

Some 1.2 ha = code 113 s.s. major

WEEKLY LIST

APP. NO 08/00596/FUL

CASE OFFICER	TEAM LEADER	HOPS/P M	COND. COLOURING COND. NO PLAN NO.		COND. MONITORING	Comino CHECKED	POSTED
mms 14/10/08.		<i>[Signature]</i> 15/10				mms 14/10/08 UNIFORM 14/10/08	<i>[Signature]</i> mms 14/10/08.

Proposal: Construct Pitched Roofed Building to Provide Stable, Foaling Box, Tack Room, Feed Store and Tool and Machinery Room.

Site Location: Sunnyside Wellington Road Hockley

Legal Agreement: NO

Plan Numbers/Letters/Supporting Statements *no received on 23rd July 2008.*

Zoning: MGB
Parish Council - Ashingdon Parish Council

Officer Report:

This application is to a site on the western side of Wellington Road where the junction is made with Clarendon and Cavendish Roads. The site is within a plotland area. The site is in use for grazing and is contained within and divided by post and rail fences. The site has intermittent trees about it under which horses graze.

An earlier application to construct a pitched roofed building to an overall height of 3.6m and height to eaves of 2.5m to provide two stables, feed room, tack room and tool store was refused planning permission on 14th May 2008 under application ref: 08 / 00032 /FUL because that previously proposed building was considered to include a large element of storage and of excessive size that did not meet the definition of what might be considered small scale. This earlier building had a depth of 10.4m and width of 18.3m in a "C" plan arrangement. Also proposed as part of the earlier application was a further detached building 3.3m high and 2.4m high to eaves for use as a Hay / Straw store. This building would have been 6m wide and 3.6m deep. Both buildings would have been sited on the land directly south and opposite "Sunnyside". This previous proposal was described as a personal facility allowing for the owners to have their horses on their site.

The current proposal is to construct a pitched roofed building to the same overall height of 3.6m and height to eaves of 2.5m to provide a stable, feed room, tack room, tool store and foaling box. The currently proposed building would have a depth of 9m (reduced by 1.4m) and width of 9.6m (reduced by 8.7m) and in a traditional "L" plan arrangement. No other building is proposed in this current application.

The site is located within the Metropolitan Green Belt. Adjoining the site to the south but not included within it, is Beckney Wood Wildlife Site.

The provision of small scale buildings essential for outdoor sport and recreation is generally permissible under Policy R1 to the Council's adopted Local Plan (2006) Small scale is not defined but was considered to be up to 20 stables in the previous Structure Plan (2001) and is described as uses involving 10 horses in PPS 7 Sustainable Development in Rural Areas (2004) The stables proposed would be small scale.

The current application is a substantial reduction in size to the previous application and unlike the previous application shows stable sizes of a more traditional size. The proposal is therefore smaller in scale and acceptable within the Green Belt.

The site has an area available for grazing of 1.0897ha and in accord with the Council's requirements for a minimum of 0.5ha per stable / horse to be grazed. This would meet the test for the stable and foaling box proposed.

The applicant lives opposite the site at "Sunnyside". The site is served by unmade plotland roads. There are no Bridleways within the site vicinity.

The proposal would not be visually intrusive and would neighbour other stables and grazing in the vicinity of the site. The proposal therefore accords with Policy LT 14 to the Council's adopted Local Plan (2006).

The applicants have provided an extended phase 1 habitat survey for the site which concludes that the wooded pasture would be retained with the proposed stables to be sited on ecologically poor grassland. No water bodies or water courses immediately adjoin the site that are considered to be affected by run off and leaching from muck heaps. The proposal would retain the woodland pasture habitat. No adverse impact upon existing trees is anticipated given the continued use of the land for grazing.

The advice from the Environment Agency is considered to be the subject of a suitable condition to any consent that might be given.

The extended phase 1 habitat survey accompanying the application describes the woodland adjacent to the site to not provide an ideal habitat for Dormice and that no nests were found on the site in the Blackthorne thickets. This analysis is agreed generally Natural England.

The Essex Wildlife Trust however describe the site as being close to one of the best dormouse populations in the county and make recommendations accordingly. It is considered that the recommendations made can be the subject of conditions or informatives to any approval that might be given.

Representations:

Ashingdon Parish Council – No objection but suggest a condition specifying the proposal for personal use only and no commercial use and a further condition that the applicant should respect the byway by keeping it clear of vehicles and materials.

Essex County Council Highways and Transportation – No objection.

Natural England

No objection to raise provided the mitigation as outlined in the report is incorporated into a permission as part of a suitable planning condition.

The proposals are such that the more important ecological areas of the site are not being developed and as such mitigation is only required for limited scrub removal which has the potential to impact upon nesting birds.

Recommend the integration of bat friendly features such as crevice forming timber joints into the development given the potential opportunities for roosting bats on the site.

Essex Wildlife Trust

Does not object to the application but due to the close proximity of one of the best dormouse populations in the county the erection of dormouse tubes in hedgerow and shrubs impacted on by the development must be put up with immediate effect. A survey for dormouse signs including nut search must be carried out to ascertain the presence or absence of a population in the immediate area before the application is granted.

Recommend that the muck heap be relocated elsewhere to ensure that all hedgerows and blackthorn stands be left fully intact as these provide a good nesting and foraging resource for many species.

All works should be done outside of the bird breeding season March to September inclusive

All works to long grass on the site should be done between October to March inclusive to avoid any potential disturbance to reptiles on the site after which grass should be kept short to avoid re-colonisation of reptiles back to the site area.

Environment Agency

Liquid and solid animal vegetable wastes and associated contaminants shall be stored and disposed of in a manner that will not lead to pollution of surface or underground waters. Good practice to achieve this includes not stockpiling muck within 10 metres of a watercourse (including ditches) or within 50 metres of any wells, springs or boreholes used for human consumption. In addition no stockpiling should take place in land containing drains as this provides a ready pathway for pollution to enter underground waters. Only clean uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.

Head of Environmental Services – No adverse comments to make

Woodlands Section - Recommend the applicant provide a suitable tree impact assessment to the current British standard.

The applicant has advised in response to comments made by Essex Wildlife Trust that the muck heap is sited where an incinerator previously stood and that there are no hedgerows

present on the development site. There is no long grass and an ecological survey has been carried out to stop any impact on wildlife.

Policies:

Rochford District Replacement Local Plan (2006)
R1, LT 1, LT14, NR 7.

Conclusions:

APPROVE

CONDITIONS:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Prior to the commencement of the development hereby approved the applicant shall provide details to the Local Planning Authority of a survey of the site area on which the stable building would be constructed and to have been carried out by a suitably qualified person to ascertain the presence or absence of a population of dormice and the effect of the development upon any dormouse population present. Such survey shall include details of any mitigation measures to be implemented as part of the development hereby approved. The development shall be implemented in accordance with such details as may be agreed by the Local Planning Authority.

REASON : In the interests of protected species , in this case Dormice.

- 3 Liquid and solid animal vegetable wastes and associated contaminants shall be stored and disposed of in a manner that will not lead to pollution of surface or underground waters. Good practice to achieve this includes not stockpiling manure and bedding or droppings within 10 metres of a watercourse (including ditches) or within 50 metres of any wells , springs or boreholes used for human consumption. In addition no stockpiling of such material should take place on land containing drains as this provides a ready pathway for pollution to enter underground waters. Only clean uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.

REASON : In the interests of the control of pollution to the surface and underground water environment

0 REASON FOR DECISION

The proposal is considered not to cause significant demonstrable harm to any development plan interests, other material considerations, to the character and appearance of the

area, to the street scene or residential amenity such as to justify refusing the application; nor to surrounding occupiers in neighbouring streets.

Informatives:

- 1 All works should be done outside of the bird breeding season March to September inclusive .
- 2 All works to long grass on the site as part of the implementation of the permission hereby approved shall be done between October to March inclusive to avoid any potential disturbance to reptiles on the site after which grass should be kept short to avoid re-colonisation of reptiles back to the site area.
- 3 The applicant is advised to consider the integration of bat friendly features into the design of the building hereby approved such as crevice forming timber joints into the development given the potential opportunities for roosting bats on the site.