

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

9th May 2007

AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0361/07/F – GREAT ABINGTON Mobile Home at 34 South Road for Mr J. Zielinski

Recommendation: Approval

Date for Determination: 26th April 2007

Notes:

This Application has been reported to the Planning Committee for determination because Great Abington Parish Council recommend refusal of the application.

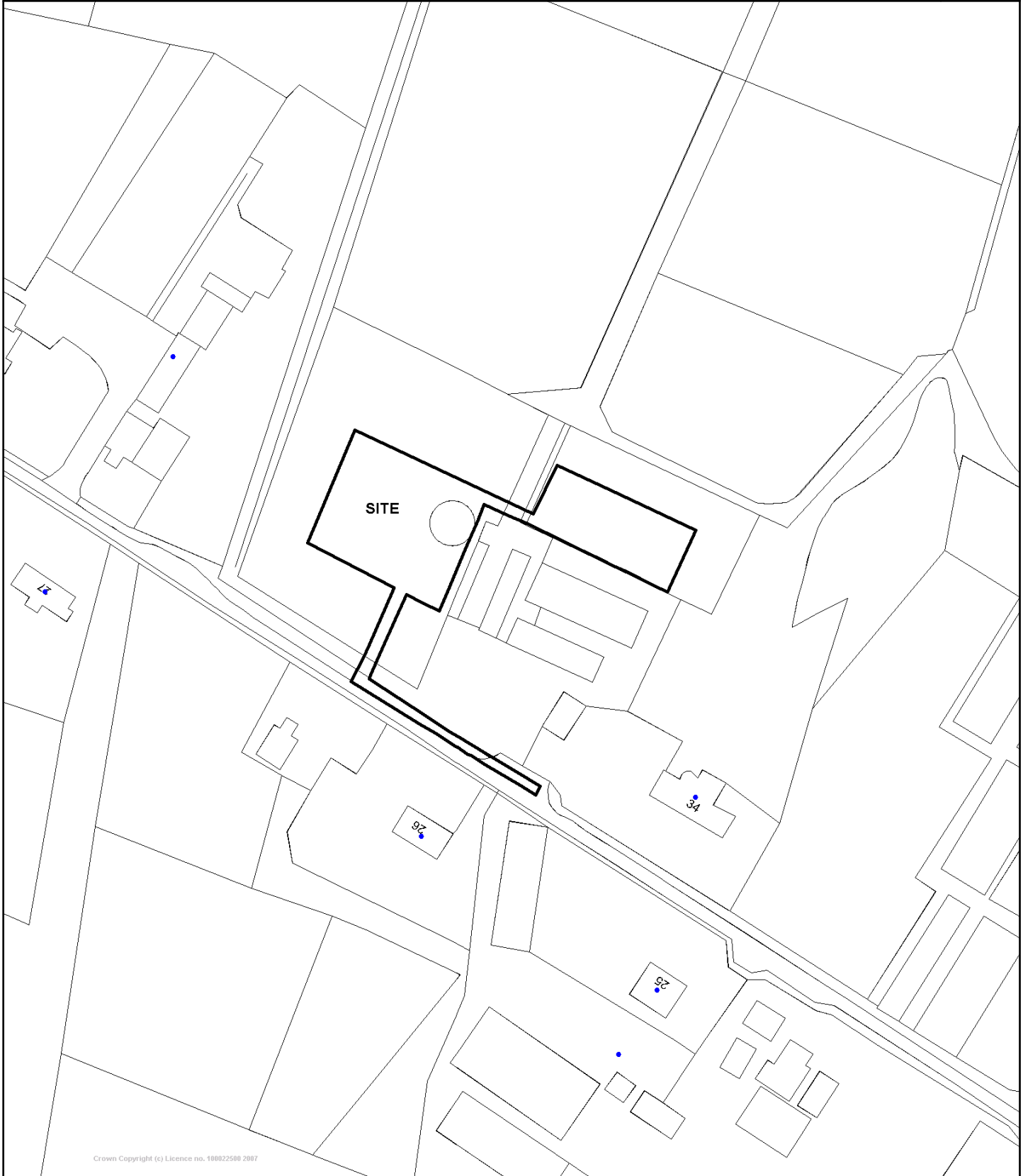
Site and Proposal

1. The 20 acre site is situated on the former Land Settlement Association Estate, outside the Great Abington village framework and in the countryside. It currently comprises a two-storey, detached residential dwelling with garage/workshop and a group of three single storey stable blocks that comprise a total of 17 stables, a small hay/straw barn and a horse walker. Open paddock land lies to the north and west.
2. The full planning application, dated 13th February 2007, proposes the provision of a mobile home for a temporary period. The mobile home would be sited to the north of the existing stable blocks and west of the dwelling. It has a floor area of approximately 72 square metres and measures 3.3 metres in height. The accommodation would provide accommodation for a specialist worker in connection with the existing and proposed equestrian business.

Planning History

3. An outline planning application for a stable block and open sided barn (reference **S/0362/07/O**) is currently being considered and is recommended for approval.
4. Outline planning permission was refused for a stable block, residential accommodation and open sided barn in July 2006 (reference **S/0734/06/O**) for the following reasons: -

“The proposed dwelling has not been demonstrated to be essential in this rural location, as it would not meet the functional and financial tests set out in Planning Policy Statement 7. The accommodation required in connection with the current functional need of the unit is satisfied by the existing dwelling on the site (No. 34 South Road), and due to the present state of the business, there is no justification for a second unit of accommodation. The proposal is therefore contrary to Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policy Abington 1 of the South Cambridgeshire Local Plan 2004 that restrict development in countryside, and specifically the former Land Settlement Association Estate, to that which is essential to the operation of local agriculture, horticulture or other uses appropriate to



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a rural area, and Policy HG20 of the South Cambridgeshire Local Plan 2004 that states planning permission will not be granted for dwellings in the countryside for the on-site security of horses, stabling and ancillary uses unless the applicant has proven an essential functional need and financial justification for the dwelling in that location.

The proposed dwelling, by virtue of its siting set back from the existing dwelling (No. 34 South Road), would be out of character with the surrounding pattern of residential development on the former Land Settlement Association Estate. In the absence of any justification for the dwelling, there is insufficient reason to set aside the harm to the character of the countryside. The proposal would therefore be contrary to Policy EN1 of the South Cambridgeshire Local Plan 2004 which states that permission will not be granted for development that would have an adverse affect upon the character and local distinctiveness of landscape character areas.”

5. Planning permission has previously been granted for a livestock semen collection building (reference **S/0549/97/F**), stable blocks (references **S/2337/88/F** and **S/1419/87/F**), and house extensions (references **S/1604/89/F** and **S/1106/87/F**).

Planning Policy

6. Policy **P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 restricts development in the countryside unless it can be demonstrated to be essential in a particular rural location.
7. Policy **P1/3** of the Cambridgeshire and Peterborough Structure Plan 2003 seeks to ensure that all new developments incorporate high standards of design that respond to the local character of the built environment.
8. Policy **Abington 1** of the South Cambridgeshire Local Plan 2004 states that planning permission will not be granted for housing or commercial development on the former Land Settlement Association Estate unless it is directly related to the effective operation of local agriculture, horticulture, forestry or other uses appropriate to a rural area.
9. Policy **HG20** of the South Cambridgeshire Local Plan 2004 states that planning permission will not be granted for dwellings in the countryside for the on-site security of horses, stabling and ancillary uses, unless the site lies outside the Green Belt and the applicant has proven an essential functional need.
10. Policy **HG18** of the South Cambridgeshire Local Plan 2004 states that if a new dwelling is essential to support a new enterprise, it should normally be provided by temporary accommodation such as a caravan. There must also be clear evidence of a firm intention and ability to develop the enterprise concerned; a functional need, clear evidence that the enterprise has been planned on a sound financial basis, and that the functional need could not be fulfilled by another dwelling on the unit or other existing accommodation in the area which is suitable and available for occupation.

Consultations

11. **Great Abington Parish Council** recommends refusal of the application on the grounds that the Local Development Framework does not permit new dwellings to be built on the old Land Settlement Association site.
12. The justification for the proposal has been assessed by the Council's consultant, **Acorus**. The report states currently the business on site involves DIY and specialist

liveries, together with some breeding. It is considered that there is a functional requirement for someone to be resident on site in conjunction with the need, but this is currently satisfied by the existing dwelling. The proposed expansion of the business to involve AI and embryo transplants has been planned and involves a specialist in that area. It would appear that there is a good prospect that this element of the business will develop. However, based upon the number of horses and activities proposed, the current dwelling provides the level of supervision albeit not for the specialist worker proposed. There is currently no justification for the erection of a separate permanent dwelling in planning terms but some expansion of the existing accommodation may be more appropriate.

13. The **Environment Agency** states that the application does not sufficiently consider foul water drainage and pollution control and recommends a condition to be attached to any consent together with informatives.
14. The **Cambridgeshire County Council Countryside Access Team** has no objections but states that South Road is public footpath No. 7- Great Abington and the footpath must not be used for vehicular access to the site unless the applicant has lawful authority to do so. Request informatives to be attached to any consent.
15. The **Corporate Manager (Health and Environmental Services)** considers that there are no significant noise or environmental pollution impacts.

Representations

16. None received.

Planning Comments – Key Issues

17. The applicant has been providing a range of equine services at the site since 1990 that has primarily consisted of grazing and stabling, but also backing and training of horses for jumping and dressage. More recently, as a result of the increased availability of basic stabling and livery services, a range of stud services has played a more prominent role. These activities include the breeding of high quality competition horses and the care of pregnant mares, which involves intensive continuous monitoring and specialist care and attention 24 hour a day. The applicant does not have the skills required for the specialist care and a veterinary equine fertility expert will need to be employed.
18. The proposal is for the provision of a mobile home to be used as accommodation for a specialist worker in connection with the existing stables and proposed equestrian business applied for under planning consent S/0362/07/F.
19. The applicant has demonstrated a functional and financial need for some additional accommodation on the site for the specialist worker. A permanent dwelling is not justified in planning terms at this stage of the development of the business. Expansion of the existing dwelling to provide accommodation for the proposed specialist worker would result in a permanent development that would be contrary Policy HG13 of the South Cambridgeshire Local Plan 2004 (Extensions to Dwellings in the Countryside).
20. There are no objections in principle to the provision of a temporary dwelling for the purposes of horseculture in this countryside location. A mobile home unit is considered an acceptable type of accommodation, as it can be easily removed from the site.

21. The siting, design and external appearance of the mobile home is considered to be satisfactory. The siting to the rear of the proposed stable block and to the side of the proposed open fronted barn, adjacent to the existing group of buildings would not result in a visually prominent development that would significantly harm the openness and rural character of the area. The mobile home is single storey, modest in scale, of a barn style design and has timber materials that are considered appropriate to this countryside location.
22. The mobile home would not harm the amenities of neighbours.

Recommendation

Temporary approval subject to conditions:

1. The mobile home, hereby permitted, shall not be brought on to the site and occupied until the use of the stable block building permitted under planning application reference S/0362/07/O (and any subsequent reserved matters permission) has commenced. The mobile home shall be removed and the land restored to its former condition on or before 3 years from its first occupation or cessation of the stable block building permitted under planning application reference S/0362/07/O (and any subsequent reserved matters permission), whichever is the sooner.
(Reason - Approval of the proposal on a permanent basis would be contrary to the proper planning of the area and the land should be reinstated to facilitate future beneficial use.)
2. The occupation of the mobile home, hereby permitted, shall be limited to a person solely or mainly working, at the premises known as "Valentine Stables" 34 South Road, Great Abington, or a widow or widower of such a person, and to any resident dependants.
(Reason - The dwelling, hereby permitted, is situated in a rural area outside any established settlement where the Local Planning Authority would not normally grant permission for such development and this permission is granted solely in order to fulfil a need to satisfy the requirement of Policy P1/2 of the *Approved Cambridgeshire and Peterborough Structure Plan 2003*.)
3. Prior to the commencement of any development, a scheme for the provision and implementation of pollution control of the water environment, which shall include foul and surface water drainage, shall be submitted to and agreed in writing by the Local Planning Authority. The works scheme shall be implemented in accordance with the approved scheme before the mobile home, hereby permitted, is occupied.
(Reason - To ensure a satisfactory method of foul and water drainage and to prevent the increased risk of pollution to the water environment.)

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
P1/2 (Environmental Restrictions on Development) and
P1/3 (Sustainable Design in Built Development)

- **South Cambridgeshire Local Plan 2004:**
Abington 1 (Land Settlement Association Estate),
HG20 (Dwellings Associated with Horsiculture), and
HG18 (Temporary Permission for Mobile Homes to Support New
Agricultural Units)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Principle of residential development in the countryside
 - Functional and financial need
 - Pollution control and foul water drainage

General

1. South Road is a public footpath. It must not be used for vehicular access to the site unless the applicant has lawful authority to do so (it is an offence under s34 of the Road Traffic Act to drive on a public footpath).
2. The development must not encroach on to the public footpath; any encroachment would constitute an obstruction that, which is an offence under s137 of the Highways Act 1980; if the developer requires advice on where the boundaries of the right of way they should contact the Definitive Map Officer from the Countryside Access Team at Cambridgeshire County Council for assistance.
3. The footpath must remain open and unobstructed at all times; building materials must not be stored on it and contractors' vehicles must not be parked on it.
4. No alteration to the surface of the footpath is permitted without the consent of the Countryside Access Team at Cambridgeshire County Council (it is an offence under s1 of the Criminal Damage Act 1971).
5. The County Council as Highway Authority is only responsible for maintenance of the surface up to footpath standard, for the purposes of legitimate use by members of the public in relation that status; damage to the surface caused by non-public footpath use is repairable by those private users.

Background Papers: the following background papers were used in the preparation of this report:

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- Planning File references S/0361/07/F, S/0362/07/O, S/0734/06/O, S/0549/97/F, S/2337/88/F and S/1419/87/F.

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