

UTT/13/0031/HHF- (Littlebury)

(Call-in request by Councillor Menell on an "either way" recommendation due to nature of application proposal)

PROPOSAL: **Erection of hay barn and w/c cloakroom.**

LOCATION: **Nunns Farm, Catmere End, Littlebury.**

APPLICANT: **Mr S Murray.**

AGENT: **N/a.**

GRID REFERENCE: **TL 239449**

EXPIRY DATE: **22 March 2013.**

CASE OFFICER: **Mr C Theobald**

1.0 NOTATION

1.1 Outside Development Limits / Adjacent Grade II listed buildings.

2.0 DESCRIPTION OF SITE

2.1 The application site is situated on the south side of an unclassified road running through Catmere End and comprises a large area of enclosed paddocks to the side and rear of the applicant's listed farmhouse upon which stables and associated buildings and structures and also a manage have been erected/sited/installed in association with the domestic requirements of the applicant. A row of established residential properties front onto the lane opposite and to the north of the site, whilst open fields exist to the site's rear boundary. The site frontage comprises a continuous deciduous hedge line running along the lane apart from a small break where vehicular access is gained into the paddock area adjacent to a frontage pond. The site is generally flat in profile.

3.0 PROPOSAL

3.1 This application relates to the erection of a three-sided timber framed hay barn and attached w/c cloakroom to be used in association with the applicant's stabling activities to be erected at the front of the site by the entrance in front of an existing tractor and implement barn. The proposed barn would measure 8 metres deep by 8 metres wide, would have a height to the ridge of 4.4 metres and would be externally clad in black featheredged weatherboarding with a metal "slate" roof to match the adjacent tractor barn and nearby stables. It is stated that the barn would be big enough to store approximately 800 hay and straw bales for the applicant's three "high performance" horses.

4.0 APPLICANTS CASE

4.1 The applicant has made the following statement of case in support of his proposal:

- The hay storage barn is urgently required as an on-site storage facility that is of adequate size to enable our estate staff to feed our two, soon to be three stabled

horses without the need for daily transport of feed and bedding where this is currently stored off site. This will provide a secure and waterproof storage facility and would alleviate daily vehicle movements along the site to provide a long-term sustainable solution;

- We have responsibility to provide grooms who attend the stables every day with convenient toilet and washing facilities, particularly if we are working away from Nunns Farm where these facilities would not otherwise be available to them;
- The tractor barn does not have spare capacity for extra storage, which is used in part for removal of waste from the site;
- The barn would be similar in design and appearance to the existing weatherboarded tractor store and stable block;
- The barn would be screened from the road by an existing 4.6 metre high mature hedge and we have previously carried out additional frontage planting to minimise the buildings on the site, where this would not compromise the proposed hay barn;
- A soakaway already exists for surface water drainage, whilst foul drainage would be connected to the existing treatment plant, which has spare capacity;
- No external floodlighting would be required;
- The barn would be used solely for private domestic use at Nunns Farm and, if approved, would enable us to meet all foreseeable operational requirements where this does not form part of an ongoing programme of piecemeal development.

4.2 Subsequent submission from John Ready Architects on behalf of the applicant concerning third party representations received against the proposal (see Representations section below):

- The siting distance of 44 metres refers to the nearest neighbour on the same side of the road and would be 6.5 metres from the near edge of the road and 25 metres from the frontages of Oak Cottage and Sandicote opposite
- The clearance of the barn from the frontage hedge is adequate for the hedge's healthy growth
- The volume and height of the hay/bedding store has been kept to a minimum that is reasonable for the annual needs of bale storage for the high-performance horses stabled at Nunns Farm where consumption depends on the size, breed, exercise regime and time on grass of the horses
- Remote storage under tarpaulins as currently existing is not a satisfactory option due to water ingress and damage by gales
- The barn would not have an overbearing effect or obtrusive presence within the rural street scene where the existing hedge is already of adequate height and thickness
- Since the establishment of the stables, rodent activity in the pond has been significantly reduced
- Complaints about current and potential drainage problems resulting from the proposed barn have been greatly exaggerated
- The horses kept at Nunns Farm belong to and are used by the applicant and are not those of grooms or other staff
- The barn would represent an unobtrusive structure on private land to support rural activities that are appropriate to the location
- The applicant does not have a "vast amount of available land" where the barn could be located near to the stables and where the meadows beyond are too remote to be practicable for daily needs and are used for grazing in season.

4.3 Email received from applicant dated 8 March 2013:

- It would not be possible in accordance with the case officer's suggestion to alternatively place the storage barn to the west of the existing stable block as this

area already contains installed ground mounted PV solar panels following the grant of planning permission UTT/1741/11/FUL or within the existing turning/loading/offloading area

- The neighbours' suggested siting south of the stable block would use up part of our valuable summer grazing and would also obstruct our line of vision of our horses whilst out at grass which would represent a security/theft/vandalism risk.

5.0 RELEVANT SITE HISTORY

5.1 Erection of a stable block with tack room approved in 2002 - permission implemented. Change of use of agricultural land to manage approved in 2008 - permission implemented. Tractor/trailer barn approved in 2008 - permission implemented. PV solar panels approved in 2011 - permission implemented.

6.0 POLICIES

6.1 National Policies

- National Planning Policy Framework (NPPF)

6.2 Uttlesford District Local Plan 2005

- ULP Policy S7 - The Countryside
- ULP Policy GEN1 - Access
- ULP Policy GEN2 - Design
- ULP Policy GEN4 - Good Neighbourliness
- ULP Policy GEN5 - Light Pollution
- ULP Policy ENV2 - Listed Buildings

7.0 PARISH COUNCIL COMMENTS

7.1 Comments not received.

8.0 CONSULTATIONS

Environmental Health Officer

8.1 No objections subject to controls on outside lighting to prevent light spillage. No recent complaints received concerning stabling activities at the site.

9.0 REPRESENTATIONS

9.1 Notification period expired 20 February 2013. 2 representations received (Object):

9.2 Oak Cottage, Catmere End, Littlebury, CB11 4XG:

- Need for the barn is questioned - why such a large barn for hay?
- Siting figure for barn from dwellings opposite inaccurate - less than 44metres
- Plans submitted are of poor quality
- Closeness of barn from frontage hedge would restrict its further growth beyond partial growth so far
- Barn will impact upon the amenity of the rural streetscene in front of any notional building line and should be relocated onto the south side of the site where this would

also not interfere with integrity of pond through surface water run-off and would reduce incidence of vermin close to boundary

- Would lead to a proliferation of buildings on the site
- The applicant's claim that the proposal represents the last building to be erected seems implausible and represents further sporadic development where UDC and the Parish Council have previously sought to control further development on the land

9.3 Sandicot, Catmere End, Littlebury, CB11 4XG - Object:

- A hay store was included within the application submission for UTT/1108/02 for the approved tractor store
- Permission was granted in 2002 for applicant's horses/ponies only - not those of grooms or other staff where staff responsibilities are being put above amenity of neighbours
- The feeding requirements proposed are excessive
- No daily transport of food and bedding currently occurs to the site
- Original stabling application intended for horse waste to be removed by Audley End Estate - thus no necessity for tractor/loader for this purpose - so hay could be stored in machinery store
- Conditions on original permission have not been met with regard to frontage boundary planting
- Tractor store already forms part of piecemeal development along the road frontage
- There must be an alternative location for the store given the vast amount of land available at the site.

10.0 APPRAISAL

The issues to consider in the determination of the application are:

- A Countryside protection / Design (ULP Policies S7 and GEN2);**
- B Whether access arrangements would be satisfactory (ULP Policy GEN1);**
- C Whether the reasonable amenities of local residents would be materially affected (ULP Policies GEN2, GEN4 and GEN5);**
- D Impact of development upon the setting of a listed building (ULP Policy ENV2).**

A Countryside protection / Design (ULP Policies S7 and GEN2)

10.1 ULP Policy S7 of the adopted local plan states that the countryside will be protected for its own sake and that planning permission will only be granted for development that needs to take place there or is appropriate to a rural area. However, this policy makes provision for appropriate outdoor recreational uses and this has been reflected in previous grants of approvals for this domestic stabling site (see above). The applicant makes the case with the current application that the proposed hay barn and WC/cloaks is required for an essential storage/staff welfare need in relation to the stabling activities and it is considered on balance from the evidence submitted (including photographs taken of existing off-site hay storage) that the need for this building at the site has been satisfied where it is considered that it would not be appropriate or practical to use the existing buildings on the site for this purpose.

10.2 The proposed hay barn/WC/cloaks building would be positioned within a gap between the existing tractor/machinery barn and the road. Whilst the building would have a somewhat rudimentary design and appearance, it would nonetheless have a building profile similar to the stable block and tractor barn and would in this respect

have design continuity. However, it is considered that the building at 221m³ (64m²), would have an overbearing presence at the front of the site where, combined with the long side of its roof running parallel with the road and use of stark black weatherboarding cladding and also the presence of the adjacent machinery store of a similar footprint and volume would create a proliferation of buildings along this attractive lane frontage to the detriment of its attractive rural character. Whilst the comments from the applicant's agent regarding existing boundary screening where this would mute the presence of the building are noted, present gaps in this screening would mean that the building would still be visible to the lane. As such, the proposal would be contrary to the countryside aims of ULP Policy S7.

B Whether access arrangements would be satisfactory (ULP Policy GEN1)

- 10.3 The proposed barn would be positioned adjacent to the informal vehicular access point into the site in the break in the frontage hedgeline. The lane through Catmere End is unclassified and ECC Highways have not been notified of the proposal in view of this. It is stated by the applicant that hay deliveries to the site would be reduced in the future in view of the intended bulk hay storage use of the proposed hay barn. It is considered from this that no highway objections can reasonably be made against the proposal under ULP Policy GEN1 where a sufficient loading/unloading area exists within the site opposite the proposal location behind the frontage hedge.

C Whether the amenities of local residents would be materially affected (ULP Policies GEN2, GEN4 and GEN5)

- 10.4 There have been some factual queries raised from a neighbour regarding the siting of the hay barn. However, a scaling off from the applicant's site block plan shows that the barn would be located a distance of 26 metres from the dwellings "Sandicot" and "Oak Cottage" situated directly opposite and 12.5 metres to the frontage boundary of both of these properties. It is considered that this would represent a sufficient separation distance for the occupants of these properties not to be adversely affected by the proposal in terms of amenity impact, including overbearing effect, where a right to a view is not a material planning consideration. The building would principally be used for the dry storage of clean hay where this is unlikely to cause a smell or other nuisance to neighbours, whilst it is stated that the barn would not be externally lit.

D Impact of development on the setting of adjacent listed buildings (ULP Policy ENV2)

- 10.5 The building would be located 39 metres from Nunns Farmhouse, a sizeable C18 timber-framed and plastered Grade II listed house on an L shaped plan positioned on the western side of an attractive landscaped courtyard. An established garden hedge line exists along the building's western boundary from the road to the fields to the south where the paddocks form a separate physical entity from the farmhouse and courtyard and it is considered from this and in view of the separation distance involved that the proposed building would not have a detrimental effect on the setting of this listed building or the setting of a further listed building, The Thatch, located along the lane to the immediate west of the site under ULP Policy ENV2.

11.0 CONCLUSION

- 11.1 It is the opinion of officers that the requirement for the hay barn and WC/cloaks lean-to as proposed has been justified by the applicant in terms of need on an assessment of the applicant's submitted information and that it would not cause

detriment to highway safety, neighbouring amenity or the adjacent listed buildings. However, whilst the applicant's comments regarding the restricted siting locations within the site for the proposed hay barn are noted, it is considered that the proposed siting would be visually unacceptable within the rural streetscene contrary to ULP Policy S7 for the reason stated.

RECOMMENDATION – REFUSAL

The proposed hay barn and WC/cloakroom would by reason of its size and siting have an adverse visual impact upon the pleasant rural character of the lane at this location where the development would add to the proliferation of buildings close to the site frontage and would therefore be contrary to the countryside protection aims of ULP Policy S7 of the Uttlesford Local Plan (adopted 2005).
