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Item No 05:-

17/01420/FUL (CT.7622/D)

**Clay Meadow
Cirencester Road
South Cerney
Cirencester
Gloucestershire
GL7 6HU**

Item No 05:-

Change of use of parcel of land from agricultural to equestrian, the erection of a stable building and associated groundworks at Clay Meadow Cirencester Road South Cerney Gloucestershire GL7 6HU

Full Application 17/01420/FUL	
Applicant:	Mrs Helen Kendall Smith
Agent:	
Case Officer:	Martin Perks
Ward Member(s):	Councillor Shaun Parsons
Committee Date:	14th June 2017
RECOMMENDATION:	PERMIT

Main Issues:

(a) Impact on Character and Appearance of the Area

Reasons for Referral:

This application, along with application 17/01419/FUL, has been referred to Planning and Licensing Committee at the request of Cllr S Parsons on the following grounds;

'The planning reason for this is the size of the barn is disproportionate to the extent of the land holding'.

1. Site Description:

This application relates to a parcel of agricultural land measuring approximately 9.8 hectares (24.5 acres) in size located approximately 200m to the north of South Cerney Development Boundary. The site lies approximately 800m from the centre of the aforementioned village. Access to the site is via an existing field/site entrance opening onto the main road linking South Cerney with the A419 just to the south east of Cirencester. The application site is located outside the Cotswolds Area of Outstanding Natural Beauty and does not fall within a Special Landscape Area.

A Public Footpath (BSC1) runs parallel to the northern edge of the applicant's lane. It extends alongside the route of a former canal and lies outside the application site. A second footpath (BSC3) extends in a roughly north south direction through the centre of the applicant's land. It is located approximately 110m to the north west of the proposed barn and 60-80m to the west of the land proposed for equestrian use.

2. Relevant Planning History:

CT.7622/A Creation of car park and use of land for education (rural interpretation) Granted 1996

12/04205/FUL Use of land as a site for a log cabin as a temporary farm dwelling and the permanent construction of farm buildings and related development to include a hardcore access track and turning head Granted 2012

14/04592/FUL Use of land for the siting of two yurts for holiday lets associated with existing Alpaca farm and creation of decking Withdrawn 2014

14/04593/FUL Erection of farm building and related development to include hardcore access track and turning head Granted 2014

15/00655/FUL Erection of an agricultural worker's dwelling. Granted 2015

16/00213/OPANOT Notification under Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2, Part 3, Class Q for change of use of existing agricultural building to a dwellinghouse. Refused 2016

17/01419/FUL Variation of Condition 3 (agricultural occupancy) of permission 15/00655/FUL to enable approved dwelling to be occupied in connection with equestrian activities in addition to agriculture
Pending decision

3. Planning Policies:

NPPF National Planning Policy Framework
LPR19 Develop outside Development Boundaries
LPR31 Equestrian Related Development
LPR42 Cotswold Design Code

4. Observations of Consultees:

None

5. View of Town/Parish Council:

Object - see letter attached to application 17/01419/FUL

6. Other Representations:

Four letters of support received.

i) 'I write in support of the above American Barn and a variation of the Agricultural Condition to permit the keeping of horses and ponies.

I purchased lead rein ponies for our twin daughters from Mrs Kendall Smith 16 years ago who, at that time, bred show ponies. When they were older, Mrs Kendall Smith had Riding Holidays at her property at St Leonards Farm, Lower Blunsdon where our twins stayed in Farm Cottage and were taught to ride on cobs that she broke in and trained herself.

Mrs Kendall Smith taught children of a variety of ages and physical abilities and our daughters were welcomed as family and taught safely, staying on several different occasions. Not only were they taught to ride but also how to groom, handle, feed and care for the horses.

Our twins also made friends with many other children staying there, also being taught to ride.

Mrs Kendall Smith gave them confidence and courage on safe feathered cobs, in particular one coloured mare called "Lucy".'

ii) 'We fully support both of these applications and have lived in the village of South Cerney all our married lives, having raised our daughters here. It is nice to see this land being used again as a livestock farm.

I have recently visited Kensmyth and I have had the wonderful opportunity of being able to bottle feed a Wensleydale lamb and at the same time have an Alpaca experience with these wonderful, gentle creatures.

There are so many different colours of Alpaca on site to see when you visit and it is nice to be able to see generations of Mothers, daughters and grandmas amongst them.

Having visited, I can genuinely say that the American barn would be in keeping with the other barns on site already as well as the wooden field shelters clearly visible in each field.

I take great pleasure in seeing these beautiful and different animals in the fields, the animals at Clay Meadow are happy, healthy in well-tended and fenced fields with plenty of water and shelter. There are Goats in Cerney Wick and in the village of South Cerney and few people realise how much happiness seeing any livestock in the countryside brings.

The addition of a handful of horses or ponies overall to be stabled in the American Barn at differing times of the year and the breeding of Rare Breed ponies not only assists a Rare Breed but also will give visitors so much pleasure whilst bringing more business to South Cerney village itself.

From reading the report on the website from Kernon it is absolutely clear that horses and ponies can be kept on the land under the current Agricultural Occupancy condition regardless - if just grazed and using the Field shelters already there.

It is obvious that "Clay" Meadow refers to the ground type on this farm and so stabling is essential - this application should be granted without further ado and should not be going to Planning Committee to be decided.

Tourism is a key part of the Cotswolds itself and especially the Water Parks, there is plenty of room for all.'

iii) I have visited the farm and seen the layout and remarkable conditions the alpaca and sheep are kept in which is a credit to the applicant. I have purchased ewes and lambs in superb condition and am sure that Mrs Kendall Smith would keep any horses or ponies in a similar manner both for her visitors and for breeding purposes. I support rare breeds by breeding Wensleydales and understand the need for others to support all species of livestock in the UK - or they will be gone.

iv) One letter attached to application 17/01419/FUL.

7. Applicant's Supporting Information:

Supporting Statement

8. Officer's Assessment:

Background and Proposed Development

Planning permission was granted in 2012 (12/04205/FUL) for the erection of farm buildings in connection with a proposed alpaca business. Permission was also granted in 2015 (15/00655/FUL) for the erection of an agricultural worker's dwelling on the land. Permission was granted in order to meet the essential needs of the applicant. Condition 3 of the permission restricted the occupancy of the dwelling to persons solely or mainly employed in agriculture or forestry. The approved dwelling also included space for Bed and Breakfast accommodation. The applicant has yet to construct the dwelling. However, they are continuing to develop their business through the introduction of rare breed sheep (Wensleydales). They are also seeking to diversify the business into equestrian activities. The proposed equestrian activities can run alongside the alpaca business without risk of cross contamination. The introduction of horses and ponies onto the site would not represent a bio-security risk as would be the case with cattle.

The proposed development comprises the erection of an American style barn and the change of use of approximately 0.6 hectares of land to an equestrian use to enable it to be used for the keeping of horses. The proposed barn will measure approximately 18.3m long by 12.18m wide by 5.93m high. The walls of the proposed building will be clad in vertical timber boarding. The roof will be clad in natural grey fibre cement sheeting. The proposed building will house 3 stables, 2

foaling boxes, a tack room and a wash room. It will be located approximately 30m to the west of existing farm buildings, 200m from the main road and 110m from the Right of Way. The farm buildings located 30m from the proposed barn include an alpaca shelter measuring approximately 18.3m long by 9.1m wide by 6.1m high and a hay/machinery store measuring approximately 24.4m long by 12.2m wide by 6.5m high. The site is elevated approximately 3m above the floor level of the existing barns.

The proposal represents a diversification of the existing farming operation. Policy 27 offers support for farm diversification schemes so long as;

- a) they do not cause conflict with the existing farming operation including severance or disruption to the agricultural holding that would prejudice its continued viable operation;
- b) the scale and design of the development harmonises with the character and appearance of the area; and
- c) suitable vacant buildings on the farm or estate are utilised before considering new buildings unless compelling reasons are advanced for doing otherwise.

The applicant's intention is to keep one rare breed equine for children to handle and a rare breed mare for breeding foals (which will be sold). The rear breeds would take the form of an Exmoor and a cob. The applicant also wishes to provide a serviced livery for up to 3 horses and stabling for horses belonging to guests who stay in the B & B accommodation. An application to vary the wording of the occupancy condition attached to the dwelling to allow occupation in connection with equestrian activities in addition to agricultural and forestry has been submitted under reference 17/01419/FUL. The aforementioned application is being considered alongside this application. The applicant currently offers a number of activities on site including alpaca walking and corporate/team building days in addition to the breeding of alpaca.

The proposed barn will provide the applicant with the opportunity to create additional income streams. The stables will be used for serviced liveries and for the keeping of guests' horses as well as for the keeping of the rare breed ponies/horses. The 0.6 hectares around the barn will provide space for the animals to be kept. The keeping of the horses on this parcel of land would constitute a change of use of land requiring the benefit of planning permission. The applicant also intends to graze horses on the land at the northern edge of the site which cannot be safely used by alpaca due to the presence of badgers and the potential risk of TB. Horses are not susceptible to TB and as such would allow for the more efficient use of the land. The grazing of the aforementioned land would not represent a change of use requiring planning permission.

It is considered that the proposed equestrian use can operate alongside the existing alpaca operation without causing potential severance or disruption to the agricultural holding.

(a) Impact on Character and Appearance of the Area

With regard to landscape and visual impact, the proposed building will lie in close proximity to existing farm buildings. Whilst the site occupies an elevated position above the existing barns it is set back from both the main road and the Right of Way. The proposed barn also has a simple functional design that is reflective of working agricultural/equestrian building seen across the District.

Both the applicant's holding and the application site are largely screened from the main road by a hedgerow/tree belt. The proposed development will not therefore be readily visible from the aforementioned highway. The existing farm buildings are visible from the site entrance where there is a break in the roadside vegetation. However, the proposed barn will be set to the rear of the existing buildings and will therefore be seen in context with existing development rather than as an isolated building in the landscape. Given the limited visibility of the site from the road, its position adjacent to existing buildings and its set back position from the highway it is considered that the proposed barn will not have an adverse impact on the approach into South Cerney or views from the highway in general.

The southern boundary of the site is defined by a substantial line of trees which provides a significant degree of screening from the south. The proposed development is considered not to have an adverse landscape or visual impact when viewed from the aforementioned direction.

The applicant's holding is visible from a short section (approximately 10-20m) of the Public Right of Way (BSC1) that extends past Lock House to the north east of the application site. The viewpoint is approximately 200m from the proposed barn. The view currently includes the applicant's main barns, dwelling and a number of mobile field shelters (which do not need permission). The new barn will lie alongside the main farm buildings and will be seen in context with existing farm development. In light of the distance of the view and the existing arrangement of buildings on the site it is considered that the proposal will not have an adverse impact on the character or appearance of the landscape when viewed from the Right of Way to the north. The majority of the Right of Way is also screened from the application site by a raised bank that runs along the southern side of the canal.

The applicant's land is also crossed by a Right of Way (BSC3) which runs approximately 110m to the north west of the site of the proposed barn. At present a number of mobile field shelters and an open fronted alpaca shelter are visible from the Right of Way. The proposed stable building will be set back behind these existing structures and will also lie beyond a line of vegetation. The proposed building will therefore be partially screened. The views that are available will place it in context with existing agricultural development. The appearance of the area is also affected by an overhead power line which crosses the site. It is considered that the introduction of the building onto the site will not have an adverse impact on the character or appearance of the area.

In response to concerns about the size of the barn, the applicant has provided a justification for the building and provided a supporting letter from an international dressage trainer and rider. In light of the information provided it is considered that the building is of a reasonable size for the proposed use. The cumulative level of built development is also considered not to be excessive for a 9.8 hectare holding on which a variety of animals are to be kept.

Overall, and given its size, position and relationship to existing buildings it is considered that the proposal will not have an adverse impact on the character or appearance of the area. The proposal is considered to be of a scale and design that harmonises with the character and appearance of the area. The proposal is considered to accord with Local Plan Policies 27 and 42.

Other Matters

The proposed livery element will potentially draw additional visitors to the site. However, due to bio-security the livery will be serviced. Consequently, there will be no requirement for customers to visit the site on a daily basis. Moreover, the existing site already caters for a number of visitors in connection with the existing alpaca walking and corporate events. The proposed dwelling will also provide B & B accommodation thereby attracting further visitors in the future. The introduction of 3 liveries is considered not to result in a material increase in the number of vehicle movements to and from the site. The proposal is considered not to have a severe impact on the highway network or highway safety and to accord with Local Plan Policy 38 and Paragraph 32 of the NPPF.

9. Conclusion:

Overall, it is considered that the proposed development will assist the long term viability of the existing business and will not have an adverse impact on the character or appearance of the locality or highway safety. The application is therefore recommended for approval.

10. Proposed conditions:

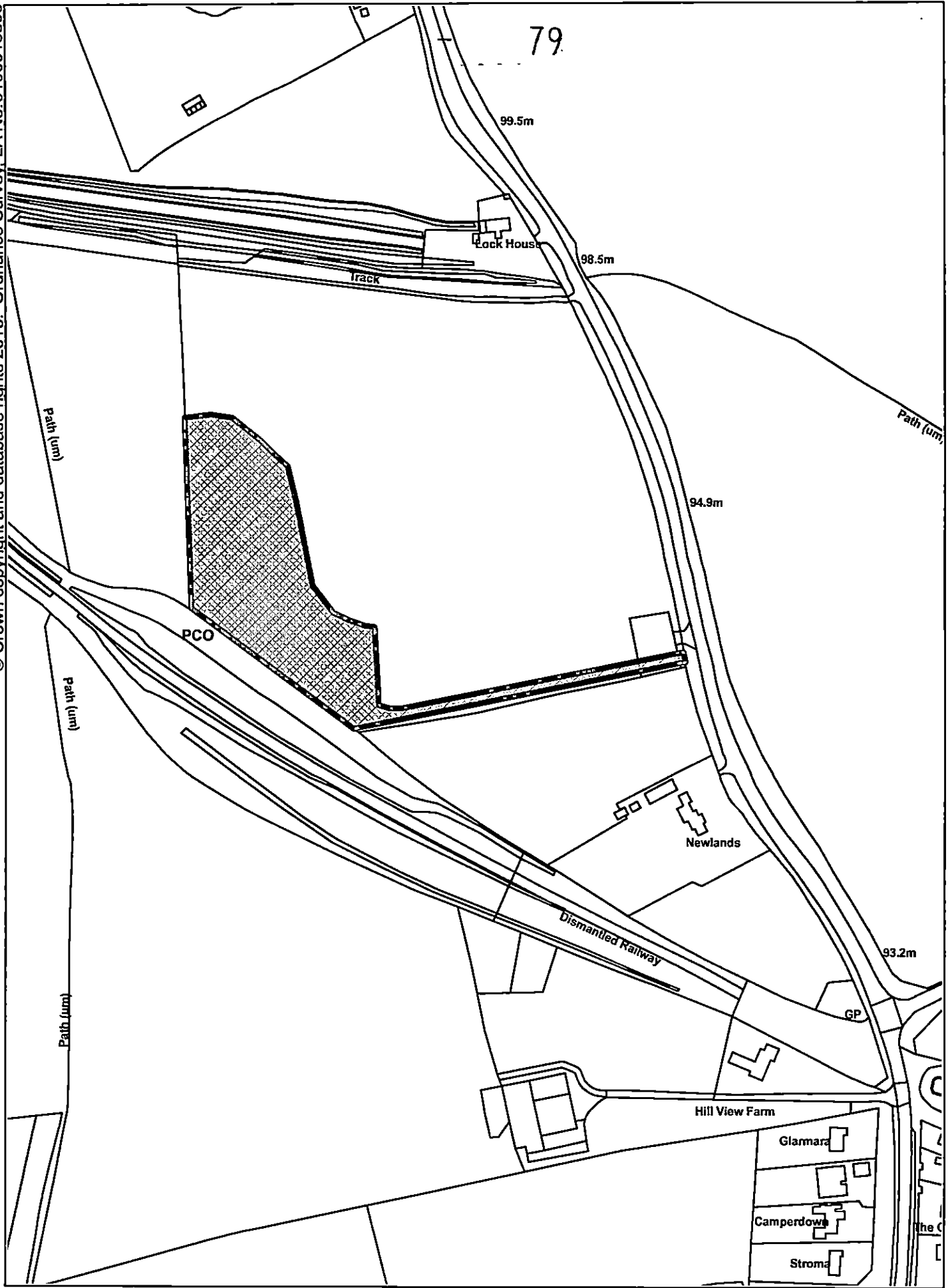
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1. The development shall be started by 3 years from the date of this decision notice.

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

2. The development hereby approved shall be carried out in accordance with the following drawing number(s): KSS_B001, HKS_01 27/3/17, HKS_02 27/3/17, HKS_03 27/3/17,

Reason: For purposes of clarity and for the avoidance of doubt, in accordance with paragraphs 203 and 206 of the National Planning Policy Framework.



Clay Meadow Cirencester Road South Cerney

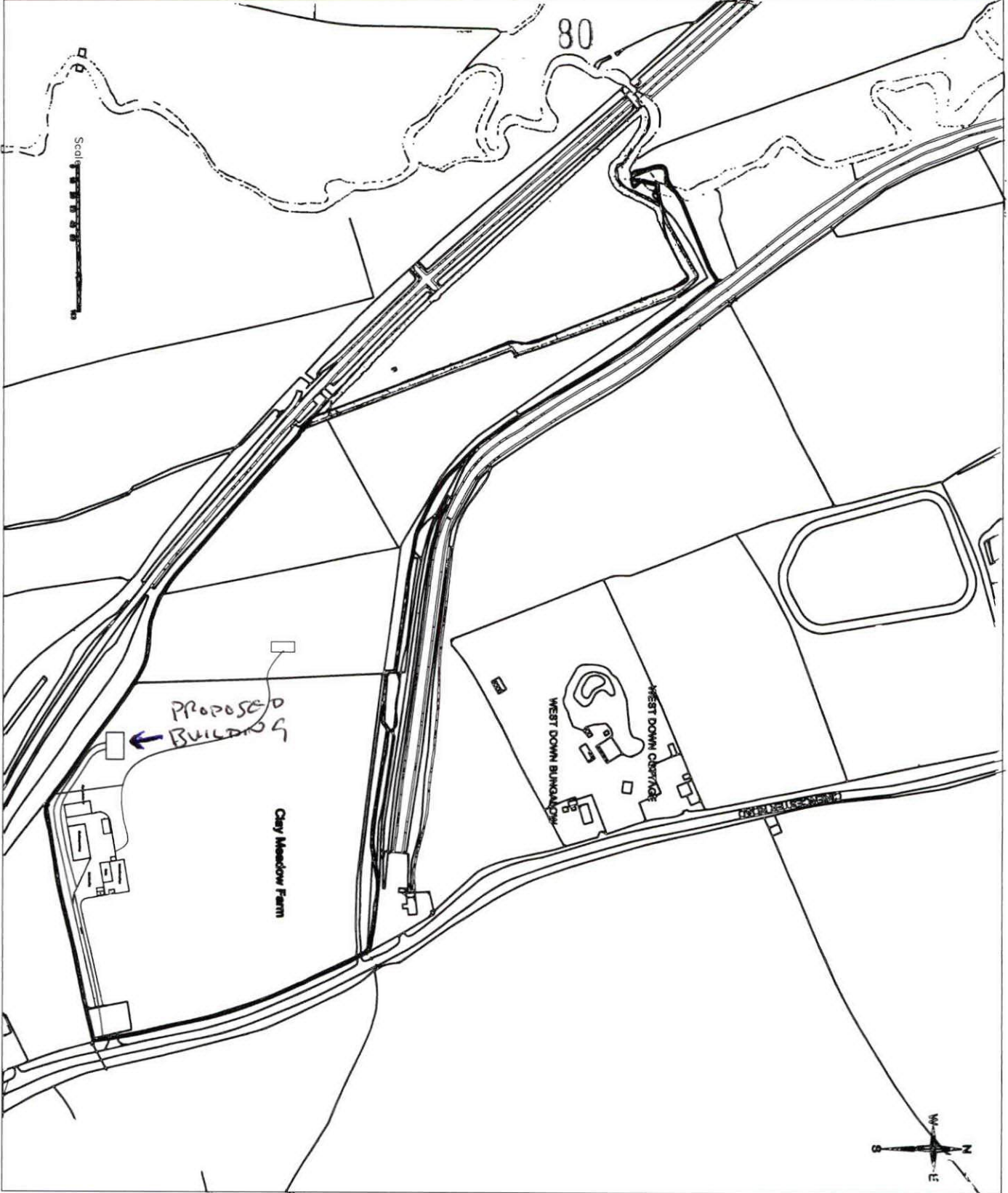
Organisation: Cotswold District Council

Department:

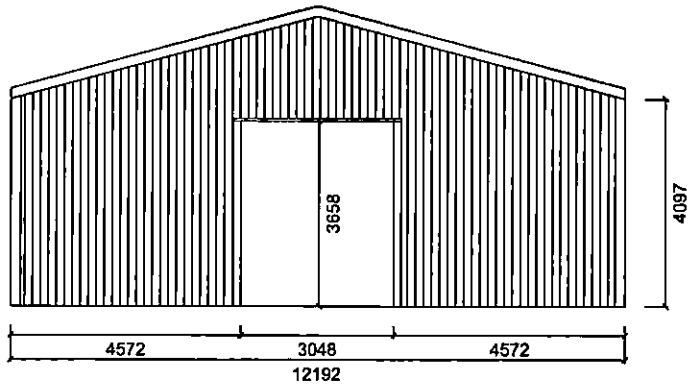
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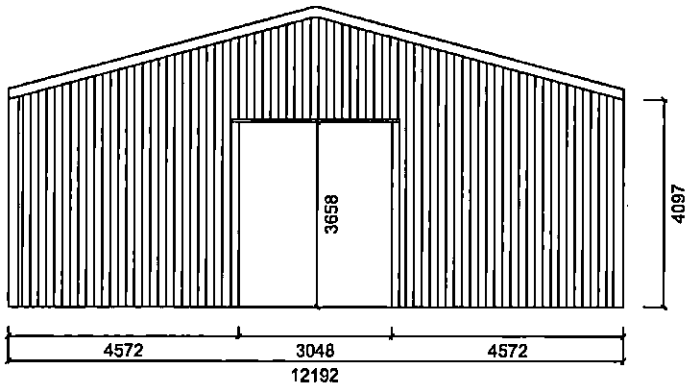




Title	Block Plan	
Client	Kensmyth Stud Clay Meadow	Date:
Project	Farm Cirencester GL7 6HU	27/03/17
Drg Ref:	KSS_B-001	Drawn: PR
Rev:		Scale: 1:2500



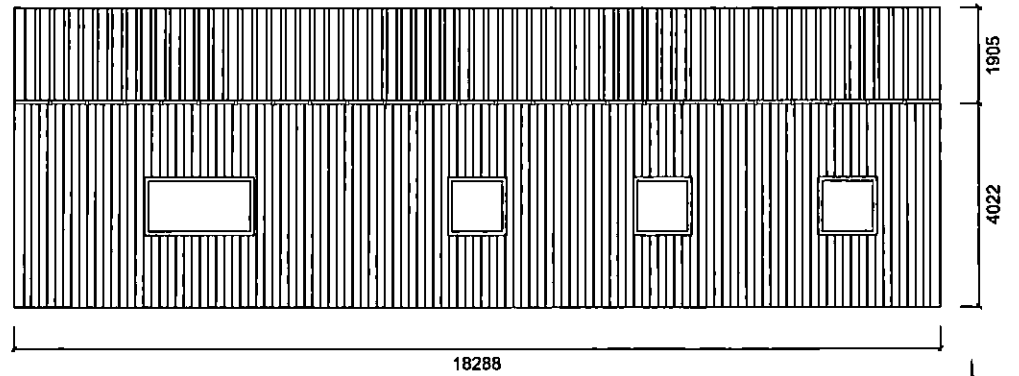
GABLE ELEVATIONS



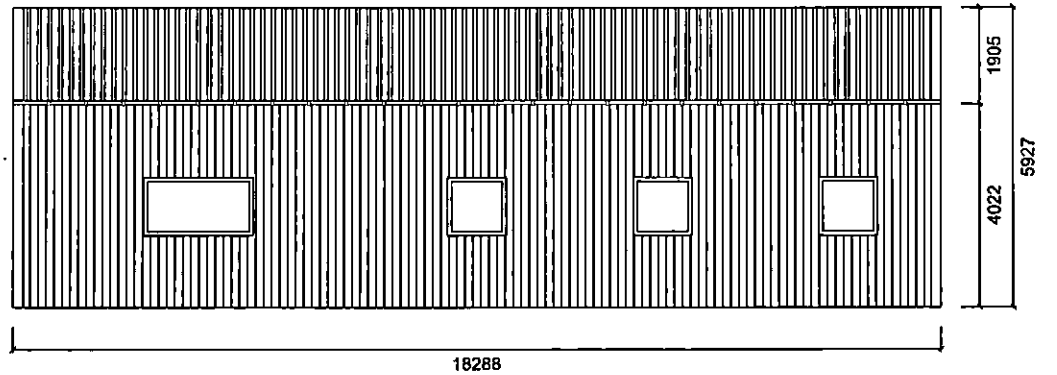
CONSTRUCTION NOTES

Roof to be clad in natural grey fibre cement

Side cladding to be boarded in timber planking natural finish



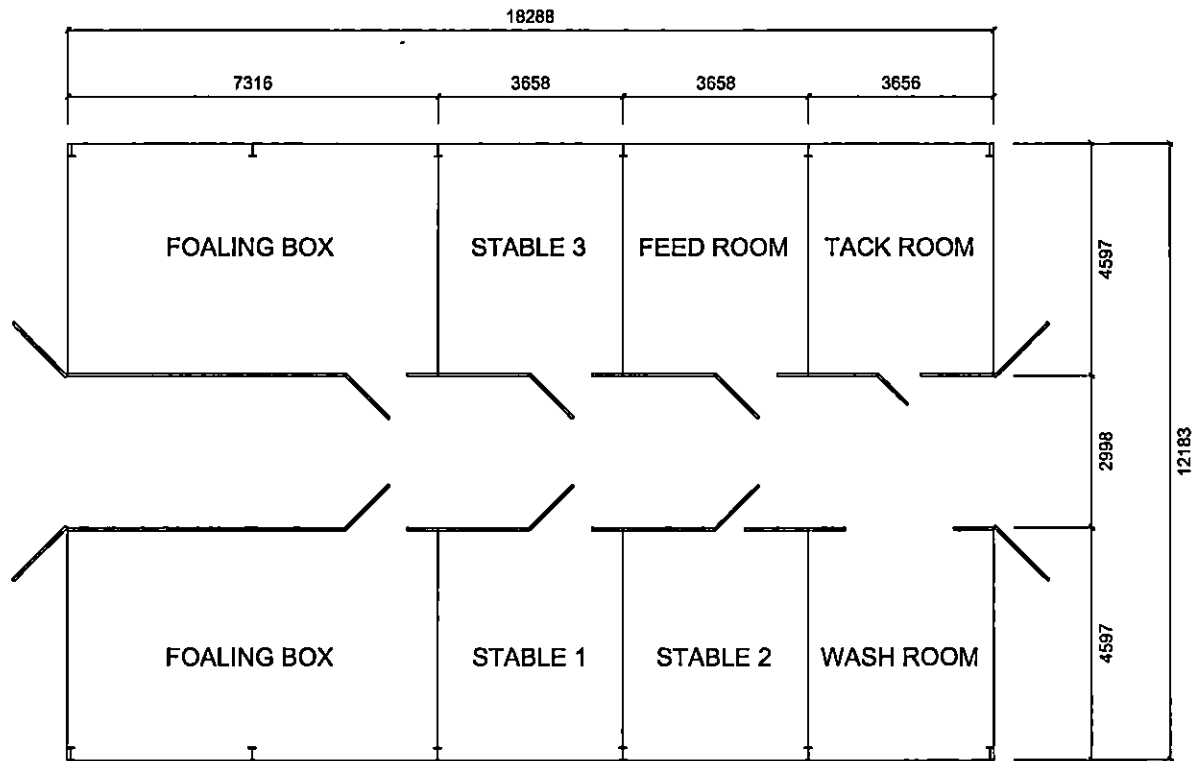
SIDE ELEVATIONS



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autodesk		JL Hfg	
Title	Elevations		
Client Project	Mrs. H Kendall - Smith	Date:	27/03/17
Drg Ref:	HKS_03 27/3/17	Drawn: BRR	1:100@A3

FLOOR PLAN



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autodesk				JL
Title				Floor Plan
Client Project		Mrs. H Kendall - Smith		Date: 27/03/17
Drg Ref:	HKS_02 27/3/17	Drawn: BRR	1:100@A3	



Above: View from site entrance

Below: View from north east



From: Helen Kendall Smith
Sent: 10 May 2017 06:15
To: Martin Perks; 'Helen Kendall Smith'
Subject: sizes and planning
Attachments: Original Message.pdf

Dear Martin

Attached is the reply to the email I sent earlier.

An Ifor Williams HB505 horse trailer gives a head height of well over 2m for just a pony and for horses much more. these are for static travelling horse trailers where the horse/pony is tied up and unable to move in either direction or rear up.

As you increase the equine size, so you must increase these, then you add the fact that it is a stable we are looking at whereby the animal must be able to move around without risk or injury.

You then add the fact that you want the animal to be able to give birth and consider the addition of helpers/wheelchairs in that same space.

An average pony box is traditionally 12 x 12 but pony means of a height no more than 14. 2 hh.

HH means "hand" and is measured in 4 inch increments. So 14.2hh is 14 x 4 inches plus 2 inches. What is more important is that this only measures to the shoulder and you have to add the head and neck height to that!

Equines can become "cast" if in too confined a space – this means they roll when lying down, are too near the wall and get stuck. This inevitably leads to thrashing about which often leads to either colic (tummy ache) and a twisted gut as a result or physical injury.

I do not feel that the size of the American Barn proposed is too large, it is in keeping with the other barns on the premises here, moreover it will be well screened.

Best regards

Helen



Helen Kendall Smith