

**Development Control (Hetton, Houghton & Washington)
Sub-Committee**

30 January 2013

SUPPLEMENTARY REPORT ON APPLICATIONS

REPORT BY DEPUTY CHIEF EXECUTIVE

PURPOSE OF REPORT

This report is circulated a few days before the meeting and includes additional information on the following applications. This information may allow a revised recommendation to be made.

LIST OF SUPPLEMENTARY ITEMS

Applications for the following sites are included in this report.

Houghton, Hetton
& Washington

S1

Land North Of Over The Hill House

Reference No.:	13/02811/FUL
Proposal:	Change of use of the field from agriculture to the keeping of horses and the erection of new 5 box stable block.
Location:	Land North Of Over The Hill House
Ward:	Copt Hill
Applicant:	Mrs Dawn Smith
Date Valid:	20 November 2013
Target Date:	19 February 2013

Further to the main agenda the applicant and agent have raised the following matters that require further consideration:

1. "In the past stable blocks have been approved here.
2. The original approved application (for the conversion of the outbuildings into dwellings at Over the Hill Farm Steadings) split the dwellings with paddocks and this is what our clients purchased the dwelling base on. Each paddock is between 3 - 6 acres which we are informed is far too small for agricultural use.
3. I tried to keep 6 bullocks on my land which subsequently had to be moved within 7 weeks as there was not enough grass to keep them fed.
4. We are all trying our best to maintain our land and try to make this estate on the main run into Sunderland look presentable, small stable to clear up everything that lying on the land will do this as its clear to see that the land is being used for horses only some of which have grazed on the land for 5 years now. The main house has had horses on their land for over 20 years and assume that their land which is attached to mine is classified agricultural also.
5. Its quite confusing to all of the residents how the huge barn that's been places in front of all our houses is maintaining the green belt land. Could you please confirm what the barn is to be used for as it's unclear to residents at the moment"?

In response to the above:

1. It is acknowledged that stables were approved by the City Council on land currently forming the curtilage of Over the Hill House. This land is not within the open area that is subject to the current planning application or fields surrounding it to the north. Further, both applications (78/1903 and 93/01978/AN) were determined prior to the adoption of the UDP in 1998 and the current NPPF, when circumstances may have been different. As such, each application must be considered on its own merits and in light of the

Development Plan and any other material circumstances pertaining at the time.

2. The planning unit identified at the time planning permission was originally granted for the conversion of the farm buildings into dwellings (ref: 09/01790/FUL) did not include the agricultural land to the north. The red line was drawn around the buildings with some additional land for gardens). The fact that the dwellings were subsequently sold as 'paddocks' along with each dwelling is not a material planning consideration in this case and is a matter between the applicant and the vendor at that time.
3. In relation to the last point the fact that the land has been parcelled off into plots that appear to make their individual use unusable in agricultural terms is not an overriding factor to warrant a grant of permission in this case.
4. The land to which the application relates as well as surrounding fields is classified as agricultural. The grazing of horses as a recreational or hobby use therefore constitutes a material change of use for which planning permission is required. However, the grazing of horses per se does not necessarily conflict with the openness of the landscape unless it is accompanied by other paraphernalia associated with horse keeping, such as stables, hard surfacing, jumps, muck heaps, horse boxes, storage containers, etc.
5. The barn to which the applicant refers that is located just to the north of the dwellings on agricultural land was granted planning permission by the City Council last year (ref: 13/00815/FUL). The barn was approved for agricultural purposes only and this is clearly an appropriate use of the land. Whilst relatively large, the applicant was able to demonstrate its size was necessary for his agricultural use and its position was carefully considered in order to ensure that it was positioned as close as possible to the dwellings so as to minimise its impact on the green belt.

In light of the above there appear to be no very special circumstances that would outweigh the harm, by inappropriateness and any other harm, to the green belt (para 88 of NPPF). As such, it is recommended that Members be minded to refuse the application subject to the conditions listed below.

RECOMMENDATION: REFUSE

1. The material change of use of the land from agriculture to paddock for the keeping of horses and donkeys for personal recreational purposes with stable and hard surfacing, is an inappropriate development in the green belt, and in the absence of very special circumstances, is contrary to paragraph 90 of the NPPF, policies CN1, CN2 and CN5 of the UDP and CS7.5 and DM7.15 of the emerging Core Strategy, which seek to keep land permanently open in the green belt.
2. The site is believed to have an agricultural grading of 3a, which

is classed as the best and most versatile agricultural land. The introduction of a stable building and hard surfacing would undermine and result in the loss of such agricultural land contrary to policy CN8 of the UDP, paragraph 112 of the NPPF and policy DM7.17 of the draft Core Strategy, which seek to use areas of poorer grade land in preference to that of higher quality.

3. The proposed stable building, retaining wall and hardstanding would be situated within a large area of open, agricultural land on elevated land, which is visible over a wide area, including the A690, one of the major routes into the city of Sunderland. The development would erode the openness of the area and would be highly visible in the landscape, thereby reducing the rural character and creating a less green and more built up appearance. This would be contrary to paragraph 89 of the NPPF, policies CN1, CN2, CN3, and CN5 of the UDP and CS7.5 and DM7.15 of the draft Core Strategy, which seek to preserve the openness of the countryside.
4. The proposed use of the land as a paddock with stabling, hard surfacing and retaining wall in addition to the likely paraphernalia associated with such a use (jumps, feed, storage, muck heaps, etc.) would result in a development that would be highly visible in the landscape, in an area of open countryside, which is designated as green belt. This would be extremely harmful to the visual amenities of the area contrary to policies CN1, CN3, CN5 and B2 of the UDP.