

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Nathan Nunn	Erection of stable building and ménage, including improvement of access, construction of driveway and laying of hardstanding.  Land SW Of , Saltbay Farm, Yarnold Lane, Dodford, Bromsgrove Worcestershire	18.09.2019	19/01023/FUL

**Councillor Beaumont has requested this application be considered by Planning Committee rather than being determined under delegated powers.**

**RECOMMENDATION:** That planning permission be **GRANTED**.

### **Consultations**

**Dodford With Grafton Parish Council** Consulted 04.10.2019

The Parish Council object to the overdevelopment of this site and the design of the building and feel it is not acceptable as a stable for this area.

**Highways - Bromsgrove** Consulted 04.10.2019

No objection subject to condition.

**Arboricultural Officer** Consulted 04.10.2019

No objection subject to condition.

**North Worcestershire Water Management** Consulted 04.11.2019

No objection.

**Worcestershire County Council Countryside Service** Consulted 07.10.2019

No Objection

### **Publicity**

One site notice was placed onsite on 29<sup>th</sup> August 2019 and expired 22<sup>nd</sup> September 2019.

An advert was placed in the Bromsgrove Standard on 6<sup>th</sup> September 2019 and expired 23<sup>rd</sup> September 2019.

One neighbour letter was sent on 28<sup>th</sup> August and expired on 21<sup>st</sup> September 2019.

It should be noted that following the initial consultation on this application an amended plan altering the position of the building was received 4<sup>th</sup> October and a second consultation was sent to the relevant consultees 4<sup>th</sup> October 2019 and expired 22<sup>nd</sup> October 2019.

A further amendment reducing the extent of the hardstanding was received on 13<sup>th</sup> January. Given this does not materially alter the previous layout no further consultation has been sent however the Local Member has been forward this amendment in addition to the plan being made available online.

## **Representations**

12 representations have been received as a result of this public consultation. 11 have been raised in objection and one clarifying the relationship of the parcel of land with the adjacent farm.

The comments received have been summarised as follows;

- Impact on views of countryside (from Public Right of Way and neighbouring dwelling)
- Impacts openness/Green Belt
- Design inconsistent with SPD (height/size)
- Building disproportionate to acreage
- Construction of building
- Highways – creation of access and narrowness of road
- Limited parking (concerns on caravans parking onsite)
- Increased traffic/noise
- Existing access does not benefit from Planning Permission
- Loss of hedge/ character of area

## **Cllr Beaumont**

Councillor Beaumont wishes to call the application into planning committee due to the level of Public Interest

## **Relevant Policies**

### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles

BDP4 Green Belt

BDP15 Rural Renaissance

BDP19 High Quality Design

### **Others**

NPPF National Planning Policy Framework (2019)

Bromsgrove High Quality Design SPD

## **Relevant Planning History**

No relevant history.

## **Assessment of Proposal**

The application comprises of the erection of a stable building, a ménage and the laying of stone and grasscrete to create a turning area. The proposed stable consists of two loose boxes and a tack room and is 11.65m by 4.15m at a height of 4.5m. The stable would be constructed of timber, with a single brick course at the base and a metal sheet roof. The ménage will be enclosed by a post and rail fence with wire mesh.

The application site is located within the Green Belt and comprises of a narrow field with an existing building which has been left to overgrow and fall into disrepair. The proposed developments comprise of the erection of a stable building and ménage in addition to the laying of stone hardstanding to facilitate an equestrian use on site.

Policy BDP15 of the District Plan states that the Council will support proposals that satisfy the social and economic needs of rural communities by encouraging certain forms of development including new buildings for equine development where they are kept to the minimum necessary and consist only of essential facilities. These buildings must preserve the openness of the Green Belt and should be sited in close proximity to existing rural buildings. The High Quality Design SPD provides further guidance on equestrian development including size specifications for the stables. The proposed stable complies with this guidance in respect of the width of the proposed doors and the dimensions of each stable which reflects the British Horse Society recommendations. The proposed stable is also to be constructed of timber on a single course of brickwork. The guidance also requires the buildings be placed on a position on site to reduce the amount of track required. In this case, there is an existing building on site however the proposed building has been sited closer to the road to ensure a reduction in hardstanding. The existing building is also intended to be removed from the site.

The comments from the Parish Council and local residents on the specifications of the building are noted however the building complies with all the criteria as outlined in the Councils SPD other than the height. The SPD suggests that the height should be up to 3.3m and the building is proposed to be 4.5m which is accepted to be greater than the guidance suggests. However, when taking into account the building only consists of two loose boxes and a tack room the overall scale of the building is not considered to be excessive. The Parish have also queried the use of a metal roof suggesting that this could cause issues with condensation. Metal roofs are not an uncommon material for agricultural or equestrian buildings and there is no evidence before me that this material would be unsuitable. Metal roofing can have benefits as it is much more fire-resistant and can offer a degree of insulation to control the temperature inside the building in the summer and winter months. Having regards to all the above, the scale and position of the proposed building is considered acceptable. Although a short stretch of new track is proposed to link the stable to the existing access this would only consist of a small section of stone around the base of the building. Furthermore the applicant has opted for the use of grasscrete for the turning area to further reduce the visibility of the hardstanding. This can be conditioned.

The site is located within the Green Belt and Policy BDP4 of the District Plan and Paragraphs 145 and 146 of the NPPF lists the forms of development which are considered to be not inappropriate in the Green Belt. This includes appropriate facilities for outdoor sport and recreation and engineering operations which preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. The proposed stables are not considered to be inappropriate and as they are in a suitable position on site and will replace an existing structure of a similar scale. Comments have been received from a local resident suggesting that the building will be visible from the Public Right of Way (PROW). It is accepted that there will be public views of the stable from this PROW however given this path runs the entire length of the site consideration has been made to ensure the visible impact of the building is kept to a minimum. The building will sit with the backdrop of the buildings to the north and is sited close to the road to ensure much of the site to the west is left undeveloped. It should also be noted that the Public Rights of Way Officer has not objected. It is therefore considered that the building will not harm the openness of the Green Belt. The proposed ménage would result in a change of surfacing which would be considered acceptable and not cause any detrimental visual impacts on the landscape. The ménage would be enclosed

by low boundary treatment and as such would not have a detrimental impact on the openness of the Green Belt. The track is an engineering operation which is not inappropriate under paragraph 146 of the NPPF. The track would be a required turning area and cover a short distance, mostly finished in grasscrete and therefore would not unduly harm the openness of the Green Belt.

The existing site vehicular access does not require planning permission given it is on an unclassified road. The proposal is to use the existing access rather than remove further hedgerow to create a new access point. The Highways engineer has made an assessment on the proposed highway implications of the development and has raised no objections. The officer is satisfied that sufficient visibility splays can be maintained and the road, although narrow, is suitable for such a use.

North Worcestershire Water Management has confirmed the site falls within flood zone 1 (low risk of flooding from rivers) and is not shown to be susceptible to surface water flooding. In addition they hold no reports of flooding in the vicinity. The applicant has confirmed that the storm water is to be drained via soakaway, and the driveway will be comprised of permeable stone and grasscrete. There is therefore no concerns raised in respect of surface water drainage.

Objections have been received from the Parish Council and some local residents. Concerns in respect of the design, scale and siting of the stable, views from the Public Right of Way and highways have been addressed within this report. The Parish Council have stated that they concur with the objections from Worcestershire County Council Highways, however the WCC Highways have not objected to the proposal subject to conditions which will be placed on this decision. It is noted that the County Public Rights of Way Officer initially objected to the proposal. However following an amendment to the scheme no objections have been raised.

Most parties have raised concerns on the prospect of caravans being parked onsite and future uses of the building; however a caravan does not form part of the proposal and should a habitable caravan, or amendments to the building to make habitable, take place, planning permission would be required. The Parish Council have also suggested a condition for external lighting to be controlled. I agree with this approach.

Finally concerns have also been raised on the size of the plot not being sufficient for number of horses proposed. The need for a suitable environment under section 9(2) of the Animal Welfare Act 2006 outlines that as a general rule, each horse requires approximately 0.5-1 hectare of grazing land if no supplementary feeding is being provided. A smaller area may be adequate where a horse is principally housed and grazing areas are used only for occasional turnout. Therefore with the provision of the stable to house the horses and the use of a ménage to exercise the horses a smaller parcel of land is acceptable in this instance. Whether to provide food supplements or rent neighbouring fields for grazing would be a choice of the applicant provided the animals are looked after in accordance with the 2006 Act. Further comments have been received from the occupier of Saltbay Farm confirming that this site is in separate ownership to them and they have also raised concerns on the height of the hedge and height of the building its impact on their conservatory. High hedges can be controlled under Part 8 of the Anti-social Behaviour Act 2003 should any issues arise following the grant of this planning permission. The building is sited away from the boundary to the north and

although the building would likely be visible from this property, the loss of a view is not a planning consideration and given the boundary treatments and separation distances achieved it would not be reasonable to raise concerns on loss of light, overbearing impact or overlooking.

No trees are proposed to be removed. The building to be demolished does not provide a good habitat for bats and therefore no ecology appraisal has been considered necessary in this instance. The applicant is however advised to be aware of their obligations under the Wildlife & Countryside Act 1981 (as amended by the Countryside & Rights of Way Act 2000) to avoid disturbance of nesting wild birds and protected species such as bats when carrying out these works.

In conclusion, the scheme is considered to be acceptable.

**RECOMMENDATION:** That planning permission be **GRANTED**.

**Conditions:**

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason :- In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby approved shall be carried out in accordance with the following plans and drawings:

Site Layout Plan Scale 1:500 submitted 13<sup>th</sup> January 2020  
Stable Building - Floor Plan and Elevations  
Post and Rail fencing - Drawing No. PBA 3

REASON: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

- 3) The Development hereby approved shall not be occupied until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the back of grass verge shall be provided on both sides of the access. The splays shall thereafter be maintained free of obstruction exceeding a height of 0.6m above the adjacent ground level.

REASON: In the interests of highway safety.

- 4) The Development hereby approved shall not be occupied until any proposed access gates have been set back min 10 metres from the adjoining carriageway edge, and made to open inwards only.

REASON: In the interests of highway safety.

- 5) The Development hereby approved shall not be occupied until the first 7 metres of the access into the development, measured from the edge of the carriageway, has been surfaced in a bound material.

REASON: In the interests of highway safety.

- 6) The Development hereby approved shall not be brought into use until the access, parking and turning facilities have been provided as shown on revised drawing 1:500 Site Plan.

Reason: To ensure conformity with submitted details.

- 7) Retained trees and their Root Protection Areas (RPA) shall be protected during clearance and construction phase in accordance with BS5837:2012 using suitable protective fencing and/or ground protection as appropriate. No storage of plant/materials shall be located within the R.P.A of any retained tree. Any excavations within the R.P.As of these retained trees must be carried out by hand and in accordance with BS 5837:2012. Any trees to be pruned, carried out in accordance with BS 3998: 2012 Tree work recommendations.

Reason: In order to protect the trees, hedges & landscaping features which form an important part of the amenity of the site and adjacent properties in accordance with policies BDP19 and BDP21 of the Bromsgrove District Plan.

- 8) No external lighting shall be installed on the approved stable building without Prior Approval from the Local Planning Authority.

Reason: To reduce any light spill into the countryside for the protection of wildlife and neighbour amenity.

- 9) No construction of the proposed stable hereby permitted shall commence until the existing stable as shown on drawing Site Layout Plan 1:500.

Reason: In order to protect the openness of the Green Belt.

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