

SCOTTISH BORDERS COUNCIL

PLANNING AND BUILDING STANDARDS COMMITTEE

2 MARCH 2015

APPLICATION FOR PLANNING PERMISSION

ITEM:	REFERENCE NUMBER: 15/00005/FUL
OFFICER:	Mr C Miller
WARD:	Tweeddale East
PROPOSAL:	Formation of riding arena with boundary fence and formation of grass bund
SITE:	Land North East of Plummers Knowe, Cardrona
APPLICANT:	Mrs C Bhatia
AGENT:	None

SITE DESCRIPTION

The site is located at Plummersknowe to the south-west of Cardrona village near Peebles. The site lies within the centre of an open rising field which has its lowest point adjoining the B7062 and its highest point adjoining existing dwellinghouses to the west. The site comprises a 44 x 20m area of the field with an access road already formed onto the track serving the existing dwellinghouses. The site already contains an agricultural storage building set against the northern boundary of the site within an area of levelled hardstanding. A woodland stand exists outwith the site to the north.

PROPOSED DEVELOPMENT

The application is presented to the Committee for determination in terms of the rules within the Scheme of Delegation for planning applications submitted by Elected Members.

The initial proposal was for a 40 x 20m horse riding arena, set parallel with the agricultural building and access road to Old Cardrona. The arena would be surfaced with sand and a 4m wide grass bund was proposed to the west of the site. The arena would be surrounded with low post and rail fencing. The arena would be for private schooling and training of horses only and there is no floodlighting proposed.

The plans were revised during the processing of the application by turning the arena 90 degrees so that it runs on a N/S axis, parallel with the internal access track. The arena would be the same in all other respects except there would be no grass bund to the west, although the bund to the north remains.

PLANNING HISTORY

Outline planning permission was initially granted on the site in 2007 following approval of 02/00946/OUT for the "erection of farm house and agricultural shed". Full planning permission for the detailed design of the farmhouse and shed were granted in February 2008, subject to three conditions relating to access visibility improvements at the junction with the B7062, submission of a landscaping scheme and water/drainage details. The details required by the access and landscaping

conditions have now been agreed and this development was confirmed as commenced in October 2012, by virtue of the access road and yard formation.

Planning permission for a previous stable building on the site was granted in April 2012 (12/00182/FUL). As the hay store and field shelter were mobile, a condition was imposed to ensure any relocation within the field was agreed with the Planning Authority.

A revised design of house and agricultural storage shed was granted permission in February 2013 but only the shed has been completed.

CONSULTATION RESPONSES:

Scottish Borders Council Consultees

Environmental Health: Informatives should be imposed on any consent covering –

Lighting

If any floodlighting is to be provided the installation should be designed in accordance with the guidance produced by The Institution of Lighting Engineers. If necessary, suitable shuttering should be provided for each lamp to prevent unwanted light affecting the occupiers of properties off site.

Stable Waste

During the use of the development refuse/waste materials (i.e. manure/soiled hay) may be produced on the site as a consequence. Therefore, it must be ensured that all such waste materials are not stored on site or disposed of in any manner (for example, burning) which would give rise to Statutory Nuisance conditions developing at neighbouring properties to the site.

Riding establishment

The Riding Establishments Act 1964 defines a Riding Establishment as “the carrying on of a business of keeping horses to let them out on hire for riding, or for use in providing instruction in riding for payment, or both, “ and requires such businesses to be licensed by the Local Authority. If the applicant intends the stables to operate as a riding establishment in the future, the premises will need to be licensed.

Statutory Consultees

INEOS: No objections in terms of the safety and engineering integrity of the Wilton-Grangemouth Ethylene Pipeline but any works within the Pipeline Wayleave would need to be notified to them.

Other Consultees

None

REPRESENTATION SUMMARY

None.

DEVELOPMENT PLAN POLICIES:

Consolidated Scottish Borders Local Plan 2011

Policy G1 Quality Standards for New Development
Policy EP2 Areas of Great Landscape Value
Policy H2 Protection of Residential Amenity
Policy D1 Business, Tourism and Leisure Development in the Countryside
Policy Inf9 Development Within Exclusion Zones

OTHER PLANNING CONSIDERATIONS:

“Local Landscape Designations” SPG

KEY PLANNING ISSUES:

The main determining issues with this application are impact of the proposed riding arena on the character of the landscape and the residential amenity of adjoining properties. The impacts of the nearby ethylene pipeline must also be considered.

ASSESSMENT OF APPLICATION:

Planning policy

Since the last application for a revised design of dwellinghouse and agricultural building were considered at this site, the land has now been included within the “Tweed Valley” Special Landscape Area and is now subject to its Management Recommendations. Other Local Plan Policies still also apply relating to development within the countryside (D1), residential amenity (H2) and impact of hazardous installations (Inf9). These will all be discussed below.

Landscape Impact

The site forms part of a paddock which is relatively level from the B Road then begins to rise towards the west and other dwellinghouses at the nearby building group of Old Cardrona. This group includes two dwellinghouses with permission which are still to be commenced. The rise in the ground means that the site is visible from the B Road and from the Dirtpot Corner parking layby across the A72 to the east. A dwellinghouse consented by permission 12/01344/FUL is still to be erected within the paddock, although the agricultural building forming part of the same proposal has already been completed. Once constructed, the house – which will be sited immediately to the east of the current application site – would screen the arena from the B7062. In the fullness of time, therefore, the house and associated structures will read as a fully integrated group.

A full landscaping scheme was approved as part of the earlier permission 07/01859/FUL and the timing of this was included in the Legal Agreement and Minute of Variation that exist on the site. It needs to be completed before the dwellinghouse is occupied.

Although the site is now covered by a new local landscape designation (“Tweed Valley SLA”), the impact of the riding arena on the landscape will be minimal. The planting and the proposed house will reduce any visibility from the public roads to the east and across the river. The realignment of the riding arena means that the intrusion into rising land is minimised and, whilst a longer edge will be presented to

public view, there will be less cut and a more natural relationship with the ground levels. The riding arena will not affect any of the planting previously approved for the site.

The natural surfacing material combined with low post/rail fencing and lack of floodlighting all help blend the development more successfully into the landscape. Given that the SLA Management Recommendations include the need to seek opportunities to better integrate existing development into the landscape, it is considered that the proposal will achieve this, combined with the other elements of the associated development already approved.

The other Local Plan Policies relating to landscape impacts of development in the countryside are also met by the proposal, Policies D1 and EP2 requiring use and scale to be compatible with the rural character of the landscape. A horse riding arena would be consistent with the character with this rural location on the edge of a building group and with an emerging development to be associated with it.

Residential Amenity

The amenity of existing householders within the Old Cardrona building group to the west and above the site also needs to be considered, especially as there are also two dwellinghouses still to be constructed, both looking directly down onto the paddock. Although some intervening planting will be carried out, the main concerns would have been if there had been any floodlighting proposed and if the riding arena was to be run on a commercial business open to the general public. Neither of these is proposed although it would be logical to impose a condition in relation to the use of the arena, both to preserve residential amenity and acknowledge the comments of Environmental Health over commercial riding establishments. Their remaining comments which also cover lighting can be attached as an Applicant Informative. Overall, there will be minimal impact on residential amenity.

Ethylene Pipeline

The site for the undeveloped house lies partly within the Inner Zone of the Grangemouth – Wilton Ethylene Pipeline but both INEOS and the Health and Safety Executive (HSE) raised no objections to that application, with the HSE clarifying their more relaxed position with single dwellinghouses. The riding arena is further away from the pipeline than the approved dwellinghouse. INEOS have no concerns about the riding arena. Even though it has since changed orientation, it is no nearer the Pipeline than the alignment they were consulted on.

Applying the Health and Safety Executive standard guidance, there would be no objections to the use of the riding arena. It will not be open to the general public and being further away from the pipeline than the approved house, it is of lesser risk.

The proposal, therefore, complies with Local Plan Policy Inf9 on developments within exclusion zones.

CONCLUSION

The application complies with the relevant Development Plan Policies in that the impact of the proposed riding arena on the character of the landscape and the residential amenity of adjoining properties will not be significant and can be reduced by the emerging development, landscaping and the imposition of an appropriate condition. The impacts on the nearby ethylene pipeline are also acceptable.

RECOMMENDATION BY SERVICE DIRECTOR (REGULATORY SERVICES):

I recommend the application is approved subject to the following condition and Applicant Informative:

1. The riding arena to be used for private purposes only and not for commercial business purposes in relation to the use of the arena by the general public.
Reason: To safeguard the amenity of adjoining residential property.

Informative

1. The Council's Environmental Health Service advises the following:

Lighting

If any floodlighting is to be provided the installation should be designed in accordance with the guidance produced by The Institution of Lighting Engineers.

If necessary, suitable shuttering should be provided for each lamp to prevent unwanted light affecting the occupiers of properties off site.

Stable Waste

During the use of the development refuse/waste materials (i.e. manure/soiled hay) may be produced on the site as a consequence. Therefore, **it must be ensured that all such waste materials are not stored on site or disposed of in any manner** (for example, burning) **which would give rise to Statutory Nuisance conditions** developing at neighbouring properties to the site.

Riding establishment

The Riding Establishments Act 1964 defines a Riding Establishment as "the carrying on of a business of keeping horses to let them out on hire for riding, or for use in providing instruction in riding for payment, or both, " and requires such businesses to be licensed by the Local Authority.

If the applicant intends the stables to operate as a riding establishment in the future, the premises will need to be licensed. Current conditions of licence are discussed alongside health and safety issues applicable to the trade, within the CIEH publication *Health and safety guidance for inspections of horse riding establishments and livery yards*. A free copy may be downloaded from www.cieh.org/policy/inspections_horse_livery.html. Hardcopies may be purchased from CIEH Tel. 020 7827 5821.

Further information about the required standards is available from SBC's Regulatory Services, Environmental Health Team

Riding Establishment application forms are available from SBC's, Licensing Team.

DRAWING NUMBERS

Location Plan

Photograph

Approved by

Name	Designation	Signature
Brian Frater	Service Director (Regulatory Services)	

The original version of this report has been signed by the Service Director (Regulatory Services) and the signed copy has been retained by the Council.

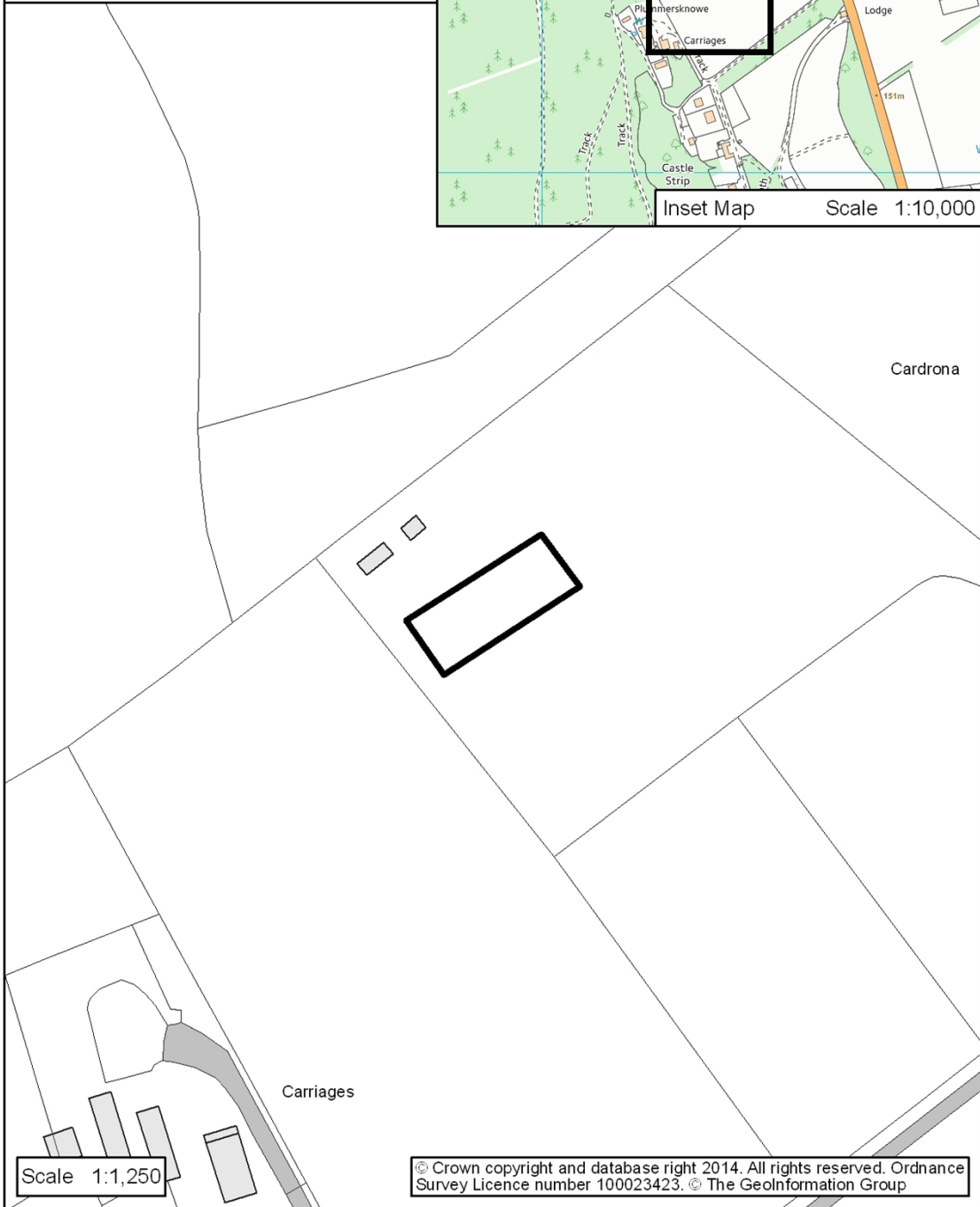
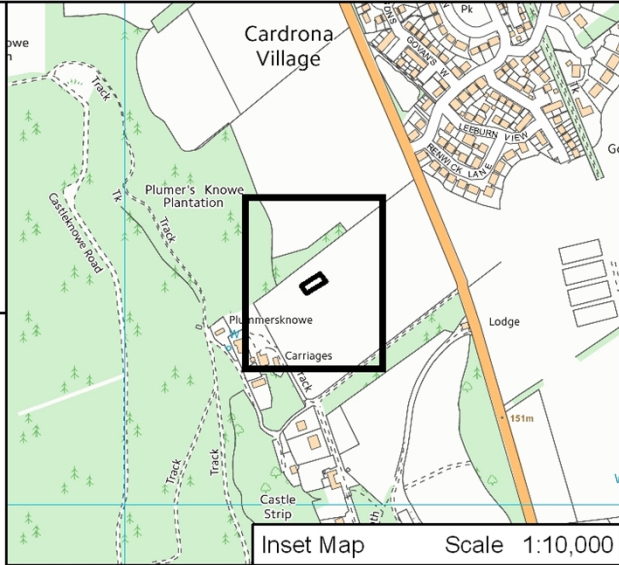
Author(s)

Name	Designation
Craig Miller	Principal Planning Officer



15/0005/FUL

Land North East Of
Plumers Knowe
Cardrona
Scottish Borders



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