

Parish:	Hockwold cum Wilton	
Proposal:	Mobile home / temporary accommodation, serving existing equine stables business.	
Location:	Soay Farm Cowles Drove Hockwold cum Wilton THETFORD	
Applicant:	Ms Jeanette Roberts	
Case No:	19/01854/F (Full Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 8 April 2020 Extension of Time Expiry Date: 3 July 2020

Reason for Referral to Planning Committee – Officer recommendation contrary to Parish Council representation and referred by sifting panel

Neighbourhood Plan: No

Case Summary

The site is located on Cowles Drove, a rural site to the west of the village of Hockwold. The site comprises a series of paddocks with stables located to the south of the site adjacent to the main access and parking.

The application is for full planning permission for a mobile home/ temporary accommodation serving an existing equine stables business at Soay Farm, Cowles Drove. The applicant has submitted evidence in the form of a business plan to support their case, and argues that a dwelling is necessary in this location to support this business. It is proposed that access to the caravan is from the secondary access to the north via Sluice Drove.

The use of the land and stables were granted planning consent in July 2016 under reference 16/00442/CU, and then Planning Committee granted consent (17/00853/F) for the retention of the use of three stables for bathroom facilities, a staff rest area and food preparation area.

Key Issues

- * Principle of development
- * Form and character
- * Other material considerations

Recommendation

APPROVE

THE APPLICATION

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The caravan is already on the site however not in the location that the applicant has applied. The applicant has stated they will move the caravan once consent is granted.

SUPPORTING CASE

The applicant (Jeanette Roberts) bought Soay Farm in August 2017 and in that time she has transformed a very small start-up business into a fully functioning equine welfare facility. Jeannette has been in the equine care industry most of her adult life and has a wealth of expertise and experience in her field. She is attending the planning committee meeting today and would welcome the opportunity to answer any questions the members may have.

She is very much looking to provide livery (as per the business plan) but at present the greater opportunity has been for the sale of fowls. She has recently sold a brood mare and fowl. She currently has, on site, 5no. brood mares, 4no. foals (from 4 of the 5 mares), 1no. additional foal and 1no. stallion. The foals will be sold early next year (when they are at the correct age not to be reliant on their mother and for when buyers want to purchase). The foals need constant care and attention. They are fed every 4no. hours, without fail. The stallion also requires specialist care with regard to ensuring that it is always kept securely within it's paddock.

Soay Farm is a unique business as the owner is prepared to give the 24/7 attention required for the recuperation of fragile young foals as well as taking on the responsibility of caring for stallions. Many equine facilities are not prepared to offer these services due to the care and attention required. The business, therefore, is running sufficiently to thrive and will continue to grow in the coming years.

It is vital that the owner can live on site so that these vulnerable animals can receive the constant specialist care that they require.

It is worth noting that the owner has spent a not inconsiderable amount of money refurbishing the stables (i.e. fixing leaking roofs), mending / erecting fencing and general decoration and maintenance of the facility. I would hope that the committee members, on their visit to site, were suitably impressed by the appearance and upkeep of Soay Stables.

Note that the mobile home is currently on site but is NOT being used. It was bought as there was an opportunity to purchase an ideal mobile home, for a reasonable price. The applicant is fully aware that it will have to be sold should approval not be given.

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PLANNING HISTORY

17/00853/F: Application Permitted: 02/10/17 - Retention of use of stables for addition of single w.c., shower and handbasin, in stable no.7, with waste discharging into septic tank. Use of Stable 6 as a reception area. Use of hay store as a staff / seated 'rest' area and food preparation area - Soay Farm

16/00442/CU: Application Permitted: 15/07/16 - Retention of existing stabling and paddocks, and business use for accommodation and livery of horses. - Soay Farm

09/00864/F: Application Refused: 25/08/09 - Erection of agricultural building to house sheep and temporary residential dwelling in connection with early fat lamb enterprise - Soay Farm

RESPONSE TO CONSULTATION

Parish Council: OBJECT

The Hockwold cum Wilton Parish Council met on Tuesday 12th May 2020 and discussed the above mentioned planning applications. The PC voted to OBJECT to this planning application for the numerous reasons listed below. The Parish Council hopes that these objections will be taken into serious consideration.

In the Design and Access Statement dated 25/10/2019 it states that : "The owner / applicant has been caring for horses on site since the purchase in 2016. The intention is to provide full livery and boarding (as per statement of intent / business plan submitted with application ref:17/00853/F, 2017). This intention still applies (submitted amended within this application). However, since 2017 the business has continued down the line of housing and caring for it's own horses with a view to breeding and selling the foals. A return will be achieved when the foals are ready / at the age for sale."

1. The PC hasn't seen a statement of intent / business plan for this new "breeding and selling the foals" venture? This is a change which is not listed in the original planning application or in any following planning applications.
2. There is no indication whether the development will be a person's residence. It's noted that the development will not be "for employed staff". Therefore the PC feel the exact use is vague.
3. Applicant statement dated 23/04/2018 states that: "...planning permission to have a caravan on my field for my elderly mother to be able to sit somewhere nice to have a coffee and to be able to use a toilet as we live so far away. When my mother and myself spend the day there we need somewhere to sit under cover and to use WC facilities, neither my mother or myself will be living in the caravan." This is not the case as they are applying for a residence. If it is not for the owner and is not 'for employed staff', then whom is it for? Regardless to the occupant, the PC does not support a residence on this agricultural land.
4. In the application they described "Soay Farm is very much a vibrant, fully run business and not just a 'hobby' for the owner", but stated in the Design and Access Statement that 'since 2017 the business' has continued down the line of housing and caring for its own horses'.
5. Hockwold Parish Council objected (16 Aug 2018) to the site caravan approved 18/00510/F) due to the fact that Soay Farm already had ample facilities on site in the way of: already existing WC, Shower room, food prep area, seating area, and reception area in stable blocks turned into facilities on Soay Farm. This information fell on deaf ears as the site caravan was approved. This caravan was only approved in January 2019, this would be proof that there is already a caravan on site with all the essential amenities. Why then is more temporary accommodation needed and how temporary is

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temporary? The Business is said to be ongoing so why 'temporary' if a mobile home is essential for the running of the business? Will this lead to an application for the building of a house in time? This would not be acceptable. It will further deteriorate the limited agricultural land in the local/rural area.

6. This is agricultural land and has not been approved for residential use, nor should it be. In recent years we have seen local agricultural lands changes approved due to loopholes in the legislation and clever planning applications. The Parish Council do not want any further development on this agricultural land. So many of the local agricultural lands have been given approval for caravans, façade businesses and virtual caravan sites with some having nearly half a dozen residential caravans approved. Due to the rural location, attempts to block prying eyes from the roads and burdens on the local planning authorities the Parish Council has concerns over the enforcement of planning and regulations on this site and others locally.
7. The application states a "growing local need" of "horses with a view to breeding and selling the foals"? We can see of no local need for a horse breeding business.

Highways Authority: NO OBJECTION

Having examined the information submitted, in terms of highway safety considerations, I have no objection to the principle of the application.

Environmental Health & Housing – Environmental Quality: NO COMMENTS

Public Rights of Way (NCC): NO OBJECTION

I have no objection in principle to the application on Public Rights of Way grounds. We would highlight that the proposed access to the North of the site will exit onto the Public Right of Way, known as Hockwold-Cum-Wilton BOAT 9. The full legal extent of this PROW must remain open and accessible for the duration of the development and subsequent occupation.

Internal Drainage Board: NO OBJECTION

Natural England: NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Environment Agency: NO COMMENTS

REPRESENTATIONS:

NONE RECEIVED

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 - The Economy

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM2 – Development Boundaries

DM6 - Housing Needs of Rural Workers

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
National Design Guide 2019

PLANNING CONSIDERATIONS

Principle of development

In terms of national policy the National Planning Policy Framework (NPPF) is generally supportive of a prosperous rural economy and states:

“83. Planning policies and decisions should enable:

- (a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- (b) the development and diversification of agricultural and other land-based rural businesses;
- (c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- (d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

This application seeks to support an emerging rural business, by providing temporary on-site accommodation which the applicant argues is necessary for the continuation and success of the business.

However the application site is located outside of development boundaries for the village of Hockwold and therefore within the countryside, as designated by Policy DM2 of the Site Allocations and Development Management Plan (SADMPP) (2016). Policy DM2 restricts new residential development in areas outside development boundaries to that identified as suitable in rural areas by other policies in the local plan; including rural workers housing (Policy DM6 of the SADMPP). Policy DM6 states:

“....Temporary occupational dwellings

- 4. If a new dwelling is essential to support a new rural based activity, it should normally, for the first three years, be provided by a caravan, or other temporary accommodation.

5. New temporary dwellings should only be allowed to support rural based activities providing:
 - a. The proposal satisfies criteria 3a and 3b above [OFFICER NOTE: Inserted for ease of reference - 3a. there is a clearly established existing functional need, requiring occupants to be adjacent to their enterprises in the day and at night, 3b. The need could not be met by existing dwellings within the locality,]
 - b. The application is supported by clear evidence of a firm intention and ability to develop the enterprise concerned (for example significant investment in new farm buildings is often a good indication of intentions);
 - c. The application is supported by clear evidence that the proposed enterprise has been planned on a sound financial basis...”

In terms of addressing criterion 5a, the stables and paddocks have already been granted planning consent in 2016 (under reference 16/00442/CU) for business use for the boarding/livery of horses. The applicant also has consent for a reception, bathroom, and staff room under application 17/00853/F for the purposes of the business. The business is therefore established in this location. The applicant makes the case that they currently have, on site, five brood mares, 4 foals, one additional foal and one stallion. They have recently sold a brood mare and foal. The foals currently on site will be sold early next year but do need constant care and attention as they are fed every 4 hours. The stallion also requires specialist care to ensure that it is always kept securely within its paddock.

Given the rural nature of the locality, the nearest alternative housing options would be in the village of Hockwold. The applicant argues however that they need to live on the site, due to the nature of the business, and therefore there are no alternative opportunities for housing in this locality which would meet this need.

The Parish Council, in their representation, queries the need for accommodation on site and points to the existing welfare facilities on site which in their view is sufficient. However the welfare facilities provided are conditioned for that purpose alone and cannot be used for overnight accommodation.

Criterion 5b from policy DM6 requires clear evidence of an intention and ability to develop the business. The established use of the land and the investment made on the site in terms of stabling and fencing etc shows a level of commitment to the business. The applicant has stated that they are an experienced equine specialist and has sufficient ability to develop the business.

However the Parish Council question the evidence and information put forward, and the progression of the business on the site to date. They state that the land is used for the care of personal horses, rather than this being a viable business requiring a temporary dwelling on site. The applicant accepts that the business has evolved from purely being that of boarding/livery, and to date the focus has been on the care of the applicants own animals to establish the breeding side of the enterprise.

In response to the final criterion, 5c, the applicant has submitted a Business Plan to illustrate that the business has been planned on a sound financial basis. The applicant argues that it is their intention to continue with full boarding/livery as originally proposed for the site, but that in addition the applicant is seeking to breed horses and sell on the foals.

The business plan submitted indicates the predicted income and expenditure of the enterprise on an annual basis. This indicates that the business would comprise of horse/pony livery and foaling of three mares. The current income on the site is £0. The applicant proposes that the livery (both full and paddock) would generate approximately £420 a week.

In addition to this the foals would be £2,000 each and therefore generate £6,000 income a year. This provides a gross income of £27,840 per annum.

Expenditure is currently £83.50 a week but as the business is established it is predicted at £230.50 a week which equates to £11,986 per annum (comprising carrots £5 per horse per week, hay £12.50 per horse per week, straw £5 per horse per week, water £2 per week and car diesel at £10 per week)

Therefore a predicted profit of £15,854 is shown without the deduction of salary. The business will be run by the applicant alone and no additional staff will be required. The annual figures supplied predict a profit; and there is usually a 'presumption in favour' when trying to establish a business. The business plan supplied meets the requirements of policy DM6.

It is recommended that the siting of the temporary dwelling is conditioned for a period of 2 years and 8 months. This reflects the amount of time the caravan has already been on site, and also provides sufficient time for the applicant to establish a profitable business. Furthermore this is an application for the temporary siting of a caravan and if the business is not successful this caravan will have to be removed.

In summary, the applicant has met the requirements of policy DM6, and therefore is in accordance with the NPPF, policy CS6 of the Core Strategy (CS) (2011), and policies DM2 and DM6 of the SADMPP (2016).

Form and character

The form and character within this locality of Cowles Drove is one of sparse residential development with predominantly agricultural land and, paddocks and stabling surrounding. The use of the land for this business is established and the applicant has invested money in the stables, fencing etc which is all visible from the highway, Cowles Drove. The signage and vehicular access for the enterprise is currently fronting onto/ via Cowles Drove.

Given the application is for a caravan, this will not have a significant nor detrimental impact on the form and character, but rather is something often seen alongside such land uses. It is proposed that the caravan will be located some way back within the landholding, which is at lower flood risk, and therefore will be less prominent in the street scene. It should be noted that the current siting of the caravan towards the front of the site, alongside the stabling, is temporary and this will be relocated in accordance with the plans on consent of the application.

Therefore in summary in terms of form and character, this application has little impact on the rural form and character in this locality, and is in accordance with the NPPF, policy CS08 of the CS (2011) and policy DM15 of the SADMPPP (2016).

Other material considerations

- There are no highway concerns to the proposed scheme. Access for the caravan is proposed via Sluice Drove, rather than Cowles Drove, however given this is an existing second access into the site and the limited vehicular movements of the occupant this is not considered to be an issue.
- The Parish Council raise concerns around the existing facilities on site and the need for additional accommodation, referring to the presence of a caravan on site. However they are confusing two separate land ownerships, and the caravan referred to in their comments is sited on land neighbouring the applicants. The neighbouring land is also in

use for the keeping of horses, and includes welfare facilities on site in the form of a caravan and portaloo, but is not operated as a business.

- The Parish Council concerns about new development along Cowles Drove and the loss of agricultural land is acknowledged. However in this case the applicant has met the policy requirements of the adopted local plan, and therefore is not a reason for refusal.
- There are no objections from statutory consultees, and no representations have been received.

CONCLUSION

The application site and the applicant's larger landholding lies outside of the development boundary for Hockwold, in the countryside. Policy DM6 addresses the housing needs of rural workers and provides a series of criteria to be met to allow for a temporary dwelling to be located next to a new/ emerging enterprise. The principle of a stables / livery business on this site has already been accepted, and the applicant has made the case that given the nature of the business that a dwelling is required onsite. Despite the concerns raised by the Parish Council, the applicant has provided sufficient evidence in the form of a projected business plan, alongside her investment in the site to date, which demonstrates her intention to develop her business. The proposal is considered acceptable and in line with the NPPF, policy CS06 of the CS (2011) and policies DM2 and DM6 of the SADMPP (2016). Therefore it is recommended that consent is granted for the temporary siting of a caravan on the land outlined in red for the period of 2 years and 8 months from the date of decision.

RECOMMENDATION:

APPROVE subject to the imposition of the following condition(s):

- 1 Condition: This permission shall expire on 1st February 2023 and, unless on or before that date an application is made for an extension of the period of permission and such application is approved, the following works shall be carried out:
 - (a) the mobile home shall be removed from the application site, and
 - (b) works necessary to reinstate the application site to its condition prior to the implementation of this temporary permission shall be carried out.
- 1 Reason: In order that the Local Planning Authority may retain control over the development where a permanent permission may give rise to conditions detrimental to the amenities of the locality; in accordance with the provisions of the NPPF and Core Strategy (2011) Policies CS01, CS02 and CS06, and Site Allocations and Development Management Policies Plan (2016) Policies DM2 and DM6.
- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing numbers 033-4-03 A received on 5th Feb 2020; and 033-4-01 C and 033-4-02 C received on 12th Feb 2020.
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: The temporary mobile home hereby permitted shall only be occupied in connection with the equine business on the adjoining land (as outlined in blue on the Site Plan 033-4-01 C received on 12th February 2020) and it shall at no time be used for any other business or commercial purpose. If at any time such use ceases, the

mobile home shall be removed and the site reinstated to the satisfaction of the Local Planning Authority.

- 3 Reason: The temporary mobile home has been approved for use in relation to the surrounding land and its use for any other purpose in this open agricultural landscape would be inappropriate; in accordance with the provisions of the NPPF and Core Strategy Policies CS01, CS02 and CS06, and Site Allocations and Development Management Policies Plan Policies DM2 and DM6.