
2015/1285

Mr and Mrs Jagger

Erection of wooden stable block with concrete base and yard

River Mill Farm, Old Mill Lane, Thurgoland, Sheffield, S35 7EG

Thurgoland Parish Council have commented on the proposal

6 objections have been received

3 emails of support have been received

Description

The area of land which is the subject of this application is approximately 1.3 acres in area and is set to the north east of the converted properties at River Mill Farm. The former Wire Works which is set within the complex of buildings is Grade II Listed.

The land slopes from north to south towards the River Don. A well used Public Right of Way runs through the site along a north to south alignment. The site is bounded by low dry stone walls and is accessed through an existing field gate off the driveway shared with the other dwellings within the complex. Garages to the Old Wire Mill are set along the southern boundary.

The applicant has erected a small temporary stable at the top of the site adjacent to Old Mill Lane, in order to provide shelter for the horses on the land. The intention is that this will be removed should the application be approved.

Proposed Development

The application proposes the erection of a timber built building accommodating 3 stables, as well as a store/tack room. The proposed building is designed as an L-shape and measures approximately 11m by 11.5m and 3m in height to the ridge. The stables are to be cut into the land due to the slope of the site. Small concrete hardstanding areas are proposed to the front and rear of the building. Drainage details have been submitted on the attached plan. The existing muck heap is to be utilised, this is situated in the copse at the far side of the field.

The proposed building is set outside of the defined domestic curtilage of River Mill Farm and is located on an adjacent field. The stables are for the applicant's two horses. Access is taken from an existing field gate located on the western boundary that is shared with nearby housing.

The applicant states that the land has been used previously for grazing of horses. This is supported by two comments from neighbouring residents and one from the previous owners of the property.

The following justification has been submitted in support of the proposed stables adjacent to the property:-

- 'For the safety and welfare of our horses so that we can attend any injuries and box rest them if necessary. We have an injured horse at present and are unable to take him out of the field and away from flies getting in his wound. He has to be attended to every two hours to ensure that the wound remains clean. This would heal better if he was stabled and it would be safer for us to deal with rather than in a field.
- For storage of equipment and feed necessary for the welfare of the horses.
- For our own safety when dealing with the horses to be able to contain them rather than trying to deal with them in a field.

- In relation to having the horses at home we are able to do late night checks, change rugs if necessary for their comfort and are in control of the way the horses are looked after as opposed to being restricted by yard rules. We would never have bought the horses to keep them on a yard.
- At home we are not restricted by time constraints and do not have to compromise the welfare of our horses. We are able to feed them regularly, clean up the field daily, check for ragwort and other potential hazards and ensure that they have access to clean water and food and good general hygiene.'

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The development plan consists of the Core Strategy and saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

The Council has produced the Publication Consultation Document of the Local Plan. It establishes policies and proposals for the development and use of land up to the year 2033. The document is a material consideration and represents a further stage forward in the progression towards adoption of the Local Plan. As such increasing weight can be given to the policies contained within the document although this is still limited by the need to consider any comments received during the consultation and with the knowledge that the Inspector can require changes to the plan.

Barnsley UDP Saved Policies

UDP Allocation – Green Belt

GS8 'Development within the Green Belt' states that the construction of new buildings will not be permitted unless it is for purposes including agriculture.

Core Strategy

CSP26 – New Development and Highway Improvement

CSP29 – Design

CSP34 – Green Belts

Emerging Development Sites and Places DPD

The land is allocated as Green Belt within the Emerging Development Sites and Places DPD.

NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

In respect of this application, relevant core policies include:

3. Supporting a prosperous rural economy

9. Protecting Green Belt land

The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

In particular paragraph 89 states:

A Local Planning Authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are including the provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

Consultations

Thurgoland Parish Council – Query the location of the stable block in relation to public footpath number 21 that runs between the River Don and Old Mill Lane. Comment that they thought it was possible to design the layout of the stable block and yard to avoid any footpath diversion. Provided the design and materials are sympathetic to the rural setting, and to the close proximity of the important listed building, the former wire works, the Parish Council does not wish to make any further comments.

Public Rights of Way – The revised plans show a less direct impact upon the PROW. Points raised with regard to the location of the water troughs and the horses passing over the PROW

Highways DC – No objections

Drainage – No objections

Conservation Officer – No objections

Representations

3 representations have been received from neighbouring residents and from a previous owner which state that the land has been used for equestrian activities previously.

4 objections have been received which raise the following concerns:-

- There is no existing functioning drainage on the private drive and this remains a constant problem for those whose properties located at the bottom of the drive and who receive rainwater and general debris on a regular basis).
- Unsuitable location of Stables adjacent to dwellings, increased disturbance
- Environmental Health concerns with regard to smells, manure, flies, mice, rats and other vermin. The location of a development of this nature should be remote from houses and especially when the gradient of the land will just deposit the sewage onto adjoining property.
- The proposal, car park and stables are located on Green Belt land should be kept as true agricultural.
- A right of way will be obstructed by the stables
- Drainage issues and possible contamination of River Don
- There is a loose stable on the site which is unauthorised

- The planned stable development is not sustainable i.e size appropriate. According to our measurements the land owned by Mr and Mrs Jagger is 0.5 of a hectare as opposed to 2 acres as detailed on the sale brochure for their property
- NPPF guidelines state that developments should be of a scale and nature that is appropriate to the character of the site. It states that there must be sufficient land available for supplementary grazing and turnout. It is recommended that each horse requires 0.5 of a hectare. If this is the case then the permitted stable development should be for one horse only.
- Light pollution
- The proposed stables should be moved elsewhere in the field away from neighbouring dwellings
- Legal covenants restrict the construction of temporary buildings

Assessment

Principle of Development

The applicant states that the field has been used previously for grazing horses. Whilst there have been two representations from neighbouring residents and one from the previous owner stating that there has been previous established equestrian uses on the site, no photographs or other supporting information has been received, therefore it is felt that there is insufficient information provided to show that there has been a continued equestrian use on the site. Due to this, the proposed use of the land for the grazing of horses and associated stables would require a change of use from agricultural land to equestrian, which is 'inappropriate development' and must be justified by very special circumstances.

The proposed stables are for the applicant's two horses and are set close to the applicant's dwelling. The stables are of an appropriate scale for the site. Small timber built stables, such as the ones proposed, are a feature of the countryside and the use of land within the Green Belt for the grazing of horses is typical within the area. In this instance this is a small area of agricultural land which is set close to dwellings, the stables are to be located immediately adjacent to the applicant's dwelling and for the applicants own personal use, added to the limited impact upon the visual amenity/openness of the Green Belt, it is regarded that the proposal is acceptable and should warrant a relaxation of Green Belt policy subject to other material considerations below.

Visual Amenity

The size and design of the stables are considered to be of a standard size and have been limited to what is necessary for stabling/shelter of the horses and storage of feed. In terms of visual impact, the stables have been positioned adjacent to an existing garage and at a lower level than Old Mill Lane, as such, the proposal is not considered to appear visually dominant, in accordance with CSP 29 and the openness of the Green Belt would be maintained to an acceptable degree.

An area of hardstanding is also proposed adjacent to the stables; this would limit mud within the stables themselves and also from it being deposited onto the adjacent highway. The hardstanding would be limited to what is necessary and views would be minimal given its position to the building. The amended proposal is therefore considered to be on balance acceptable and would not cause significant harm to the openness and visual amenity of the Green Belt in compliance with policy CSP 34. It is however considered pertinent to condition the use of the stables for personal use only.

Residential Amenity

The site is situated approx. 30m from the closest adjacent dwelling and is separated by a detached garage. The existing muck heap is to be utilised for the storage of manure which is situated in the copse at the far side of the field. The proposal is for a domestic use and should not cause significant detriment to these properties by way of any potential smells or disturbance.

Highway Safety

The highways section have no objections to the proposal. It is not felt that there will be any significant impact upon highway safety as there is sufficient parking and turning areas within the site which are served by an established access.

The proposal is for a private facility and as such it will not generate any significant increase in traffic or parking to local roads, with little impact on the free and safe flow of traffic and highway safety to roads in the surrounding area. A condition should be applied in order to prevent a commercial use of the site.

Impact on Public Right of Way

The location of the stables has been amended in order to prevent any possible obstruction to the Public Right of Way footpath 21. Concerns have been raised by the Public Rights of Way Officer with regard to the potential overflow of the water trough onto the Public Right of Way. The applicant has stated that they will be managing this on a daily basis to ensure that there are no overflow issues. There will be no physical obstruction to the Public Right of Way and access will remain open at all times.

Drainage

Objections have been raised within representations with regard to the impact of the proposal on the current drainage system and potential impact upon the River Don. The Council's Drainage Officer has been consulted and has no objections to the proposal put forward. The stables would not increase area of surface water run off significantly and the application proposes small domestic stables; therefore there should be no significant drainage issues.

Other Matters

Objections have been raised with regard to the size of the field and suitability for the grazing of 3 horses. The site measures approx. 1.3 acres and the applicant has stated that they currently have two horses. Guidance contained within the document 'Code of Practice for the Welfare of Horses, Ponies Donkey's and their Hybrids' By Defra states:-

'The area of pasture required per horse will depend on the type of grass, ground conditions, time of year, type of horse and degree of pasture management employed. As a general rule, each horse requires approximately 0.5 – 1.0 hectares (or 1.25 to 2.5 acres) of grazing of a suitable quality if no supplementary feeding is being provided. A smaller area may be adequate where a horse is principally housed and grazing areas are used only for occasional turnout.'

Objections have also been raised with regard to covenants restricting the construction of temporary buildings; however this is a private legal matter and could not be taken into account when assessing this planning application.

A small temporary field shelter has been erected on the site without the benefit of planning permission. It is recommended that a condition is applied to any planning permission securing the removal of this shelter following the construction of the stables.

Conclusion

The proposed stables are acceptable in terms of their design, scale, siting, access, impact on residential amenity and the Public Right of Way. Small timber built stables, such as the ones proposed, are a feature of the countryside and the use of land within the Green Belt for the grazing of horses is typical within the area. In this instance, the loss of this small area of agricultural land which is set close to dwellings is not considered to be detrimental, added to the limited impact upon the visual amenity/openness of the Green Belt, it is regarded that the proposal is acceptable and should warrant a relaxation of Green Belt policy in this instance.

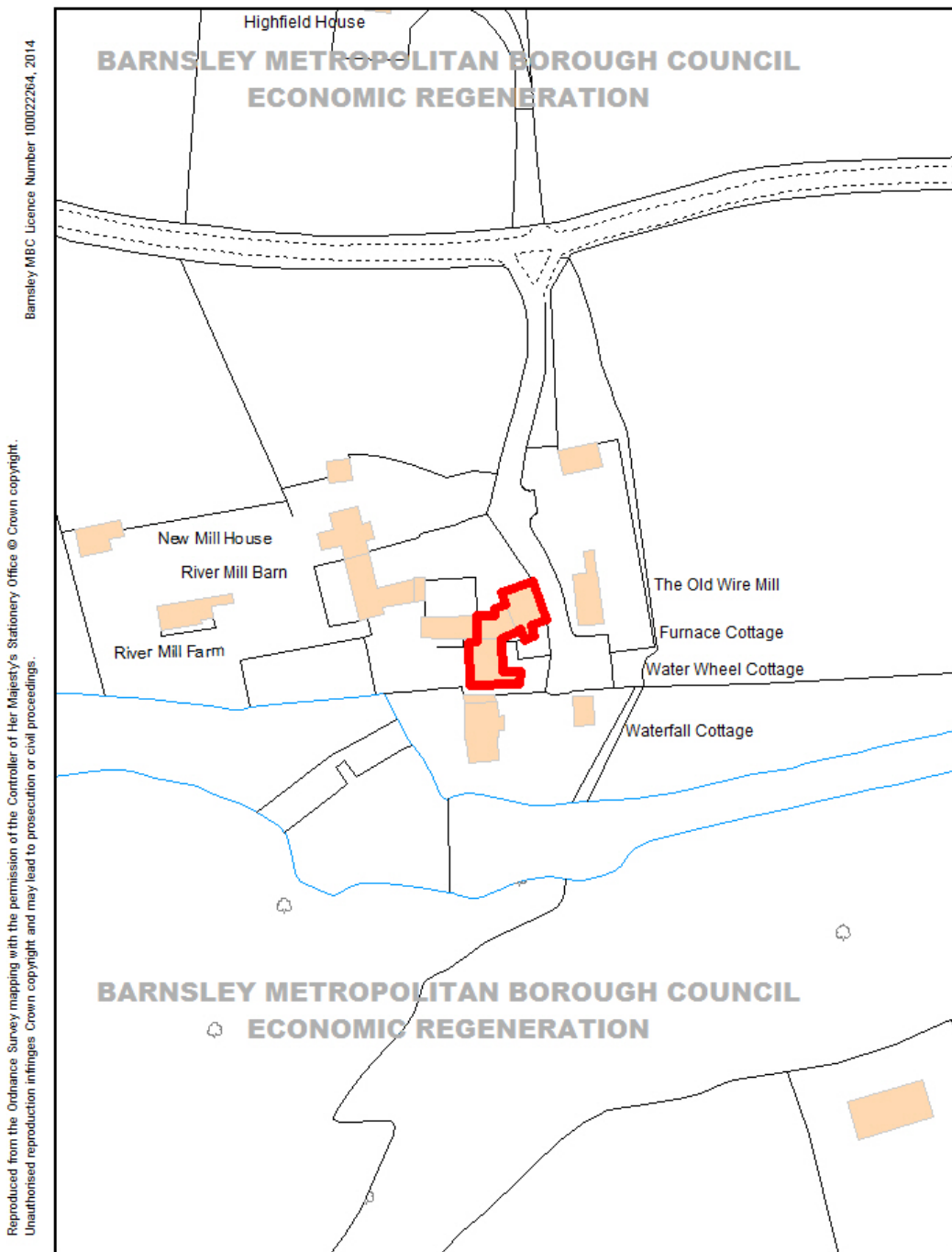
Recommendation

Grant subject to:-

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby approved shall be carried out strictly in accordance with the amended plans (Received 17th May 2016) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality accordance with Core Strategy Policy CSP 29, Design.
- 3 The stables shall only be used for domestic purposes and not in relation to any business or commercial activity which will require the separate express consent of the Planning Authority.
Reason: In the interests of the openness and visual amenity of the Green Belt and road traffic safety in accordance with CSP34 and CSP26.
- 4 The unauthorised field shelter shall be removed from the site within 6 months of the date of this permission or following the completion of the stables hereby approved, whichever is the sooner.
Reason: In the interests of the visual amenity of the Green Belt in accordance with policy CSP34 of the Core Strategy.

PA reference :-

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