
APPLICATION NO.	P10/E0525
APPLICATION TYPE	Full
REGISTERED	29.04.2010
PARISH	Bix
WARD MEMBERS	Mrs Judith Nimmo-Smith
APPLICANT	Miss Claire Randall
SITE	Leys Stable Cottage, Old Bix Road, Bix
PROPOSALS	Erection of replacement stables and provision of a foaling stable and enclosed hay store
AMENDMENTS	No
GRID REFERENCE	473196/185166
OFFICER	Mr T Wyatt

1.0 **INTRODUCTION**

1.1 This application is referred to Committee as the Officer’s recommendations conflict with the views of the Parish Council.

1.2 The application site, which is shown on the OS extract **attached** as Appendix A, is located on the eastern edge of Bix, and is located within the Chilterns Area of Outstanding Natural Beauty. The site is sandwiched between the grounds of existing dwellings to the north and south, and it is apparent that the site previously formed part of the land associated with Cross Leys, the dwelling to the south. The application site was effectively granted independent status through the approval of a certificate of lawful use in January 2008 for the use of part of the buildings as a separate dwelling. Planning permission was then granted in February 2008 for the erection of a stable block. As a result the site has an established residential and equestrian use.

2.0 **THE PROPOSAL**

2.1 This application seeks planning permission for a foaling stable and hay store to be attached to the eastern end of the existing group of stables and associated facilities. The new development would add approximately 47m² of additional floor space and would continue the form of the existing stables. As part of the proposal, the roof over the two existing stables (marked A and B on drawing 017124-PS01) and an adjoining tack room would be reconfigured to incorporate the roof of the new foaling stable, covered walkway and hay store. The resultant height of the building in respect of the ridged part of the roof would be slightly over 4 metres compared to the height of the existing stables at approximately 3.5 metres.

2.2 A copy of the proposed plans is **attached** at Appendix B whilst other documents relating to the application can be found on the Council’s website, www.southoxon.gov.uk.

3.0 **CONSULTATIONS AND REPRESENTATIONS**

3.1 **Bix Parish Council** – The application should be refused due to the following concerns:

- impact on the landscape of the eastern margin of the village
- additional traffic generation through an expansion of the equestrian use
- equestrian facilities are more than required for a private use
- impact on the adjacent hedging forming the boundary with Grey Lodge
- disposal of muck from the site

- change of use of the surrounding land from agricultural to equestrian
- 3.2 **Forestry Officer** – Initial objection due to the impact on an adjacent oak tree. However, these objections have been rescinded in discussions with the Forestry Officer due to the presence of the existing buildings and extant planning permission for the stables.
- 3.3 **Environmental Protection Officer** – No observations
- 3.4 **Countryside Officer** – No objections
- 3.5 **Chiltern Society** – Supports the Parish Council’s concerns regarding the impact of the expansion of development on the site on the surrounding landscape
- 3.6 **Neighbours** – One letter of objection has been received:
 - cumulative impact of development and overdevelopment of the site
 - parking overspill
 - there should be no inference that the adjacent land is used for anything other than agricultural use
 - the development may encroach upon the neighbouring agricultural land
 - possible further development on adjacent land
- 4.0 **RELEVANT PLANNING HISTORY**
- 4.1 P07/E1601/LD - Use of cottage as a dwelling and residential curtilage. Certificate of Lawful Use granted on 23rd January 2008.
- 4.2 P08/E0020/RET - Erection of stable block (part retrospective). Planning permission granted on 27th February 2008
- 5.0 **POLICY AND GUIDANCE**
- 5.1 Policies of the Adopted South Oxfordshire Local Plan 2011 (SOLP):
 - G1 – General Restraint and Sustainable Development
 - G2 – Protection and Enhancement of the Environment
 - G6 – Promoting Good Design
 - C2 – Areas of Outstanding Natural Beauty
 - C8 – Species Protection
 - C9 – Landscape Features
 - D1 – Good Design and Local Distinctiveness
 - R10 – The Keeping of Horses
 - T1 & T2 – Transport Requirements for New Developments
- 5.3 Government Guidance:
 - PPS1 – Delivering Sustainable Development
 - PPS5 – Planning for the Historic Environment
 - PPS7 – Sustainable Development in Rural Areas
- 5.4 Supplementary Planning Guidance
 - South Oxfordshire Design Guide July 2008 (SODG)
 - South Oxfordshire Landscape Assessment
- 6.0 **PLANNING ISSUES**
- 6.1 The planning issues that are relevant to this application are:
 1. The impact on the character and appearance of the surrounding area
 2. The impact on the amenity of neighbouring occupiers
 3. Other material considerations

The Impact on the Character and Appearance of the Surrounding Area

- 6.2 Policy R10 of the SOLP supports the principle of proposals connected to the keeping of horses subject to the development not being visually intrusive and not damaging the character and appearance of the area and landscape.
- 6.3 It is apparent from the planning history of the site and adjacent land that stables have existed on the site for a number of years. There are eight existing stables on the site and extant planning permission (P08/E0020/RET) exists for an enlargement of an existing stable building shown as loose boxes 1-3 and feed room on the proposed plans. This would provide a total of 9 stables. The current proposal does not involve any additional stable accommodation but improves the existing facilities through a foaling stable and hay store. Therefore, the proposal would not result in an intensification of the use of the site in terms of the number of horses capable of being stabled.
- 6.4 The site lies on the eastern edge of Bix and faces over open countryside extending to the east. The site is also within the Chilterns AONB, and Policy C2 of the SOLP seeks to ensure that development conserves the natural beauty and landscape qualities of these areas. The development would consolidate and further extend the existing stable complex. However, the building line of the development would only extend beyond the established eastern building line of the existing stables by approximately 1 metre, and would not extend the width of the buildings on the site. The development would not encroach into the adjacent field to the east although it would be very close to the existing field boundary and some of the equestrian activities may encroach onto this land.
- 6.5 The existing stable complex is clearly visible as part of the built up edge of Bix in views from the adjoining open agricultural land extending further to the east. The edge of the built form is also formed by a belt of trees on the eastern boundary of Cross Leys and these trees and the stables provide a distinct and obvious boundary between the edge of the built form and the open countryside. However, views of the site from the open countryside to the east are restricted to private views as there are no public rights of way crossing this land. Views towards the site from Bix Hill are restricted due to the screening effects of vegetation along both sides of this lane.
- 6.6 When viewed from the east, the development would be viewed in context with and against the backdrop of the existing stables and the neighbouring residential properties to the north and south. The development would result in a building of greater height and bulk than the existing, but Officers do not consider that this would increase the visual impact of the development significantly compared to the existing complex. The proposal would not visually intrude into the surrounding landscape to any significant extent and would generally preserve the rural appearance and landscape qualities of this part of the Chilterns AONB.

The Impact on the Amenity of Neighbouring Occupiers

- 6.7 The site adjoins two residential properties, Cross Leys to the south and Grey Lodge to the north. Cross Leys benefits from substantial gardens, and the main dwelling is set over 50 metres to the west of the proposed development. The development would not take the stable buildings any closer to the boundary with this property, and the impact of the development on the amenity of Cross Leys would be acceptable.

- 6.8 Grey Lodge is set within more modest grounds and its southern boundary adjoins the stable complex along its entire length with the stables having been constructed up to this boundary line. The proposal would partially increase the height of the existing tack room adjacent to the boundary to slightly over 4 metres, and the ridge of the hay store would also reach this height. However, the majority of the hay store and part of the existing tack room would be provided with a flat roof to a height of slightly over 3 metres.
- 6.9 There is a thick hedge on the boundary of the site with Grey Lodge, and the hay store and amended tack room would not project to any significant extent above the height of this hedge. Part of the hedge would need to be cut back to accommodate the hay store but it is capable of being retained and a condition requiring this is recommended. The hedge would screen the hay store from the neighbouring property and the development would not create any significant overshadowing or overbearing effects to the neighbouring property. Additional noise disturbance should be minimal as the proposals do not facilitate the intensification of the equestrian use of the site to any significant extent providing that the use remains for private purposes only.

Other Material Considerations

- 6.10 There is a substantial oak tree within very close proximity to the existing stables (stable A and loose boxes 1-3 as shown on the proposed plans) and these structures are within the root protection area (RPA) of this tree. The Forestry Officer originally objected to the proposal on the basis that the development would be within the root protection area of the tree. However, due to the existing and already approved (loose boxes 1-3) development within the RPA of the tree, it would be very difficult to sustain an objection to the impact of a relatively minor increase in the footprint of the development within the RPA of the tree, particularly as the tree is not protected through a Tree Preservation Order. However, to ensure that the construction of the development would have a minimal impact on the tree, a tree protection condition is recommended.
- 6.11 The proposal does not alter the existing access arrangements for the site, and as the proposal would not result in any significant intensification of the private equestrian use of the site, there should not be any significant increase in traffic as a result of the development.
- 6.12 The applicant has control over the open land to the east of the site, and it is apparent that this land is being used, at least partially, in connection with the equestrian use. The land has not benefited from any formal change of use from agriculture to the keeping of horses. This approval of this application would not grant any approval for the use of this land for the keeping of horses, however, it should be noted that the use of land for the grazing of horses would be within the definition of an agricultural use and would not require planning permission. This issue is not material to the determination of this application.

7.0 **CONCLUSION**

- 7.1 The application proposal is considered to be broadly in accordance with the relevant development plan policies and national planning policy, as the proposal would not cause any significant harm to the character and appearance of the site and the surrounding area, or the natural beauty and special landscape qualities of the Chilterns AONB, and would not cause additional significant harm to the amenity of neighbouring occupiers.

8.0 RECOMMENDATIONS

8.1 That planning permission be granted, subject to the following conditions:

- 1. Commencement – 3 years**
- 2. Development to be carried out in accordance with the approved plans**
- 3. Private equestrian use only**
- 4. Use of hay store for storage only in connection with equestrian use**
- 5. Samples of materials to be submitted and approved**
- 6. Tree and hedge protection details to be submitted and approved**
- 7. Hedge on boundary with Grey Lodge to be retained**
- 8. No external lighting unless agreed in writing**

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