

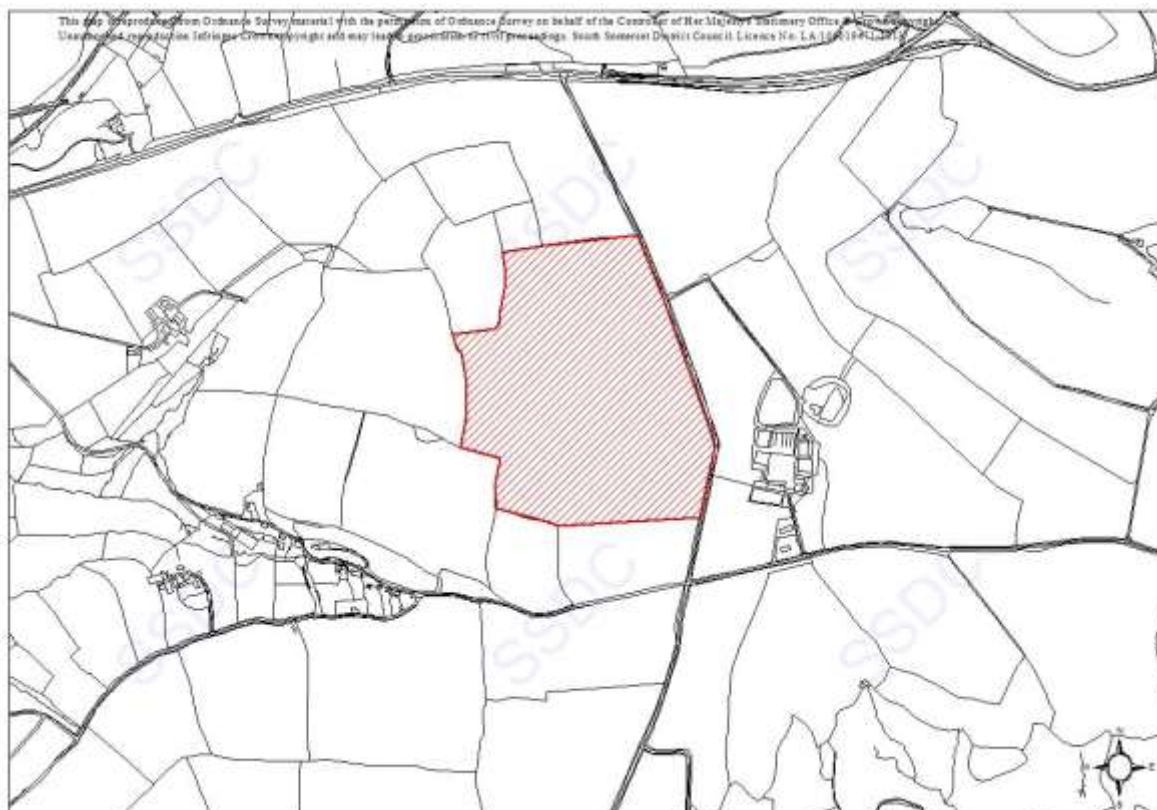
Officer Report on Planning Application: 13/00501/FUL

Proposal :	Change of use of land to an equestrian showground and riding facility. The erection of a stable block to accommodate 20 No. stables and 1 No. storage building with associated parking and landscaping (Part Retrospective). (GR 339698/109404)
Site Address:	Land At Higher Purtington Windwhistle Cricket St Thomas
Parish:	Winsham
WINDWHISTLE Ward (SSDC Member)	Cllr S Osborne
Recommending Case Officer:	Andrew Gunn Tel: (01935) 462192 Email: andrew.gunn@southsomerset.gov.uk
Target date :	8th May 2013
Applicant :	Mr A Whitehouse
Agent: (no agent if blank)	Mr Matt Frost Boon Brown Planning Motivo, Alvington Yeovil, Somerset, BA20 2FG
Application Type :	Major Other f/space 1,000 sq.m or 1 ha+

REASON FOR REFERRAL TO COMMITTEE

The application is classed as a major-major development comprising 19 hectares. Under the Council's delegated procedure, the application therefore has to be referred to the Area West Committee for consideration.

SITE DESCRIPTION



The site comprises a total of 19 hectares of land comprising 5 fields of open grassland on the southern side of the A30 between Chard (4.5 km approx.) and Crewkerne (6.5 km approx.). It is located at the eastern end of Windwhistle Ridge and is enclosed by hedgerows with a limited number of trees. The site is accessed via an existing field gate located along the eastern boundary, off an unclassified road. The access to the site is located approximately 500 metres south of the junction with the A30 to the north. The character of the area beyond the application site is defined by open fields, some of which are in agricultural production. A woodland exists to the north west of the site.

The supporting documents outline that the application site has historically been used for events including the Chard Show and Tytherleigh Horse Shows. These shows have operated without the need for planning permission under permitted development rights.

To briefly set the context for this application, in 2011 the South West Show Jumping Club rented the fields. They had recently left a long established site in Devon. On this application site, they erected a number of structures, for example judging boxes, along with a significant number of stables. Moreover, significant earth works were also undertaken, all without planning permission. After much discussion between the Local Planning Authority, applicant and agent, an application was submitted. However, the scale of this earlier application was too large and was withdrawn. The landowner subsequently met with the Planning Officer to discuss a much reduced scheme and the need for better control of the site, including noise levels.

PROPOSAL

This retrospective application seeks consent for the change of use of land at Higher Purtington for an equestrian show ground and riding facility along with the erection of 20 stables, a storage building and associated parking and landscaping. This application follows the withdrawal of a previous retrospective proposal (12/00407/FUL) for equestrian use which was significantly larger in terms of the number of stables i.e. 332 stables and a larger range of buildings/structures. This was withdrawn due to concern in relation to the scale of the development, highways concerns and landscape/visual impact.

The site would be used for a range of different show jumping events and local pony and riding clubs. There will be 2 main competition rings and a warm up/down/practice area within which the competition events will be held along with some private tuition/practice sessions. The South West Show Jumping Club who originally moved onto the site would also hold their competitions at the site when required.

The layout of the development, as amended, has been reduced in scale from the earlier withdrawn application and now comprises the following:

Field 1 - (north west corner) - This will accommodate the permanent single stable building comprising 20 stables on the lower of a terraced area. The Design and Access Statement outlines that this field benefits from a higher degree of enclosure than most of the application site, with hedgerow and tree cover, and in particular, a woodland to the west. The building will be located outside of the root protection area of the trees/hedgerows. It will measure 37 metres x 11.2 metres with a maximum ridge height of 4.35 metres and will be constructed of Yorkshire boarding and dark grey profile roof sheeting. The terraces to the north of the stable building, which were created without planning consent to accommodate the significant number of stables originally installed on site, will be re-graded to restore it to its more natural appearance.

Field 2 - This is located in the north east part of the application site. The fenced show

rings previously installed will be removed and the area used for practice. No permanent buildings or structures are proposed in this field.

Field 3 - This is the largest of the 5 fields within the application site occupying a central position within the site. It will comprise the 2 main competition rings which will be enclosed by a 1 metre high timber post and rail fence. It will include a parking area in the north west corner, adjacent to and on the southern side of the existing access track. This field originally contained the compound area but has now been re-sited into field 5 next to the storage shed.

Field 4 - This field will be used for a warm up area and clear round ring. It will be enclosed by a 1 metre high timber post and rail fence. As with field 2, no permanent buildings or structures will be installed in this part of the site.

Field 5 - This field is located in the south east part of the site. The storage building (29.25metres x 16.7 metres with a ridge height of 6.35 metres) and compound area will be located at its northern end. The building will be used to store equipment and machinery involved with the maintenance of the land and to store all the show jumping equipment. The building will be constructed of dark grey cladding for both the walls and roof.

The stable and storage building will be the only permanent buildings and structures on site. Other structures were installed on the site when the SWSJC first rented the site which included judging posts and offices/administration portakabins. These have now been removed. The judging boxes which were fixed into the ground will now be mounted on trailers and wheeled into position when required. All other structures such as marquees, portakabins, toilets etc. will only be placed on site when needed for shows.

In terms of landscaping, no trees or hedgerows will be removed as part of the proposal. Additional planting is proposed along the southern boundary of field 5 along with a new hedgerow along the southern edge of field 2. The parking area will be retained as a grassed area.

The site will be accessed via the existing track located off the unclassified road running along the eastern boundary of the site. This track runs along the centre of the site in an east to west direction stopping at the entrance to field 5 and the compound/storage building.

HISTORY

12/00407/FUL - Change of use of land to equestrian showground and riding facility. The erection of 332 stables, judges boxes, sponsors pavilion, office, riding rings with fencing and associated parking and landscaping. Application withdrawn.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise,

South Somerset Local Plan (saved policies):

ST5 - General principles of development

ST6 - Quality of development

EC3 - Landscape Character
CR7 - Commercial Development involving horses.

NPPF

Core planning principles

Chapter 3 Supporting a prosperous rural economy

Chapter 4 - Promoting Sustainable transport

Chapter 11 - Conserving and enhancing the natural environment

Emerging Local Plan

Policy EQ8 - Equine Development

CONSULTATIONS

Winsham PC:

Winsham Parish Council recommend refusal for the following reasons:

1. This application adds to the over-development of the Windwhistle ridge.
2. The real concerns about the impact on the water supply and water quality to residents in Purtington.
3. The concern that the change of use to amenity will result in a lack of control over the types of activities that will occur.
4. The noise levels; noise from past events have been shown to be heard in Purtington, when this is twice a year it can be accepted but with the expected increase of use from this application, it would affect the quality of people's lives in Purtington.
5. Traffic concerns, on the roads through Winsham and concerns about the suitability of the junction to the A30.
6. No perceived benefits to the Parish.

Adjoining PC West Crewkerne PC

The location and access need a detailed highways evaluation as this PC noted when there was a previous albeit larger application for the same location.

Highway Authority: (summary of original comments):

The Highway Authority were concerned that no Transport Assessment had been submitted with the application. Whilst there is a reduction in the number of riding stables, there remains concern about the proposed use and vehicle movements.

Concern raised about possible backing up of traffic on the A30 and thus obstructing the free flow of traffic.

The access lane is 4.6m in width and not sufficient to allow 2 way vehicles to pass. Existing passing places are not built to highway standards.

The junction of the access road with the A30 requires a visibility splay of 2.4m x 215metres which can be achieved to the left of the junction but not the right.

Due to concerns about the restricted width of the approach road and increased use of a sub-standard junction, the Highway Authority recommended refusal. However, following the submission of additional information and work to demonstrate that the necessary visibility at the junction can be provided, the Highway Authority accepts that this is now acceptable. In terms of the access road, there remains a concern in terms of its width and passing bays that do not meet highway standard.

Landscape Officer: (Original comments):

I have reviewed the new application seeking the change of use of farmland to an

equestrian showground at the above site, and have noted the reduction in the scope of the proposal, by comparison with the previous application, no 12/00407. I am also aware of the unauthorised works that have already been carried out on site, and am familiar with the site history.

The application site lays approx. 0.5km to the south of the A30's alignment along the ridge of Windwhistle Hill, immediately alongside the Winsham road. It consists of 5 pasture fields within a wider rural landscape, and - unauthorised structures aside - is free from development form. The proposal currently before us intends the construction of 20 stables within a single building; a storage shed and compound; as well as areas dedicated to 2 no. show rings, and car and lorry parking. Temporary structures will add to development form on show days, but the proposal states these will otherwise be discretely stored. It has been noted that use of this land as a showground during 2011 and 2012 also resulted in numerous touring caravans parked throughout the site. Two caravans are still present on site (March 2013).

In relation to planning policy, I perceive the main landscape issues to be;

- 1) the impact of development upon landscape character;
- 2) the visual profile of the development;
- 3) the principle of development outside development areas - and;
- 4) the location of commercial equestrian development.

1) The impact of development upon landscape character - Local plan policies ST5 para 4 & EC3 seek to protect the character and quality of the landscape, and requires development proposals to be appropriate to the character of their local environment.

Landscape character assessment has been developed by the government's agency for the natural environment (Natural England) to assist LPA's in accommodating change due to development without sacrifice of local character and distinctiveness. An understanding of landscape character is also utilised to help determine a view on what may - or may not - be acceptable in terms of development form in any particular landscape. It is this capacity of landscape character assessment to inform appropriate development that is pertinent to this application.

South Somerset has its own assessment of its landscape, which is a supplementary planning document. Looking at its evaluation of the Windwhistle area, it is described as ...'a block of upland lying between Chard and Crewkerne, north of the River Axe ... The plateau is crossed by ancient ridge-top lanes, which plunge down the valleys and combes to isolated farms or hamlets. The area is sparsely populated, villages and hamlets are dispersed and small, with most settlements nestled into the warm sheltered side of the plateau. The settlement pattern and landscape is an ancient one of irregular hard-won fields carved out of the terrain. '

Of the plateau specifically, it goes on to state:

'The landscape formed at the summit of this dissected plateau is primarily open, with a mix of arable and pasture fields, and few trees and hedges. The main features are the hedge-lined lanes whose distinctive, evenly spaced rounded trees can be seen from some distance in the valleys below.'

These character descriptions portray a ridge-top landscape that is emphatically rural, and characterised by its relatively level and open profile of (predominantly) pasture fields, incised by steep-sided combes. Other than occasional dispersed farmsteads, there is sparse development presence, i.e. an absence of intrusive development, and a sense of remoteness - which is a further defining characteristic of the area. This sense of remoteness, combined with a relatively featureless and understated character, allows a

potential for new development form and activity to intrude into the landscape of this distinctive open hilltop. Consequently, it is considered that the form of development proposed here, which will establish both built form, and periods of concentrated activity through the summer months, is at variance with the current plateau character. As such, development of this type in this particular location would be at variance with the distinctive landscape character of the plateau head, and thus contrary to LP policies ST5 para 4 and EC3.

2) The visual profile of the development (LP policy EC3ii) which seeks to avoid development form that is out of keeping with its landscape context -

Visibility becomes an issue when a proposal is either inappropriately sited, or of incongruous appearance. I acknowledge that the visual profile of this revised application is much reduced from the earlier application, yet the site will be seen from an adjacent length of the A30; adjacent lanes that serve local settlements and the South Somerset Cycle Way; and from the NE head of the registered grade 2* park and garden of Cricket St Thomas, into whose wider setting the site falls. These locations view a secondary ridge that - the singular presence of Hill Dairy Farm aside - is distinctive for its openness; sparse development form; and lack of activity. The preceding paragraph evaluated the site location to be inappropriate for development in principle hence in placing a development profile and its associated activity in such a location, it automatically follows that such a siting will be at variance with its landscape setting, to thus be viewed as a negative visual impact, and contrary to policy EC3.

3) The principle of development outside development areas (LP policy ST3) which seeks to safeguard the countryside, and requires that development will only be permitted where it would maintain or enhance the environment.

Higher Purtington lays outside any area designated as having a potential for development, in a location that is emphatically rural in character. The application site is sited in open countryside, where 'development will be strictly controlled to that which ... maintains or enhances the environment'. (policy ST3). The proposal before us has already undertaken extensive terracing of land, along with import of spoil, to provide a formation base for structures, and there is no proposal to modify this. It also intends 2 permanent buildings, along with parking areas and hard standing. Along with the development footprint, temporary storage, car and lorry movement, and activity generally will accrue.

This development footprint and its associated activity will supplant the current rough pasture and open hillside. In landscape terms, it does not inherently add to or sustain the local environment. The scant landscape mitigation proposed with this application does not address the principle of development in this location, nor does it offer sufficient compensation. Consequently I do not view the proposed change of use from agricultural land to equestrian of the proposal's scale as meeting the objectives of policy ST3.

4) The location of commercial equestrian development (policy CR7) which requires stables to be closely related to existing buildings or settlements if they are to be acceptable.

It is clear that in this instance, there is no close relationship to an established building group, on which to build this proposal. On this point, the application does not conform to local plan policy.

In its 12 core planning principles, the recently published NPPF repeats the necessity for planning to contribute to the protection and enhancement of the natural environment; to

recognise the intrinsic character of the countryside; and to take account of this character, whilst paragraph 28 specifically requires rural tourism and leisure developments to 'respect the character of the countryside'. Respecting local character and distinctiveness is not achieved by simply placing a rural activity in a rural setting, but rather to site it in a location that is appropriate in landscape terms. On this point, it is worth noting that lowland parkland settings are culturally popular for such horse related activities, not upland agricultural land.

From the above, it is clear that there are landscape grounds upon which to base a refusal of this proposal. However, whilst much of the above appraisal echoes my assessment of the earlier application, I must acknowledge that this is a far-reduced scheme from its predecessor, and the scaling-down of building form, and the overall development footprint; and the reduced scale of the operation generally, is welcomed. Consequently the weight of the landscape objection is not as substantive as before. I am also aware that certain show operations could (continue to) operate from this site under PD rights, which effectively allow equestrian activity for 28 days, with less regulation than can be achieved through a planning consent and clearly defined conditions. Hence, should you consider there is some merit to this proposal, to weigh against the landscape impacts, then I would suggest that there may be a way forward whereby the proposal is fine-tuned to better deal with visual issues (para 2) and potential for enhancement (para 3) to an extent where the landscape objection is that of principle alone, and as such, possibly not over-riding. I would advise the following amendments are put to the applicant:

(1) There is no amendment to the extensive earth terracing works proposed, originally undertaken by SWSJC, which in places is crudely modelled. I don't see any particular gain in insisting on the restoration of the land to its previous condition, as this will incur substantial lorry movement to remove imported soil, but some remodelling to soften the terrace profiles, and re-seeding it to grassland will lessen the adverse impact of the earlier unauthorised works.

(2) The removal of the show rings from field 2 will reduce the visual impact as viewed from the north, though parking and general activity will still draw the eye to the site. I believe that a new native species hedgerow, inclusive of specimen trees, planted along the south edge of field 2 alongside the existing track, to better enclose the main site, will go a long way to lessen the showground's visual profile, and provide some measure of enhancement as required by policy ST3.

(3) The compound is not ideally sited, and would be better located to the rear (west) of the proposed storage shed in field 5, which offers greater enclosure, and is not visible from what will be the public areas of the site. An adjustment to the siting of the storage shed would enable a more compact, less obtrusive, and flexible arrangement of space. One final comment on the compound, I am unclear what form of fencing the Heras 'Chaperon' is, an illustration will be appreciated.

(4) It is also not clear from the application, if the parking areas are to be hard standing; if all jumps are to be temporary structures; whilst the likely frequency and extent of use is not defined.

If we could engage with the applicant on these matters, I would hope that we could arrive at a modified scheme where the landscape impact is lessened. Should we not be successful on the above points, then please get back to me, for I will need to add to this response.

Landscape Officer: (revised comments following submission of amended plans):

The amended plans are noted. In my earlier response, I had advised that there might be some way forward if the proposal were to be fine-tuned to better deal with visual issues, and potential for enhancement, to an extent where the landscape objection is that of principle alone, and as such, possibly not over-riding. I had advised the following fine-tuning;

(1) some remodelling to soften the terrace profiles of the former temporary stables, and re-seeding it to grassland;

(2) a new native species hedgerow, inclusive of specimen trees, to be planted along the south edge of field 2 alongside the existing track, to better enclose the main site, and lessen the showground's visual profile, as well as providing some measure of enhancement as required by policy ST3, and;

(3) the compound area to be re-sited, along with a re-adjustment of the proposed storage shed, in field 5.

I can confirm that the revisions indicating changes to meet items (1) and (3) above, have now improved the proposal before us. I note that there is no hedging proposal, as suggested, but the potential to undertake some form of landscape containment by planting is not discounted. As viewed from the A30 to the north, the south edge of field 2 is the skyline, and it has been the intrusion of structures on and to the fore (north) of this skyline that has previously drawn the eye. If there is no proposal to place any temporary structure on or adjacent this skyline, then there may be scope for select tree planting only along this boundary to buffer views of site-use from the north - such as the parking area. This could be done in tandem with an agreement to keep the skyline free of temporary show forms and structures. If you could seek the agreement of the applicant on this final matter (if hedging is deemed not convenient) then I believe we will be in a position to move forward on landscape matters.

Ecologist:

Following my query on the previous application regarding whether any hedges would be removed and possible impacts to dormice, I note the Planning Statement clarifies that no hedges will be removed. I consider it unlikely that there will be any other significant impacts to wildlife or biodiversity and have no further comments nor recommendations to make.

Environment Agency:

No objection subject to informatives in relation to surface water drainage and storage and treatment of manure. The EA had no further comments to add following the submission of amended plans.

Engineer:

Contents of the Flood Risk Assessment are noted. In view of the relatively small amount of impermeable area associated with this proposal and the proposed use of soakaways in this respect, there are no flooding concerns.

Environmental Health Officer:

Should planning permission be granted, recommends conditions in respect of details to be submitted for:

- any public address systems, speakers or other audio equipment,
- any external lighting.

A note is requested advising that any external lighting should comply with the Institution of Lighting Engineers' guidance for the reduction of light pollution.

Economic Development:

The scheme will benefit local equine equipment suppliers and local shops and services. It is in a good location and will increase the number of visitors to the area. Would want to ensure that the visibility at the junction is suitable. The site has been used for the Chard Show without significant disruption to local residents, businesses or the local highway. There is a lack of good equestrian facilities in South Somerset. Economic Development support the application.

Natural England: (Summary of comments)

The application is not likely to result in significant impacts on statutory designated sites, landscape or species. The application should provide opportunities to incorporate features into the design which are beneficial to wildlife for example bat roost boxes.

Climate Change Officer:

Outlines the changes to Part L of the Building Regulations in respect of the use of high efficiency alternative systems. Would like to see the case made as to whether renewables are viable for this development. Given the likely small use of electricity, a couple of solar panels per building would be appropriate.

REPRESENTATIONS

8 letters and emails have been received raising the following concerns:

- Note the reduction in scale of this application but concerned about road safety and the junction with the A30.
- Are the Highway Authority confident that the turning off and onto the main road and that the junction and visibility is appropriate and safe?
- The vehicle numbers may be reduced but the horse boxes are large and slow moving.
- Concerned about what type of tannoy will be installed and volume. What controls can be put in place to control the noise?
- The new development is more appropriate to the environment. Do not have any objection provided road safety and tannoy issues can be addressed.
- The application does not quantify the level of use and any limitations that would apply
- High level of heavy traffic and would increase if the number/size of shows grow.
- Level of overall activity still substantial with potential for traffic dangers and congestion.
- Noise from tannoys can be clearly heard in Purtington and Chillington with harm to residential amenity.
- Proposal would attract users from well outside the area.
- Needs clear safeguards to control the intensity of use of this application - would then support the application.
- Would lose visitors to our caravan club site due to noise levels.
- Object to permanent structures and the harmful impact on the landscape.
- Poor location and inadequate public transport.
- Development would be harmful to Windwhistle Ridge. Recent developments have eroded this character.
- Concern that approval of this development would lead to further and more substantial development.
- A number of structures have been erected without planning permission - if approved adequate screening is required.

1 letter has been received following submission of the amended plans which restates earlier concerns.

12 Letters/emails have been received making the following comments:

- Would be an excellent facility for local children, pony clubs, equestrians
- Lack of these facilities in the area.
- Writer would encourage use of such a facility.
- Would help sustain local facilities such as the pub, local shops and Bed + Breakfast providers.
- Support this revised application and much reduced application - previous application too much for the area.
- The tannoy system volume is greatly reduced and judges boxes now on movable trailers.
- Support although with one reservation in regard to ensuring that the water supply for Purtington is not affected.
- Will help to promote show jumping in the south west and help an established/popular show jumping club.
- The site is well located.
- Chairman of the South Western Dressage Group Riding Club outlines the lack of local riding facilities for both adults and children. Must encourage this sporting activity.
- We regularly drive the lane and have not been inconvenienced by show traffic.
- The vision a driver would have at the junction when driving a horsebox is greater than in a car due to the higher position of the driver.
- An equestrian use on this site will reduce longer trips to other competition venues.
- Disagree with PC- the scheme would generate income for local services and businesses.

CONSIDERATIONS

Principle of equestrian use

It is considered that the use of this land for equestrian purposes is supported by both local and national policies which seek to promote and encourage rural businesses and leisure activities. The key issue is to ensure that the overall impact and scale of the development is appropriate for this site. It was considered that the previous retrospective application was far too ambitious and at a scale that was not appropriate for the site. Structures such as judging boxes were erected along with engineering works, all undertaken without planning permission. A significant number of stables were also erected without consent, and given the use of inappropriate materials along with poor siting, were highly visible in the landscape. This revised application has significantly reduced the scale of the proposal, removed previously installed structures and stables and sought to address other concerns in respect of noise and highway issues. The key issues will be discussed below.

Highways

One of the key issues associated with this application and the earlier withdrawn proposal is the highways impact of the proposal. Given the type and number of vehicles that would be attracted to the proposed development i.e. horseboxes and trailers, concern has been raised that the proposed use of the site may result in traffic backing up along the access road and onto the A30. Moreover, the Highway Authority have advised that there is insufficient visibility at the junction with the A30 looking to the east, and that the access lane itself is not of sufficient width to allow 2 way vehicles to pass. Furthermore, informal passing bays exist along the access road but are not constructed to the appropriate highway standard.

Following discussion with The Highway Authority, it was agreed that due to the significantly reduced number of stables, this application did not require a formal Transport Assessment. However, additional information about traffic generation will be required along with the need to address the visibility splay at the junction and the lack of highway approved passing bays.

The agent responded that the site can be used for equestrian use for up to 28 days without planning permission. Indeed, the site has historically been used for shows benefiting from permitted development rights. On this basis, the applicant would accept a restriction of the showground use to 28 days per year. This would then limit traffic use to a similar level that could be generated under permitted development rights. It is considered unreasonable to object to the application on highway grounds in respect of this aspect of the proposal.

In terms of the other proposed uses, i.e. practice and private tuition, these activities would be at a much reduced level in terms of numbers of participants and vehicle movements than compared with shows/competitions. These uses would not normally attract the public other than possibly parents/guardians watching their children. Local pony and riding clubs would use the site for practice and tuition. In total the agent has outlined that those uses would result in the site being used a maximum of 13 days per month for private equestrian use with an average of 15 horses/riders per day. This use would largely be concentrated during Spring and Summer. This level of use is considered to be acceptable and would not have a detrimental impact on the safety or capacity of the local highway network. Moreover, it is not considered necessary to impose a condition restricting the private use.

In terms of addressing the width of the access road and lack of approved passing bays, the agent has stated that this issue was dealt with in the Transport Assessment undertaken for the previous application. This makes it clear that there are 5 passing bays at regular intervals between the site access and the junction the A30. All of these provide sufficient width (4.8 metres) to allow a large vehicle to pass a car whilst 1 passing bay in the centre of the access road will allow 2 large vehicles to pass. This is in accordance with guidance in Manual for Streets. It is considered that whilst The Highway Authority have raised this as a concern, there are passing bays enabling vehicles to safely pass each other. Moreover, no evidence has been presented to show that the physical nature of the access road has caused any major problems when The Chard Show or other equestrian events have taken place. Importantly, as per policy in the NPPF, development should only be prevented or refused on transport grounds where the impact would be severe. It is not considered that this particular highway issue would be severe and thus a reason for refusal on those grounds is not deemed reasonable.

With regard to the visibility splay at the junction of the access road with the A30, The Highway Authority raised an objection in respect of the inadequate visibility to the east. The required level of visibility i.e. 215 metres can now be provided and on that basis the Highway Authority do not raise an objection. The visibility emerging from the site onto the access road meets the required visibility and thus is acceptable.

Landscape impact

The Landscape Officer has outlined the key landscape issues. Concern has been raised that the proposed development would be introducing buildings and structures in an area characterised by its openness and lack of intrusive development. The site also has a high visual profile with a number of locations from which the site and thus development could be viewed. Moreover, the work undertaken on site, in particular the re-grading of land to form terraces does not maintain or enhance the character and appearance of this

particularly attractive area of countryside. On this basis, a landscape objection could be sustained.

However, much of the landscape concern originates from the unauthorised engineering works and installation of building and structures that were previously undertaken and installed on site when the SWSJC first rented the site having moved from their long established site in Devon. As outlined above, an earlier application was submitted to regularise those works and uses. However, the scale of that proposed along with the huge number of stables and other structures on site was not acceptable particularly in landscape terms.

As the Landscape Officer has outlined, this new application, as subsequently amended, has significantly scaled down the number of stables, removed the judging boxes and other structures that were visually prominent. Moreover, the reduced scale of the overall proposal is welcomed from a landscape perspective. Given the fact that equestrian activities can take place on the site under permitted development rights, the landscape officer acknowledged that if the principle of the proposal is acceptable, then there is an opportunity to deal with the issues raised in order to reduce the visual impact of the development. Accordingly, following discussion with the applicant, an amended scheme was submitted that proposed the remodelling and re-seeding of the earth terracing, thus softening the terrace profiles; the show rings were removed from field 2 which would reduce the visual impact as viewed from the north; a new hedgerow would be planted along the southern edge of field 2 which would better enclose the main site and lessen the showground's visual profile; and the relocation of the site compound to field 5.

On the basis of both the amended scheme as outlined above, and of the significantly reduced scale of development compared with the original application, it is considered that the proposed development can be satisfactorily mitigated in landscape terms.

Noise issues

An issue that has been raised by local residents is the volume of noise generated by tannoys and other public address systems used during shows. It was clear from the number of letters/emails received in regard to the previous application that the levels of noise being generated was significant and audible within local settlements. It was also apparent from visiting the site at the time that there were a number of loud speakers positioned throughout the site, some on the structures within the site and others positioned within trees. Aside from competition announcements music was also being played. The cumulative impact was that the noise was having a detrimental impact upon local amenity. This position was not acceptable and would need to be satisfactorily addressed if any planning approval were to be given.

Following the withdrawal of the earlier application, discussion with the applicant included the need to deal with the noise issues. The existing tannoys were removed and the applicant acknowledged that there was a lack of control of the tannoys systems by the original tenants and that this would be carefully controlled in the future. It is clear from the much reduced level of objection to the scheme on this issue and indeed comment from local residents that the noise levels are much improved over the last year, that this issue has been seriously addressed. Moreover, conditions will be attached to any approval to seek submission of the details of any public address or loudspeaker/tannoys systems to be used at the site. It is considered that with this control and the actions that the applicant has taken to address the noise issue, the level of noise and use of tannoys and/or any other public address systems can be suitably controlled and restricted to an acceptable level.

SECTION 106 PLANNING OBLIGATION

Not required as part of this application.

RECOMMENDATION

Grant permission.

SUBJECT TO THE FOLLOWING:

01. Notwithstanding the time limits to implement planning permission as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended), this permission (being granted under section 73a of the Act in respect of development already carried out) shall have effect from 6th February 2013.

Reason: To comply with section 73a of the Act.

02. The development hereby approved shall be carried out in accordance with the following approved plans:
Drawing no:5813/1a - Site Layout,
Drawing no: 5813/2a - Layout and section.
Drawing no:5813/3 - storage shed floor plan and elevations.
Drawing no:5813/4 - stables floor plan and elevations.
Drawing No: HBHT11108/DO3 - Visibility splay

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

03. No system of public address, loudspeaker, amplifier, relay or other audio equipment shall be operated in any building or otherwise on any part of the subject land, unless agreed in writing prior to development with the local planning authority.

Reason: To protect the amenities of the area in accordance with saved policies ST5, ST6 and EP9 of the South Somerset Local Plan and to accord with the NPPF.

04. No development shall take place until details of external lighting have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details and thereby retained as such unless a variation is subsequently submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenities of the area to accord with policies ST5, ST6 and EP9 of the South Somerset Local Plan and to accord with the NPPF.

05. The showground use hereby permitted shall only take place for a maximum of 28 days per calendar year.

Reason: To ensure that the use of the site for equestrian purposes is maintained at an acceptable level and does not cause harm to the amenities of the area to accord with saved Policies ST5 and ST6 of the South Somerset Local Plan and to accord with the NPPF.

06. All of the structures and buildings erected and/or installed on site in connection with an equestrian show shall be fully removed within 24 hours of a show finishing and shall only be stored within the compound area/storage shed.

Reason: To protect the visual amenity of the area to accord with saved Policies ST5 and ST6 of the South Somerset Local Plan.

07. The development hereby permitted shall not be commenced until particulars of the materials (including the provision of samples where appropriate) to be used for the stable and storage buildings and any security fencing to be erected have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the visual amenity of the area to accord with the saved Policies ST5 and ST6 of the South Somerset Local Plan and to accord with the NPPF.

08. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels; all planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To protect the visual amenity of the area to accord with saved Policies ST5 and ST6 of the South Somerset Local Plan.

09. The regarding of the terraced area as shown on the amended layout plan shall be undertaken within 6 months of the date of this decision in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To return this part of the site to its more natural appearance and to enhance the character and appearance of the area to accord with saved policies ST5 and ST6 of the South Somerset Local Plan and to accord with the NPPF.

Informatives:

01. The applicant is advised that the details of external lighting required by condition 4 above should comply with the recommendations of the Institution of Lighting Engineers (ILE) 'Guidance Notes for the Reduction of Light Pollution (1995)' for Zone E1 or similar guidance recognised by the council. A certificate of compliance signed by a competent person (such as a member of the Institution of Lighting Engineers) should be submitted with the details. Please contact the council's Pollution Team for further details.
02. The applicant is advised to adhere to the following guidance received from the Environment Agency.

Surface Water Drainage

The applicant has submitted a Flood Risk Assessment to support the application. The

conclusion is that no mitigation will be required for the limited increased impermeable area within the application area. You should consult with your drainage engineers to establish if there are any local flood risk issues which should be considered. You may wish, to apply a suitably worded planning condition to any permission that relates to the submission of a detailed SUDS scheme in due course.

The applicant proposes to direct all surface water to soakaways. This is the preferred option, providing ground conditions permit and percolation tests demonstrate that they are appropriate.

The surface water soakaways may require the approval of the Local Authority's Building Control Department and should be constructed in accordance with the BRE Digest No 365 dated September 1991 or CIRIA Report 156 "Infiltration Drainage, Manual of Good Practice".

The site must be drained on a separate system with all clean roof and surface water being kept separate from foul drainage. There must be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds or lakes, or via soakaways/ditches.

Manure

Any manure including that mixed with straw once removed from the building can be stored in field heaps, provided they are further than 10m from any watercourse. There is no requirement to construct a purpose made store. The subsequent disposal of collected wastes must be undertaken in accordance with the "Protecting our Water, Soil and Air: A Code of Good Agricultural Practice for farmers, growers and land managers"

Manure must not be spread within 10m of any watercourse, and application rates must not exceed permitted levels if the farm lies within a Nitrate Vulnerable Zone. Manure heaps should not be stored closer than 50 metres from a licensed abstraction or private water supply source.
