger than the approved plans and this current application seeks to regularise the development. The building measures 22.72m x 15.45m; this is 4.84m wider than the approved scheme. There is no longer livestock on the farm and the building is being used to stable horses, some belonging to the owner and some livery for other owners. The stables can accommodate 16 horses and includes an internal tack room. The application also seeks permission for an external riding manege measuring 60m x 20m. A leylandii hedge will be removed from the site and a new hedge of indigenous species planted along the north-eastern side of the manege to screen it from the road. Surface water drainage from the building and the manege would go to a soakaway. The plans show the proposed location of the manure heap to the eastern side of the stable building.

### **2.0 RELEVANT PLANNING HISTORY (if any)**

<b>Reference Number</b>	<b>Description</b>	<b>Decision</b>	<b>Decision Date</b>
DC/2010/00343	New agricultural livestock and storage building (revision of M/6268)	Approved	28.07.2010

### **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

#### **Strategic Policies**

S10 LDP Rural Enterprise

S13 LDP Landscape, Green Infrastructure and the Natural Environment

S16 LDP Transport

S17 LDP Place Making and Design

#### **Development Management Policies**

RE3 LDP Agricultural Diversification

RE6 LDP Provision of Recreation, Tourism and Leisure Facilities in Open Countryside

LC5 LDP Protection and Enhancement of Landscape Character

EP1 LDP Amenity and Environmental Protection

MV1 LDP Proposed Developments and Highway Considerations

DES1 LDP General Design Considerations

NE1 LDP Nature Conservation and Development

### **4.0 NATIONAL PLANNING POLICY**

#### **Planning Policy Wales (PPW) Edition 10**

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places.

The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well being, creating prosperity for all.

### **5.0 REPRESENTATIONS**

#### 5.1 Consultation Replies

Shirenewton Community Council - pencilled drawings on the Mon CC planning portal, noted 'Not to Scale' are not professional enough.

Latimer Farm sits on land between the Earlswood Road and the ridge road to the Gaerllwyd crossroads. Planning consent was granted in 2015 for the erection of an agricultural building used for storage of agricultural machinery, hay and straw subject to the condition that where the agricultural use of the building ceases within 10 years and planning permission has not been granted for an alternative use, the building shall be removed. It was to be 22.72m (long) x 10.6m (wide), and 3.65m height to eaves and 4.96 high to ridge, constructed with a steel frame having concrete blockwork to 2.43 m height and timber Yorkshire boarding up to the eaves height. The roof was to be box profile sheeting in Juniper Green and interspersed clear Perspex roof lights, and double door width openings to both the west and east. The original building was partly destroyed by storm damage earlier in 2015 meaning there was no agricultural building of this nature on site and was therefore considered acceptable. The existing building is to be converted internally with the installation of 12 stable bays, and extended on the longer dimension by a further

5m which will add another 5 bays (17 bays, not 16 as requested on the application) plus a tack room. Therefore the existing agricultural use of the building will cease, with implications for the need for a future agricultural building. The application is phased to include change of use to equestrian centre. No information is provided on the proposed business nor the extent of the site to which it would apply - the site drawing includes the whole of Latimer Farm which therefore has the potential to become a commercial equestrian enterprise. Whilst MCC Highways has not raised objection, Councillors were concerned at the limited existing access were a substantial business to emerge. It was noted that horses are already stationed on site as they are pegged out in squares with electric fencing in the field in front of the building. It is unclear from the application whether sufficient grazing land has been set aside for the number of horses proposed.

The proposed location of the manure heap lies close to two soakaways and the application does not address the onward dispersal of the manure nor its potential to contaminate watercourses. Councillors were aware of the planning history of a nearby racing stable, and of the growing trend for farmland to be converted to equestrian activities both private and commercial. Inevitably this trend if it continues will change the local landscape.

Council's recommendation was for refusal of the current application pending clarification of the following points, when members would be prepared to reconsider:

- What the business case is to support the application;
- How the manure heap is to be managed so as to prevent accumulation of material and contamination of the water courses;
- The extent of the site to which the change of use is intended to apply;
- Whether the land set aside for keeping the proposed number of horses is approved as sufficient by Mon CC's animal welfare officer
- Where it is proposed to store hay and machinery, as this is the present purpose of the existing building.
- Whether the Right of Way that passes through the property is affected.

MCC Highways - No objection

Vehicular access to and from the development will remain as the current arrangement, off the existing internal driveway.

Natural Resources Wales - as long as a field heap is: over 10m from a watercourse; 50m from a well, borehole or spring; being spread on own land; and CoGAP is followed as example of best practice (field heap should be moved every 12 months). If being stored on an impermeable surface; all leachate should be captured (impermeable drainage) and spread to land; and not a public health nuisance, NRW would not object to the location of the proposed location. There does not appear to be any legislation stating the heap cannot be near a surface water soakaway.

## 5.2 Neighbour Notification

None Received

## 5.4 Local Member Representations

Councillor Louise Brown

An examination of the details on the website shows that the details of this application are unclear with pencil drawings, not to scale.

In view of this being a change of use for a new equestrian enterprise, the only way to obtain the required information on the business case for this change of use and further details on this application, is to request the referral of this application to the planning committee where it can be considered more fully.

## **6.0 EVALUATION**

## 6.1 Strategic & Spatial Choices

### 6.1.1 Strategic Planning/ Development Plan context/ Principle of Development

Policy S10 of the adopted LDP supports rural enterprise it states that developments that enable the diversification of the rural economy will be permitted outside settlement boundaries where it is of a scale and type compatible with the surrounding area and will cause no unacceptably harm to the landscape. It suggested that where possible existing buildings should be re used. In this case the proposed business will assist the rural economy by providing an income for the applicant and a use for the land which would otherwise be vacant. An equestrian use is appropriate and also common in rural areas. There are many examples of similar enterprises throughout the County. The proposal would have very little visual impact on the landscape, the building is existing and the land was previously grazed by cattle rather than by horses. The manege will have an impact on the landscape but this is an activity that is common in the countryside. The manege will be set at a lower level than the road and a hedge of indigenous species will be planted between the manege and the road. The principle of an equestrian centre in this location is acceptable in policy terms.

The principle of agricultural diversification is supported by Policy RE3 of the adopted Local Development Plan (LDP). In addition Monmouthshire is becoming renowned for its equine enterprise and the Council is supportive of suitable businesses in the open countryside. Policy RE3 states that development proposals which make a positive contribution to agriculture or its diversification will be permitted subject to the following criteria:

- a) the proposed non-agricultural development is run in conjunction with, and is complementary to, the agricultural activities of the enterprise;
- b) the proposal is supported by an appropriate business case which demonstrates the link to existing business activity and the benefits of the scheme in terms of sustaining employment / the rural economy;
- c) in relation to new build, the applicant must demonstrate that there are no existing buildings suitable for conversion / re-use in preference to new build;
- d) with regard to diversification proposals for visitor accommodation, new build will only be permitted where it consists of the substantial rebuild of a building within the curtilage of an existing and occupied farm property, as specified in Policy T2;
- e) where rebuild is permitted under criteria c) and d) any rebuilding work should respect or be in sympathy with the local and traditional characteristics of the building;
- f) proposals for new built development meet the detailed criteria set out in Policy LC1;

In this case, the farming enterprise is being replaced by the equine activity as the applicant could not sustain a living from agriculture on the 12 acres that he owned. The land would be grazed by the applicants own horses; by providing livery stables the applicant is deriving some income which will benefit the local economy. The proposal does not involve any additional new buildings but rather reuses an existing agricultural building. The stable block is close enough to the residential dwelling on Latimer Farm so there is sufficient surveillance of the stables from the house; no additional accommodation would be required with the enterprise. Whilst strictly not agricultural diversification because the equine enterprise would not be supporting an existing agricultural business, it would be diversifying the rural economy in a broader way that is acceptable in planning terms. The applicant has not put forward a formal business plan but has outlined the roles of the 'DIY livery' at Latimer Farm. There are several horses already stabled and there would be a maximum capacity for 16 horses at the site. Section 5.6 of PPW 10 also supports the development of enterprises to support the rural economy: "A strong Rural Economy is essential to support sustainable vibrant communities. The establishment of new enterprises and the expansion of existing business is crucial to the growth and stability of rural areas ". The principle of an equine use in this location is acceptable in policy terms.

### 6.1.2 Good Design/ Place making

The agricultural building measuring 22.72m x 10.6m already has the benefit of planning permission (DC/2015/00990). It is 4.96 m high to the ridge, constructed with a steel frame with concrete blockwork and profiled sheeting, juniper green in colour. The extension runs the whole

length of the building and adds an additional 4.8m to the width. The extension is on the south-west elevation, which is the far side away from the road. The design of the extension is acceptable and is not visually prominent in the wider landscape. The finishing materials match those of the approved building. There is no difference in visual terms if the building is used to house agricultural machinery or if it is used to stable horses. The design of the building is appropriate for its use and is in keeping with the rural character of the area. The proposal therefore accords with the objectives of Policy DES1 of the LDP. PPW 10 in Section 3 refers to good design being inclusive design; the stable block could be accessed by people with disabilities issues as well as young children and the elderly. The design of the building does not impede access to these groups. The design of the building does respect the rural character of this area, its design is such that it has a good relationship with its surroundings, it is a rural enterprise building in a rural setting. The layout, form, scale and visual appearance of the building relates well to the surrounding rural landscape and therefore accords with the objectives of good design set out in PPW10.

The riding manege which would measure 60m x 20m would be surfaced in a mix of sand and fibre which is standard surface for this type of equine facility. There are many examples of these throughout the County. Around the manege would be a low post and rail fence which is appropriate in this rural setting. A hedge of indigenous, deciduous trees including Birch, Ash, Beech and Rowan would be planted between the road and the manege. This new hedge would not only help to visually screen the manege when viewed from the road, it would also replace a leylandii hedge which looks out of place in this rural setting. A riding manege is in keeping with the character of this rural landscape and the development would be in accordance with Policy LC5 of the LDP.

### 6.1.3 Impact on Amenity/ Promoting Healthier Places

There are several residential properties surrounding Latimer Farm. The closest, Trem Hafren, is approximately 140 metres from the manege and is set at a higher level on the opposite side of the road. There are mature hedgerows on either side of the road that will help to screen the equine activity both visually and in terms of noise. Ridge House, which is approximately 220m from the site, has a large stable complex in its grounds. Mount Pleasant is approximately 200m to the west of the site, is set at a lower level and there are two fields between the stable block at Latimer Farm and Mount Pleasant. It is proposed to locate a manure heap on a concrete base at the rear of the stable building. This would be its permanent location and this would be well over 100m from the nearest residential property. It is the applicant's responsibility to ensure that this is managed in accordance with pollution regulations. The Council's Environmental Health Officer has provided guidance on the best practice that is to be followed. Natural Resources Wales have outlined that if the manure is being stored on an impermeable surface all leachate should be captured (impermeable drainage) and spread to land. NRW would not object to the location of the proposed manure heap. NRW outlined that there does not appear to be any legislation stating the heap cannot be near a surface water soakaway. If best practice guidelines are followed in relation to the manure pile the proposed use as an equestrian centre will not result in unacceptable harm to local amenity or health and therefore it accords with the objectives of Policy EP1 of the LDP. The manure resulting from the horses stabled on site will be no greater than from the cattle that were previously kept on the site.

## **6.2 Active and Social Places**

### 6.2.1 Transport / Housing - sustainable transport issues (Sustainable Transport Hierarchy)

The site is not in a very sustainable location, but by their nature, livery stables such as these have to be located within the countryside. The site is not accessible by public transport; the horse owners of whom there could be up to 16 have to visit the site by car. They generally visit each day but some car sharing could be possible. If the livery stables were not located here, then horse owners may have to travel further to find a similar facility. There is a large area designated at the front of the stable building to be used for car parking. There is plenty of room within the site to accommodate the cars even if all the owners visited the stables at the same time. MCC Highways have no objection to the proposal. No alterations are required to the access into the site. The amount of traffic generated as a result of this proposal will not be great with the maximum number of movements being about 32 trips per day; the surrounding road network can accommodate this increase. When the site was used as a farm for livestock there would have been traffic generated by this use and therefore the impact on the highway network is considered to be acceptable and would be in accordance with the requirements of Policy MV1 of the LDP.

## **6.3 Productive and Enterprising Places**

### **6.3.1 Economic Development**

The site is now being used as a DIY livery stable. This is being run as a business which contributes to the local rural economy. The site is managed by the applicant but the business does not generate much employment, given that the horse owners are responsible for the day to day care of the horses. The proposal does have some minor economic benefit to the local economy. It is thought that the horse owners are local people who do not have space to keep horses on their own land so the equestrian centre does not pull in visitors from outside the area. It does however mean that these local people do not have to travel outside the area to use such a facility.

## **6.4 Distinctive & Natural Places**

### **6.4.1 Landscape/ Visual Impact**

The stable building already has approval but the application seeks permission to increase the width of the building by 4.8m. This will have very little impact on the wider landscape. The whole site is partly screened by mature trees and the current screening will be enhanced by the planting of a new hedgerow within the site. PPW 10 underlines the importance of protecting and enhancing a rich and varied landscape but at the same time understanding the social and economic benefits they can provide. This site is not in a designated landscape but it is important to protect the rural landscape. The proposal for an equestrian centre is in keeping with the rural character of the area and reflects the rural landscape. The main effect of this proposal upon the landscape results from the provision of a riding manege. Policy LC5 of the LDP does allow for development provided that it does not have an adverse effect on the special character or quality of Monmouthshire's landscape in terms of its visual, historic, geological, ecological or cultural aspect. The proposal does not cause significant visual intrusion and it does not change the landscape character of the area. The proposed manege is sensitively sited within the landscape, it will not be visually prominent and is a use appropriate for its rural setting. The use is compatible with its location and harmonises with the landscape. The proposal therefore accords with the objectives of Policy LC5 of the LDP.

### **6.4.2 Biodiversity**

The stable building is already erected and has planning permission. As a result of the equestrian use, one additional light will be placed at the entrance of the building as security for the horses. This will be controlled by motion sensor. An additional security light will not have a significant impact on biodiversity in the area. There will be no floodlighting of the riding manege. The planting of a hedge of indigenous species and removing the leylandii hedge will also have benefits for biodiversity. The fact that horses now graze the land rather than cattle will have little impact on the ecology of the area.

### **6.4.3 Water (including foul drainage / SuDS), Air, Soundscape & Light**

The surface water from the building and the manege will go to soakaway, the position of these has been identified on the layout plan. As the building was erected in 2015 it is not subject to the Sustainable Drainage Regulations. The manege may require SAB approval and the applicant is currently discussing this with the SuDs Team of the Council. NRW have outlined they have no objection to the location of the manure and there is no legislation stating the heap cannot be near a surface water soakaway. The parking area is made of chippings which are porous.

## **6.5 Response to the Representations of Third Parties and/or Community/Town Council**

6.5.1 The Local Member is concerned over the accuracy of the plans. All the drawings, although not professionally drawn do show written dimensions. The building is already erected so its size is clear. No business case has been put forward. The enterprise is up and running and there is no requirement for a rural enterprise dwelling on this site as Latimer Farm is so close to the stables. The introduction of this rural enterprise benefits the rural economy and would be in accordance with strategic policies within the LDP to support the rural economy.

6.5.2 The Community Council were concerned that there are 17 bays shown on the plan but the use is for 16 horses. This is because one of the bays is being used for the storage of hay. There is no

reason to expect that the applicant will apply for an additional agricultural building on this site given that the applicant has ceased his agricultural enterprise. There is no longer cattle on the site. The application relates to all 12 acres at Latimer Farm. The horses will be grazed where the cattle used to graze. If an application for additional stabling was to be submitted in the future this would have to be determined on its merits at that time. There is a public right of way running to the north of the farmhouse that will not be affected by this proposal. MCC Environmental Health Officers have considered the location of the manure heap with regards to the advice from DEFRA in the Code for Good Animal Practice for farmers, growers and Land Managers and NRW have also outlined that they have no objection to the proposed siting of the manure.

## **6.6 Well-Being of Future Generations (Wales) Act 2015**

6.6.1 The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

## **7.0 RECOMMENDATION: APPROVE**

### **Conditions :**

1 The development shall be carried out in accordance with the list of approved plans set out in the table below.

REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

2 Access by the users of the livery stables shall only be allowed between the hours of 06:00 and 21:00 on any day.

REASON: In the interests of amenity and to ensure compliance with LDP Policy EP1.

3. Manure is only to be stored in the position shown on plan Drg No ... and in no other location.

REASON: TO ensure that there is no harm to the environment or any party's amenity in accordance with Policy EP1 of the LDP

4. All planting, of the new hedge and trees, shown on the approved plan shall be carried out within 6 months of this approval and any trees or plants which within a period of 5 year from this approval die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To safeguard the landscape amenities of the area and to ensure compliance with LDP Policy GI1.