

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 March 2011

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)

S/2217/10 - MILTON
Erection of stable building and use of land for stabling of horses
Land to rear of The Barn, FEN ROAD, Chesterton
for Mr Ben Moore

Recommendation: Approve Conditionally

Date for Determination: 7 February 2011

PROPOSED DEVELOPMENT

Proposals comprise the erection of a stable and the associated use of land for stabling and grazing of horses.

The proposed stable building would comprise of four loose boxes and a feed store. The building would be single storey in height (4.7m to ridge with an eaves height of 2.7m). The application contains information regarding a lease to occupy the adjacent field, which comprises 1.9ha.

SITE AND SURROUNDING AREA

The application site relates to a piece of agricultural land (Grade 4) adjacent (southwest) to the residential property known as 'The Barn', which is a detached bungalow. The site is outside of the Milton Development Framework within the open countryside and Green Belt. The site is accessed off Chesterton Fen Road and is north of the River Cam, outside of any designated flood risk zone. The site is accessed via a gated private driveway and relatively enclosed and screened by established landscaping to its perimeter. The field associated with the proposed stable within the ownership of the applicant is approximately 0.34ha in area.

PLANNING HISTORY

Planning Application S/1744/10 for the erection of stables and associated use of land for stabling and grazing of horses was refused for inappropriate development within the Green Belt and other harm by virtue of a detrimental impact upon the visual amenity and openness of the Green Belt.

Enforcement Notice PLAENF.3270 & 3271 was issued for the change of use land from agriculture to a storage yard and the erection of a covered structure. This notice was dismissed at appeal with the instructions to return the land to its former use and remove all structures within 10 months of the date of the decision. As a consequence the applicant has until the 21st of March to adhere to this decision.

Planning Application S/1310/08/F for the change of use of land for the stationing of storage containers and general storage was refused. This application was refused on the grounds that the proposals would represent harm by way of inappropriate development to the Green Belt and open countryside.

Planning Application S/1266/07/F for the conversion of barn into dwelling was approved.

Planning Application S/0933/07/F for the erection of a carport was refused on the grounds of harm upon the Green Belt.

Planning Application S/02162/06/F for the conversion of barn into dwelling was withdrawn.

Planning Application S/0179/05/F for the conversion of barn into dwelling was refused on the grounds of harm upon the Green Belt.

Planning Application S/1934/03/F for the change of use to tropical plant nursery with associated glasshouses was refused and dismissed upon appeal.

Planning Application S/1230/02/F for the siting of a temporary chalet accommodation was refused on the grounds that there was insufficient evidence to justify temporary living accommodation within the Green Belt.

Planning Application S/1683/96/O for the erection of a stable and store was refused on the grounds of harm upon the Green Belt.

Planning Application S/1379/94/F for the erection of a stable was approved.

POLICIES

Planning Policy Guidance Notes
PPG2 Green Belts

Local Development Framework Development Control Policies 2007
DP/1 Sustainable Development
DP/2 Design of New development
DP/3 Development Criteria
DP/7 Development Frameworks
GB/1 Development in the Green Belt
GB/2 Mitigating the Impact of Development in the Green Belt
NE/17 Protecting High Quality Agricultural Land

CONSULTATIONS

Milton Parish Council – Recommends refusal, commenting that in view of the history of the site, whereby a stable became a dwelling, there is a concern that this could happen again. Furthermore, the size of the stable is considered to be out of keeping with the rural scene within the Green Belt.

Local Highway Authority – Raise no objections subject to the provision of a condition ensuring that the stable be for private use only and that not business use would occur.

REPRESENTATIONS

None were received.

PLANNING COMMENTS

The key issues to consider in this instance are the impact that proposals would have upon the character and openness of the Green Belt, public realm, open countryside and highway safety.

Green Belt

Planning Policy Guidance Note 2 'Green Belts' (PPG2) states that inappropriate development is, by definition, harmful to the Green Belt and it is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Paragraph 3.4 of PPG2 states that the construction of new buildings for the purposes of essential facilities for outdoor sport or recreation, such as a 'small stable', would constitute appropriate development inside the Green Belt.

The British Horse Society set out principles for general horse welfare. These principles state that a stable loose box should be approximately 12sqm in area and should essentially provide an ancillary feed room to safeguard a food store of hay during wetter months. In addition these principles state that an area of approximately 1 acre should be provided per horse to ensure adequate exercise and grazing room.

Whilst the proposed stable would provide adequate loose box and food store facilities for four horses it is evident that the land associated with the proposed stable in the ownership of the applicant would be insufficient for the occupation of no more than one horse. However, the land to the south, which is sought under lease, would provide adequate facilities to enable the occupation and exercise of 3 horses. Therefore, in total the applicant would appear to have control of sufficient land to justify the provision of a stable for four horses.

Notwithstanding the above, there is a concern that should the use of the land to the south, cease to be secured by a lease, the land that would remain to serve up to four horses would be inadequate in terms of their welfare. Nevertheless, in such an eventuality the welfare of the horses would be out of the control of the Local Authority. Nevertheless, a condition will be attached to the consent stating that the stable block shall be used wholly for the stabling of horses or the purposes of agriculture. Therefore should the building cease to be required for use by horses, it would retain an agricultural use in the context of the surrounding land within the ownership of the applicant and could not be used for any other purpose.

In light of the above, the stable as proposed is considered to be in scale for the general principles of horse welfare. In consideration of the principles of Green Belt policy the proposed stable building is considered to be small scale and ancillary to

the main dwelling and building group and would constitute appropriate development within the Green Belt.

Other Harm

Paragraph 3.15 of PPG2 states that the visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt, which, although they would not prejudice the purposes of including land in Green Belts, might be visually detrimental by reason of their siting, materials or design.

The siting of the proposed stable is considered suitably related to existing buildings within the adjacent residential curtilage in consideration of an acceptable distance for residential amenity and adequate overlooking in terms of site security. Furthermore, the scale of the proposed building is deemed to be acceptable within the context of what is an open, Green Belt, countryside location. The proposed building would be appropriate in scale, mass and height and the building's proportions and external materials would be appropriate within this rural setting.

The proposed use is one of a private stable serving the applicant and would not be used as a private business use, such as a livery or riding school. However, in light of the concerns raised by the Local Planning Authority an informative will be added reminding that any such use would require full planning permission.

Concerns have been raised by the Parish Council to the future conversion of the stable to a dwelling should it be approved. This is due to the history of the site whereby the existing dwelling was approved following the conversion of an existing stable block. This issue is not a material planning consideration and any future proposal to convert the building to an alternative use would require planning permission, any application for which would be considered on its planning merits at that time.

Conclusion

Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be approved in this instance.

DECISION

Approve, subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 10_358_001, 10_358_004 & 10_358_003.

(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

3. The stable block, hereby permitted, shall not be used other than for the purpose of stabling horses or for the purpose of agriculture, and shall not be used for any commercial purpose.

(Reason – To maintain the rural character and appearance of this sensitive Green Belt location in accordance with Policies DP/7 and GB/1 of the of the adopted Local Development Framework 2007.)

4. The materials to be used for the development, hereby permitted, shall accord with the specification in the application form and approved plans, unless otherwise agreed in writing by the Local Planning Authority.

(Reason – To ensure the appearance of the development is satisfactory in accordance with Policies DP/2 and DP/3 of the adopted Local Development Framework 2007.)

Contact Officer: Mike Jones - Senior Planning Officer
01954 71325

