

PLANNING COMMITTEE
11 January 2021

**SUMMARY OF ADDITIONAL CORRESPONDENCE RECEIVED SINCE THE
PUBLICATION OF THE AGENDA AND ERRATA**

Item No. 8/1(a) **Page No.** 8

Agent: Submitted amended plan 301/02C to clarify that the horse arena will be to grass and to confirm that the storage containers are not part of the application.

Hockwold Parish Council: The Parish Council require their comments to be cited in full as the formatting in the report is different, as follows:

In agreement to the comments made by Councillors, it is proposed that the plan should be objected upon for the following reasons:

- That a Heritage Statement be required, submitted to and approved by the local planning authority;
- That a Transport Assessment/Statement or Travel Plan be submitted as there are significant transport implications with this proposed plan
 - Via Church Lane and Moor Drove – this is an extremely unmade road and totally unsafe for increased vehicle traffic and inaccessible for horse boxes.
 - Via Station Road and Moor Drove – Station Road is a busy road, particularly as it takes the traffic between American air bases located in Feltwell and Lakenheath. The access is at the transition to 40mph limit, where traffic either speeds up as they can see the derestriction sign or maintain speed before reducing to 40mph. In addition, exiting from Moor Drove, looking to the right, there is a bend in the road which limits the view both of horsebox drivers and of Station Road drivers, particularly when horseboxes tend to be driven slowly.
- That it doesn't include for the agricultural tie to be removed (which would be highly OBJECTED TO) – this is important as with an agricultural tied horses can be grazed but cannot be ridden or lunged.
- That it is not in kind to the previous local neighbouring plan, passed with the following conditions:
 1.
 - No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation and 6) Nomination of a competent persons or persons/organisation to undertake the works set out within the written scheme of investigation.
 - No development shall take place other than in accordance with the written scheme of investigation approved under condition 3.
 - The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition 3 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

- Notwithstanding the provisions of Schedule 2, Part 4 , Class A of the Town and Country Planning (General Permitted Development) Order 2015) (or any order revoking and re-enacting that Order with or without modification), no gymkhanas or riding events shall take place on the site.
- The outdoor riding area hereby approved shall only be used to accommodate the horses of the occupants of Wetherley, 77 South Street, Hockwold cum Wilton and shall not be used for any commercial riding or training purposes.

The reasons being:

- 1.
 - To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
 - For the avoidance of doubt and in the interests of proper planning.
 - To safeguard archaeological interests in accordance with the principles of the NPPF
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- That the application is incomplete. The current plan does not include:
 - Events held on this site (several planned for this year).
 - The large metal storage containers that are on site, advertised for rent at £90 per calendar month.
 - The construction of electric fencing which has enveloped the Highway verge.
 - The signage (One of which is threatening violence).

In addition, the Parish Council has submitted screen shots to enforce their comments above and written to Planning Enforcement requesting the following (summarised):

- Investigate the green building previously approved as a machinery/feed store in 2012 and the fact that it is being let out as a barn with 3 bedroom residential accommodation.
- The Parish Council is frustrated that most of the applications on the site are retrospective and that even though the Parish Council reports unauthorised business/buildings/uses, people are allowed to put retrospective applications in and are then agreed. Parishioners that follow the rules and apply for planning permission are then turned down.

Cllr Ryves: Has the following queries:

1. Can I please see the sound financial basis required under DM6 5,c, and reference is made to a projected business plan and investment made in the site. May I please see this?
2. As this is retrospective, for how long has the site been active and for how long has the residential caravan been on site, and the “ancillary welfare unit”. Is this also a temporary structure?

Amended Conditions

As a result of the submission of the amended plan, Conditions 1,2 and 3 are amended as follows:

1 Condition: Permission for the mobile home and welfare unit (W.Cs, office and tackroom) as shown on Drawing No. 301/02/C shall expire on 8 January 2024 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 and welfare unit (W.Cs, office and tackroom) 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 301/01/A, 301/02/C and 301/03.

2 Reason: For the avoidance of doubt and in the interests of proper planning.

3 Condition: The use of the mobile unit hereby approved and known as 'W.C.s, office and tack room' on Drawing No 301/02/C shall be limited to the use as a welfare unit including W.C.s, office and tack room and shall at no time be used as a unit of residential accommodation.

3 Reason: For the avoidance of doubt and to ensure that the mobile unit is not used for unrelated purposes that would be incompatible with the provisions of the NPPF.

Additional condition

To ensure that the mobile home is only occupied in connection with the business use, the following condition is recommended.

6. Condition: The occupation of the mobile home hereby permitted shall be limited to persons employed in connection with equine care/livery business and land outlined in red on Dwg. 301/01/A and 301/02/C.

6. Reason: The site lies in an area where the Local Planning Authority would not normally grant permission for new dwellings. This permission is granted in recognition of the special need for the dwelling in connection with a rural enterprise in accordance with the NPPF.

Assistant Director's comments: For clarity, the land owner Mr Rutterford has made the application, however he is not the operator of the business which is Mr Simon Barrett. Notwithstanding the above, the permission runs with the land and not individuals.

In response to the Parish Council, the content of their comments has been referred to in the main body of the report. Whilst the Parish Council's comments are noted, there is provision in law to be able to make a retrospective application. Each application will be treated on its merits. The containers were not on site when the officer undertook the site visit and they do not form part of this application and will be dealt with separately by the Planning Enforcement Team, along with the alleged use of the green building. The alleged signage threatening violence is a police matter.

In response to Cllr Ryves, the business plan is available on line. The ancillary welfare building is a temporary structure. The application came as a result of an enforcement enquiry reported in May 2019. The enquiry related to use of the land for horses and potential riding school. Based on photographs it would appear that the ancillary building and caravan were on site at this time although do not look as if they were utilised at this point. There would also appear to have been some investment in the entrance driveway and fencing. On the planning application form the applicant stated use had commenced in March 2019.

The planning application was submitted in March 2020. On visiting the site again in May 2020, it appeared that the welfare building and caravan was in use. The applicant has stated that the caravan has not yet been used for overnight accommodation i.e. for residential purposes.