

**BOSTON BOROUGH COUNCIL**

**Planning Committee - 18 September 2018**

Reference No: B/18/0296

Expiry Date: 07-Sep-2018

Application Type: Full Planning Permission

Proposal: Erection of side extension to existing stables, detached timber hay barn, access road, and retention of static caravan for non-residential use

Site: Seven Acres, Skipmarsh Lane, Old Leake, Boston, PE22 9LR

Applicant: Mr B E Nuttgens

Agent: None

Ward: Old Leake and Wrangle

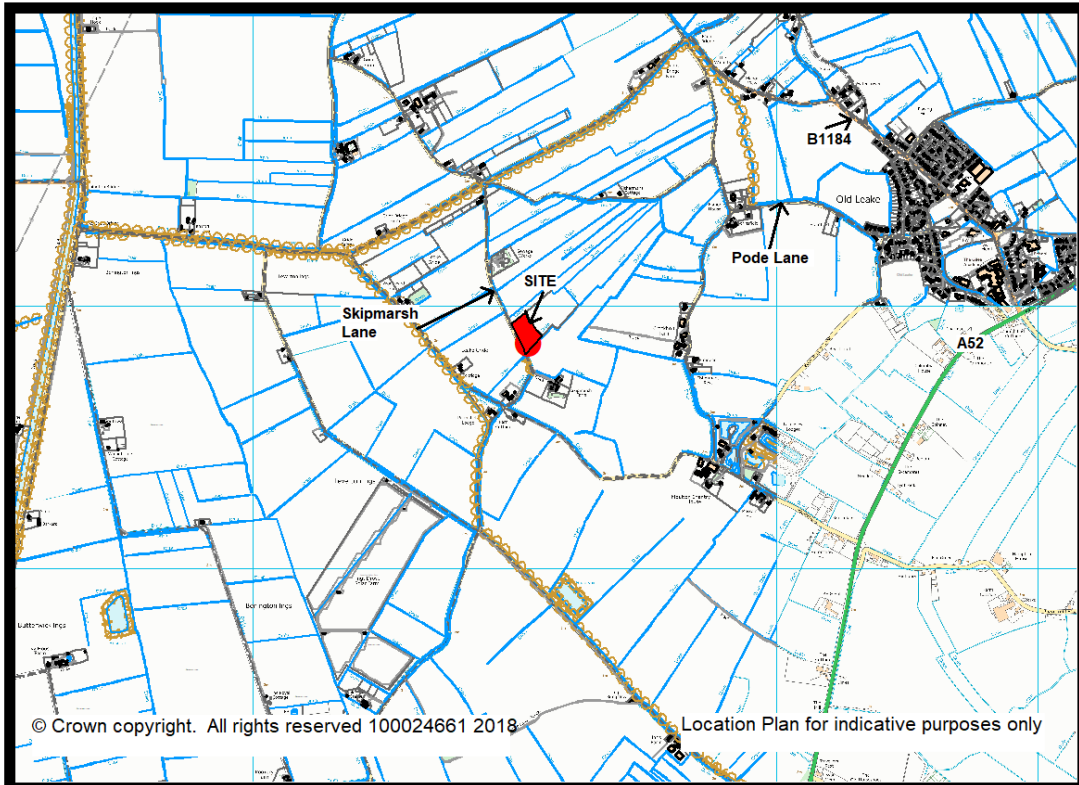
Parish: Old Leake Parish Council

Case Officer: Trevor Thompson

Third Party Reps: None

Link to Planning Record: [B/18/0296](#)

**Recommendation: GRANT**



## **1.0 Reason for Report**

- 1.1 This application has been presented to the Planning Committee at the request of Councillor Ashton in order for the Committee to 'assess the impact or otherwise of the development on the local countryside character and amenity' and 'to test compliance with para. 170 (new) National Planning Policy Framework (NPPF) and local Policies C011, G1 and G2'.

## **2.0 Application Site and Proposal**

- 2.1 The application site covers about 1 hectare. It is located in countryside off Skipmarsh Lane and to the west of Old Leake. The site is currently occupied by stables, a ménage, two temporary shipping containers used for storage and a static caravan. The rest of the site is used as paddocks. The applicant also owns/controls about 2 hectares of land to the rear of the site which is also used as paddocks. There is a vehicular access to the site near the south eastern boundary of the site with hardstanding which serves the existing stable block, ménage and static caravan. There is another vehicular access off Skipmarsh Lane approximately 60m to the north-west of the main access which leads to the paddock to the rear of the site. There are open fields surrounding the site with the nearest dwelling, Skipmarsh Farm, about 150m to the south east. Anglian Water sewage works lies about 180m to the north-west.
- 2.2 This application has been submitted following a refusal of a similar application earlier this year (see below). The application is for the erection of side extension to existing stables, a detached timber hay barn, new access road and retention of static caravan for non-residential use. The access road and the static caravan are existing and therefore this application seeks retrospective permission for this part of the proposed development. The stables are not used for any business activity and the proposed use of the site will not change as a result of this development. The site will continue to be used for recreational enjoyment of equestrian activities.

### **The application in detail**

- 2.3 The existing stable block is 'L' shaped, set back about 18m from the road and accommodates 5 stables, a hay store and a battery room which serves solar panels. Its overall dimensions are 12.6m by 17.7m, It has a pitched roof which is approximately 3m high. It is proposed to extend and effectively 'square off' the footprint of the stable block and to provide an inner central area which will be covered partly in a concrete hardstanding and part in a permeable loose surface. The overall dimensions of the stable block as a result of the development will be 25.1m by 17.7m. The roof height of the stable block will largely remain the same apart from one of the two entrances to the inner courtyard area which will be 3.5m in height. The proposed extensions and alterations to the stable block will provide an additional stable, rug room, tack room, two wash/dry stables, storage, medication room, kitchen/rest room, w/c and utility room. The extension to the stables will be a minimum of 5.1m from the front boundary adjoining the highway. The proposed extensions will be constructed of shiplap timber cladding with black corrugated sheets on the roof to match existing.

- 2.4 The proposed hay store will be sited 30.3m from the front boundary. It will be of timber pole construction and will be 10.7m by 18.1m. It will have a mono pitched roof with a maximum height of 4.7m. It is intended that the proposed materials will match the existing stables and will be open ended on one side. The proposed hay barn that formed part of the previous application was to be 19.5m long, 10m wide and 5.5m high.
- 2.5 The proposed access and associated roadway is roughly in a central location along the site's frontage onto Skipmarsh Lane. The access road is designed to serve the existing paddock at the rear of the application site and is about 70m long.
- 2.6 The static caravan is sited behind the existing stables and next to the existing manege. It is 3.5m wide by 11.5m. The caravan is to be used for non residential purposes. It is intended to remove the caravan from the site when the proposed new facilities within the extended stable block are operational. It is also intended to remove the existing storage containers should planning permission be granted given the proposed hay barn would facilitate the storage of hay and straw. There are currently 4 horses at the site.

#### **Need for the development**

- 2.7 The submitted 'design justification' statement sets out the rationale for the proposed development. It indicates that the proposed extension to the barns is to aid in the welfare and grooming of the horses to modern standards. The proposed extensions to the stables to provide a rug room, tack room, wash/dry stables, store, meds room and machinery store are self explanatory. However, the proposed section of the stables to be used for personal use including a kitchen/rest room and utility room may need some further clarification. The applicant says that these areas are required for personal hygiene and sanitary, safe storage and as somewhere to rest during the day. The utility room will be used for the washing of riding clothes, horses rugs and tack and some of the stable equipment that can be washed on site. The applicant adds that 'the kitchen and rest area is required as there are no facilities on the site to get a drink or to have warm food during the winter months. It is the intention for the family to spend much of their time on site during the day with the horses and with having grandchildren and great grandchildren, there needs to be an area where food can be prepared during the day and where drinks can be made'.
- 2.8 As indicated above, the majority of the stable extension will be of the same height to the eaves and ridge as the existing, apart from the main entrance to the stables. The reason the stables will be higher here is twofold, firstly, architecturally it is common practice to allow for a higher entrance as in the past riders would ride through the entrance into the yard and secondly as one of the applicant's equines is 17.2 hands high, approximately 175cm to the withers meaning to dry the horse the infrared solarium lamps that are used have to be positioned far enough away from the equine as not to burn ears, the top of the head or neck. This is also done for safety reasons as the lamps are made from glass so they need to be positioned out of the reach of the equine's head. This height cannot be achieved inside of the normal stables but can be achieved within the higher entrance section.

- 2.9 The existing hay store is within the existing stable block and this is to be changed to accommodate a new stable. A new separate hay store is to be built away from the stables given hay and straw being a fire hazard during warm periods. The hay store is required to accommodate hay and straw for feed over the winter months.
- 2.10 The applicant says that there is no living accommodation proposed on the site and that the proposed static caravan will be used for non residential purposes. The applicant adds that the static caravan includes though is not limited, to the storage of tack and general items, the use of sanitary and hygiene facilities and the use of kitchen facilities until such a time when the proposed extension to the stables is completed.

### **3.0 Relevant History**

- 3.1 Applications have been submitted on this site for the existing stables in 2006 and the manege in 2007. A condition was attached to both permissions which prevented the stables and the manege from being used for commercial purposes.
- 3.2 In February of this year an application for an extension to the stables, new hay barn and manure storage was refused for the following reason:

‘The application proposals for the extension to 5no domestic stables, would lead to a scheme of over four times the development area of the existing building, without increasing the number of actual stables. This, by virtue of its size, and scale would cause significant visual intrusion on a scale more akin to a commercial /equestrian centre, rather than the domestic facility that it is. The proposals cannot be considered “essential” development, which is of an appropriate form and scale, as required by policy. Furthermore, the proposed stables extension and the proposed hay barn would have a disparate relationship on opposite sides of the application site, some 83m apart, rather than the buildings being grouped, again as required by policy. The proposed positioning of the buildings would also further increase the visual impact of the proposed development. It is therefore considered that the application is contrary to Adopted Local Plan Policies G1, CO1, CO9 and CO11.’

### **4.0 Relevant Policy**

#### **Boston Borough Adopted Local Plan**

- 4.1 The development plan consists of the saved policies of the Boston Borough Local Plan (adopted 1999). Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination must be made in accordance with the plan unless material considerations indicate otherwise.

4.2 This site is within countryside about 1.1km from the settlement boundary of Old Leake. The saved Local Plan Policies of relevance to this application are as follows:

- Policy G1 – Amenity
- Policy G2 – Wildlife and Landscape Resources
- Policy G3 – Surface and Foul Water Disposal
- Policy G6 – Vehicular and Pedestrian Access
- Policy CO1 – Development in the Countryside
- Policy C011- Equestrian facilities

4.3 Policy C09 is referred to in the above reason for refusal which relates to agricultural buildings. This policy seeks to ensure that the design and siting of new agricultural buildings assimilate within the countryside. It should be noted that neither the existing stables nor the hay barn are specifically 'agricultural buildings' though may have the appearance, form and nature of some agricultural buildings. Thus, although this policy is not directly relevant to this application, the objectives of this policy which seeks to protect the character of the countryside is a consideration.

#### **National Planning Policy Framework**

4.4 Paragraph 83 of the NPPF under the heading 'Supporting a prosperous rural economy' states in part:

'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'

4.5 In addition paragraph 170 under the heading 'Conserving and enhancing the natural environment' states:

'Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and

woodland;

- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land where appropriate.

## **5.0 Representations**

5.1 As a result of publicity no letters of representation have been received.

## **6.0 Consultations**

6.1 Old Leake Parish Council has not yet commented.

6.2 Environment Agency has no objections

6.3 Witham Fourth District Internal Drainage Board has no objections

6.4 Environmental Health Manager has no objections

6.5 County Highways Authority has not yet commented

## **7.0 Planning Issues and Discussions**

7.1 The main issues in the determination of this application will be:

- Impact on highway safety
- Impact on residential amenity
- Impact on the character of the countryside

### Impact on highway safety

7.2 The site is served by two separate access points onto Skipmarsh Lane, one is near the south east corner of the site which serves the stables, caravan and the ménage and the other is centrally located along the sites frontage which provides access to the paddocks at the rear. Skipmarsh Lane is a single track highway. The applicants say that 'due to the stables being of a recreational purpose for family use and not of a commercial entity and already existing, there will be no increase in traffic to and from the site'. The

County Highways Authority has not yet commented on this application but raised no objections to the previous scheme.

Impact on residential amenity

- 7.3 The site is in a fairly remote location though there are residential properties scattered around the area, the nearest one being some 150m away. Given that the site will not be used for commercial purposes, the size and scale of the proposed buildings will not be excessive and that the nature of the development is conducive to the rural environment, it is unlikely that residential amenity will be substantially harmed by this development.

Impact on the character of the countryside

- 7.4 The site is located within an area which is characterised largely by flat open fields. The existing stables are relatively low key and do not detract from the amenity of the character of the area. Local Plan Policy G1 seeks to resist development which would cause substantial harm to the general character of the area and Policy C011 requires that, amongst other things, where new buildings are essential, their location, form, scale, materials and proportions are suitable to their surroundings.
- 7.5 The proposed extensions roughly doubles the footprint of the existing stables and this was, in part, a reason why the previous application was refused. The shape of the existing stables will change as a result of this development so it is rectangular though the form, nature and overall scale are not disproportionate to the existing. The proposed extensions would also result in the stables being much closer to the highway than existing and would therefore be more visible from this lane. However given the remote location of the site and the extensive landscaping (both existing and proposed) along the site's boundaries, it is not considered that the proposed extensions would substantially harm the character of the area. Although the height of part of the extension to the stables will be a little higher than existing, this increased height will not create a significant intrusion in the countryside. Unlike the previous application, it is not considered that the size and scale of the extension 'would cause significant visual intrusion on a scale more akin to a commercial /equestrian centre, rather than the domestic facility', given the scale and size of the hay barn as now proposed has been significantly reduced.
- 7.6 Part of the proposed extension to the stables will be used for personal reasons and this may give rise to some concerns about the stables being used for permanent residential accommodation. Given the design and means of construction of the stables, this use is highly unlikely and is not proposed. However a condition may be attached to any permission granted which restricts the stables from being used for this purpose. Also a condition may be attached which requires the static caravan to be removed when either works to the stable have been completed or brought into use, whichever is the sooner.

7.7 The location of the proposed hay store has been changed since the previous application and it is now much closer to the existing stables and ménage in an effort to make the minimum intrusion into the countryside in accordance with Local Plan policies. Also the height of the hay store has been significantly reduced.

## **8.0 Summary and Conclusion**

8.1 It is considered that the proposed extensions to the stables and the proposed hay barn will be in keeping with the scale, nature and appearance of the existing stable complex. Although the footprint of the stables will be significantly increased, it is considered that the design of the stables and materials, coupled with the proposed landscaping around parts of the site and the paddock to the rear, will ensure a good quality scheme that will assimilate within the countryside in accordance with the objectives of Local Plan policies and the NPPF. Conditions attached to any permission granted will ensure that the stables are not used for commercial or residential purposes and that the shipping containers and the static caravan are removed when parts of the scheme are completed or brought into use.

8.2 It is therefore recommended that planning permission is granted for this development subject to the conditions set out below.

## **9.0 Recommendation: GRANT**

1 Notwithstanding the existing static caravan and the existing access road which forms part of this application, the development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:** Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following approved plans:

- Location plan (1/9)
- Proposed site plan rev C (4/9)
- Proposed stable plan –rev B (5/9)
- Proposed stable elevations –rev A (6/9)
- Proposed stable sections (7/9)
- Proposed hay barn floor plan and section –rev A (8/9)
- Proposed hay barn elevations

**Reason:** To ensure the development is undertaken in accordance with the approved details and to accord with Adopted Local Plan Policy G1.



- 3 The stables and extensions to it hereby approved shall not be used for commercial purposes.

**Reason:** In order to enable to control the impact of any commercial use may have upon the character of the countryside, the amenity of neighbouring residents or road safety. This condition accords with Local Plan Policies G1 and C01.

- 4 The stables and extensions to it hereby approved shall only be used for the accommodation of horses and shall not be used for living accommodation.

**Reason:** The site is located within a remote area in the countryside where new residential development is strictly controlled. This condition accords with the objectives of Local Plan Policy C01 and the NPPF (2018).

- 5 The existing static caravan shall be removed from the site within 2 years from the date of this permission or when the stable extension is completed or first brought into use whichever is the sooner.

**Reason:** In accordance with the applicants stated intentions and in the interests of the amenity and character of the area. This condition accords with the objectives of Local Plan Policy C01 and the NPPF (2018).

- 6 The existing shipping containers shall be removed from the site within 2 years from the date of this permission or when the hay barn is completed or first brought into use whichever is the sooner.

**Reason:** In accordance with the applicants stated intentions and in the interests of the amenity and character of the area. This condition accords with the objectives of Local Plan Policy C01 and the NPPF (2018).

- 7 No development shall take place until full details of hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority, these works shall be carried out entirely in accordance with the approved details. The scheme shall include:

- a) boundary treatment
- b) hard surface materials
- c) planting schedules (species, sizes densities)
- d) existing trees to be retained/removed

**Reason:** In the interests of visual amenity and in accordance with Section 197 of the 1990 Act which requires Local Planning Authorities to ensure, where appropriate, adequate provision is made for the preservation or planting of trees, and to ensure that the approved scheme is implemented satisfactorily. The condition accords with Adopted Local Plan Policy G1.

- 8 All landscape works shall be carried out in accordance with the approved details within 6 months of the date of the first occupation of any building or completion of development whichever is the sooner. Any trees, plants,

grassed areas which within a period of 5 years from the date of planting die, are removed or become seriously damaged or diseased shall be replaced in the first available planting season with others of similar size species or quality, unless the local planning authority gives written consent to any variation.

**Reason:** In the interests of visual amenity and in accordance with Section 197 of the 1990 Act which requires Local Planning Authorities to ensure, where appropriate, adequate provision is made for the preservation or planting of trees, and to ensure that the approved scheme is implemented satisfactorily. The condition accords with Adopted Local Plan Policy G1.

In determining this application the authority has taken account of the guidance in paragraph 38 of the NPPF (2018) in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough

**Lisa Hughes**  
**Development Manager**