Name of Applicant	Proposal	Expiry Date	Plan Ref.
Michell	Erection of 12 stable blocks (total 34 loose boxes), 12 sheds, 4 storage containers, 1 pole mounted floodlight and CCTV camera, ancillary office and manège. (retrospective)	29.11.2017	17/00968/FUL
	Newhouse Farm, Lea End Lane, Hopwood, Birmingham, Worcestershire B48 7AX		

RECOMMENDATION: That planning permission be Refused.

Consultations

Highways - Bromsgrove Consulted 06.09.2017

Recommends that any permission which the District Planning Authority may wish to give include the following conditions: - HC5 - Visibility splays (existing splays to be maintained), HC7 - Access gates and HC25 - Access consolidation.

Reasons: In the interests of Highway safety and to ensure the free flow of traffic using the adjoining Highway.

The applicant to ensure vehicular visibility is not impeded within the visibility splays - anything above 0.6m above ground level to be cut back and maintained at all times.

Alvechurch Parish Council Consulted 06.09.2017

Objections; APC believe this is over intensive use of the site. It is a random development with no clearly defined parking. APC considered this to site to have a mixture of uses leading to a sprawling unplanned expansion.

Arboricultural Officer Consulted 06.09.2017

No objection to the proposed development of the 12 stable units and all other associated elements of the new application in regard to any tree related issues.

Drainage Engineers Internal Planning Consultation Consulted 06.09.2017

The brief statements in the planning statement provide an insufficient level of information in relation to flood risk and drainage, given that this is considered to be a major application the proposals here should be supported by an FRA and a comprehensive drainage plan. This should give an assessment of the risks to the site from the typical sources of flooding and demonstrate where risks exist that they are suitably mitigated for.

The principle of discharging the surface water runoff from the site into the adjacent watercourse is acceptable; however the creation of over 1000m2 of new roof area will lead to an increase in both the quantity and rate of runoff from the site. As a major application attenuation of runoff from all new buildings will be required. Surface water

should be attenuated up to the 1 in 100-year storm with an allowance for climate change. Site runoff should not exceed Greenfield runoff rates up to this return period and calculations to demonstrate this should be provided.

It is not clear from the proposed site plan the proximity of the new stable blocks to the watercourse. Policy BDP23 section 8.235of the Bromsgrove Local Plan requires that an appropriate buffer zone (generally accepted to be 8m) is provided to all watercourses.

Based on the lack of information submitted around flood risk and drainage we would like to raise an objection to this application

WRS - Noise Consulted 06.09.2017

No objection to the application in terms of noise/nuisance.

Worcester Regulatory Services- Light Pollution Consulted 06.09.2017

I have reviewed the objector's comments and spoken to the agent. It would appear that the two floodlights attached to the pole are not directed to where the objector's residence is located, and therefore are unlikely to cause any nuisance. However I would suggest a condition restricting the hours of operation of these floodlights to say 22:00.

Sarah Kernon Consulted 06.09.2017

In summary in my opinion the size of the built development could be considered "essential" and the "minimum necessary" if 34 horses are to be kept on site. However I see no reason why 34 horses need to be kept as this is not the "minimum necessary" for the venture to be viable. There is no reason why the permitted linear development could not operate to an acceptable level.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles BDP4 Green Belt BDP15 Rural Renaissance BDP 23 Water Management

Others

NPPF National Planning Policy Framework

Relevant Planning History

13/0657 Erection of six new stable blocks (total Approved 16.06.2014

20 loose boxes), construction of menage (50m x 20m) and associated

works

12/0157/ENF Appeal against enforcement to cease

industrial use of land

Enf notice upheld

16.04.2014

Public Comments

2 objections received summarised as appropriate:

The proposal harms the Green Belt and residential amenity by virtue of its scale and floodlighting which extends the hours of operation of the site in the winter months. Harm to ecology including bats, barn owls, blackbirds and robins.

The proposal does not appear to include the loose boxes now sited in two separate areas on the opposite side of Lea End Lane or the caravan and container.

<u>Assessment</u>

The development, as constructed is located to the far west of Newhouse Farm, Lea End Lane. The farm comprises a variety of non-agricultural uses including a group of residential barn conversions and industrial use of a former grain store to the immediate east of the site. The site of the stables complex is accessed from Lea End Lane to the north via a track through an area of woodland. It operates as a DIY livery where the owners of the horses are entirely responsible for the welfare of the horses including purchasing feed and cleaning out the horses.

The development relates to a retrospective application for the construction of 12 wooden stable blocks which adjoin 12 timber sheds, the siting of containers, provision of floodlighting, CCTV, associated office and manège. The structures are all of various sizes but most of the timber stables blocks are all in multiples of 3.6 m, with a depth of 3.6 m. The stables measure 2.25 m to eaves with a ridge height of 3.2 m. The four shipping containers measure 6 m by 2 m and the 15 wooden sheds have an average footprint of 24 sqm approximately twice the size of a stable.

Green Belt

The site is located in the Green Belt. Members should note that the recent planning history is of particular relevance in the consideration of this application. On 6th June 2014, planning permission was granted for the 'erection of six new stable blocks (total 20 loose boxes), construction of menage (50m x 20m) and associated works'. The decision notice is attached to this report as Appendix 1 for reference.

The approved scheme comprised a single line of stable buildings (no other buildings) adjoining the hedge which forms the western boundary of the site, the manège was located to the south, some of the existing hardstanding was proposed to be removed for the provision of a paddock. The total floorspace approved under this application was 362sqm.

The previous decision was supported by a Business Plan and Budget, additionally the removal of the hardstanding associated with the previous unauthorised use was

considered a benefit to the openess of the Green Belt and offset the harm by reason of inappriateness.

The scheme has not been constructed in accordance with the approved plans and there is substantially more development present than was permitted by the application (12 stable blocks as opposed to 6). The stables, as constructed amount to approximately 606sqm and the sheds and containers are a further 413sqm in floor area. The office comprising a CCTV monitoring station amounts to a further 23sqm. The total floorspace equates to 1042sqm. The development, as constructed is 347% larger by floorspace than the approved scheme. This results in considerably greater movement to and from the site as would have been the case with the approved scheme further conflicting with the openess and purpose of the Green Belt. The provision of floodlighting on the site also negatively impacts on the openess of the Green Belt and character of the rural area.

The development, as constructed, conflicts substantially with policies BDP1, BDP4 and BDP15 of the Bromsgrove District Plan and paragraphs 88 and 89 of the NPPF. There is a significant and demonstrable harm to openess by virtue of the scale and arrangement of the buildings and the level of movement to and from the site. The scale of the proposal is well beyond the requirements of BDP15 that buildings to serve equine uses should be the minimum necessary and preserve the openess of the Green Belt.

At the time of the previous application, the applicant stated that the storage of hay and tack would take place within the proposed stables to avoid the need for additional sheds. However, a large number of sheds and storage containers have now been provided on site.

The considerations put forward in the applicant's planning statement are as follows:

- Planning History removal of containers but not hardstanding
- the enclosed nature of the site
- closure of riding stables at Bleakhouse Farm, Wythall
- the buildings constructed are appropriate facilities for outdoor sport and recreation
- the paddock proposed was not needed by the business

Members should note that harm to the openess of the Green Belt carries substantial weight in accordance with paragraph 88 of the Framework. In weighing up the impact of the development in respect of the Green Belt and the conflict with the development plan, the matters put forward by the applicant do not amount to very special circumstances which would outweigh the harm to the openess of the site.

Other Matters

Members should note the views of North Worcestershire Water Management and the request to provide additional details in respect of drainage arrangements has been sent to the applicant and updates will be provided in respect of this point.

The objections received from Alvechurch PC and Third Parties are noted and the matters raised have been addressed within the assessment and recommendation. The views of WRS are awaited in terms of the impact of floodlighting on residential amenity; the impact

on the Green Belt has been taken into account in the assessment. Members should note that there is a substantial number of containers being stored on the land immediately to the east of the application site and a number of caravan/camper vans to the north but these do not form part of the retrospective application and are subject to a separate investigation.

RECOMMENDATION: That planning permission be Refused for the following reasons:

- 1) The proposed development comprising a substantial block of stables, sheds, storage containers, floodlighting, CCTV camera and associated office result in significant and permanent harm to the openess of the site, a harm which is augmented by the resultant traffic and movement to and from the site. The development, as constructed, does not fall within any of the exceptions set out in Policy BDP4 of the Bromsgrove District Plan 2017 or in paragraph 89 or 90 of the National Planning Policy Framework. Therefore, it amounts to inappropriate development in the Green Belt, which is, by definition, harmful. The development, as constructed, is substantially larger than that permitted under application 13/0657. The considerations put forward by the applicant in relation to the lack of harm to openess and reference to the planning history of the site do not amount to very special circumstances which would clearly outweigh the identified harm. Thereby, the development as constructed, conflicts with policies BDP1, BDP4 and BDP15 of the Bromsgrove District Plan 2017 and the NPPF.
- 2) The applicant has provided insufficient information to demonstrate that adequate drainage arrangements have been or can be put in place to serve the site. Thereby, the proposal is contrary to policy BDP23 of the Bromsgrove District Plan and the provisions of the National Planning Policy Framework.

Informatives

1) The local planning authority is aware of the requirement in the NPPF and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 to work with the applicants in a positive and proactive manner, seeking solutions to problems arising in relation to applications.

However the principle of development in this case was contrary to development plan policy and was not considered to be a sustainable form of development from the outset. This fact has been communicated to the applicant at an early stage in the planning process. The applicant however chose to continue with the proposal.

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