

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Planning Enforcement Sub-Committee	20 April 2010
AUTHOR/S:	Executive Director (Operational Services) / Corporate Manager (Planning and New Communities)	

Town and Country Planning Act 1990 Unauthorised Erection of Stables at Portlet, High Street, Croydon

Purpose

1. This item is to inform Members about the unauthorised erection of stables that have been located at Portlet, High Street, Croydon and to seek authority to take no further action.

Recommendations and Reasons

2. Planning officers recommend that **No further action be taken**. The development is considered to be rural in appearance and appropriate in terms of design, siting, scale and use. The development is screened well by existing mature trees and hedges to mitigate its visual impact on the countryside and consequently it is considered expedient to take no further action in this case.

Background

3. The 5-bay stable block measures 19.2 metres in length, 3.6 metres to 5.4 metres in width and 3 metres in height and is located approximately 13 metres to the southwest of the main dwelling adjacent to an approved riding arena (planning reference **S/0332/06/F**). The stables were erected in June 2006 on the assumption that they were permitted within the residential curtilage of Portlet under Class E, Part 1 of The Town and Country Planning (General Permitted Development) Order 1995. However, the building was erected within 20 metres of the highway and therefore was not classed as permitted development at the time of construction. The building is also noted to require formal consent today despite the amended Town and Country Planning Order of 2008.
4. The unauthorised building has come to the attention of the Council through a local resident who was initially concerned with noise from kennels in a mobile stable unit on the site and the new track and access to the riding area. Information received on the mobile building and the access track would appear to show that both of these installations do not constitute development; therefore, this Committee item refers only to the permanent stable block on site.
5. Following discussions with the developer to resolve the breach of planning control, no subsequent retrospective planning application has been submitted to the Local Planning Authority to date.

Considerations

6. The main consideration is the visual impact of the building on the countryside and the rural landscape. Besides the dwelling at Portlet, no residential dwellings are located in the immediate vicinity of the development to raise concern with regard to residential amenity.
7. The unauthorised development is located next to an approved riding arena, the latter of which required engineering works to level the land and cut into the existing steep ground level. The building is, as a result, approximately level with the existing dwelling and riding arena. The site itself is located on a general downslope, and the surrounding land continues to fall in a southeastly direction. Views of the site are therefore available from the south and southeast but views of the development itself are limited by the existing, mature trees and hedging located along the front boundary of the site.
8. The design of the building is considered to be rural in appearance, with a pitched roof, timber cladded walls and an overall low form and height. The location of the building is not isolated within the landscape, being sited near to the main dwelling and the associated riding arena. Consequently, the building is considered to be appropriate within the rural landscape and does not have a significant visual impact on the countryside.

Options

9. (a) Take no further action, which would result in the stables remaining unauthorised.
(b) Issue an Enforcement Notice for the demolition of the stables

Implications

10.	Financial	Preparation of legal documents. Council defending appeal
	Legal	Drafting documents in accordance with the Town and Country Planning Act, consideration of expediency or not in issuing a notice and being challenged by a third party
	Staffing	SCDC frontline staff consisting of planning enforcement officers and legal officers.
	Risk Management	-
	Equal Opportunities	Equal opportunities applied in line with guidelines set down
	Climate Change	-

Consultations

11. (a) Local Member (Councillor Sebastian Kindersely and Councillor Bridget Smith)
(b) Chairman of Planning Committee
(c) Corporate Manager (Planning and New Communities)
(d) Planning Enforcement Officer

Effect on Strategic Aims

12. This report has been generated following correspondence with both the local resident and the developer and relates to the commitment to be a listening Council.

Conclusions / Summary

13. The development is considered to be rural in appearance and appropriate in terms of design, siting, scale and use. The development is screened well by existing mature trees and hedges to mitigate its visual impact on the countryside and consequently it is considered expedient to take no further action in this case.

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

Local Development Framework Development Control Policies 2007

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