

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Nathan Nunn	Erection of stable building, ménage, access improvement, construction of driveway and laying of hardstanding.  Land SW Of, Saltbay Farm, Yarnold Lane, Dodford, Bromsgrove Worcestershire	03.08.2020	20/00638/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**

The Parish Council were surprised to be considering this application in the state that it is, as the information contained within is contradictory and in most part lacks detail. The Parish Council object to the application as they feel the new plans are contrary to and incompatible with the Bromsgrove District Council's SPD 6.4 Equestrian Developments, where it states that a stable block should be "sited near highway but screened by hedge" (fig 15 on page 33). The proposed siting is not by the road, nor screened by the hedge. There is also no detail on the plans presented to show how the stable is constructed with regard the amount of brick and wood as per SPD 6.4.4 "be constructed of timber with no more than a single course of brickwork for the stables to sit on". The plan does not give any detail on how much hedge on the highway side is still to be removed, (please note the land owner has already removed some hedge and created a vehicular access that previously wasn't there, before the granting of planning permission) and the Parish Council are concerned that any further hedge removal will urbanise the lane. Should Bromsgrove District Council be minded to approve this application, then the Parish Council would request a condition ensuring the unsightly remains of the existing outbuilding on the land is removed. The Parish Council agree totally with the points already submitted to the Planning Officer by District Cllr Drew Beaumont. Finally, the Parish Council feel this application is still harmful, in both spatial and visual terms to the openness of the Green Belt.

#### **Highways - Bromsgrove**

No objection subject to condition.

#### **Arboricultural Officer**

No objection subject to condition.

#### **North Worcestershire Water Management**

The ménage cross section shows that the proposed materials will be permeable, and I understand the soils in this area are relatively free draining. In addition to this NWWM hold no records of any flooding in the area. It is therefore not reasonable to request any drainage information in this instance.

## **Worcestershire County Council Countryside Service**

No objection.

## **Belbroughton And Fairfield Parish Council**

The Parish Council, albeit the site is on the boundary of our parish area, continues to object to the overdevelopment of this site and the design of the building and feel it is not acceptable for this area.

## **Bournheath Parish Council**

Bournheath Parish Council object to the overdevelopment of this site and considers this to be inappropriate development within the Green Belt. The area is already overdevelopment and the road dangerous. Encouraging more large vehicles (such as horse boxes) to use the road is unsuitable and would impact negatively on the residents.

## **Publicity**

One site notice was placed onsite on 7<sup>th</sup> July 2020 and expired 31<sup>st</sup> July 2020. A Press Notice was placed in the Bromsgrove Standard on 10<sup>th</sup> July 2020 and expired on 27<sup>th</sup> July 2020.

7 neighbour letters were sent on 1<sup>st</sup> July 2020 and expired on 25<sup>th</sup> July 2020. An amendment letter was sent in 27<sup>th</sup> October 2020 and expired 13<sup>th</sup> November 2020.

## **Representations**

6 letters of objection have been received; the comments have been summarised as follows;

- Impact on Green Belt openness
- Detracts from rural character of area
- Height exceeds SPD (This has been reduced and contributors reconsulted)
- Saltbay Farm – divided and sold and now has many buildings on the farm as a whole
- Application Form does not reference the ménage
- Black corrugated metal roof not suitable for horses
- Spoils views
- Highways
- Existing access constructed in 2019

## **Cllr Beaumont**

1. The Cross Section of the Ménage. There is no mention of drainage. Over this goes the first membrane. Over this membrane goes the 300mm hardcore. Over this goes a second membrane and over this the rubber/sand mix. This field may not be in a flood plain but drainage is critical as this ground gets wet and boggy very quickly as it does not drain. The membranes are also critical to the construction. Without these safeguards the ménage would become an unsightly mess, fall out of use and become an eyesore.

2. Agent's Statement. There is a contradiction in Mr Brown's statement. Paragraph 3 reads 'The building would accommodate 2 loose boxes, together with a tack room/feed store'. Paragraph 8 reads 'the stable would accommodate a single loose box'.

3. The Ménage. In the 'Application for Planning Permission Town and Country Planning Act 1990' paragraph 3 there is no mention of the ménage. It is not even mentioned in the agent's statement. The ménage is a major part of this application and yet these two documents do not refer to it.

I would like this application to be considered by the Planning Committee.

### **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**

19/01023/FUL	Erection of stable building and ménage, including improvement of access, construction of driveway and laying of hardstanding.	Refused	04.03.2020
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### **Assessment of Proposal**

#### **Proposal**

This application follows a previous application onsite reference 19/01023/FUL which was refused by Members at the meeting of Planning Committee held on 2<sup>nd</sup> March 2020. The application was refused by reason of its impact on the openness of the Green Belt and the proposed stable was considered to exceed what are appropriate facilities for an equestrian use on the site, due to the proposed height of the building and number of horses proposed on the small plot.

In an attempt to overcome the refusal reasons the scheme has been reduced. The stable building has been reduced from 4.5m in height to 3.3m and the footprint has been reduced from two loose boxes and a tack room to one loose box and a tack room.

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 one loose box and a tack room with dimensions 7.75m by 4.15m with a height of 3.3m. The stable would be constructed of timber, with a single brick course at the base and a metal sheet roof. The scheme also includes a ménage of dimensions 4m by 4m, located behind the stable building. The ménage will be surfaced in a rubber and sand mix. The ménage will

be enclosed by a post and rail fence with wire mesh. There is an existing stable to the rear of the site which is to be demolished as part of the proposal. This existing stable is in a poor state and has not been used for some time.

## Green Belt

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 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 considered to be appropriate 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 development 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.

## Design and layout

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. Section 6.4 of The Councils High Quality Design SPD provides further guidance on equestrian development including size specifications for the stables. The guidance in the SPD requires buildings for equestrian uses be no greater than 3.3m in height; be constructed of timber with no more than a single course of brickwork, be sited as to reduce the amount of hardstanding or track required and have doors a width of 1.25m. The building complies with these size and material requirements and has been sited to the east of the site to ensure only a limited track is required. The proposed building is considered to comply with this guidance.

Dodford and Grafton Parish Council have outlined in their objection that the building is not close enough to the road or screened by a hedge. They have also advised that the plans do not provide detail to confirm the extent of timber and brick plinth. The building has been sited as close to the road as possible whilst facilitating a suitable turning circle. The

entire site is enclosed by mature hedgerow however it is noted that this hedgerow is not protected and as such should not be relied upon to screen development. Finally, the elevations show a section at the base of the building as the brick plinth and a distinctly different finish on the timber section. The materials are further clarified in question 9 of the application form.

The public representations 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 and visual impact of the hardstanding.

### Highways

Comments have been received outlining that the existing access was constructed on site in 2019. The existing site vehicular access does not require planning permission given it is on an unclassified road and therefore is considered existing for the purposes of this assessment. 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.

### Drainage

Members will note the views of the Ward Member in relation to drainage matters, North Worcestershire Water Management (NWWM) 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. The applicant has also provided a cross section of the ménage to demonstrate this will be finished in permeable materials. NWWM have raised no concerns to the details provided and do not believe it reasonable to require a drainage condition.

### Trees/Ecology

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.

## Public Representations

A number of objections have been received and matters such as Green Belt, character of area, drainage and highways have been considered within this report. The application site is located in the Parish of Dodford with Grafton however both Belbroughton and Fairfield Parish Council and Bournheath Parish Council have also chosen to comment on this application. Other matters raised include the omission of the ménage in the description of the application form and discrepancies in the applicant's Planning Statement. Officers are aware of these discrepancies and have provided the applicant with the opportunity to correct these.

The plans which form condition 2 of this recommendation show the new structure with one loose box and tack room and the ménage. Furthermore, the description used on this report and what would be on the decision notice covers the correct development. Therefore, irrespective of these discrepancies the development will be suitably controlled.

The sale of land and other buildings constructed on what was once a single agricultural unit and the loss of a view are not material planning considerations.

## Conclusion

In conclusion, taking all matters outlined within this report into consideration the scheme is considered to be acceptable and compliant with planning policy and guidance.

**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 materials outlined in Question 9 of the application form and following plans and drawings:

Site Layout Plan Scale 1:500 submitted 10<sup>th</sup> June 2020  
Stable Building - Floor Plan and Elevations – Scale 1:100  
Post and Rail fencing and Cross Section of ménage – Scale 1:20  
Timber gate – Drawing No. PBA 4  
Site Location – Buy a Plan

**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 a minimum of 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 10 metres of the access into the development, measured from the edge of the carriageway, has been surfaced in a bound material such as grasscrete.

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) The proposed improved entrance to the site shall be constructed using a suitable grade of cellular confinement material twinned with a porous top surface.

Reason: to protect the existing hedgerow.

- 9) No external lighting shall be installed on the site without prior written consent from the Local Planning Authority.

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

Plan reference

- 10) No construction of the proposed stable hereby permitted shall commence until the existing stable as shown on drawing Site Layout Plan 1:500 has been demolished and the resultant material removed from the site.

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

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