

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 7th December 2005
AUTHOR/S: Director of Development Services

S/1260/05/F - Gamlingay Temporary Mobile Home at Land at Little Heath for E Sale

**Recommendation: Refusal
Determination Date: 19th August 2005**

Departure application.

Update:

1. At the August Committee meeting (item 12) it was resolved to defer consideration of this application for further information in relation to the justification for the proposal.
2. Attached as appendix 1 is the report to Development and Conservation Control Committee of 3rd August 2005.

Further Representations

3. The solicitors acting for the applicant have confirmed, in a letter dated 16th November 2005, that they remain unsure of the applicant's status with regard to security of tenure and they are still trying to establish this.
4. A statement has been received from the applicant's employer and is reproduced below:

"My name is John Newman and I own Limerick Stud in Little Heath Gamlingay. I breed Haflinger horses at the stud and also provide stallion semen to parts of the country for impregnating mares that are unable to get to my stallion for live covering.

Mrs Yvonne Sale helps me with all of this work, it is necessary for her to be nearby as I am very often away from the stud on business and the livestock need caring for, especially during the breeding season of March through to July when mares are foaling and horses are coming to the yard for covering by the stallion. A mare foaling down needs to be watched 24 hours a day in the days leading up to the birth in case of problems that often arise, a mare only has 20 minutes to produce a foal otherwise complications can set in rapidly.

Also important is for someone to be available for the collection of semen as this is done on receiving a telephone call from the mare owner to say that the mare is ovulating, timing is critical on this and the semen must be despatched by carrier within hours to ensure that it arrives for the owners vet to inseminate the mare at the correct time. Mrs Sale must therefore be on call for this purpose, it is therefore very important to me that she be allowed to live next to my stud so that she is always available to attend my horses.

Once the foals have arrived they also must be watched closely for any complications associated with their health and the fact that they are very accident prone in the first 12 months of their lives until they become bigger and stronger. Mrs Sale is responsible for checking on them constantly to ensure that they remain fit and well".

Planning Comments – Key Issues

5. The key issue in this application is the justification for a residential use outside of the village framework.
6. Since the August committee meeting I have been trying to establish the need for the applicant to move from her current location at No. 5 Little Heath, a short distance to the north east, to the application site. In particular I have been trying to establish if the applicant has security of tenure at No. 5. The applicant's solicitor has been trying to establish this from the site owners but has been unable to confirm the position.
7. It is clear that this legal issue is a sticking point and in my opinion much of the justification for a new residential unit depends upon it.
8. I will consider the following scenarios, all of which lead me to believe that there is insufficient justification, at this time, to allow a new mobile home in the countryside:
9. If the applicant has security of tenure at No. 5 there is no need for her to move off site and therefore no justification for an additional mobile home in the countryside although I accept that this will result in the permission for the new dwelling at this location not being implemented.
10. If the applicant has security of tenure at No. 5 but it is possible to relocate her to the adjacent site (believed to be in the same ownership as No. 5) then there will be no need for an additional mobile home in the countryside.
11. If the applicant does not have security of tenure and she is shortly to be made homeless I accept the justification that she is required to continue her work on the nearby Limerick Stud but that other options such as existing buildings at this premises need to be investigated before there would be justification for a new mobile home in the countryside. Moreover there is already a permanent dwelling at the stud.
12. I sympathise with the applicants precarious position and acknowledge that for no fault of her own she has been put in this position and I accept that she has lived and worked here for many years and I understand that her current state of health is poor but for the above reasons I do not consider there is sufficient justification to allow this development at this time.
13. It is unclear how long it will take for the solicitors to establish the applicants tenure status. The application was submitted some 5 months ago and should now be determined.
14. The justification for the proposal appears to be based more on the personal circumstances of the applicant than the functional requirements of Limerick Stud.

Recommendation

Refusal for the following reasons:

1. Insufficient justification has been given for a residential use in the countryside outside of any Village Framework as defined in the Development Plan. Such a use would be contrary to the aim and objective of the settlement policies of the Development Plan of preventing sporadic residential development away from the built up areas of villages which will cumulatively harm the countryside and result in a pattern of development that is unsustainable. As such the proposal

is contrary to Policy SE8 of the South Cambridgeshire Local Plan 2004 and Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003.

Background Papers: the following background papers were used in the preparation of this report: Development and Conservation Control Committee Report of 3rd August 2005, Planning Files reference S/1260/05/F and S/2461/04/O South Cambridgeshire Local Plan 2004 and Cambridgeshire and Peterborough Structure Plan 2003

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