

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	7 th June 2021
Planning Development Manager authorisation:	SCE	09.06.2021
Admin checks / despatch completed	DB	10.06.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	10.06.2021

Application: 21/00699/FUL **Town / Parish:** Alresford Parish Council

Applicant: Mrs Pia Summers

Address: Cloverlands 261 Wivenhoe Road Alresford

Development: Proposed extension to existing manege approved under reference 10/00299/FUL. Construction of covered horse-walker.

1. Town / Parish Council

Mrs Michelle Salazar
02.06.2021

Alresford Parish Council has no objection to the application.

2. Consultation Responses

No comments received

3. Planning History

94/01148/FUL	(Land adjoining Cloverlands, 261 Wivenhoe Road, Alresford) Construction of new access to Wivenhoe Road for vehicular and pedestrian use. The access to be for land for grazing horses	Approved	03.11.1994
97/01236/FUL	Alterations and extensions to existing dwelling house	Approved	10.11.1997
10/00299/FUL	Formation of manege (20m x 40m).	Approved	20.05.2010
10/00623/FUL	Two storey side extension and conversion of existing two bay garage to study and utility.	Refused	29.07.2010
10/01122/FUL	Two storey side extension and conversion of existing two bay garage to study and utility.	Refused	19.11.2010
11/00369/FUL	Two storey side extension and conversion of existing two bay garage to study and utility.	Refused	19.05.2011
14/00454/FUL	Increase in balcony depth.	Approved	12.05.2014
21/00699/FUL	Proposed extension to existing	Current	

manege approved under reference
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covered horsewalker.

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Adopted Tendring District Local Plan 2007 (part superseded)

QL1 Spatial Strategy

QL9 Design of New Development

QL11 Environmental Impacts and Compatibility of Uses

EN1 Landscape Character

COM12 Equestrian Uses and Buildings

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) (Section 1 adopted on 26th January 2021)

SP1 Presumption in Favour of Sustainable Development

SP3 Spatial Strategy for North Essex

SP7 Development and Delivery of New Garden Communities in North Essex

PPL3 The Rural Landscape

Local Planning Guidance

Essex Design Guide

Essex County Council Car Parking Standards - Design and Good Practice

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. In this latter regard, as of 26th January 2021, 'Section 1' of the emerging Local Plan for Tendring (Tendring District Local Plan 2013-2033 and Beyond Publication Draft) has been adopted and forms part of the 'development plan' for Tendring.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) has been examined by an Independent Planning Inspector who issued his final report and recommended 'main modifications' on 10th December 2020. The Inspector's report confirms that, subject to making his recommended main modifications (including the removal from the plan of two of the three 'Garden Communities' proposed along the A120 i.e. those to the West of Braintree and on the Colchester/Braintree Border), the plan is legally compliant and sound and can proceed to adoption. Notably, the housing and employment targets in the plan have been confirmed as sound, including the housing requirement of 550 dwellings per annum in Tendring.

The Council has now formally adopt Section 1 of the Local Plan, in its modified state, at the meeting of Full Council on 26th January 2021, at which point it became part of the development plan and carries full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will proceed in early 2021 and two Inspectors have been appointed by the Secretary of State to undertake the examination, with the Council preparing and updating its documents ready for the examination. In time, the Section 2 Local Plan (once examined and adopted in its own right) will join the Section 1 Plan as part of the development plan, superseding in full the 2007 adopted plan.

Where emerging policies are particularly relevant to a planning application and can be given weight in line with the principles set out in paragraph 48 of the NPPF, they will be considered and, where appropriate, referred to in decision notices.

5. Officer Appraisal

Site Description

Wivenhoe is a private residential and equestrian property standing in about 5 acres of land with 6 stables and a sand school (manege) measuring 40m x 20m for which planning permission was granted in 2010 under reference 10/00299/FUL. The manege was constructed over 10 years ago to allow the family to ride their horses in all weathers and on a consistent surface. Their daughter showed early promise as a show jumper when winning the Suffolk Academy's junior award for outstanding improvement and achievement in 2013.

Proposal

The proposal is to extend the existing manege approximately 25m northwards to provide a training facility measuring 45m x 40m which is more appropriate to the schooling of international show jumping horses. The arena will be resurfaced after 10 years of continuous use, with the extension being fenced in matching post and rail fencing. The existing floodlights will be relocated to one at each corner. A covered horsewalker is also proposed; this is a circular-shaped construction with an 11m diameter (or 13m including roof overhang) and a height of 3.5m with 2.6m eaves height.

Principle of Development

The application is considered against Policies COM12 (Equestrian Uses and Buildings) and emerging Policy PP13 (The Rural Economy) which are concerned with the provision of equestrian development with regard to the nature and scale of the development upon the character of the countryside outside of defined Settlement Development Boundaries. Given the established use of the site for equestrian purposes, the principal of the proposed development is considered acceptable subject to the detailed considerations assessed below.

Policy COM12 sets out the criteria to be considered in relation to the use of rural land for equestrian purposes:

a) the nature and scale of the equestrian use and the impact of the built development on the character of the countryside, including nature conservation interests and the cumulative effect of similar uses in its general area.

The manege is simply being extended northwards towards the railway line – further away from the neighbour than the existing manege and its 1.2m high post/rail fencing would have a minimal impact on the rural character and appearance of the surrounding area

b) whether the size of the stables accords with the number of horses intended to be accommodated.

The application does not seek planning permission for stables.

c) the impact of any built development on the amenity of neighbouring residential properties;

The manege is simply being extended northwards towards the railway line – further away from the neighbour than the existing manege. In increasing the size of the manege northwards; two of the four floodlights are farther away from the closest neighbour than they currently are. The manege is for personal use only by the owners of Dysert and does not increase the extent of the existing equestrian use. Notwithstanding this, conditions in regard to controlling the number of floodlights and to prohibit any burning on the site are considered reasonable to prevent any detrimental impacts to existing residential amenities. In regards to the horse-walker; this would be sited close to the rear of an existing stableblock and around 25m to the north-west of the rear elevation of No. 249 Wivenhoe Road – where an established dense and high planted boundary exists. For these reasons the proposal is not considered to adversely impact the amenities of the adjacent residents to the north.

d) whether suitable arrangements have been made for the disposal or storage of soiled material and foul drainage provision meets the requirements of the Council and Environment Agency;

The site is part of an existing equestrian use comprising an existing manege; therefore suitable drainage and disposal/storage arrangements for the manure already exist on site in relation to the existing approval in 2010. The proposal should be operated in line with the existing arrangements to prevent pollution to surface and underground waters and a condition can be added to ensure this is the case. Therefore the proposal is acceptable in this regard.

e) whether a suitable vehicular access can be provided in connection with the stables such as to allow the free and safe flow of traffic on the adjoining highway;

The proposal would utilise the existing vehicular parking and access arrangements that serve the property. As the site is located to the rear of the applicant's residential property an excess of vehicle movements is not envisaged. A condition can be added to ensure that the proposed manege is for the applicant's personal use only, thereby reducing any impacts to the highway network.

f) the impact on the character of the countryside of providing an adequate access;

The access to the site is already in situ and will therefore result in a neutral impact to the character of the countryside.

g) the level of traffic to be generated by the proposed use, and the suitability of the road leading to the site to cater for such movements;

The proposed manege is for the private use of the owner of Cloverlands and it is considered that there would be no significant increase in traffic generated by the proposed development and as a result the proposed access arrangements are considered acceptable.

h) the impact of traffic levels on the amenities of the land.

As the proposal is solely for the applicant's own use, it is not considered that there would be any significant impacts on traffic levels.

Other Considerations

Alresford Parish Council have not commented on the application. No other representations have been received.

Conclusion

In the absence of significant material harm as a result of the proposed development, this application is recommended for approval subject to conditions.

6. Recommendation

Approval - Full

7. Conditions

- 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 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:- 215.21.01, 215.21.02 and 215.21.03; received 15th April 2021.

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 The enlarged manege hereby approved shall be used solely in connection with the private stabling of horses and no business or commercial use including livery or riding school activities shall be carried on from the site whatsoever.

Reason - In the interests of local amenity and highway safety.

- 4 There shall be no burning on the site at any time.

Reason- The site is in the proximity of residential dwellings and therefore suitable control is necessary in order to protect the amenities of residents of such properties.

- 5 The drainage, disposal and storage of waste from the use of the manege hereby approved, shall be in accordance with the existing arrangements in place for the wider site agreed under planning permission 10/00299/FUL

Reason: To prevent pollution to surface and underground waters and in the interest of local amenity.

- 6 No floodlighting or other means of external lighting, other than that shown on drawing No. 215.21.02 shall be installed until details of such an illumination scheme have been submitted to and approved in writing by the Local Planning Authority. Development shall only be carried out in accordance with the approved details.

Reason - In the interests of amenity to reduce the impact of night time illumination on the character of the area.

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Are there any letters to be sent to applicant / agent with the decision?		NO
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Are there any third parties to be informed of the decision?		NO
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