

F/YR12/0035/F
19 January 2012

Applicant : Mr M & Mrs L Joyce

Agent : Mr Ted Brand
Brand Associates

Land North East of Holly Tree House, Hospital Road, Doddington, Cambridgeshire

Siting of a 2no temporary mobile homes, storage container and erection of stables and 2.0 metre high timber fence for equestrian business and formation of 1.4 metre high earth bund (retrospective)

This proposal is before the Planning Committee due to a request from Cllr Newell

This application is a minor.

1. **SITE DESCRIPTION**

The site is located on land north east of Holly Tree House, Hospital Road, Doddington approximately half a mile north west of Doddington. The site has an area of approx 0.3 ha and is presently occupied by two mobile homes, a storage container and an existing stable block. The mobile homes are enclosed by fencing and there is a paddock area to the south and west of the site which is enclosed with post and rail fencing.

2. **HISTORY**

None

3. **CONSULTATIONS**

Parish/Town Council:

This application is not supported by the Parish Council. There has never been a dwelling on the site as stated in the application. The Council understand that a Plant Machinery Business is being run from this site and query a HGV Operator's Licence for the site which raises concerns with joining this with an Equestrian business.

The Council feel that if this planning application is granted it will set a precedent for any future proposed developments in the area. The road to the site is one track and in a very poor state of repair and is completely unsuitable for this type of activity.

Also two fields away an application for a dwelling was refused as was an application for a barn conversion. Therefore, members of the Council strongly object to this development.

Local Highway Authority (CCC): Traffic generation appears modest and would likely be no more than could be expected to be generated by agricultural use of this site. Could not sustain an objection to the proposal.

Environment Agency: Site is located within Flood Zone 3. No objection as proposal is for temporary siting of two mobile homes for a period of 5 years and the submitted FRA considers flood risk mitigation measures which are appropriate.

Conditions are requested to ensure that
i) finished floor levels of the mobile homes will be set no lower than 500mm above existing ground level and the mobile homes will be securely anchored to the ground.

ii) a scheme for the disposal of foul water to be submitted and approved.

Safer Fenland Manager: No apparent crime and disorder issues.

Environmental Protection (FDC): No objection to the proposal as it is unlikely to have a detrimental effect on local air quality or the noise climate nor be affected by ground contamination.

Middle Level Commissioners: Note that no pre-application discussions have taken place.

The applicant has not provided sufficient information to prove that a viable scheme for appropriate water level/flood risk management that meets current design standards exists or that it could be constructed and maintained for the lifetime of the development. The use of soakaways may not prove effective and further information is required.

Police Architectural Liaison Officer.

Comments that contrary to information contained within the Design and Access Statement regarding theft of horses, it is confirmed that there has been no reported theft of horses in the last 7 years and theft of tack is running at one reported crime per week for the whole of Cambridgeshire. However isolated tack rooms with no active monitored alarms are susceptible to burglaries.

Advise that the mobile storage containers should have bolted steel shutters to all windows and a secondary steel door across the opening for the security of the tack when not occupied by staff or personnel involved with the business.

No objection to granting of permission on crime prevention grounds.

Local parties:

residents/interested

1 letter of objection re:

- this is retrospective with a lack of regard to the planning system;
- poor single track access road with no passing places;
- there are a number of public footpaths nearby and an increase in traffic will endanger pedestrians;
- there are other available houses in the area and no need to build another;
- accommodation is not a requirement of such a small livery business;
- the adjoining pheasant site is not a precedent for this application;
- risk to water supply in area;
- the land is not sufficient to support an Equestrian business
- information provided within the application form does not appear accurate in respect of purchase of land.

4. POLICY FRAMEWORK

FDWLP Policy

- | | |
|-----|--|
| H3 | - To resist housing development outside DABs. To permit housing inside DABs provided it does not conflict with other policies of the Plan. |
| E8 | - Proposals for new development should: <ul style="list-style-type: none">- allow for protection of site features;- be of a design compatible with their surroundings;- have regard to the amenities of adjoining properties;- provide adequate access. |
| PU1 | - To require new developments to make satisfactory arrangements for water supply, sewerage and sewage disposal, land drainage and flood protection matters. |

Planning Policy Statements

- | | |
|------|--|
| PPS1 | - Delivering Sustainable Development |
| PPS7 | - Sustainable Development in Rural Areas |

5. ASSESSMENT

Nature of Application

This application seeks planning permission for the siting of 2 temporary mobile homes, storage container and the erection of stables for a proposed equestrian business and the formation of a 1.4 m high earth bund. The business proposed is based upon the breeding of miniature cob horses, a stud service and the provision of riding lessons. They plan to breed from 3 brood mares and to sell their progeny at weaning. There will be about 8 horses on the unit when it is fully operational, plus additional mares from time to time which have been brought to be put to stud.

The application is considered to raise the following key issues;

- Site history
- Principle and policy implications
- Business proposal

Site History

There is no planning history on this site, however, it is claimed there was a previous dwelling on the site although no evidence has been put forward to this effect.

Principle and Policy Implications

The site lies outside the DAB and the development proposed for residential use of the site in conjunction with a proposed equestrian centre and livery falls to be considered under PPS7 and in particular Annex A, together with Policy H3 of the Local Plan.

It is accepted within Planning Policy Statement 7 that Annex A does allow for both permanent and temporary agricultural dwellings associated with equestrian based enterprises and generally these types of enterprises are supported providing they satisfy the functional and financial tests.

Applicant's Business Proposal

The applicant supplied an appraisal for a dwelling to support a proposed equine business at Chance Acre Stables, Hospital Road, Doddington which concludes that the business plan satisfies the functional need requirements of PPS7 Annex A. The appraisal states "*there is a clear established existing functional need it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times*".

The appraisal considers that the business also satisfies the requirements in para. 12 of PPS7 for a temporary dwelling in that: "*there is clear evidence of a firm intention and ability to develop the enterprise concerned And that the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for*

occupation by the workers concerned”.

Accordingly, the Local Planning Authority carried out their own appraisal of the site based on the information provided and the Council's consultant has also produced a report on whether the financial and functional need of the enterprise has been met.

LPA's Consultant's response to applicants business proposal

The land is currently pasture land set out in a number of small paddocks adjacent to the mobile homes. The existing building on site contains 4 stables and a small hay store and it is proposed to erect a further 5 or 6 stables to total 10 stables, but this is not part of the proposal being applied for. However, the business plan submitted states that it is the intention of the applicant to run a livery yard for up to 10 horses from the yard. There is, however, limited information as to where the horses might come from and whether there is a market for such a venture. Furthermore the business plan does not include any detailed financial information with regard to how the business might be run and where the source of funds would occur.

Labour is expected to be provided by the applicants with Mrs Joyce managing the day to day aspects of the business with Mr Joyce assisting in the evenings and weekends. The report provided by applicant's consultant suggests that a total of 345 man days of work would be required equivalent to 1.15 standard workers, but there are no details of how this is calculated.

LPA's Consultant's comments on the proposal

The site is very small with only 0.3 ha of land and whilst the ponies proposed are relatively small in terms of their grazing livestock units equivalent, that with up to 8 horses proposed on the site, it would be over stocked in terms of grazing for the animals. If the unit becomes established at the level suggested then there could be problems with damage to the land and insufficient grazing, particularly during the spring and autumn.

The turnover of the business is very small for the possibility of creating a stable income for a full time worker stated to be required. Given the size of the unit and the limited number of animals that it could realistically host, it is unlikely that the income would increase substantially beyond the budget and it is not considered sufficient to support a competent equestrian worker.

Other than the stabling proposed in this application, there is little in the way of equestrian infrastructure suitable for the giving of riding lessons such as manege, arena or covered yard and these are unlikely to materialise at a later date. The number of breeding animals is also relatively small and due to the size of the unit there would be few animals needing significant attention on a daily basis.

Assessing the proposal against PPS7

Annex A of Planning Policy Statement 7 (PPS7) - Agricultural, Forestry and Other Occupational Dwellings states:

Temporary Agricultural Dwellings

If a new dwelling is essential to support a new farming activity, whether on a newly created agricultural unit or an established one, it should normally, for the first three years, be provided by a caravan, a wooden structure which can be

easily dismantled, or other temporary accommodation. It should satisfy the following criteria:

(i) clear evidence of a firm intention and ability to develop the enterprise concerned (significant investment in new farm buildings is often a good indication of intentions);

The site is a relatively small series of paddocks which would provide only limited grazing for the number of horses proposed. Other than the investment in the purchase of the site there has been little, if any, significant capital investment in the unit beyond the installation of the mobile home.

(ii) functional need (see paragraph 4 of this Annex entered below);

A functional test is necessary to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. Such a requirement might arise, for example, if workers are needed to be on hand day and night in case animals or agricultural processes require essential care at short notice;

The Supporting Statement from Dr. Sharpe indicates that there are animal welfare issues, particularly with brood mares, a stallion and unbroken foals, which would require close supervision. However, it is considered that the numbers of animals is too small to justify an on-site presence when the numbers of breeding animals is so small.

The horses described are small ponies and as such these animals do require a significantly reduced amount of space and grazing compared to horses or conventional ponies. However, there is no evidence that the particular breed and type of animals are more prone to injury, dietary issues or breeding problems.

(iii) clear evidence that the proposed enterprise has been planned on a sound financial basis;

The financial evidence provided suggests that a margin before labour and residential costs could amount to a figure below the minimum agricultural workers wage that might be applicable for an equivalent farm workers dwelling. In this particular case, given the degree of attention and the expertise that the Supporting Statement suggests should be forthcoming from the site occupier, it is not considered the margin figure is a suitable level of remuneration for the risk involved. The choice of location is such that access to the site is along a relatively poor, low adopted public road, a short distance from the edge of Doddington village. It is not considered that the numbers of people that might come for riding lessons in this location would be significant.

(iv) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and

The Supporting Statement indicates that up to 8 horses could be kept at the site, some on livery and some for breeding purposes and with up to 10 stables this is possible, though there would be little opportunity for horses to graze and have free ranging in paddocks with the current land area. It is not considered that the

number and type of horses, even allowing for those that are breeding, is sufficient to justify an on-site presence at this time.

Whilst the applicants have already moved on to the site, the scale of the operation at present does not justify an on-site presence and it is not considered the projected scale will be sufficient to require constant attention.

(v) other normal planning requirements, e.g. on siting and access, are satisfied.

The site is in an open location adjacent to an existing, but poor quality roadway and it is considered that access to the site is somewhat difficult due to the nature of the road, particularly as riding lessons are proposed and also there may be a requirement for the loading and unloading of horses via a horse box or occasionally a horse lorry. These factors mean that the choice of location is less than ideal and counter productive to building up the business.

Conclusions on business plan from the Council's consultant

The Supporting Statement makes it clear that Mr. and Mrs. Joyce have valuable experience gained from a number of years working with horses and I am sure that they would be able to establish a small scale equestrian operation at the site. However, the limited size of the site and its rural location, I consider means that it is unlikely to establish beyond small scale.

The available land at the site is relatively small for the numbers of horses proposed and I would normally expect sufficient land for grazing of all the horses to be kept on the site and at present I do not consider that this is possible. The site is in a rural location about half a mile from the edge of Doddington village and it is quite isolated, although there are a number of dwellings in close proximity to the site. Whilst it might prove less than convenient to operate this site from Doddington, I am not at this stage convinced that a mobile home is essential for the operation of the proposed unit. In addition, the proposed buildings and infrastructure would be quite visible in an otherwise open landscape, which would have a negative impact.

The proposed business is likely to be relatively small scale and with the turnover projected, together with the margin before labour being less than minimum agricultural wages I do not consider that the unit is, or likely to become, viable in the near future.

I consider that the functional and financial tests are not yet met for a temporary dwelling in this location. I do not consider that with the scale of operation proposed it is likely that it would become essential in this particular case and therefore a temporary dwelling is premature in this instance.

Conclusion

The Local Planning Authority has considered both the appraisal submitted on behalf of the applicants and the response of the Council's consultant. Whilst the applicant has made a case for the proposal it is clear that there are some fundamental flaws in their proposal, which have been mentioned above, which results in the LPA being unable to support the proposal.

It is considered that the size of the site could not, at present, sustain the business plan proposed due to the restricted size of the site and lack of paddocks and stables.

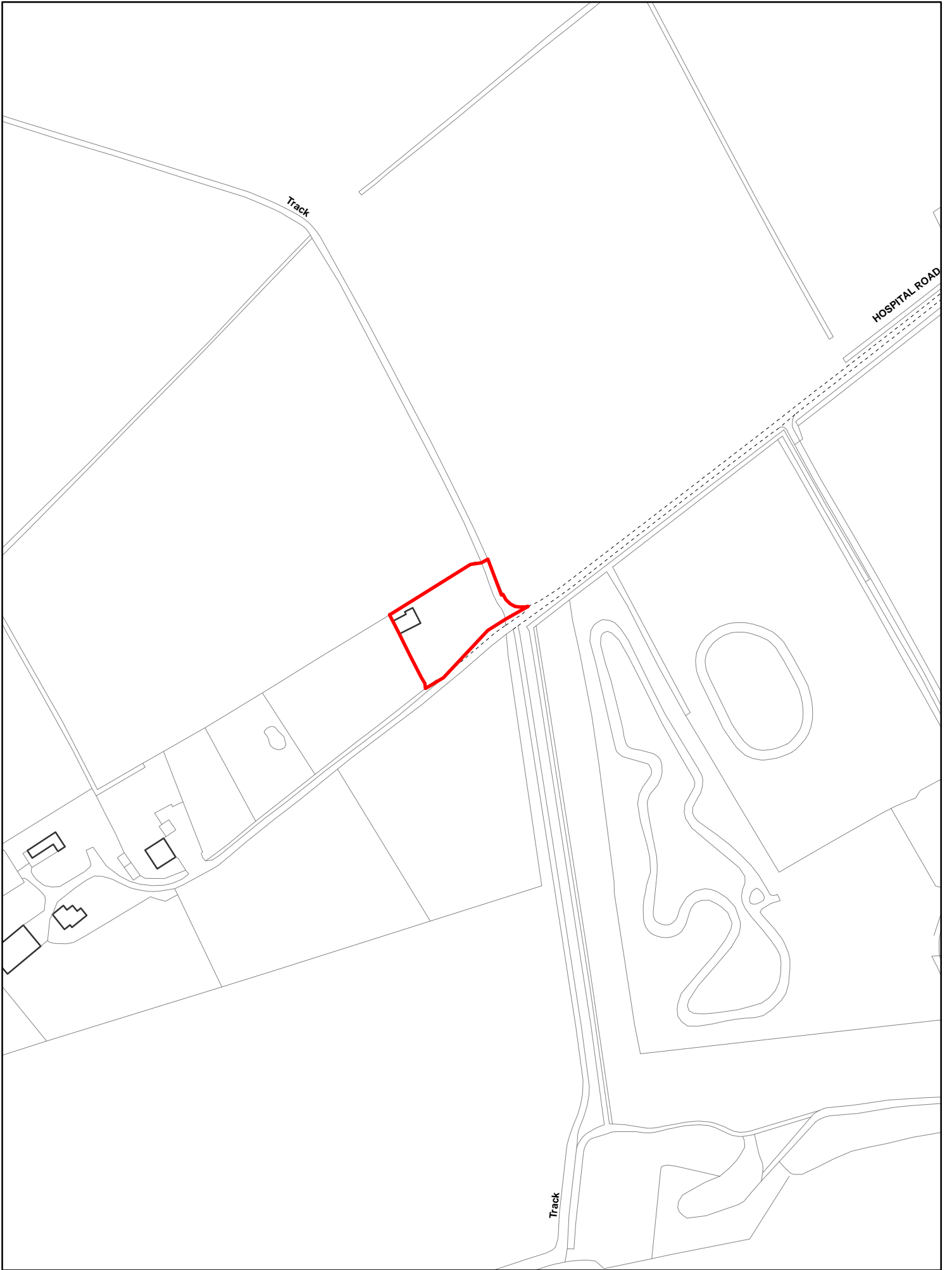
In essence the proposal for an equine business from this site that could ultimately support a dwelling is unlikely to materialise to such an extent that the financial and functional test could be met in line with the requirements of PPS7. Therefore, it is considered that a temporary consent for the mobile homes is not warranted under the present business plan and the size of the current site in the applicant's ownership does not appear sufficient to enable the applicants to carry out their future plans.

Therefore, the Local Planning Authority agrees that the functional and financial tests of Annex A of PPS7 are not yet met for a temporary residential use in this location and that a temporary consent would be premature in this instance.

6. **RECOMMENDATION**

REFUSE

- 1. The proposal is contrary to the advice contained within Planning Policy Statement 7: Sustainable Development in Rural Areas in that it fails to satisfy the functional and financial tests set out within Annex A of that Statement.**
- 2. The need for the mobile homes on site in conjunction with the proposed business use has not been satisfactorily demonstrated and, therefore, fails the functional need set out within Planning Policy Statement 7.**



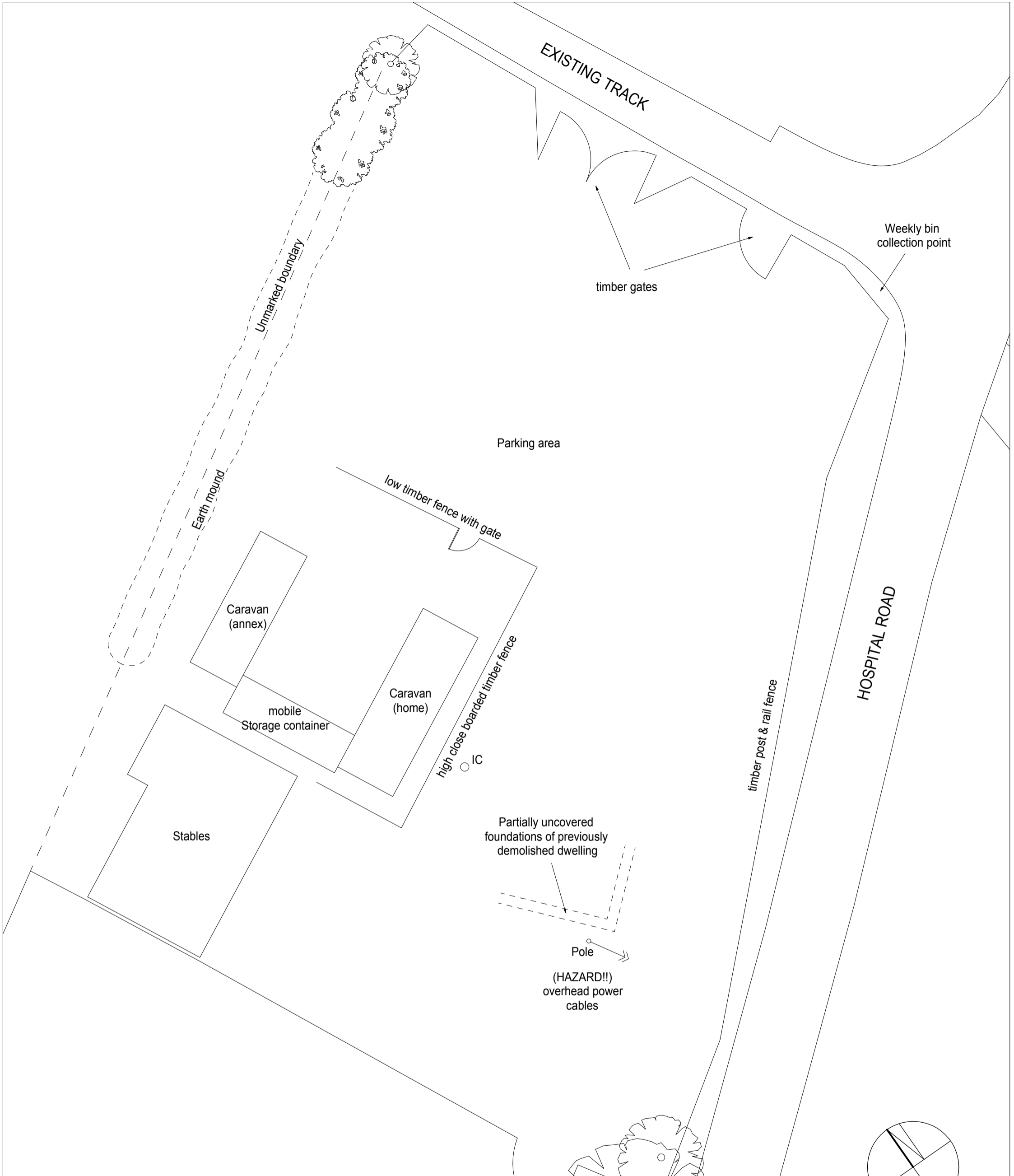
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Scale = 1:2,500





Weekly bin collection point

timber gates

Parking area

low timber fence with gate

Caravan (annex)

Caravan (home)

mobile Storage container

high close boarded timber fence

IC

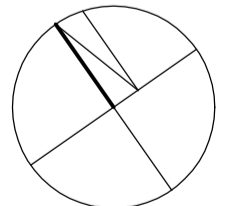
Stables

Partially uncovered foundations of previously demolished dwelling

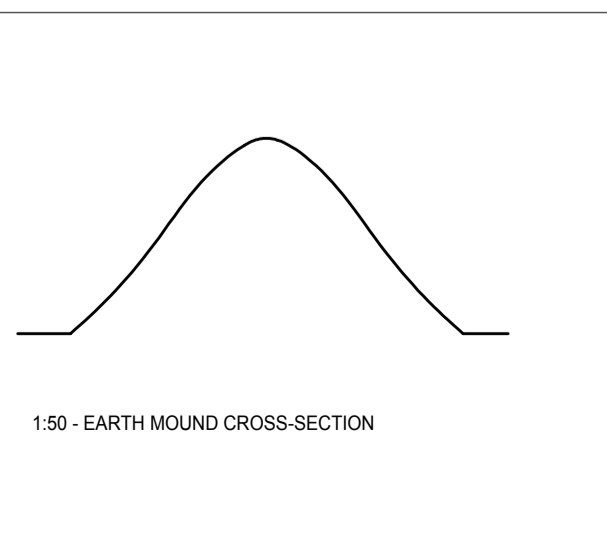
Pole (HAZARD!!) overhead power cables

timber post & rail fence

HOSPITAL ROAD

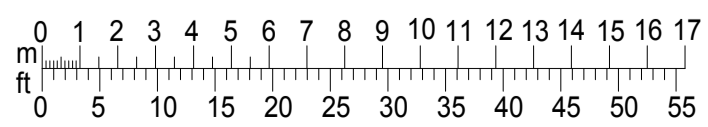


REVISIONS



1:50 - EARTH MOUND CROSS-SECTION

Scale 1:200 - A3



ba
brand
associates
architects
2A Dartford Road
March PE15 8AB
tel [01354] 653 818
fax [01354] 651 951
mail@brand-associates.net

PROPOSED DWELLING RANSONMOOR FARM SOUTH DODDINGTON, PE15 0SL
MR & MRS M JOYCE
PROPOSED SITE PLAN
1:200/1:50 : SH : OCT.11
JOY.11 : 1.2 : A