

ALDERTON PARISH COUNCIL

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OBJECTION RESPONSE TO

Planning Application 20/00943/FUL

Land to rear of Orchard Road, Alderton

Change of use of land from agricultural to private equestrian and erection of stables and associated hardstanding

Alderton Parish Council opposes this development for a number of reasons.

1. This plot of land is the same plot of land that was the subject of a proposal to build 5 houses [18/00318/OUT] which was refused permission last October, copy of Decision Notice dated 15 October 2019 attached as APPENDIX A. This is a proposal for an equestrian unit but the Parish Council is suspicious that this is a step on the way to a further proposal for house building. Coombes Everitt architects, the architects employed, promote on their website *"planning within an Area of Outstanding Natural Beauty."* They say *"From tennis courts to outbuildings, previously used spaces can open the door to AONB development..."* and *"Securing planning permission for a modern style residential property in an area of outstanding natural beauty (AONB) may not be an easy task, but if the land is already available then it may not be as challenging as you think."*

There is nothing in the application which indicates why there is a need for an equestrian unit and who will use it. What is the genuine equestrian use behind the proposal?

2. The NPPF says that an application should provide a benefit. The Parish Council cannot see where the benefit lies in this application.
3. On the basis of the proposal itself there are a number of specific objections.

Drainage

4. The application question of "will the proposal increase the flood risk elsewhere?" has been incorrectly answered as no. The development is not in an area at risk of flooding, but it does have the potential to increase flood risk elsewhere.
5. **Infiltration of Surface Water** - The application form says surface water will be disposed of by soakaway but infiltration testing has not been carried out. The Drainage Strategy presented discounts the use of soakaways using desk top information but has not justified this stance by site investigation and formal testing. Infiltration tests need to be carried out to confirm whether soakaways are viable.
6. **Proposed Surface Water Runoff Rate** - The proposals involve a ten-fold increase in runoff rates from the site. The present rate is 0.1 l/s and the proposed rate is 1.0 l/s. This will lead to an increase in flood risk elsewhere.
7. **Known Flooding Issues in Alderton** - The application says the site is not in an area at risk of flooding. Whilst this is correct for the site itself, the village of Alderton has flooded on many occasions and the May 2010 "Gretton and Alderton Watercourse System Survey and Hydraulic Study" identified and quantified flooding problems throughout Alderton.
8. The Parish Council commissioned a survey in 2020 to review potential impacts of further development on flooding problems in the village. The survey reviewed, in short form, the May 2010 "Gretton and Alderton Watercourse System Survey and Hydraulic Study" [see Appendix B] and this highlights flooding issues associated with water run-off from this site. The Parish Council would draw particular attention to paragraphs 48 to 52 and to the Summary and Recommendations [paragraphs 67 to 75].
9. The proposals are to connect surface water into a ditch/watercourse. This watercourse continues through the garden of No 2 Orchard Road which has experienced flooding in the past and as recently as 23rd December 2020 (see following photographs). Downstream of No 2 Orchard Road the watercourse enters a 300 mm diameter culvert in the highway. The 300 mm diameter pipe restricts flow and can lead to flooding. Further downstream the CCTV survey of the culvert identified obstructions adjacent to the Village Hall and a partial collapse where the culvert runs through No 16 School Road. These defects lead to reduced capacity and contribute to flooding. Increasing the flow rate from 0.1 l/s to 1.0 l/s from this proposed development will therefore increase flood risk elsewhere in Alderton. The Parish Council considers the proposals will increase flood risk elsewhere in Alderton for the reasons given above and therefore request that the Council reject the proposals.



Photo taken in garden of 2 Orchard Road at 3.30pm on 23.12.2020



Photo taken in garden of 2 Orchard Road (same location) at 6pm on 23.12.2020



2 Orchard Road, water at 6pm overflowing from culvert over the ground alongside the house. 23.12.2020



2 Orchard Road, water flowing out of driveway into Dibden Lane/School Road at 6pm. 23.12.2020.

Entry Route

10. There is nothing in the proposal about ease of vehicle entry to the site. Entry will be down a narrow corridor measuring in places only 3.6 metres wide. It is probably sufficient for the odd horse or pedestrian but difficult to see how this could be used safely by a typical horse transporter. There is no provision for the safe parking of a transporter near the site entrance. Access will also be required for other vehicles such as those belonging to the owner, farrier, vet and hay and straw deliveries. Should the application be supported by a swept path analysis?
11. The plan submitted by the applicant indicates that they own the area of land in front of the garage of 16 Orchard Road. This is incorrect as the land is under Gloucestershire Highways ownership. See APPENDIX C. As the area is used for residents' car parking and access to the garage of 16 Orchard Road it will therefore not improve access into the site. See photos in APPENDIX C.
12. The Parish Council are concerned about clearance work on the entrance being done in advance, particularly when there are issues over land ownership. A member of the Parish Council had to intervene to ensure a tree belonging to a neighbouring property was not cut down.
13. Orchard Road itself is a narrow road which cannot easily cope with extra traffic and where parked vehicles already cause a problem. There is a blind spot at its junction with Dibden Lane. Attached is a photograph of a lorry attempting to drive up the road and it had to reverse back. Also, one at the junction with Dibden Lane and problems with the refuse collection. See APPENDIX D.
14. As there is limited grazing there will need to be additional traffic associated with transporting significant volumes of feed. Consideration needs to be given to how 20 tonne delivery lorries will gain access via Orchard Road and through the narrow entrance way to the site during the construction phase. The application does not provide this information. The Parish Council believes insufficient information is provided to determine how safe and suitable access is achieved. This is contrary to Section 9 of the NPPF and Policy INF1 of the Joint Core Strategy.

Equestrian units

15. As mentioned above there is nothing in the application about the need for the development and its likely usage. Is this for private or commercial/livery use?
16. The Parish Council question why the stable building roof is finished with slates? Usually corrugated sheeting is normal for this type of development.
17. The application appears to be for stabling one horse (one stable) with an equivalent sized tack room plus a feed and equipment store. Tack for one horse does not require an area the same size as a stable.
18. DEFRA have published a 'Code of Practice for the Welfare of Horses, Ponies, Donkeys, and their Hybrids' in conjunction with the British Horse Council (Presented to Parliament pursuant to section 15 of the Animal Welfare Act 2006). This states '*each horse requires approximately 0.5 – 1.0 hectares (or 1.25 to 2.5 acres) of grazing of a suitable quality*'. Other welfare organisations support this figure:
 - UK's Blue Cross:- minimum 0.4Ha (1 acre)
 - Horse-Advice (UK) :- "at least one and a half acres of grazing for the first horse"
 - Malvern Hills AONB :- 2.5 acres
 - Cotswold AONB:- 1 hectare minimum (2.47 acres)
19. The site is 3998m² (equal to 0.988 acres) so therefore less than required. The Parish Council calculate that the footprint of the stables and yard area to be 432m² (0.1067 acres) which would leave a grazable area of only 3566m² (0.8811 acres). This does not meet welfare regulations and would have detrimental implications for the AONB landscape..
20. There is also nothing about any additional fencing to safeguard neighbours' gardens. The Cotswolds AONB Conservation Board has produced guidance for horse owners which states '*Trees, including orchard trees, must be guarded to prevent their bark from being browsed by horses*'. The Parish Council calculate that if a post and rail fence is provided around the perimeter of the site to protect the neighbours gardens, then this will decrease the pasture area by a further 220m² leaving a total pasture area of only 3346m², equivalent to 0.826 acres.

21. The DEFRA Code of Practice also states *'Horses are herd animals and in the wild would live in relatively stable social groups. They should be able to socialise with members of their own species. Isolating a horse from other horses can have a negative psychological impact'*, in which case 150% more land would be needed. Given the lack of space for onsite exercise there will be a greater need for a horse(s) to leave the site though what is a restricted entrance, particularly if by motorised transport.
22. The application fails to detail water provision at the site which would be essential for horse welfare.
23. Alderton already has two new equestrian developments on Dibden Lane and horses are kept in a number of fields both to the north and the west of the village. Whilst horses are a welcome part of village life and activity, there is a danger that the village will become rather over endowed to the detriment of good pasture and arable land.
24. The Parish Council question whether National Grid have been consulted on this proposal, due to the close proximity of the electricity pylon to the development? Safety clearances must be maintained from buildings constructed under or adjacent to overhead power lines to avoid contact by people or objects with high voltage equipment. Access is also required for the maintenance of the lines.

AONB

25. The land is AONB and the proposed new structure would represent an erosion of the need to preserve the land as a special landscape area. In the Parish Council's objection to the building of 5 houses on this land [18/00318/OUT] we referred to the fact that this site attracted the highest levels of visual and landscape activity – see extract below (page 5):

"The planning application [section 4] suggests that the site in question has been regarded as part of the village and does not attract the same level of landscape sensitivity as surrounding land in the AONB. It is indeed the case that this site was not covered by landscape measurements in the Borough Council's Landscape and Visual Sensitivity Study. This however was a mistake because the author Toby Jones thought the land was within the settlement boundary. That is not the case and the attached e-mail correspondence between M West [Parish Councillor] and Paul Skelton [TBC] of 25 February 2016, establishes that the site is in AONB [this is now accepted by the Applicant] and our understanding is that Toby Jones having been consulted on this has stated that had it been realised it was outside the settlement boundary it should attract the highest levels of visual and landscape sensitivity."

26. Whilst the Parish Council accepts that this is a stable block and not 5 houses nevertheless it is a proposed new permanent structure in a prominent position and will appear as an unnecessary blot on the landscape. Whilst horses are kept in several fields in the AONB north of the village, none have associated permanent buildings and the Parish Council would not wish to see this precedent established.
27. As already stated, the horse is a herd animal and should ideally be kept in social groups for their well-being. This should avoid behavioural problems such as continuously walking up and down fence lines (out of boredom or frustration) and wearing ruts in the ground. In wet conditions, horses may damage the sward by trampling or 'poaching' the ground. All of these problems are likely to be exacerbated where paddocks are too small and the horses have been allowed to stand and walk on the ground for prolonged periods in wet conditions. Damage to pasture may result in the permanent loss of beneficial plants, as well as the proliferation of undesirable invasive species, such as ragwort, dock and thistle, which thrive on bare ground. As the site is not of the minimum area required to sustain one horse the intensity of use will result in excessive erosion, overgrazing and loss of species diversity. This will result in an unsightly and detrimental impact on the landscape within the AONB.
28. Cotswolds AONB have produced a series of Landscape Strategies and Guidelines to facilitate informed decisions about the suitability of proposed development within the Cotswold landscape. The site falls within the Board's strategy LCT1D – Escarpment Outliers – Dumbleton and Alderton Hills (1.6 - Establishment or expansion of equestrian establishments). The Parish Council considers that the proposed development would create many of the landscape implications identified in this document and therefore fails a number of the tests:
29. Proliferation of stables and other visual clutter such as ribbon fences, jumps, horse boxes, shelters, manège and lighting associated with 'horsiculture' – the proposal is sited on land of an elevating nature and therefore will be prominent in the landscape as it does not follow the form of the landscape. The proposed building does not relate to existing buildings and is not screened by any landscape features.

30. Creation of paddocks by sub-dividing fields using non-characteristic field boundary treatments such as post and rail fence or ribbon fences – additional fencing will need to be installed to protect the neighbouring gardens and prevent horses from browsing the bark from trees.
31. Deterioration in pasture quality and over grazing – The site area is not sufficient to provide enough grazing area for one horse and the resulting 'poaching' will be detrimental to the AONB landscape. The site contains an area of ridge and furrow and Cotswold AONB guidelines state "*Historic features, including ridge and furrow pastures, stone troughs and stone stiles, should be protected from damage by equestrian uses.*"
32. Creation of surfaced tracks, new and enlarged field entrances and parking areas for cars and horse boxes etc – the application form indicates that the existing entrance way will be gravelled and this surface will continue into a car parking area adjacent to the already prominent stable building.
33. Excessive use of local roads and paths by horses, in part due to no direct or close connections to bridleways etc – there is only one bridleway in Alderton which is at the opposite end of the village to this site, on Beckford Road. See map in APPENDIX G.
34. Increase in vehicle movements – the proposal will result in increased vehicle movements in Orchard Road which is a narrow road that already experiences traffic problems. As the site is of insufficient size to support a horse there will be extra vehicle movements to import feed and bedding, along with those associated with daily horse management and welfare.
35. The Parish Council hopes that review will be made with the Cotswolds AONB officer as a consultee, such that AONB development and equestrian policies are specifically considered.
36. The Pre Submission Tewkesbury Borough Local Plan 2011–2031 Policy RCN4 Equine Facilities states "*Proposals for new equine facilities must be designed and sited where they would not have an adverse effect on the rural character and landscape setting of the area, particularly within the Area of Outstanding Natural Beauty, Special Landscape Area or Landscape Protection Zone. New stables and other ancillary buildings must be well related to an existing group of buildings or, where this is not possible, a hedgerow or other landscape feature which affords substantial screening. Facilities must also generally be well related to the existing bridleway network and must not create local traffic problems*". As demonstrated above, this proposal is contrary to Policy RCN4.
37. Question 15 on the application has been incorrectly completed. It asks "Are there trees or hedges on land adjacent to the property development site that could influence the development or might be important as part of the landscape character?" The answer should be yes. The Parish Council would draw attention to the letter from Natural England, dated 18th September 2018, [also submitted as part of the housing objection – See APPENDIX E] which confirms that in the next field, immediately north east of the site, is a Priority Habitat Traditional Orchard with ancient and veteran trees. The Traditional Orchard is mapped by Natural England on its Traditional Orchard Inventory (site number GLOS3103) and the Priority Habitat classification means that the area must be protected under Natural England and Government policies. Whilst outside the immediate site, the copse that contains the trees extends to the site boundary and the same brook connects the two. The brook is classified by Natural England as Priority Habitat – Headwater Areas and again this means that the area must be protected under Natural England and Government policies. Construction activities could well have a detrimental effect on the brook and nearby trees. This could cause the loss or deterioration of these irreplaceable habitats. Bringing building closer to the ancient orchard in itself poses risks.

Impact on Residents

38. The nature of the proposal means that there is likely to be higher levels of activity and noise at the site in the early morning and evening. Lighting will be required, especially in the autumn and winter months, which will impact on the dark, rural character of this area at those times. Manure from the stables will create odour and effluent, especially in the summer months. This poses an environmental risk and will have a detrimental effect on the amenities of the adjacent residential properties. The application does not provide any details on the management and location of manure heaps and how these will accord with waste management regulations.
39. Whilst the proposal is for equestrian stabling, the land on which it would be built is of an elevating nature and will overlook the private gardens of 8 existing homes creating an unwelcome intrusion. Comments from resident's objection letters express this concern:

"Local amenities would be further affected by the positioning of the stabling on top of the slope dominating houses and gardens further down the slope in Orchard Road".

"The site is elevated higher than my property and so my privacy would be severely compromised. I would have no privacy in my garden and in rooms to the rear and side of my property".

"The elevation of the building means that there is a view directly into the upper level of our property".

Archaeology

40. When the site was previously the subject of development [18/00318/OUT] the County Archaeologist stated "it is my view that there is high potential for archaeological remains to be present within the application site" and recommended that the applicant provided the results of a field evaluation. See APPENDIX F. The lack of an archaeological survey was one of the reasons for refusal of the housing development proposal [18/00318/OUT]. The Parish Council feels that this requirement is still valid and an archaeological survey should be provided by the applicant, prior to the determination of the application. The proposal is therefore contrary to paragraph 128 of the NPPF and SD8 of the JCS.

Ecology

41. As this is a development the Parish Council considers it should be accompanied by an Ecology Survey or it is not valid. The Ecology Survey undertaken for the housing development [18/00318/OUT] was completed in February 2018 and is therefore now out of date.
42. Policy LE1 of the Alderton Neighbourhood Development Plan states the following requirement for development proposals " *Provide a full ecological survey to accompany any planning application that seeks to change, remove or in any way affect Priority Habitats such as brooks, ponds, hedgerows, old woodland or orchards*". An Ecology Survey should take into account the Priority Habitat Traditional Orchard located immediately north east of the application site as identified by Natural England – APPENDIX E. It should also take into account the brook which connects the site boundary and the above orchard, which is classified by Natural England as Priority Habitat – Headwater Areas.
43. The Parish Council believes that the provision of an Ecology Survey is critical and should be provided by the applicant, prior to the determination of the application.

Conclusion

44. The Parish Council strongly opposes this development.