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Planning Officer: Stephen Kilmartin

Planning Application Ref: 3/2019/0483

Description of Development: Temporary Equine Workers Dwelling & Equestrian Building (resubmission of application 3/2019/0229 & 3/2019/0222).

Site Address: Land Adjacent to Woodfold Hall, Further Lane, Mellor BB2 7QA

Dear Stephen,

Introduction

The planning application has been submitted by Mrs Fiona Patterson of Gary Hoerty Associates on behalf of the applicant Mr Miles Pollard, for a temporary equine workers dwelling and equestrian building. The application is a resubmission of the applications 3/2019/0229 & 3/2019/0222, submitted earlier this year. These applications were withdrawn. ADAS have not undertaken a site visit.

Equestrian Consultants Assessment

The application is for the siting of a static caravan, in the form of a timber lodge, for a temporary three year period to provide on-site residential accommodation for the applicant with a view to establishing the financial viability of the applicant's business during this period. With the intention of submitting a further planning application for the permanent retention of the structure.

The application is also for the erection of a lean-to steel portal frame equestrian building to the rear of the existing structure, with a dimension of 6.7m x 30.5m with an eaves height of 2.3m and a maximum height of 3.5m where it will adjoin the existing stable building.

The applicant has stated that this building will accommodate 5 internal loose-boxes (14' x 14') and a work area for remedial farriery.

The holding extends to 4.45ha (11 acres) within a ring fence, the land is grassland being divided into several paddocks for grazing and turnout. There is an existing building (12m x 16m) providing stabling for 8 horses, an all-weather manege (20m x 40m) and car parking area.

The applicant has stated that he is a registered farrier and has established a remedial farriery business based at Woodfold Stables and Forge. It is proposed to expand the business and to grow the remedial farriery activities at Woodfold. In order to do this the applicant has stated that there is a need for additional stabling and for the applicant to reside in the immediate vicinity of the stables.

It is understood that the applicant currently resides in Burnley, a distance of some 42 miles from Mellor, and attends the site 4 or 5 times a day to attend to any resident horses.

The applicant has stated that they achieve a high occupancy rate, but this has not been stated in terms of % occupancy. With only 8 stables this must be limited to 8 horses at 100% plus any at grass. The additional stable building, if approved, will increase the number of stables to 13 (8 existing + 5 proposed).

It is understood that the applicant does not operate a 'normal livery yard' but a specialised service providing remedial farriery and care of horses and ponies with laminitis and other conditions of the feet requiring remedial farriery and specialised management in terms of feed and exercise.

This service is provided to both resident and visiting horses in addition to the applicant visiting clients at their premises. It is understood that as the remedial farriery business develops, the applicant wishes to confine his activities to on-site rather than attending horses off-site.

As such it is acknowledged that this type of horse will have a higher than normal demand for management in terms of feeding, controlled exercise, frequency and duration of turnout and are likely to be stabled for extended periods of time and thereby requiring a higher degree of supervision than normal.

In addition to the applicant who is full-time it is understood that there is also part-time help. The applicant has further stated that it is his intention as the business develops to focus his remedial farriery at the site rather than to travel to clients premises.

The applicant also states that there is an established functional need for him to reside in the immediate vicinity of the stable buildings, in order to attend to the welfare requirements of the horses that are stabled whilst undergoing daily treatment. It is understood that treatment can be over a period of 2 to 12 months.

It is understood that there are no residential buildings at the site or any buildings capable of conversion to residential use that are not already being occupied.

Further to this the applicant has stated that they are unaware of any affordable houses available to buy nearby and even if there were the dwelling is required on site to ensure the appropriate care is provided.

A property search on *Rightmove* (www.rightmove.co.uk) shows that within 1 mile of the site (BB2 7QA) there are 17 properties for sale, ranging from £240K to £1.1m and 1 property to rent, a 2 bedroom flat at £895pcm.

It is however acknowledged that none of these properties would provide for an on-site presence and therefore not meet the functional needs as stated by the applicant.

Functional Need

We are of the opinion that given the specialised nature of the activities and the type of horses accommodated at the site, with their particular needs, there would be an essential functional requirement for a suitably experienced and responsible person to be accommodated on-site or in close proximity to the stabled horses i.e. within 'sight and sound'.

This opinion is reached on the basis that there could be up to 13 horses stabled on the premises at any one time, requiring supervision and management on behalf of their owners.

It is also acknowledged that there is likely to be a reasonable expectation by owners that their horses will be adequately supervised whilst in the custody and care of the applicant, and receiving treatment, and failure to meet this expectation is likely to hinder the further development of the business.

An on-site residential presence also affords increased security to the premises and its occupants and is particularly beneficial in case of stable fire for early detection and evacuation of stabled horses.

It is acknowledged that whilst the use of CCTV can assist with monitoring horses and providing for additional security to the premises, its use has limitations and it is not considered to present a viable alternative to there being an on-site presence.

Financial Viability

The applicant has stated that he has invested significantly in the premises with further investment proposed for the additional stable building and stabling and the temporary dwelling. The cost of the additional building has been given as £30,000 but no figure for the temporary dwelling. It has however been stated that both are to be funded from cash reserves within the business.

The applicant has stated that he has submitted, separately, accounts for the remedial farriery business, and that the accounts show a healthy profit. However, the accounts have not been made available to ADAS and we are therefore not able to verify this.

The applicant has further stated that in his opinion the business is financially viable and will in due course pass a financial test if the Council allow the extension to the existing equestrian building, to enable the business to expand and grow in a sustainable way.

As we have not had sight of the accounts or any other financial information we are unable to provide comment on this statement. However, it can be said that the additional 5 stable places, if granted planning permission, would increase the financial viability of the business and in our view would be necessary in order to justify the functional need for an on-site residential presence.

The applicant has calculated labour requirements using Standard Man Days (SMD's) assuming 13 horses (100% occupancy) at full-livery providing a forecast labour requirement of 8,580 hours which equates to 3.9 full-time workers.

We consider that it is unrealistic to budget for a 100% occupancy and that for budgeting purposes an occupancy of 75-80% is more realistic. However, even at this reduced occupancy it is acknowledged that the labour requirement exceeds that of a full-time worker and on this basis the functional needs as previously identified is for a full-time equestrian worker.

Size and Location of the Temporary Dwelling

The proposed dwelling is a 2 bedroom retreat home lodge measuring 17.53m x 6.7m providing an internal floor area of slightly less than 117.5m². The accommodation comprising of living/dining/kitchen, 2 bedrooms, 2 bathrooms and utility room. This size of dwelling is considered appropriate for an agricultural/equestrian worker.

The proposed location is also considered suitable in terms of being located within reasonably close proximity to the stabled horses i.e. within 'sight and sound'.

Planning Appraisal and Policy Context

This planning appraisal has been undertaken to assess the site located at land adjacent to Woodfold Hall, Further Lane, Mellor, BB2 7QA, for a temporary equine workers dwelling and equestrian building. This application is a resubmission of applications 3/2019/0229 & 3/2019/0222.

The site falls within the administrative boundary of Ribbles Valley Borough Council and this appraisal has taken into consideration the national and local planning policies listed within the following table:

National Planning Policy	Description
National Planning Policy Framework (NPPF) (February 2019)	
Paragraph 38	Paragraph 38 of the NPPF states that local planning authorities should approach decisions in a positive and creative way.
Paragraph 79	Paragraph 79 states that: <i>“Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:</i> a) <i>There is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;”</i>
Paragraph 80	Paragraph 80 states that: <i>“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its own strengths, counter any weakness and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.”</i>
Paragraph 83	Paragraph 83 states that: <i>“Planning policies and decisions should enable:</i> a) <i>The sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;</i> b) <i>The development and diversification of agricultural and other land-based rural businesses’;”</i>
Paragraph 84	Paragraph 84 states that: <i>“Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements.”</i>

Paragraph 143	Paragraph 143 states that: <i>"Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances."</i>
Paragraph 145	Paragraph 145 states that: <i>"A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:</i> <i>a) buildings for agriculture and forestry.</i> <i>b) the provision of appropriate facilities (in connection with the existing use of land or change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it"</i>

Local Planning Policy	Description
<i>Ribble Valley Core Strategy 2008-2028: A Local Plan for Ribble Valley (Adopted in December 2014)</i>	
Key Statement DS2: Presumption in favour of Sustainable Development	Key Statement DS2 of the core strategy states that: <i>When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</i> <i>Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.</i>
Key Statement EN1: Green Belt	Key Statement EN1 states that: <i>"The overall extent of the green belt will be maintained to safeguard the surrounding countryside from inappropriate encroachment. The development of new buildings will be limited to the purposes of agriculture, forestry, essential outdoor sport and recreation, cemeteries and for other uses of land which preserve the openness of the green belt and which do not conflict with the purposes of the designation."</i>

Key Statement EN3: Sustainable Development and Climate Change	Key Statement EN3 of the Core Strategy states that: <i>“The Council will seek to ensure that all development meets an appropriate recognised sustainable design and construction standard where viable to do so, in order to address both the causes and consequences of climate change. In particular, all development will be required to demonstrate how it will contribute towards reducing the Borough's carbon footprint.”</i>
Policy DMH3: Dwellings in the Open Countryside & the AONB	Policy DMH3 of the Core Strategy states that: <i>Within areas defined as open countryside or AONB on the proposals map, residential development will be limited to:</i> <i>1. Development essential for the purposes of agriculture or residential development which meets an identified local need. In assessing any proposal for an agricultural, forestry or other essential workers dwellings a functional and financial test will be applied.</i> <i>The creation of a permanent dwelling by the removal of any condition that restricts the occupation of dwellings to tourism/visitor use or for holiday use will be refused on the basis of unsustainability.</i> <i>The protection of the open countryside and designated landscape areas from sporadic or visually harmful development is seen as a high priority by the Council and is necessary to deliver both sustainable patterns of development and the overarching core strategy vision.</i>

This assessment has been completed using the information that was sent to the Council by the applicant and their agent. This includes a completed application form, elevations, location and site plan, floor plan and planning statement. From the results of the agricultural consultant's assessment, it is considered that there is a level of evidential need for this development. However it is noted that no financial records have been supplied with this application, and have just been referred to as the finances of the business being healthy in the planning statement. The site is within the Green Belt.

Within the Planning Statement, reference is made to the now out of date July 2018 NPPF. The relevant policies of the February 2019 NPPF have been discussed in this appraisal. Further to this, the relevant policies of the Local Plan for Ribble Valley have also been discussed.

Paragraph 38 of the NPPF states that authorities should approach planning decisions in a positive way. This is built upon in the Ribble Valley Local Plan, in Key Statement DS2, which states that the council will take a positive approach in favour of sustainable development.

It is stated in planning statement that the applicant is a registered farrier with an established remedial farrier business located at the site. Both Paragraphs 80 and 83 of the NPPF argue that planning decisions should enable and support the sustainable growth of businesses in rural areas. Paragraph 84 of the NPPF also adds that sites to meet these needs may be found beyond existing settlements. Overall, it is considered that to an extent there is a justification for the workers dwelling. However in regards to the need for a workers dwelling,

it is worth stating that the justification for the workers dwelling is reliant on the expansion to the business also included within this application.

In regards to Green Belt policy, Paragraph 143 states that inappropriate development is, by definition, harmful to the Green Belt, and should therefore be refused. However, Paragraph 145 states that whilst the construction of new buildings in the Green Belt should be considered inappropriate, and therefore refused, there are exceptions, such as buildings for the provision of appropriate facilities. Further to this, Key Statement EN1 of the Local Plan refers to Green Belt policy in a local context, mirroring that which is stated in the NPPF. It states that development will only be supported for specific examples, such as agriculture and forestry, in addition to other uses of land that which preserves openness and does not conflict with the Green Belt designation.

The plans submitted along with this proposal demonstrate that the development will be situated some distance away from existing structures located at Cooks Farm, to the northwest. It is considered that this siting does not restrict the detrimental impact of the proposal on the openness of the Green Belt. It is considered that the evidence in favour of this development supplied in this application does not outweigh the harm that this development will do to the openness of the Green Belt, and should therefore be considered to be inappropriate.

Further to this, Policy DMH3 of the Core Strategy discusses the siting of dwellings in the open countryside. It states that when discussing the need for a dwelling in this location, a financial test will be applied. As the financial records of the business have not been supplied, it is considered that the proposal cannot abide by this policy.

Conclusion

Overall, it is considered that the presented need in this application does not outweigh the harm that this application will do to the openness of the Green Belt. Further to this, the lack of supplied accounts are also considered to be a major issue.

It is considered that whilst the need for an on-site presence to ensure that the horses located on site are suitably supervised is an entirely suitable justification for this development, gaps in information provided in this application means that it is not fully demonstrated that the business can support this application.

As a result of this, it is considered that this proposal is not supported by local and national policy.

Yours sincerely,

Geoffrey Fairfoull & James Atkinson

Senior Consultant & Graduate Planning Consultant