

Parish:	Upwell	
Proposal:	Change of use of land to paddock and erection of fencing and stables/store	
Location:	Stonehouse Road Upwell Wisbech Norfolk	
Applicant:	Mr And Mrs Lee And Emma Pearce	
Case No:	23/01015/F (Full Application)	
Case Officer:	Charlotte Castell-Smith	Date for Determination: 16 August 2023 Extension of Time Expiry Date: 8 September 2023

Reason for Referral to Planning Committee – Application relates to land within the ownership of a Borough Council member who is involved in the planning process.

Neighbourhood Plan: Yes

Case Summary

The application relates to the change of use of approximately 0.42ha of agricultural land to equestrian paddock and erection of stables/ store for private use and fencing at land adjacent to No.2 The Cottage, Stonehouse Road, Upwell.

Upwell is designated as a Key Rural Service Centre with Outwell under Policy CS02 of the Core Strategy 2011 and whilst situated outside of the development boundary for the Parish, it is situated within the neighbourhood plan boundary.

Key Issues

Principle of Development
Form and Character
Impact on Neighbours
Highway safety

Recommendation

APPROVE

THE APPLICATION

The land is situated to the north of Stonehouse Road, Upwell, at land to the north and east of No.2 The Cottage. The proposal is for the change of use of approximately 0.42ha of agricultural land to an equestrian paddock for private use, with the erection of a stables and store and for fencing. The stable would measure approximately 6m in width, 3.5m in depth and 2.7m in height, finished with a pitched roof. A further overhang would extend out by

1.5m, creating a total depth of approximately 5m. The site comprises of Grade 1 agricultural land. There are no existing boundary treatments.

Upwell is classified as part of a joint Key Rural Service Centre with Outwell in Policy CS02 of the Core Strategy 2011 and the site is situated outside of the development boundary.

SUPPORTING CASE

At present Mr. & Mrs Pearce keep their 3 animals on land owned by Mrs Pearce's mother Mrs Elaine Robinson at Low Side, Upwell. This arrangement has worked well but now Mrs. Robinson has asked her daughter if they can be moved. Mr & Mrs Pearce have been looking for a suitable dwelling in Upwell with land attached and were able to find the perfect place to relocate their animals at 2, Stonehouse Road, Upwell. The animals are all rescue animals and their details are as follows:

1. One 5-year-old horse named Khellissa.
2. Two Shetland ponies, Gladys aged 5, and Honey aged 23 years.

They will all have their own small paddock as shown on drawing number 23/5/2153/1D

Mr & Mrs Pearce do not intend to increase the number of animals but will replace them as they pass on or should another animal is desperate for a home they will find room. The manure will be collected about every 2 months by a local farmer and put on his farmland in Welney. The hay will be delivered from a farmer in Wisbech St Mary each month and stored in part of the stable building.

PLANNING HISTORY

NO planning history.

RESPONSE TO CONSULTATION

Parish Council: Upwell Planning Group **SUPPORT** this application, with a note to ensure adequate security fencing and gates for the horses is provided and maintained, due to the number of horses escaping or being let out in the area.

Highways Authority: **NO OBJECTION** provided that a condition is imposed restricting private use in association with property number two. It is not considered appropriate for renting out /livery due to the narrow carriageway widths on the surrounding network.

REPRESENTATIONS

NONE received.

LDF CORE STRATEGY POLICIES

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
National Design Guide 2021

PLANNING CONSIDERATIONS

The main considerations are

- Principle of Development
- Form and Character
- Impact on Neighbour Amenity
- Highway Safety

Principle of Development

The site lies outside of the development boundary for Upwell. In such areas, policies seek to restrict development in the countryside to that which are identified as suitable in rural areas, as set out in other policies of the Development Plan. Policy CS06 states that in the rural countryside, the strategy will be to protect the countryside for its intrinsic character and beauty. Given that the proposed change of use and erection of stables / store relates to compatible development within the countryside, there would be no conflict in principle with the policies of the Development Plan or with the NPPF.

It is noted that Policy EN2: Agricultural Land; of the Upwell Neighbourhood Plan states that New development will only be permitted on Grade 1 agricultural land if: there are overriding community benefits or if there are no reasonably available sites within Upwell Parish appropriate for the proposed development on: previously developed land, land not in agricultural use or land which is not viable for commercial agricultural use. Whilst the proposal would not directly comply with this neighbourhood plan policy, it is considered that due to the application site being situated directly adjacent to the applicants dwelling and that the land is not currently operational farmland, it would be a compatible use for this location. Should the application be permitted, the change of use and erection of a stable would not result in the complete loss of the Grade 1 agricultural land and would be reversible. Overall, it is considered that there would be no alternative appropriate site within the Parish and that considering this, the proposal would be in accordance with Policies CS06, CS08 and DM15 of the adopted local plan, Policy EN2 of the Upwell Neighbourhood Plan and provisions of the NPPF.

Form and Character

The proposed application relates to 0.42ha of land with a single stable and store to be erected. The keeping of horses and stables is considered to be a common sight in the countryside and is not considered to result in any significant visual impact on the character and appearance of the countryside. The proposed stables and store would measure

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approximately 6m in width, 3.5m in depth and 2.7m in height, finished with a pitched roof. A further overhang would extend out by 1.5m, creating a total depth of approximately 5m. The stable would be constructed of timber boarding with a felt roof. Given the size and location of the proposed stables within the wider context of the area which is set back from the road by approximately 32m, the proposal is considered to have no detrimental impact on the form and character of the area.

The proposal is therefore acceptable in design terms and complies with Policies CS06 and CS08 of the Core Strategy 2011 and Policy DM15 of the SADMPP 2016.

Impact on Neighbour Amenity

Due to the nature of the development, there would not be any significant overlooking, overbearing or overshadowing impacts. It is considered that the proposed use of the land for keeping horses for private use would not have any significant noise impact on neighbouring dwellings. The application would be conditioned to ensure it is for private use in connection with the dwelling outlined in blue on the location plan. This is considered to provide the necessary certainty that the land would not be used in connection to any equestrian business without planning permission.

The agent has confirmed on the plan that the muck heap would be located on an area of concrete to the front of the stable building more than 30 metres from the nearest unassociated dwelling. This is considered to be acceptable with regard to odour as per CSNN standing advice which states that no used bedding or waste is to be stored within 10m of a neighbouring property. Further details regarding the muck heap and additionally foul water drainage are detailed on the plan accordingly.

The proposal is therefore acceptable in design terms and complies with Policies CS06 and CS08 of the Core Strategy 2011 and Policy DM15 of the SADMPP 2016.

Highway Safety

The applicant would access the land via an existing track within the red line, directly off Stonehouse Road. The Local Highways Authority has raised no objections with regards to highway safety and access to the site provided that the site is conditioned for private use only in association with the dwelling.

It is not considered that the existing access is appropriate for renting out / livery due to the narrow carriageway widths on the surrounding network. The proposal as it stands with conditions applied is considered acceptable in accordance with policies CS06, CS08, DM15 and provisions of the NPPF.

Other Matters

The proposal has been assessed against the CSNN Planning Consultation Guidance and Standard Responses for non-commercial equine development. The proposal should be appropriately conditioned to ensure that waste from stable blocks, use of the land and possible nuisance as a result of the development is effectively managed.

CONCLUSION

It is considered that the proposed paddocks and stable would not have an adverse impact on the form and character of the area due to being a compatible land use within the countryside.

The proposal would not have an adverse impact upon neighbour amenity due to the sufficient distance between neighbouring properties and the proposed location of the muck heap.

Overall, the proposal is considered to be in accordance with the requirements of the National Planning Policy Framework 2019 and other relevant policies including policies CS06, CS08 and DM15 of the local plan. It is thereby recommended that Members approve this application.

RECOMMENDATION

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

- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: 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.
- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 23/5/2153/A LOCATION PLAN
 - 23/5/2153/1/D EXISTING AND PROPOSED BLOCK PLANS
 - 23/5/2153/2/A STABLE/STORE & FENCING
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: The use of the equestrian paddock hereby approved shall be limited to purposes incidental to the needs and personal enjoyment of the occupants of the dwelling shown in blue on dwg no. 23/5/2153/A , No.2 The Cottage, Stonehouse Road, and shall at no time be used for business or commercial purposes.
- 3 Reason: For the avoidance of doubt and to safeguard the amenities of the locality in accordance with the NPPF.