

Parish:	Terrington St John	
Proposal:	Retrospective : Construction of timber stables for non-commercial purposes	
Location:	Land E And NE of The Stet School Road St John's Fen End Terrington St John	
Applicant:	Mrs K Feleki	
Case No:	22/00346/F (Full Application)	
Case Officer:	Bradley Downes	Date for Determination: 11 April 2022 Extension of Time Expiry Date: 17 June 2022

Reason for Referral to Planning Committee – Parish Council response contrary to officer recommendation and Sifting Panel referred to Planning Committee

Neighbourhood Plan: Yes

Case Summary

The site lies in the countryside to the east of the dwelling The Stet, School Road, at St John's Fen End. The application is retrospective for the erection of a stable building for personal use within the existing agricultural paddock adjoining the property.

Key Issues

Principle of development
Impact on character and appearance of the countryside
Impact on amenity of neighbouring occupiers
Any other material considerations

Recommendation

APPROVE

THE APPLICATION

The site lies in the countryside to the east of the dwelling The Stet, School Road, at St John's Fen End. The application is retrospective for the erection of a stable building for personal use within the existing agricultural paddock adjoining the property. The building is situated in the west side of the paddock, close to the main dwelling. The site lies on the northern edge of the main built up part of St John's Fen End.

The stable building is L-shaped and constructed from timber with a footprint of approximately 66sqm and approximately 2.8m high.

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SUPPORTING CASE

The proposal comprises a 4 block stable for the Applicant's own horses. There is no commercial element.

The stables are of timber construction and have been sited close to the associated residence, for security, animal welfare and to keep the structure close to the house and existing built form.

The site is well screened by vegetation and is not visible in public views. In planning terms, the proposal accords with planning policy.

PLANNING HISTORY

20/01898/F: Application Refused: 02/03/21 - Proposed dwelling and use of agricultural land as gardens - Land E And NE of The Stet School Road, St John's Fen End

20/00516/F: Application Refused: 28/09/20 - Proposed dwelling and use of agricultural land as gardens - Land E And NE of The Stet School Road, St John's Fen End

19/01784/O: Application Permitted: 05/12/19 - Outline application with some matters reserved for proposed dwelling - Adj. The Stet School Road, St John's Fen End

16/00468/O: Application Permitted: 25/10/16 - Outline Application: Proposed dwelling - The Stet School Road, St John's Fen End

RESPONSE TO CONSULTATION

Parish Council: OBJECT

This is agricultural land and should not be used for the proposed purpose. Change of use has already been refused and therefore the stable block cannot be considered.

Does not conform to the Neighbourhood Plan.

Clear indication of future development on the site and it is outside the village envelope.

Highways Authority: NO OBJECTION

No objection provided it is not let or sold separately from dwelling.

Emergency Planning: NO OBJECTION

The occupiers should sign up to the EA flood warning service and a flood evacuation plan should be prepared.

REPRESENTATIONS

NONE RECEIVED

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

NEIGHBOURHOOD PLAN POLICIES

Policy 1: Village Development Boundary

Policy 4: Design

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

PLANNING CONSIDERATIONS

The main considerations:

- Principle of development
- Impact on character and appearance of the countryside
- Impact on neighbour amenity
- Any other material impacts

Principle of development:

The site lies outside the development boundary for Marshland St James/St Johns Fen End as defined in both the SADMPP 2016 and the Terrington St John Neighbourhood Plan. Policy 1 of the Terrington St John Neighbourhood Plan states that in areas outside the development boundary, proposals will only be permitted in accordance with national and Local Plan policies for development in the countryside. Policy DM2 of the SADMPP 2016 states that outside development boundaries, development is more restricted and limited to those identified as suitable in rural areas as set out in other policies of the Development Plan. Policy CS06 states that in the countryside, the strategy will be to protect the countryside for its intrinsic character and beauty.

Given the proposed equestrian use of the land is considered to be compatible development within the countryside, there would be no conflict in principle with the policies of the Development Plan or with the NPPF. Subsequently the development is considered to be in accordance with Policy 1 of the Neighbourhood Plan.

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Impact on character and appearance:

The stable building is L-shaped and constructed from timber with a footprint of approximately 66sqm and approximately 2.8m high. The building is situated to the west side of the paddock near to the associated dwelling The Stet. Policy 4 of the Neighbourhood Plan states that the materials to be used in any new building should be carefully selected to blend in with adjacent properties in the area and maintain the character of the village.

Due to its proximity to the dwelling, being set back from School Road, and the small scale of the building it is considered the development does not result in any significant adverse impact on the character or appearance of the countryside. In addition, it is considered the building would maintain the character of the village in accordance with Policy 4 as the proposed materials are consistent with the examples cited within the Neighbourhood Plan. The proposal therefore complies with Policies CS06, CS08 and Dm15 of the Local Plan and Policy 4 of the Neighbourhood Plan.

Impact on neighbour amenity:

The proposed building is situated far enough from any neighbouring dwellings such that there would not be any significant overbearing, overshadowing or overlooking impacts. It is considered the proposed use of the land for keeping horses for private use will not have any significant noise impact on neighbouring dwellings. The application will be conditioned to ensure it is private use in connection with the dwelling also owned by the applicant (as outlined in blue on the location plan). This provides the required certainty that the land would not be used in connection with an equestrian business without planning permission. The proposal therefore complies with Policy DM15 of the Local Plan.

Other material impacts:

The proposal is an application for minor development involving private equestrian use. The site lies in Flood Zone 3a, however it is considered that a site specific Flood Risk Assessment is not necessary in this case. The use of the site for keeping horses for private purposes is a form of outdoor recreation, and therefore is classified as 'water-compatible development' under the EA Flood Risk vulnerability classification. The Borough Council Emergency Planner recommends the applicant sign up to the EA flood warning service and an evacuation plan is prepared. While it is not considered sufficiently necessary to warrant a condition in this case, it will be added to any approval as an informative note.

The only time vehicles will need to visit the site in connection with the use are if horses need to be transported or dropped off. Given the use of the site will be ancillary to the dwelling it is considered the level of traffic generated will be low and there would not be any significant impact to highway safety. The Local Highway Authority do not object to this application on this basis and the proposal complies with Policies CS11 and DM15 of the Local Plan.

Specific comments and issues:

The Parish Council have raised concern that the development should be refused because a change of use was previously refused, and that the proposal shows a clear indication of the future development of the site. The previous change of use was for a residential garden extension and is not considered to be comparable to an equestrian use. In addition, any future planning applications on the land would be determined on their own merits.

CONCLUSION

The principle of the proposed development is considered acceptable. The proposed building and change of use for private equestrian will not have any significant adverse impact on the character and appearance of the area and will not have any significant impacts on the amenity of neighbouring occupiers. The proposal is in accordance with Policies CS06 and CS08 of the Core Strategy 2011 and DM2 and DM15 of the SADMPP 2016 along with Policies 1 and 4 of the Neighbourhood Plan. The application is therefore recommended for approval.

RECOMMENDATION:

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

- 1 Condition: The development is hereby permitted in accordance with the following approved plans. Location Plan (received 3/3/22), Site Plan (received 3/3/22), and Proposed Elevations and Floor Plan (received 3/3/22).
- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition: The use of the stable building and land outlined in red on the approved Location Plan shall be limited to purposes incidental to the needs and personal enjoyment of the occupants of the dwelling known as 'The Stet' at School Road, St John's Fen End as outlined in blue on the Location Plan and shall at no time be used for business or commercial purposes.
- 2 Reason: For the avoidance of doubt and to safeguard the amenities of the locality in accordance with the NPPF.