

APPLICATION REFERRED FROM THE WEEKLY LIST**WEEKLY LIST NO. 1456 – 4 January 2019****18/00878/FUL****LAND OPPOSITE RECTORY FARM HOUSE FAMBRIDGE
ROAD ASHINGDON****CONSTRUCTION OF STABLE, FEED STORE AND TACK
ROOM BUILDING AND CHANGE USE OF LAND FOR THE
KEEPING OF HORSES****1 DETAILS OF REFERRAL**

- 1.1 This item was referred from Weekly List No. 1456 requiring notification to the Assistant Director, Environmental Services by 1.00 pm on Wednesday, 9 January 2019 with any applications being referred to this meeting of the Committee.
- 1.2 Cllr Mrs C A Weston referred this item on the grounds that a Shetland pony would require less land than a large horse. She considered that if the application were to be approved further conditions should be applied to any consent restricting further development and requiring the applicant to undertake an archaeological survey before the installation of a stable or hay store.
- 1.3 The item that was referred is attached at appendix 1 as it appeared in the Weekly List.
- 1.4 A plan showing the application site is attached at appendix 2.

2 RECOMMENDATION

- 2.1 It is proposed that the Committee **RESOLVES**

To determine the application, having considered all the evidence.

If you would like this report in large print, Braille or another language please contact 01702 318111.

Appendix 1

Application No : 18/00878/FUL Zoning : Metropolitan Green Belt

Case Officer Mr Arwel Evans

Parish : Ashingdon Parish Council

Ward : Hockley And Ashingdon

Location : Land Opposite Rectory Farm House Fambridge Road
Ashingdon

Proposal : Construct Stable, Feed Store and Tack Room
Building and Change Use of Land for the Keeping of
Horses

SITE AND PROPOSAL

The Site

1. The site consists of a rectangular parcel of land amounting to 0.17 hectares (1,715 square metres) located north of Arundel Road and East of and adjacent to Fambridge Road from which there is an established vehicular access which is gated in the form of a 6 foot high timber boarded gate. The boundaries of the plot with the exception of the boundary with Fambridge Road is occupied by hedgerow providing an element of screening to the site from any adjacent properties.
2. In its wider context the site is located to the north / north west of a cluster of built form which constitute those dwellings developed on plot land along Lyndhurst Road, Arundel Road, Radnor Road, Ulverston Road, Ellesmere Road and Ethelbert Road.

The Proposals

3. The submitted site plan indicates the extent of the equine planning unit proposed which constitutes a grassed plot being 63.4 metres in average length by 27.3 metres in width which at its north western most aspect will accommodate a stable block orientated with its long elevation running parallel to the north boundary of the site with its rear footprint being set in 2.3 metres from the site boundary. The site layout plan indicates that the shorter gable elevation will be set back 2.6 metres from the western boundary of the site with Fambridge Road. The footprint of the building is indicated to occupy a ground area of approximately 40.74 square metres by reason of its length of 9.7 metres and its width of 4.2 metres.
4. The accommodation comprises 3 sections including a stable, a feed and bedding store and a tack room whilst an area of hardstanding will front and envelope the stable to its east aspect. This area of hardstanding will comprise

an area 13 metres in width and 7.6 metres in depth from the front footprint of the stable with a further area of 4.2 metres by 3.4 metres to the east flank of the building. The elevation plans indicate a structure of a hipped roof design incorporating an overhanging roof to the front elevation being 4.2 metres in height to its roof ridge and 2.6 metres to eaves level. Doors and fenestration will be limited to the front elevation (Elevation A) and the East elevation (Elevation D).

SITE HISTORY

5. No relevant site history.

MATERIAL CONSIDERATIONS

6. The site is located within the Green Belt as identified in the Council's adopted Allocations Plan (2014). The proposal needs to be assessed against the guidance in the National Planning Policy Framework (as updated July 2018) particularly in relation to the Green Belt and the appropriateness of such proposed development as a matter of principle within the Green Belt in addition to the specific requirements of the council's Local Development Framework Core Strategy Policy GB1 (Green Belt Protection) and Development Management Plan policy DM15 which relates to Equestrian Facilities.

Principle of Development within the Green Belt

7. There is a general presumption against inappropriate development within Green Belt and such development should not be approved, except in very special circumstances. Inappropriate development is, by definition, harmful to the Green Belt. Great importance is attached to maintaining Green Belts with the aim to prevent urban sprawl and keep land permanently open. The construction of new buildings should be regarded as inappropriate in Green Belt, however, there are a number of exceptions including the provision of appropriate facilities for outdoor sport, outdoor recreation..., as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. It is considered that as a matter of principle notwithstanding compliance with the specific criteria of the 'Development Plan' the proposed use falls under the exceptions cited by the NPPF such as not to render the development inappropriate by definition.

Impact of the Proposed Development on Green Belt Openness

8. This is a fundamental consideration as planning policy points to the requirement for a judgement to be made in each individual case as to whether the particular development proposed would preserve openness and whether such would amount to encroachment into the Green Belt.
10. In order to assist with this assessment Policy DM15 of the LDF Development Management Plan provides detailed criteria for new equestrian facilities which sets local assessment criteria. These are summarised as follows:

- i) That it is small scale (less than 10 stables) and does not lead to proliferation in the area);
- ii) There should be only one stable per 0.4ha of site area;
- iii) Buildings are sited near to existing settlements;
- iv) Where possible redundant buildings are used; otherwise new buildings should be the minimum size necessary;
- v) Well related to existing bridleways;
- vi) Modest and appropriate in scale and minimises impact on Green Belt, character of the countryside and landscape areas;
- vii) No detrimental effect on the amenities of the area from noise, smell, light or disturbance.

Assessing the proposals against the criteria set out, it is considered that the proposal can be considered to be small in scale and could not be viewed as a precursor to the proliferation of equestrian facilities in the area despite planning approval for a stable block at an adjoining site to the south granted in 2001. It is considered that the site which is accessible from the adjacent highway is favourably related to existing settlements. Although access from the site would initially be onto Fambridge Road, the site is within close proximity to a network of tracks which are however not formal bridleways as these serve residential properties located within the plot lands within the vicinity. As horse riders have a perfect right to travel along highways given its countryside location which is characterised by a network of tracks which although serve residential properties do not experience significant volumes of traffic flow or vehicle movements at any significant speeds - it is not considered that there is a valid planning reason to refuse the application on the basis of criteria (v).

- 11. It is noted that there is no redundant building within the application site or any other area of land within the ownership of the applicant which is limited to this 0.17 hectare plot such that a new build in principle is acceptable. This criteria also requires new buildings to be the minimum size necessary for their intended purpose whilst facilities should be sited in one location / building where possible. Although the extent of the floor area as shown by drawing number 18.5364/P202 Rev A is considered modest given the requirements for associated storage in connection with the use which is considered reasonable, the actual design has to be questioned in particular its roof design which increases the height of the building more so than if it consisted of a mono pitched lean to roof which would reduce the height of the building by over 1 metre which would be possible given an alternative roof design.
- 12. However it is accepted that the design is a standard design which takes into account the structural elements required to ensure that the roof is structurally robust and stable such that the design despite its height is not considered to comprise a reason for refusing this application on the basis of detriment to Green Belt Openness.

-
13. It is not considered that the proposed development will conflict with criteria (vii) as the amenity of the local area is not considered to be affected by noise, light, smell or disturbance.
 14. The only outstanding criteria to be addressed is that of criteria (ii) which indicates that the maximum number of stables per hectare is related to the amount of open space. The requirement will be no more than one stable for each 0.4 hectares of site area.
 15. It is noted that the pre - amble to policy DM15 sets out the context for such equestrian provision within the Green Belt, however re - enforcing the need to ensure a balanced approach to weighing the need for adequate recreational facilities for equestrian activities against the protection of the Green Belt and the countryside. The pre - amble also refers to balancing welfare requirements with the potential impact of development upon openness of the Green Belt and the character of the countryside.
 16. Although welfare issues are not material planning considerations the guidance of the pre - amble has to be understood in terms of the two objectives which are highlighted - the second one being a relevant material planning consideration which is that of Green Belt openness which is highlighted by criteria (ii) which considers the amount of open space relative to the amount of stabling proposed.
 17. It is appreciated what the planning statement indicates in that it is proposed the site will accommodate the Shetland Pony breed. The planning statement recognises that the application site falls below the recommendation set out by the British Horse Society (BHS) which is that of one horse per one acre of land but goes on to indicate that recognising the adverse weather conditions in recent years especially the summer of 2018 and poor yield it is anticipated that there will be a greater reliance on stored feed to provide resilience.
 18. The requirements of welfare guidance including that issued by DEFRA as a reference point is noted and understood. Although it is appreciated how the application has been presented, essentially the use sought is an equine use whether it be used by a Shetland horse or other larger horse breed which would require a different management regime. The guidelines acknowledge that different management regimes will exist depending on the type of horse and land area available and the quality of that land. The guidance relates to effective land management whilst there is a recognised parallel between management and welfare. The BHS guidance indicates;
The Provision of Pasture and Grazing for Horses Average pasture will maintain approximately two horses per hectare as permanent grazing (1-1.5 acres per individual), provided that good pasture management is employed: This is generally considered a minimum acreage requirement for the average horse, but there are numerous variables that must also be taken into consideration. The acreage required per horse or pony will depend, to a large extent, on the type of and general management of the animal and also on the grazing quality and pasture management capabilities of the keeper. Possible stock densities may increase with a larger acreage: for example, ten acres

could support more than ten horses (provided the acreage is sub-divided, and effective management and husbandry is employed).

There is a distinct difference between acreage requirements for horses where the grassland is to provide total grazing keep for the animal and where it is only to provide supplementary grazing or turnout exercise. In the combined system of management, where the horses are stabled for part of the time, 0.4ha (one acre) per horse may be more than adequate. Even where adequate pasture is available, stabling the horse helps reduce the effects of long term grazing, giving the grass and ground a chance to recover.

19. Certain animals, such as those suffering from obesity, may require grazing to be restricted considerably to avoid serious health problems, such as laminitis. In such circumstances, a quarter to half an acre of mediocre grazing may be appropriate in order to manage such a case. In all circumstances, stock densities must take individual animals spatial requirements into consideration, in order to reduce the chances of fighting or bullying where several animals are turned out together.
20. On the basis of the application submitted given that 1 hectare (10,000 square metres) equates to 2.471 acres the amount of actual grazing land in this case would be the site area taking away the area of the stabling and hard standing which would leave a grazing area of approximately 1,449 sq. metres which would equate to approximately 0.4 acres which is well below the BHS guideline if taking the lower figure of 1 acre.
21. Development Management Plan policy DM 15 points towards a requirement of 0.4 hectares of land for every stable building which aligns with the principles set out above. At 0.14 hectares of actual grazing land available - on the basis of policy DM15 the proposals do not comply with policy.
22. The guidelines set out above although not definitive, temper the way in which policy is designed to achieve a gross land area for grazing which is not met in this instance. Taking the application site itself as the measure of land being made available and as open space, despite a case being made that the openness of the Green Belt is not detrimentally impacted at this location the application fails on the required land area provision of 0.4 hectares prescribed by policy. As such, the proposed development would appear more concentrated and developed in relation to the limited land forming the extent of site and thus harming the openness of the Green Belt.
23. The pre - amble to policy DM15 Equestrian Facilities on page 50 and 51 of the Development Management Plan and then the policy itself on page 52, sets out the key considerations including the commensurate area of land to serve a stable building which considers welfare standards and guidance in addition to the extent of open land which serves that stable and which would in effect become part of the equine planning unit which is related to the concept of maintaining the openness of the Green Belt as a whole. The unit of 0.4 hectares as set out by criteria (ii) directly relates to the amount of open space within that defined planning unit relative to the built form and use - the

inference being that any stable within a paddock (constituting an equine use regardless of the type of horse as what is being considered is the equine use) offering less than 0.4 hectares on Green Belt grounds is unacceptable.

24. It is considered that the development by reason of the limited land area available to serve the intended equine use which falls way below the criteria set out by planning policy, would lead to a development which when considered as a whole would appear cramped lacking the open space that is expected to serve such development in the interest of preserving and maintaining Green Belt openness thereby conflicting with policy GB1 of Rochford District Councils Local Development Framework Core Strategy and policy DM15 of the framework's Development Management Plan. It is not considered in this instance that the very special circumstances exist such as to outweigh this harm to justify the granting of planning permission.

Other material planning considerations

Archaeology and Highways

25. It is noted that there is no objection from the specialist archaeological advice consultation response whilst at the time of compilation no response is noted as being received from Essex Highways. It is considered that the access point into the plot is at a location which offers good levels of visibility along the highway in each direction and also forward stopping site distances such the use proposed would not be harmful to highway safety.

Representations:

26. ASHINGDON PARISH COUNCIL: No objection
27. ESSEX COUNTY COUNCIL SPECIALIST ARCHAEOLOGICAL ADVICE: No objection
28. The Essex Historic Environment Record shows that the proposed development lies in close proximity to the historic settlement of Ashingdon historic settlement (EHER 19959). There is high potential for industrial activities in these areas on the outskirts of medieval settlements. The site also lies between a 14th-15th century site to the north and a rectory to the west. The rectory is evident on the first edition Ordnance Survey map from 1875. Their presence in close proximity to the proposed development, and the lack of previous development, indicates that there is potential for archaeological deposits to survive within this area.
29. RECOMMENDATION: A Programme of archaeological monitoring
- "No development shall take place within the site until the implementation of a programme of archaeological work in accordance with a written scheme of investigation has been secured and has been submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the agreed programme." The archaeological work will

comprise archaeological monitoring. A professional archaeological contracting team should undertake any archaeological work. An archaeological brief outlining the methods of investigation will be issued from this office (on request) and there would be a cost implication for the developer.

REFUSE

- 1 The application site lies within the Metropolitan Green Belt as defined in the Rochford District Council Local Development Framework Allocations Plan (2014). In accordance with the National Planning Policy Framework inappropriate development within the Green Belt is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The provision of appropriate facilities for outdoor sport are appropriate in the Green Belt, as long as it would preserve the openness of the Green Belt and would not conflict with the purposes of including land within it. Proposals for new equine facilities are subject to a range of criteria including minimising the impact on the character, appearance and openness of the Green Belt.

It is considered that the development proposed by reason of the limited land area available to serve the intended equine use which falls way below the criteria set out by planning policy would lead to a development which when considered as a whole would appear cramped lacking the open space that is expected to serve such development in the interest of preserving and maintaining Green Belt openness thereby conflicting with policy GB1 of Rochford District Councils Local Development Framework Core Strategy and policy DM15 of the framework's Development Management Plan. It is not considered in this instance that very special circumstances exist such as to outweigh this harm to justify the granting of planning permission

Relevant Development Plan Policies and Proposals:

National Planning Policy Framework (July 2018)

Rochford District Council Local Development Framework Core Strategy Adopted Version (December 2011) policies CP1, GB1,

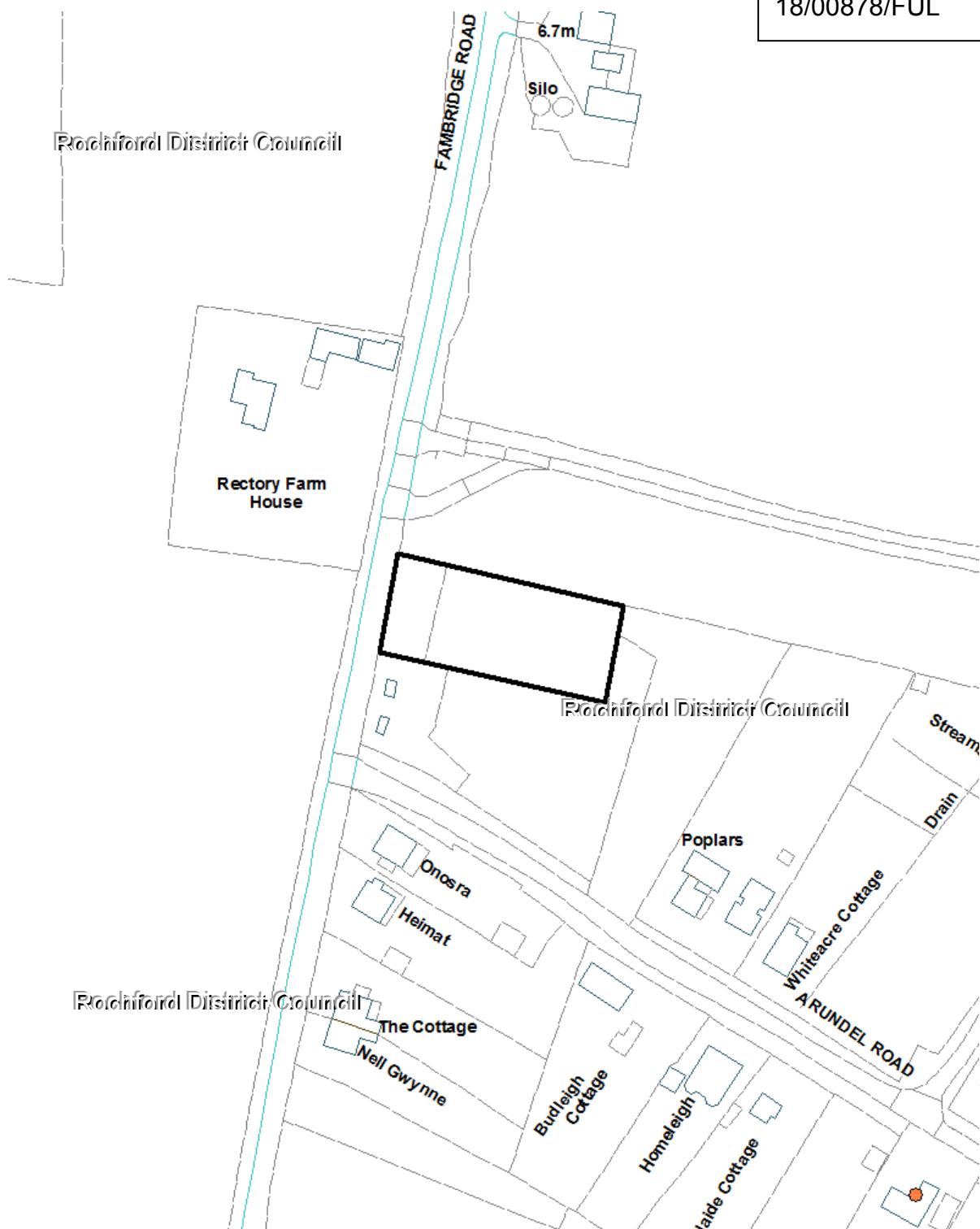
Rochford District Council Local Development Framework Allocation Plan (February 2014).

Rochford District Council Local Development Framework Development Management Submission Document (April 2013) policies DM1; DM15

The local Ward Member(s) for the above application is/are Cllr M R Carter
Cllr T G Cutmore Cllr Mrs C A Weston

Appendix 2

18/00878/FUL



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. This copy is believed to be correct.

Nevertheless Rochford District Council can accept no responsibility for any errors or omissions, changes in the details given or for any expense or loss thereby caused.

Rochford District Council, licence No.LA079138

