

TWC/2017/0253

Rushmoor Paddock, Rushmoor Lane, Bratton, Telford, Shropshire
Change of Use of Agricultural Land to Equestrian, erection of replacement stable block with associated storage facilities, formation of new vehicular access, formation of pond and the installation of a septic tank - partially retrospective *****AMENDED DESCRIPTION, AMENDED PLANS AND AMENDED DOCUMENTATION RECEIVED*****

APPLICANT

Rushmoor Associates Ltd , Mark Evans

RECEIVED

14/03/2017

PARISH

Wrockwardine

WARD

Wrockwardine

THIS APPLICATION HAS BEEN CALLED TO COMMITTEE AT THE REQUEST OF CLLR JACQUELINE SEYMOUR.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the change of Use of Agricultural Land to Equestrian, erection of replacement stable block with associated storage facilities, formation of new vehicular access, formation of pond and the installation of a septic tank at Rushmoor Paddock, Rushmoor Lane which is situated between Longdon upon Tern on the B5063 and Allscott on the B4394.
- 1.2 Works have already begun on the site and as such, this application is part-retrospective.
- 1.3 The scheme has been subject to a number of amendments, at the request of the Local Planning Authority. An addendum to the previously submitted design and access statement has been submitted along with an updated block plan, access plan, pond sections and proposed elevations/floor plan of the proposed stables. These amended documents were requested as the previously submitted plans were outdated and did not reflect the current proposal. Additionally, the proposed stable elevations/floor plans were amended in order to address concerns officers had over the scale and design.
- 1.4 These amendments have been advertised by a Site Notice posted on the 7th September 2018 inviting comments within 14 days. In order to clarify, there is no prescribed time period for which a re-consultation must be advertised therefore a 14 day re-consultation is in full compliance with the statutory legislation. Members will be updated on any comments raising new material planning considerations. It is noted that the site notice has been moved to an internal gate which is not readily visible to the public. However, the Development Management Procedure Order is clear in stating that if the

notice is moved before the relevant period then the authority is to be treated as having complied with the legislation.

2. SITE AND SURROUNDINGS

- 2.1 The site is located within the rural hamlet of Rushmoor which is loose-knit settlement dispersed along Rushmoor Lane situated in the west of the Borough.
- 2.2 Rushmoor Paddock is currently an agricultural field which previously accommodated a small number of modest stables prior to demolition by the applicant.

3. RELEVANT PLANNING HISTORY

- 3.1 Application TWC/2018/0538 is also before Members, this seeks permission for the creation of a new access and the temporary siting of a caravan.
- 3.2 W2005/0828 – Erection of a 15m diameter round pen for horse training (private use) – Retrospective – Full Granted on 01/09/2005
- 3.3 W2004/1145 – Erection of 2no. Stables, 1no. hay barn, 1no. stable and tack room and construction of boundary fence – Full Granted on 01/11/2004

4. PLANNING POLICY CONTEXT

- 4.1 National Planning Policy Framework

Telford & Wrekin Local Plan 2011-2031:
SP3 Rural Areas
SP4 Presumption in favour of sustainable development
EC3 Employment within the rural area
C4 Design of roads and streets
BE1 Design criteria

5. SUMMARY OF CONSULTATION RESPONSES

- 5.1 Wrockwardine Parish Council – Object:
- There are in-accuracies within the application.
 - The Reading Agricultural Report concludes that there is no need for a residential dwelling on the site or a temporary dwelling.

- The Reading Agricultural Report outlines that the business as a sole trader does not appear to be operational.
- There is a lack of clarity and consistency in the application.
- The application should be refused on the basis of the findings and recommendations of Reading Consultants with regard to the business.
- The average site acreage for a horse breeder in Shropshire is 372 acres. The current size area is not large enough for the business proposal.
- Objections towards the size of the site and lack of evidence with regard to length of tenure of additional land.

5.2 Cllr Jacqueline Seymour – Object:

Asked for the application to be heard at planning committee. Objected on the grounds that the number of stables and horses is an overdevelopment of the site and that there are a severe lack of services to the site. Additional objections are raised on the fact that the access to the site is in the ownership of someone else and that the neighbouring dwelling is Lawn Farm, not Isombridge Farm and therefore, movement of horses to convenient grazing is very uncommon.

5.3 Highways – Support subject to conditions:

- Submission and approval of visibility splays.
- Provision of parking, loading, unloading and turning of vehicles prior to first use.
- Surfacing of access drive in a bound material for a minimum distance of 5m back from the rear of the adopted highway boundary.
- Informatives I11 regarding the requirement for a Section 184 Licence for the proposed access.

5.4 Drainage – Support subject to conditions:

- Submission of a scheme of foul and surface water drainage.

5.5 Ecology – Support subject to conditions:

- Recommended conditions regarding the erection of artificial nesting/roosting boxes, landscaping and a lighting plan. Informatives are also recommended regarding nesting wild birds.

5.6 Shropshire Fire Service – Comment:

As part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Service’s “Fire Safety Guidance for Commercial and Domestic Planning Applications” document.

5.7 West Mercia Police – Comment:

Provided general design advice.

Local Representations:

5.8 The Local Planning Authority has received thirteen letters of objection from 6 individuals. One letter of support has also been received. The objections raise the following concerns:

- Once the stables and other development has been built, there will not be adequate land left for the horses to graze on. The application has not been adequately advertised. This is against the guidance produced by the British Horse Society.
- The previous stables were in keeping and sympathetic to the area.
- The proposed stables are too large.
- The site has no water supply or services supply.
- There is no provision for a muck-heap which should be placed away from boundaries and the water course.
- Due to the overall floor area created and lack of any special circumstances, the development is inappropriate in its form and would be detrimental to the open, rural and undeveloped character.
- The development would set a precedent.
- The siting of the proposal would lead to a fragmented form of development.
- The large scale of the business is unsuited to this location.

- The proposed access is dangerous given its location on a dangerous bend and given the increase in traffic.
- No detail has been given in regards to the storage and disposal of waste. This may lead to increased vehicular movements.
- There are in-accuracies within the application.
- The current access generates little movements. The visibility of the access is very poor.
- The proposal seems excessive for the size of the business.
- The site is not suitable for the proposed business.
- Relying on renting nearby fields to support a viable business is at very least risky and the consequences of that land being unavailable would leave the business unviable.
- There is a covenant on the land which restricts development.
- The majority of the land in consideration is not in control of the applicant.
- The business is unviable.
- There has been no evidence that the land to be leased is on a long term basis.
- No financial evidence has been provided to the applicant.
- It appears that the applicant intends to set up a racehorse training establishment – has a British Horse Racing Authority training licence been granted?
- Is the hedgerow being removed protected?
- Why has a traffic movement plan not been submitted?
- There is not an up to date projection of the horses to be kept on site.
- Broodmares require a large foaling box, which is not shown on the plan.

The letter of support received raises the following points:

- Provided general advice as to why a worker needs to be on site 24 hours a day in regards to the health and welfare of the horses.

6. PLANNING CONSIDERATIONS

6.1 Having regard to the development plan policy and other material considerations including comments received during the consultation process, the planning application raises the following main issues:

- The principle of development
- Scale and design of the proposed stables
- Proposed access and other works
- Other matters

The Principle of Development

6.2 Policy EC3 of the Telford & Wrekin Local Plan 2011-2031 outlines that the Council will support new employment development in the rural area where it involves the re-use of previously developed land or the conversion/re-use of redundant buildings or the extension of existing sites where:

- Development relating to agriculture, forestry or assists in the diversification of the rural economy;
- The local highway network is capable of accommodating the traffic generated by the proposed development and;
- The proposal is supported by an appropriate business case which demonstrates that the proposal will support the local economy and help sustain rural communities.

6.3 The Local Planning Authority note that the site has previously been used for agricultural purposes and a personal permission was previously granted for the erection of a number of stables, which were used in order to provide shelter/storage for the horses which grazed on the land. Officers are satisfied that this permission was implemented and the stables were erected on the site. As such, the site is considered to have been previously developed.

6.4 The Local Planning Authority considers that the proposed business would assist in the diversification of the rural economy and its presence would help sustain other local business such as feed and bedding suppliers.

6.5 Officers have engaged with the Local Highways Authority and they have confirmed that they support the scheme subject to conditions being placed on any approval.

6.6 The applicant has submitted a business plan to the Local Planning Authority and officers are satisfied that this satisfactorily demonstrates that the proposal will support the local economy and will help sustain rural communities. The

business will be using local feeding and bedding suppliers and will offer a service which will help sustain the rural community by providing an equestrian business which can be used by any prospective race horse owners within the Telford & Wrekin boundary and by customers located further afield.

- 6.7 As such, it is considered that the principle of development on this site is compliant with Policy EC3 of the Telford & Wrekin Local Plan 2011-2031.

Scale and design of the proposed stables

- 6.8 In respect of the scale and design of the proposed stables, the applicant has amended the scale and design following officers concerns being raised. The originally proposed stables included the provision of first floor accommodation and the maximum height of the stables were 6.2 metres. The Local Planning Authority considered this to be excessive in scale and the maximum height of the stables has now been amended to 4 metres, with the accommodation on the upper floor being omitted.
- 6.9 The amended stables are of an oak construction and will feature a low brick plinth wall. The stables will be clad in horizontal shiplap softwood weatherboarding with the roof being covered in plain clay roof tiles. A street scene has been submitted which demonstrates that whilst the stables will be visible from the wider area, the existing hedgerow will offer some screening
- 6.10 However, whilst officers consider the majority of the amended scheme to be acceptable in regards to scale and design, one element remains of concern. This relates to the introduction of a detached storage building to the north of the site, which has partially been erected, and included kitchen and bathroom facilities, however these elements have now been omitted from the floor plans.
- 6.11 The proposed timber building introduces features which are at odds with the surrounding development such as a porch, patio doors and large domestic windows. These are considered to be at odds with the surrounding development because of their domesticated appearance which do not feature in the locality. Furthermore storage facilities are already included attached to the stables, and whilst the kitchen and bathroom facilities have been removed from the floor plans, the external appearance and its features are contrary to the proposed use which included feed storage. Officers have advised that such a building should be designed in stable format allowing an interchangeable use that supports the business. The Local Planning Authority have requested amended plans in respect of the design of this building, however; at the time of writing this report, amended plans had not been received.
- 6.12 As such, the scheme as a whole is considered to conflict with Policy BE1 of the Telford & Wrekin Local Plan 2011-2031.

Proposed access and other works

- 6.13 In respect of the proposed access, the Local Highways Authority have been formally consulted on the proposal and have supported the scheme subject to

conditions. The requested conditions are outlined within the 'consultation responses' section of this report and officers are happy to include them on any formal approval. As such, there are no technical highways grounds to refuse the proposed access. The access is considered to be compliant with the guidance outlined within Policy C4 of the Telford & Wrekin Local Plan 2011-2031.

- 6.14 In respect of the other works proposed within this application (the installation of a pond and a septic tank), officers consider these to be modest in scale and of appropriate design and are required for the day-to-day running of the business. These elements are considered to comply with Policy BE1 of the Telford & Wrekin Local Plan 2011-2031.

Other matters

- 6.13 It is noted that concerns have been raised regarding animal welfare on the site. Officers would note that this is not a planning consideration and should be raised with the relevant animal welfare organisations.
- 6.14 Additionally, it has been raised to officers that there are a number of covenants on the site which restrict development. Once again, this is not a material planning consideration.

7. CONCLUSIONS

- 7.1 It is considered that whilst the applicant has provided sufficient justification for the proposed business and its stables, and there are no technical issues relating to highway safety, drainage, or ecology that cannot be conditioned. However there remain design issues which conflict with the proposed use for the detached storage building which the applicant has been unwilling to amend. Consequently, the proposal is deemed to be in conflict with Policy BE1 of the Telford & Wrekin Local Plan 2011-2031 and the guidance contained within the NPPF.

8. RECOMMENDATION

- 8.1 Based on the conclusions above, the recommendation to the Planning Committee on this application is to **REFUSE PLANNING PERMISSION** for the following reasons.
1. The Local Planning Authority considers that the proposed scheme is unacceptable by virtue of the design of the detached storage block located to the north of the site. The proposed building introduces domestic features that are at odds with the nature of the use, and incongruous with the stable features of the complex and the rural character of the area. Therefore the proposal is contrary to policy BE1 of the Telford and Wrekin Local Plan, and guidance contained within the NPPF.