



PLANNING STATEMENT & RURAL BUSINESS APPRAISAL

**TO SUPPORT A PLANNING APPLICATION FOR A TEMPORARY
EQUINE WORKERS DWELLING & EQUESTRIAN BUILDING ON
LAND ADJACENT WOODFOLD HALL, FURTHER LANE,
MELLOR, BB2 7QA**

**Resubmission of application numbers
3/2019/0229 & 3/2019/0222**

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1. INTRODUCTION AND BACKGROUND INFORMATION

- 1.1 This Planning Statement and Rural Business Appraisal has been prepared to support a planning application for the erection of a 6.7m x 30.5m steel portal frame equestrian building and a separate planning application for the siting of a temporary equine workers dwelling on land at Woodfold Stables and Forge, Further Lane, Mellor. This is a resubmission application for application numbers 3/2019/0229 and 3/2019/0222.
- 1.2 The dwelling is required in order to accommodate the applicant Mr Miles Pollard. Miles works as a registered farrier and has established a remedial farrier business based at Woodfold Stables and Forge. Mr Pollard proposes to expand and grow his remedial farrier business at Woodfold stables and requires an additional building to do so. We consider there to be a functional need for Mr Pollard to reside in the immediate vicinity of the stable buildings in order to attend to the welfare requirements of the horses that are stabled there whilst undergoing daily treatment.
- 1.3 This report sets out in detail the nature and scale of the work undertaken at the application property and why there is a functional need for a full-time equine worker to reside at the property, it also provides details of recent accounts for the business which demonstrates that the business has been planned on a sound financial basis and will prove to be profitable.
- 1.4 This Statement assesses the proposal against the relevant policies of the Development Plan and other material considerations in particular the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG). This Statement demonstrates that the proposal represents sustainable development which should be approved without delay.

THE APPLICATION PROPERTY

Location and general description

- 1.5 The application property that is known as Woodfold Stables and Forge is adjacent to Cooks Farm and Woodfold Park, and it is situated off Further Lane, Mellor. The application site is located in the open countryside approximately 1.5 miles south west of the village of Mellor. The property is situated on the south side of Further Lane and comprises of an access track leading up to a 12m x 16m building and 40m x 20m ménage, there is also a car park and 11 acres of land.

The buildings and other facilities

- 1.6 We describe below the buildings and other facilities located at Woodfold Stables and Forge using number referencing which corresponds with the plan attached at Appendix 1 for identification purposes.

1 – stable building 12m x 16m

- 1.7 This is a 'Jim Brown' building which was originally approved under application number; 3/2012/0359/P for the stabling of eight horses, however the retention of the building was applied for under application number 3/2015/0360/P as details of the external materials weren't submitted prior to the construction of the building. The external materials used in the build were considered appropriate.

2 – ménage 20m x 40m

- 1.8 The ménage that was approved in 2012, has a sand surface and is enclosed by timber post and rail fencing.

The land

- 1.9 The holding extends to approximately 11 acres (4.45Ha) or thereabouts all of which is down to grass.
- 1.10 The land is well fenced and well maintained and it is all located within a ring fence, with the building and ménage located in the westerly corner of the land. The land is divided into several paddocks to allow easier management for the applicant and to allow those horses with foot ailments to graze depending on their treatment, at appropriate times. See location plan (plan reference Pol/886/2553/02) showing the extent of the land.

The current activity

- 1.11 The applicant uses the facilities at Woodfold Stables and Forge for purposes of his remedial farrier business which involves treating the horses and then caring for the horses on a daily basis to assist in their recovery. The horses usually stay at Woodfold under the applicants care for between 2 and 12 months. The applicant does not offer a 'normal livery service'. Mr Pollard is a registered farrier and has been so for the last 9 years having qualified in 2009. Mr Pollard spent 5 years training to become a qualified farrier and is now an expert in his field.
- 1.12 There are currently 8 stables at the site all of which are occupied by horses requiring remedial attention by Mr Pollard. Mr Pollard now needs to be at Woodfold on a permanent basis both working and living due to his expanding business and he cannot be out shoeing horses during the day as he is needed at Woodfold. We explain the proposal in further detail below.
- 1.13 Horses with the most common need for remedial farriery need to be supervised and taken care of it is usually the responsibility of the farrier to help the horses on their road to recovery. Remedial shoeing can be a lengthy process ranging between two and six months and then aftercare

is required. Horses requiring remedial attention tend to be transported to the site by Mr Pollard in his specially designed trailer.

- 1.14 Horses are taken care of whilst on site and are also brought to the site to have the appropriate work done to their feet. The horses with foot problems which are stabled at Woodfold require continuous supervision to aid their recovery. Some horses are not just stabled on a temporary basis, they stay permanently due to the nature of their feet problems. The service available at these stables is unique in that the horses are looked after and monitored by a professional ensuring that they are in no distress at any time.
- 1.15 The majority of cases that Mr Pollard deals with are laminitis which is a condition which causes inflammation of the hoof resulting in extreme pain. Horses with this ailment require constant monitoring and controlled access to grazing is essential. Horses with laminitis are prone to getting cast and potentially colic therefore requiring additional supervision. The applicant has found that there are more and more horses being diagnosed with laminitis and he has had a lot more referrals from veterinary practices. The demand for the applicants service is therefore increasing.
- 1.16 The applicant currently resides in Burnley, approximately 40 minutes away from the application site and has to travel to the site several times a day. The progression of the existing business and the proposed expansion has now called for Mr Pollard to be living on site as he is currently visiting the site 4 - 5 times a day to monitor and treat the stabled horses. There is no one on site during the night-time which isn't ideal, when tending and caring for the horses that have these issues. We are not aware of any affordable houses available to buy nearby and even if there were the dwelling is required on the site to ensure the appropriate care is provided.
- 1.17 There are cameras at the stables but there is no alert for any distress and it is not possible to have an alarm fitted due to the movement of the horses. This is an issue for the horse owners as they do feel it is unsafe to leave any tack on site. A dwelling on site would allow for around the clock supervision, especially at night-time to be able to check and attend to matters arising. Please see Appendix 2 for letter of support from existing customers and other equestrian professionals.

2. PLANNING HISTORY

- 2.1 We set out below details of the recent planning history at the site.
- 2.2 Planning application 3/2012/0359 was a full planning application seeking the approval of an equestrian development for private use, consisting of the construction of a 12m x 16m building, a 40m x 20m ménage, the formation of a new access and track leading up a hardstanding area next to the building. The application was approved at committee on 19 July 2012 with several conditions.

2.3 Planning application 3/2015/0360 was a full planning application for the retention of the existing stable building, access track and ménage to be used as a remedial farrier business. Three of the conditions (3/6/7) on the original planning permission were sought to be rectified as part of the application. Condition 3 required the submission of precise details of external materials and they were subsequently considered appropriate for the locality and the application was considered acceptable. Condition 6 required the closure of the existing access. Condition 7 imposed a restriction on the site solely to private use, this application sought permission for the site to be used for as part of a remedial farrier business. The application was approved under delegated powers on 8 July 2015 with conditions.

2.4 The approved development has now been fully erected and is in use.

3. THE DEVELOPMENT

Equestrian Building

3.1 This application relates to the extreme west of the land where the existing stable building is situated. Permission is sought for the erection of a lean-to steel portal frame equestrian building off the rear of the existing structure.

3.2 The proposed new building will measure 6.7m x 30.5m and have an eaves height of 2.3m along with a maximum height of 3.5m where it will adjoin the existing stable building. The building will be constructed using the same materials as the existing namely; concrete block walls, timber cladding and fibre cement roof sheets with GRP skylights (see drawing No. Pol/886/2553/01). There will be two sliding doors on the building for access and egress.

3.3 The proposed building will contain five 14ft x 14ft stables (larger than the average size stable which are better suited for the type of horses that use the facility due to their foot ailments) and a work area where Mr Pollard can work on/treat the horses. The solarium will also be repositioned within this work area to allow a passage way between existing and proposed structure. If the proposed building is approved there will be a total of 13 stables at Woodfold Stables and Forge.

3.4 The proposed building will be used in association with the existing facilities and equine business – Woodfold Stables and Forge.

Equine Workers Dwelling

3.5 The development that is proposed in this application is the siting of a static caravan, in the form of a timber lodge, at the property for a temporary three year period to provide on-site residential accommodation for the applicant with a view to establishing during this period the financial viability of the applicant's business such that a planning application for the permanent

retention of the structure for an equine worker will be submitted at a future date within the 3 year temporary period.

- 3.6 It is proposed that the temporary dwelling will be located on an area of land adjacent to the existing built development so that it will not give rise to any visual incursion into the surrounding open countryside and will not result in any adverse impact. The temporary dwelling will be situated in close proximity to the stable building which means that the applicant is within sight and sound of the stable buildings and is also beneficial for security purposes.

4. PLANNING POLICY

4.1 General

- 4.1.1 Local planning authorities are required to determine planning applications in accordance with the statutory development plan unless material considerations indicate otherwise. In order for this planning application to be approved it must satisfy as far as possible the guidance contained within the National Planning Policy Framework (NPPF Adopted July 2018) and the relevant policies of the Council's Core Strategy 2008/2028 – A Local Plan for Ribble Valley, which was adopted December 2014.
- 4.1.2 The Council's Core Strategy contains a number of key statements and policies of which the following are relevant to this application; DS1 Development Strategy; DS2 Sustainable Development; EN3 Sustainable Development and Climate Change; H1 Housing Provision; H2 Housing Balance; H3 Affordable Housing; DMG1 General Considerations.
- 4.1.3 We set out below extracts from the relevant documents to assess the planning application against all of the appropriate policies and guidance.

4.2 National Planning Policy

- 4.2.1 The main national planning policy guidance of relevance to the consideration of residential development proposals is set out in the National Planning Policy Framework (NPPF) 2018.

National Planning Policy Framework (NPPF)

- 4.2.2 The National Planning Policy Framework 2018 is now the main national planning policy guidance influencing planning decision making in England. It sets out the Government's planning policies for England and how these should be applied and provides a framework within which locally-prepared plans for housing and other development can be produced. It replaces a substantial number of documents previously in place of particular relevance to this application PPS7 - Sustainable Development in Rural Areas. *"The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied, it sets out the Government's requirements for the planning*

system only to the extent that it is relevant, proportionate and necessary to do so."

4.2.3 The National Planning Policy Framework (The Framework) says, in Paragraph 8, that there are 3 dimensions to sustainable development. These are an economic objective (contributing to the economy), a social objective (supporting communities) and an environmental objective (protecting and enhancing the natural and built environment).

4.2.4 Paragraph 11 says that proposals that accord with the development plan should be approved without delay. It states:

*Plans and decisions should apply a **presumption in favour of sustainable development**.*

*For **decision-taking** this means:*

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

4.2.5 Paragraph 11 - 14 of the NPPF clearly spells out the Government's presumption in favour of allowing sustainable development unless the adverse impacts of doing so would be very significant. There are no such adverse impacts in respect of the development that is proposed in this case.

4.2.6 Section 5 of the NPPF contains policies for the delivery of a wide choice of high quality homes and paragraph 79 advises that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. It indicates that local planning authorities should avoid new isolated homes in the countryside unless there are very special circumstances such as the essential need for a rural worker to live permanently at or near their place of work. Therefore, once an essential need has been established the principle of constructing a new dwelling in the countryside to meet that need is acceptable. Paragraph 79 states:

"Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

a) 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."

4.2.7 Paragraph 83 says that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should promote the development and diversification of agricultural and other land-based rural businesses:

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 that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside; and

d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship."

4.2.8 Paragraph 143 - 145 of the NPPF states that:

143. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

144. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

145. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

a) buildings for agriculture and forestry;

b) the provision of appropriate facilities (in connection with the existing use of land or a 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;

4.2.9 This new equestrian building and temporary dwelling would enable an equestrian facility to be sustained, so it is providing for outdoor sport/

recreation. On the basis of the interpretation of paragraph 145 set out above, this proposal would not be inappropriate development in the Green Belt and there would be no need to demonstrate very special circumstances. It would therefore accord with the NPPF.

4.2.10 However, this argument is moot in relation to the temporary dwelling because as explained in this report, very special circumstances do exist in this case because of the need to provide around the clock surveillance of the rural business

4.2.11 The policies of the NPPF clearly support the approval of both of the applications that we have submitted on behalf of Mr Miles Pollard.

4.3 Local Planning Policy

Core Strategy Policy

4.3.1 The Council's Core Strategy 2008 – 2028 A Local Plan for Ribble Valley was adopted in December 2014 and we set out below our assessment of the proposed development against the relevant adopted policies.

Key Statement: DS1 Development Strategy

4.3.2 Key Statement DS1 identifies where the majority of new housing, employment and retail development will be located within the Borough, which will be in the principal settlements, two enterprise zones and the Tier 1 Villages. There will inevitably be forms of development that can take place outside of these areas and exceptions to the general principle of locating development in them and the erection of a rural workers dwelling is an exception that is covered by other policies of the Core Strategy.

Key Statement DS2: Presumption in favour of Sustainable Development.

4.3.3 Key Statement DS2 identifies states:

"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 and it will always work proactively with applicant's 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".

4.3.4 The policy also states:

"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."

Key Statement EN1: Green Belt

- 4.3.5 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.
- 4.3.6 The proposed development will allow outdoor sport and recreation to continue for the horses and riders at Woodfold. The applicant has erected a frame of the proposed equestrian building to demonstrate that the visual impact of the development will be minimal. The building will be naturally screened by the woodland to the north and south west of the site and only 6m will be visible from the east. I have attached at Appendix 4 photographs of the frame. The applicant is also prepared to carry out tree planting and a landscaping condition could be attached to the permission.

Key Statement EN3: Sustainable Development and Climate Change

- 4.3.7 Key Statement EN3 "sustainable development and climate change" identifies that construction methods and building design will address both the causes and consequences of climate change and contribute to reducing the Borough's carbon footprint. If the development is approved, then there will be an obligation on the development to provide a certain level of its power requirements through sustainable sources and the dwelling will be built to modern building regulation standard which will restrict heat loss and promote efficient heating sources within it.

Key Statement H1: Housing Provision, Key Statement H2: Housing Balance and Key Statement H3: Affordable Housing

- 4.3.8 These three key statements principally relate to large scale residential development within the Borough and while the planning application that we have submitted relates to residential development these policies are not relevant to the determination of this application.

Policy DMG1: General considerations

- 4.3.9 Policy DMG1 sets out various criteria which all development must conform to under a series of headings which are design, access, amenity, environment, infrastructure and other matters.

Policy DMH3: Dwellings in the Open Countryside & the AONB

4.3.10 Policy DMH3 sets out a limited number of circumstances under which residential development in the open countryside or AONB's will be allowed and the first of these is set out below:

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.

5. MATERIAL PLANNING CONSIDERATIONS

5.1 The proposed development has been assessed against National and Local Planning policy, guidance and other material planning considerations. It is considered that the key planning issues relevant to the consideration and determination of the planning application for the rural workers dwelling are:

Principle of the development;

Functional need for a rural worker's dwelling;

Availability of an alternative dwelling;

The business plan and finances of the business; and

Need for a full-time worker;

Principle of development

5.2 It is accepted that the development site is located within an area designated in the adopted local plan as Open Countryside and Green Belt and that there is a general presumption against residential development in such locations. However, Policy DMH3 as referred to above in paragraph 4.3.9 identifies exceptions to this general principle one of which is the provision of farm and other rural workers dwellings. The dwelling is required for an essential worker and throughout this report we will demonstrate that the proposed development meets the functional and financial tests set out in this policy.

5.3 The approval of the dwelling is necessary for the continued success of this already established and proposed expanding rural business and therefore the presumption in favour of sustainable development as set out in Key Statement DS2 applies.

5.4 The proposed development adequately complies with the requirements of Policy DMG1, the temporary dwelling will be sited where it will not have an adverse impact on the landscape as it will not be particularly visible, there is an existing safe access, there will be no adverse impact on any neighbours, the wider area or on the environment. There is sufficient

parking as illustrated on the proposed site plans for the proposed additional stabling.

- 5.5 Paragraph 83 of the NPPF 2018 clearly supports a strong rural economy and paragraph 79 identifies that the granting permission for a dwelling in the countryside is acceptable where it is to meet the essential need for a rural worker to live permanently at or near their place of work.

Functional need for a rural worker's dwelling

- 5.6 The applicant attends to a wide range of activities ranging from supplying food, water and bedding to horses that are staying at Woodfold Farm, providing a high standard of care for horses, liaising with customers and treating horses feet which is usually on a daily basis and managing the day to day running's of the business.
- 5.7 The current situation is that Mr Pollard works both at Woodfold Stables managing the specialist service and as a farrier travelling to customers properties to treat their horses. Mr Pollard travels to Woodfold Stables from his home in Burnley at 5.30am every morning, then goes to customers properties and then travels back and forth to Woodfold several times a day depending the requirements of the horses with feet ailments at Woodfold.
- 5.8 The proposed situation is that Mr Pollard would like to expand his business at Woodfold and operate solely from there therefore not travelling to and from customers properties as he will be based at Woodfold and can care for all of the horses stabled in an efficient, sustainable manner. In order to do this, the proposed equestrian building, which is subject to a separate application, is required so that there is a dedicated work area for Mr Pollard to work out of and an additional five stables to increase the income generated at Woodland stables.
- 5.9 Customers who stable their horses at Woodfold often ride their horses after work later in the evenings and it is good practice to have suitable provision to assist riders in the event of an accident. The resultant workload therefore places a high labour demand on the applicant. It is also often the case that evening and night time walkarounds are necessary, particularly to deal with cases of 'colic' which often only present when a horse is stabled in an evening. This is addressed in more detail below.
- 5.10 Overall it is considered that on-site presence is needed for the following aspects of the business:

Caring for horses that are stabled at the premises specifically for rehabilitation and recuperation due to foot/locomotion ailments;

Caring for horses that become 'cast' (horses which can become physically trapped in their stables) or have colic (a common and

potentially life-threatening equine disorder where the horse has visible abdominal pain) and generally for the care and wellbeing of the animals and the safety of the owners;

For security purposes i.e. in terms of property and animals; and

To allow the business to grow and develop through customer confidence in acceptable welfare facilities,

Care for the rehabilitating of horses

- 5.11 One of the points of distinction between these stables and its niche and general livery facilities is that it has been established with the specific intention of providing a bespoke service to equine owners whose horses require remedial farrier work from injury or age-related ailments and these animals will have different welfare requirements than horses that are fit and healthy. It is essential for the full recovery of these horses that there is an experienced horseperson readily available during the day and night to attend to them.
- 5.12 We are not aware of any other stable yard that provides this service in the Ribble Valley. Mr Pollard trained for 5 years to become a qualified farrier and has invested a substantial amount of money into Woodfold Stables both of which have resulted in a successful business being created at Woodfold Stables.

Dealing with ill & cast horses

- 5.13 Due to the fact the majority of the horses being stabled at Woodfold have issues with their feet, they can be more prone to be coming ill and cast.
- 5.14 Cast is a specific equestrian term given to horses which can become ill, lie down in their stables and physically trap themselves, not being able to stand. A cast horse will be distressed and can cause itself considerable damage within a matter of minutes. Horses can badly injure themselves because they panic, as a result they can die from shock (heart attack) or internal injuries. Often a cast horse will have some sort of secondary illness. If horses are unwell their condition quite often needs monitoring at regular intervals and throughout the night as their condition can quickly become life threatening.
- 5.15 A horse which becomes cast can also cause damage to the stable, damage which can be alleviated by prompt intervention. Horses that become cast require immediate attention during the night. An incident like this could result in death or very serious injury to a horse if the applicant isn't resident at the property and in sight and sound of the stables building. The importance of being within sight and sound is highlighted in another application submitted by us; reference 3/2018/0194, this was for a temporary equine worker's dwelling for Mrs Laura Whyte and her husband at Silkwood Stables, Dinckley. In that application it was stated that

incidents as above had actually occurred prior to the approval of the application and reference was made to this in the submitted statement. In summary if a dwelling on site is not within 'sight and sound' as there was in this case albeit unlawful at the time, then these incidents wouldn't be picked up on. A cast horse, when distressed makes a lot of noise and disturbs the other horses around it to the extent that the noise will wake up the person who is resident on site, alerting them to the problem and enabling swift intervention before the incident becomes life threatening for the horse. CCTV is no substitute for immediate and on hand assistance and relief.

- 5.16 An illness and a major cause in premature horse death is colic. Colic in horses is defined as abdominal pain and can encompass all forms of gastrointestinal conditions which cause pain. Whilst not always the case, it is frequently a condition which has an onset at the end of the day, and likely caused by a change in diet – from eating grass outside and then hay once an animal is brought into a stable. The first response is to walk the horses for a period of time, to hopefully allow movement within the digestive track and to ease pain, until they can be examined by a veterinary surgeon. Immediate intervention is required in all cases or the situation can turn life threatening for the horse. The applicant works with several veterinary practices who refer horses to him namely Oakhill, Stanley House, North West Equine and Gilliver Vets. Also, Silkwood Stables rehabilitation refer horses to Woodfold.
- 5.17 There are a variety of different causes of colic, some of which can prove fatal. Horses with colic will always require intensive aftercare and generally this will have to be delivered for at least 24hrs after an initial colic attack. The incidence of colic in the general horse population has been estimated between 10 and 11 percent on an annual basis. It is therefore important that horses with any signs of colic be closely monitored in order to determine whether or not a veterinarian should be called. Once a horse has colic, it can be prone to this returning and therefore needs to be monitored very closely going forward.
- 5.18 Ultimately it may be the responsibility of the stable manager to instruct a horse to be euthanized, if its suffering cannot be alleviated. This heavy responsibility can only be discharged if the manager can show to a client that everything had been done in a timely manner to try to avoid this outcome. The stable manager needs to be on site at all times to be able to make these decisions for customers. All customers at Woodfold stables sign an agreement which states:

"The horse owner agrees that if a VETERINARY SURGEON advises IMMEDIATE slaughter of the HORSE to prevent further suffering in the case of severe injury and the OWNER cannot quickly be contacted the BORROWER may give permission to the VETERINARY SURGEON on the OWNER'S behalf"

- 5.19 Our client considers that there are a range of regular activities taking place at the site where on site presence is essential.

For security purposes

- 5.20 On site presence allows all of the horses to be carefully monitored, allowing for the protection of livestock from theft and injury by intruders. The fact that on-site presence and 24-hour care is available is a large generator of cliental seeking to have a safe environment for their horses.
- 5.21 It is also the case that premises without an effective on-site presence, tend to become the target of theft and attempted theft if it is known that the premises are unattended at night without someone living on site. Both horses and saddlery are valuable items with the latter being particularly vulnerable to opportunistic raids by thieves and easily saleable on the black market.
- 5.22 The 24 hour's supervision is also an important part of customer care and security. The majority of the horse owners at Woodfold are young females, if they knew there wasn't going to be anyone on site, particularly during the darker winter months, they would feel unnerved to be alone on site, and would be more likely to move to a livery yard which they knew had around the clock supervision. Paragraph 91 of the NPPF is clear in this regard, that environments should be safe and accessible not affected by crime and fear of crime, as these factors would impact quality of life.
- 5.23 Whilst camera monitoring may aid with the detection and tracking of crimes, it has limited value in preventing crimes. The vulnerability of the business to issues such as trespass and suspicious behaviour are such that only a permanent residential presence will be sufficient to protect the business.
- 5.24 There is always a risk of horses escaping either as a consequence of intruders leaving gates or stable doors open or as a consequence of a spooked horse breaking through boundary fencing.
- 5.25 Consideration also needs to be given to the impact of false alarms. As with all security systems false alarms are a regular occurrence (often being activated by mice, and other pests the likelihood of such false alarms is inherently greater in buildings of this kind) should such an incident occur at night it is important that the issue be remedied as soon as possible to avoid any impact on surrounding neighbours. Without supervision on site during the night, the alarm would often be ringing until staff arrive on site in the morning.

To allow the business to grow and develop

- 5.26 The existing business would struggle to continue operating successfully as a remedial stable yard if on site presence could not be provided. Customers will clearly prefer to have an on-site presence over one that is

not manned 24/7. We are not aware of any equine yards similar to this one in nature operating in the local area that are not staffed 24/7 and very few will offer the specialist rehabilitation service that is offered at the application property. It is clearly the case that the business will suffer if customers migrate to manned yards.

- 5.27 The letters of support that are attached at Appendix 2 make clear the importance of 24/7 onsite presence.
- 5.28 Whilst the case rests primarily on animal welfare issues, it is also a notable point that insurance cover will be severely limited without an on-site presence.
- 5.29 The British Horse Society (BHS) who accredits equestrian premises consider it necessary where an establishment offers a livery service or stabling of horses for the owner to provide supervision at all times, for them to be accredited. The presence of onsite living accommodation will enable the applicant to seek accreditation from the BHS.

Availability of Alternative Dwelling

- 5.30 There are no other dwellings available on the site for a full-time equine professional to operate from.
- 5.31 Given the clear need for an appropriately qualified person to be close to the premises and within sight and sound of the stables, no dwelling in any nearby settlement would satisfy the requirements of the business, regardless of its price or availability.
- 5.32 It is respectfully suggested that unless any alternate dwelling was on the actual holding, it would not satisfy the required parameters of being within sight and sound. There is no such dwelling in existence.

The business plan and finances of the business

- 5.33 The applicant has invested significant sums of money in the business that is established at Woodfold Stables and Forge, the initial investment was in the purchase of the land with building and arena in 2015, being £185,000 then the spending of £50,000 to upgrade the facilities to what they are at present. The applicant is committed to the expansion of the business to continue to grow and develop. We are seeking the approval of a 100ft x 22ft extension to the existing equestrian building, to allow the expansion of the business as the stables are currently at capacity.
- 5.34 The business has been and is planned on a sound financial basis which is evidenced by the banks support, the applicant currently has a commercial mortgage on the property to sum of £125,000 clearly displaying their support in enabling the establishment of the facility that exists today. The new equine building will be paid for with cash already in the business, the

cost of this will be expected to be in the region of £30,000. The temporary dwelling will also be paid for by cash.

- 5.35 As a new business it is acknowledged in this application for a temporary dwelling that it will be necessary to provide evidence in due course that the business is profitable. We have submitted accounts separately for the remedial farriery business, there is only one year of accounts because in previous years Mr Pollard has merged both his farrier business and livery into one. Last years accounts show a healthy profit which will continue to increase with the proposed new equestrian building and work area at Woodfold. The accounts show that the business generates, in our opinion, an acceptable level of profit, which is sufficient, again in our opinion, to demonstrate that the business is financially viable and will in due course pass the financial test if the Council allow the extension to the existing equestrian building so that the business can expand and grow in a sustainable and efficient way.

Need for a full-time worker

- 5.36 It is regular practice when determining the need for a full-time worker for agricultural activity to refer to standard agricultural texts such as John Nix or the SAC Handbook which comprehensively calculates labour needs. In this case we refer to The Equine Business Guide (6th Edition, October 2015) to assess the labour requirement involved in the Equine activities for the business.
- 5.37 A labour unit of one person (Standard Man Day) is considered to be 2,200 hours per year which converts into 275 man days of 8 hours.
- 5.38 The labour requirement of a horse on full livery is 660 hours per annum; the labour requirement for a horse on DIY livery is 180 hours per annum.
- 5.39 We set out below the assessment of labour required by the applicant's equestrian enterprise.

13 horses on full livery @ 660 hours per annum each = 8,580

- which equates to 3.9 full time workers.

- 5.40 This demonstrates that there will be a labour requirement for at least three full time workers when the enterprise is expanded and therefore the need clearly relates to a full-time worker. The labour at Woodfold Stables is provided by the applicant who is engaged full time in the business, part time help from someone who has stabling for her horse in return for labour and the applicants partner.

6 RELEVANT APPEAL DECISIONS

- 6.1 We attach at Appendix 3 planning appeal decisions which we consider support the applicant's case that planning permission should be granted

for the erection of an equine workers dwelling for a temporary three year period and we set out below why we consider this to be the case.

Appeal Reference: APP/E6840/A/11/2156858

Address: Land off Candwr Road, Ponthir, Newport, NP18 1HU

Appellant: Mrs A Mellen

Local Authority: Monmouthshire County Council

- 6.2 This planning appeal related to an application for a temporary equestrian/rural worker's dwelling to meet the functional need of a mixed equine and agricultural business in Wales. The circumstances of the appellant are in some respects quite similar to those of the applicant as we will summarise below.
- 6.3 The appellant occupied a land holding comprising a total area of 20.4 acres (8.26Ha), of which approximately 6 acres (2.4 hectares) were rented, the remainder being owner occupied. The appeal holding had buildings and facilities comprising of a block of stables accommodating six loose boxes and a tack room, an agricultural barn used for storage, machinery and cider making, with three further loose boxes used mostly during the lambing period. In addition, there was a small agricultural barn under construction.
- 6.4 We have already described within this report the extent of buildings and facilities available at Woodfold Stables which are not too dissimilar from those at the appeal property. The appellant's proposal was to provide a facility for commercial equine convalescence/retirement home for in the region of ten horses.
- 6.5 The main issue that needed to be considered was whether or not there was a functional need for a resident worker for the proper running of the proposed enterprise. The appellant also kept 28 breeding sheep, however it was acknowledged that these livestock would not provide a functional need for on-site accommodation, only another revenue stream.
- 6.6 It was accepted by the Inspector that the approved use of the stables would involve the close supervision of horses entrusted to the appellant's care and he made the following statements:

12. *"It is clear that the approved use of the stables would involve the close supervision of horses entrusted to the appellant's care. As the horses would be convalescing following medical interventions for conditions such as laminitis, regular monitoring would be required. Although remote sensing such as CCTV linked to a dwelling elsewhere could alert the carer to a distressed cast horse (lying down and unable to stand), such a system could not assess the temperature of limbs that is associated with laminitis. Furthermore, as there would be significant churning of the patients in terms of new arrivals, there is the potential of distress whilst the horses settle and become accustomed to their surroundings. I was*

told that unless that supervision could be provided, referrals would not be made and the business could not progress. Similarly, owners of retired horses would not be willing to entrust their animals to an unsupervised facility."

13. *Although the appellant would not be responsible for administering most medical interventions, from the evidence given it is clear that the appellant is an experienced horsewoman with the ability to deliver the care being proposed. Care would be carried out under the direction of clinicians and other specialists and could include administering some drugs, changing dressings and the trickle-feeding of a specialist diet. As these horses can be regarded as a specialist group of animals and the proper functioning of the approved facility is dependent upon clients and their medical advisers referring the horses, I consider that there is a functional need for a resident worker to be responsible for their welfare.*
- 6.7 It is clear from paragraph 14 of the appeal decision that the need for a full-time worker was not as obvious as it is in this application, however the Inspector did conclude that, given the nature of care and supervision required for the type of horses being stabled, he was satisfied that there was a full-time worker requirement.
- 6.8 The Inspector also made an interesting observation at paragraph 16 of the appeal decision, where Mr Poppleton acknowledged the fact that because of the nature of care that would be provided the horses would be predominantly accommodated in the loose boxes thereby requiring less use of the grazing land than in normal livery establishments, and that riding out would be limited to that required to aid recuperation. Therefore, a lower horse per hectare ratio was appropriate; this is also the case in respect of our client's enterprise.
- 6.9 While the appeal proposal was to accommodate up to 10 horses our client currently has space for up to 8 (13 horses with the proposed extension) at his property. These horses are recuperating under the supervision of the applicant from their ailments. The number of horses will increase over time as the business becomes more established and more widely known to fill the new stables, the applicant is having to turn potential clients away as his stables are full. Consequently, the scale and level of activity undertaken at Woodfold Stables is on a par and will eventually exceed that of the appeal property. However, the Inspector in allowing the appeal in this case, stated that he considered it to be impractical to seek to meet the functional need from an off the site location and in our opinion the same conclusion must be drawn in respect of our clients' application.
- 6.10 It was also less clear whether or not the appeal business would be viable at the end of a three year period than is the case with our clients application as they already have a high level of occupancy at their premises and there is very little doubt that they will be able to demonstrate the financial viability

of the business within the three year temporary period, for which permission is currently sought.

Appeal Reference: APP/B2355/A/12/2184388

Address: Willow Stables, Goodshaw Lane, Rossendale, BB4 8TN

Appellant: Mrs D Ainsworth

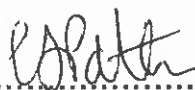
Local Authority: Rossendale Borough Council

- 6.11 This planning appeal related to an application for the erection of a dwelling and the removal of an existing residential caravan at Willows Stables, Rossendale. The main issues and reasons in this appeal are similar to those that we are applying for in this application and I summarise these below.
- 6.12 The appellants enterprise consisted of 40 acres (16.2ha), several modern buildings and a former milking parlour. The enterprise was known as Willows Wags and Whiskers and consisted of kennels, a cattery and stabling business. Externally there were areas allocated for car parking and land to exercise the animals. The enterprise provided care accommodation for up to 40 dogs, 36 cats and 7 livery horses (plus their own), as well as boarding stables used for holiday livery.
- 6.13 The main issue considered in the appeal was the functional need for a dwelling and points to support the appellants case were made regarding security and welfare. The Inspector made the following statements '*I consider that although there is adequate accommodation in fairly close proximity within the settlement boundary, none would be close enough to fulfil the functional requirement of the enterprise*' she then went onto say '*I consider that there is an essential need for one person to live permanently close to their place of work in the countryside*'.
- 6.14 The Inspector at point 19 makes reference to the fact that there is no formal requirement in NPPF for a financial test, as was the case with the PPS7, she goes on to say that the NPPF seeks to promote sustainable development therefore meaning that a rural business needs to be viable. We consider the applicants development to be financially sound and have submitted previous years accounts for the benefit of LPA only, for their consideration.

7 SUMMARY & CONCLUSION

- 7.1 This report has been prepared to support a planning application for temporary permission for a three year period for the siting of a static caravan at Woodfold Stables to be used as an equine workers dwelling to accommodate Miles Pollard a full time worker at the property so that he can operate the business properly which has already been established there together with a proposed extension to the existing equestrian building so that the business can grow and expand.

- 7.2 We have demonstrated quite clearly and in our opinion beyond doubt that the scale and nature of the proposed enterprise that will be undertaken at Woodfold Stables generates a functional need for a full time worker to be readily available at any time of day or night to deal with emergencies at short notice, for animal welfare grounds and for the welfare and well being of the worker.
- 7.3 We have provided details of the level of investment to date in the business which is quite considerable and shows a clear commitment to the business and the financial accounts submitted separately to this Planning Statement show that the business has been planned on a sound financial basis and that the applicant will be able to demonstrate an acceptable level of profit at the end of the three year period.
- 7.4 The planning appeal decision/s we have referred to relating to a horse rehabilitation facility fully supports our assessment that there is a functional need for onsite accommodation at Woodfold Stables and we can see no reason why the Council should not support this application and approve the application.

Signed..........Date.....28/5/19.....

Fiona Patterson BSc (Hons) MRICS FAAV

APPENDIX 1
Plan of buildings

Cook's Farm

Tank Reservoir
(covered)

Tank

2) Menage

1) Stable Building

Notes:

All work is to be carried out to the latest current British standards Codes of Practice and recognised working practices.
All work and materials should comply with Health and Safety legislation.
All dimensions are in millimetres where explicitly shown otherwise.
The contractor should check and certify all dimensions as work proceeds and notify the architect of any discrepancies.
Do not scale off the drawings, if in doubt ask.



Gary Hoerty Associates
Gary Hoerty Associates Chartered Surveyors
Suite 9 - Grindleton Business Centre
The Spinney
Grindleton
Clitheroe
Lancashire BB7 4DH

T: 01200 449700
Email: info@ghaonline.co.uk

Project: (Ref: Pol/886/2553)

Planning - Proposed Equine Building and
Equine Workers Dwelling on:

Land adjacent to
Woodfold Hall
Further Lane
Mellor
BB2 7QA

Title: Plan of Buildings

Drawing No: Pol/886/2553/04

Drawn: PF

Client: Mr M Polard

Date: 27.02.2019

Scale: 1:500 @ A3

Amendments:

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APPENDIX 2

Letters of support

523 Blackburn Road
Oswaltwistle
BB5 4LP

10TH February 2019

Dear Sir/Madam

Re: Woodfold Stables and Forge, Further Lane, Mellor

I am writing to raise my support for the planning application for on site accommodation at the above premises where I livery my horse.

Woodfold Stables is a fabulous livery yard and remedial service that provides bespoke livery options specifically treating horses with remedial issues. I have stabled on other stable yards but due to the issues with my horse's feet, I definitely would not stable anywhere else.

Mr Pollard provides a specific service which no other livery yard can do, and I am more than happy with the yard and services provided, however I feel the only thing lacking at Woodfold is 24 hour supervision.

My horse is 17 years old he suffers with arthritis (DJD) which is a degenerative joint disease; this can lead to disabling lameness. My horse has specific eggbar shoes that need changing every 6 weeks, by Miles Pollard. He can also only be turned out for a limited time and only on a soft surface. He also has to have medication 3 times a day consisting of anti-inflammatory drugs. My horse needs regular checking as he lies down a lot to take the pressure off his feet, and regularly gets cast in his stable and needs assistance getting up especially with his age. At the moment Miles Pollard has a camera system installed to monitor the horses which isn't ideal as he lives over half an hour drive away, he does need to be on site. With Woodfold being a small yard catering for specific horses with ailments and offering alternative turnout and specialist care.

I have valuable items stored in the tack room at Woodfold and my concern is these could be stolen due to the isolated position. This includes my equestrian equipment which is approximately valued at £6500. (Including my horse trailer)

Woodfold is in a vulnerable position due to its isolation, and if there is no-one on site it is a target for potential thieves. It would be much more secure to have people available 24/7 to safeguard the welfare of the animals on site, not to mention peace of mind for the owners who invest such a lot of time and money into their horses. Particularly due to the nature of the horses at Woodfold and their chances of becoming distressed in the evenings due to their ailments, on site presence in our opinion is very important.

I hope you will look favorably on this application.
Yours faithfully

Tracy Carol



5 Lowesby Close
Walton le dale
PR5 4NF

12TH February 2019

Dear Sir/Madam

Re: Woodfold Stables and Forge, Further Lane, Mellor

I am writing to raise my support for the planning application for on site accommodation at the above premises where I livery my horse.

Woodfold Stables is a fabulous livery yard and remedial service that provides bespoke livery options specifically treating horses with remedial issues. I have stabled on other stable yards but due to the issues with my horse's feet, I definitely would not stable anywhere else.

Mr Pollard provides a specific service which no other livery yard can do, and I am more than happy with the yard and services provided, however I feel the only thing lacking at Woodfold is 24 hour supervision.

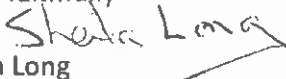
My horse was 23 years old he suffered with Cushing's disease and laminitis, this is a disabling lameness. My horse needed regular toe trimming off his feet so he was sat on his heels taking the pressure off the laminae. He was on box rest; he also had to have medication 3 times a day consisting of 16 paracetamols and anti-inflammatory drugs. My horse needed regular checking as he laid down a lot to take the pressure off his feet, and regularly got cast in his stable and needed assistance getting up especially with his age.

I choose Woodfold over other yards for specifically for the specialists care and treatment that Mr Pollard could offer. As Woodfold is a small quiet yard this was ideal for Pebbles as he needed tentative care in his final two years.

Woodfold is in a vulnerable position due to its isolation, and if there is no-one on site it is a target for potential thieves. It would be much more secure to have people available 24/7 to safeguard the welfare of the animals on site, not to mention peace of mind for the owners who invest such a lot of time and money into their horses. Particularly due to the nature of the horses at Woodfold and their chances of becoming distressed in the evenings due to their ailments, on site presence in our opinion is very important.

I hope you will look favorably on this application.

Yours faithfully


Sheila Long

Sizergh House
Ashton Road
Lancaster
LA2 0AJ

12TH February 2019

Dear Sir/Madam

Re: Woodfold Stables and Forge, Further Lane, Mellor

I am writing to raise my support for the planning application for on site accommodation at the above premises where I livery my horse.

Woodfold Stables is a fabulous livery yard and remedial service that provides bespoke livery options specifically treating horses with remedial issues. I have stabled on other stable yards but due to the issues with my horse's feet, I definitely would not stable anywhere else.

Mr Pollard provides a specific service which no other livery yard can do, and I am more than happy with the yard and services provided, however I feel the only thing lacking at Woodfold is 24 hour supervision.

I stable both my horses at Woodfold - Rico suffers with sand cracks through this condition he constantly gets abscesses, he is a young 3 year old Clydesdale a heavy horse with large feet. Rico's abscesses need constant dressings throughout the day. Due to his size Miles can only change the dressings and re dresses him. Rico is only allowed turnout in a dry surface area when his abscesses arise.

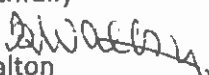
Conker – is a laminitic, this can lead to disabling lameness. Conker needs a strict diet to manage his condition and grazing area. Both horses have specific shoeing/trimming every 4-6 weeks, by Miles Pollard.

I have valuable items stored in the tack room at Woodfold and my concern is these could be stolen due to the isolated position. This includes my equestrian equipment which is approximately valued at £30,000. (Including my two horse, horse box)

Woodfold is in a vulnerable position due to its isolation, and if there is no-one on site it is a target for potential thieves. It would be much more secure to have people available 24/7 to safeguard the welfare of the animals on site, not to mention peace of mind for the owners who invest such a lot of time and money into their horses. Particularly due to the nature of the horses at Woodfold and their chances of becoming distressed in the evenings due to their ailments, on site presence in our opinion is very important.

I hope you will look favorably on this application.

Yours faithfully


Sarah Walton

1 Glendor Road
Burnley
BB10 4HL

12TH February 2019

Dear Sir/Madam

Re: Woodfold Stables and Forge, Further Lane, Mellor

I am writing to raise my support for the planning application for on site accommodation at the above premises where I livery my horse.

Woodfold Stables is a fabulous livery yard and remedial service that provides bespoke livery options specifically treating horses with remedial issues. I have stabled on other stable yards but due to the issues with my horse's feet, I definitely would not stable anywhere else.

Mr Pollard provides a specific service which no other livery yard can do, and I am more than happy with the yard and services provided, however I feel the only thing lacking at Woodfold is 24 hour supervision.

My horse has navicular syndrome and suffers from allergies, his symptoms are degeneration of the navicular bone of the surrounding tissues this can lead to disabling lameness. My horse has specific remedial shoes that need changing every 3 weeks, by Miles Pollard. He can also only be turned out for a limited time and only on a soft surface. He also has to have medication 3 times a day. My horse needs regular checking as he lies down a lot to take the pressure off his feet, and regularly gets cast in his stable and needs assistance getting up. My Horse has special bedding and soaked hay. At the moment Miles Pollard has a camera system installed to monitor the horses which isn't ideal as he lives over half an hour drive away, he does need to be on site. I would feel reassured if he could be there at night time due to my horse getting stressed easily.

I have valuable items stored in the tack room at Woodfold and my concern is these could be stolen due to the isolated position. This includes my equipment which is approximately valued at £2500.

Woodfold is in a vulnerable position due to its isolation, and if there is no-one on site it is a target for potential thieves. It would be much more secure to have people available 24/7 to safeguard the welfare of the animals on site, not to mention peace of mind for the owners who invest such a lot of time and money into their horses. Particularly due to the nature of the horses at Woodfold and their chances of becoming distressed in the evenings due to their ailments, on site presence in our opinion is very important.

I hope you will look favorably on this application.

Yours faithfully

Rachel Stock



11th February 2019

To whom it may concern,

Re: Mr M. Pollard, Woodfold Stables & Forge, Further Lane, Mellor.

I am writing in connection with a planning application that has been submitted for a dwelling at Woodfold Stables and to express our upmost support for the approval of this application.

We have known Mr Pollard for 10 years and he is professional, reputable business man that we have a lot of respect for. We understand the type of work that Mr Pollard carries out and the skill set he holds to do the work. He offers a very bespoke service that we recommend our clients to use as not only is Mr Pollard an excellent farrier, Woodfold stables is a good place to keep your horse.

The above property is used by our veterinary practice to send horses in need of further management and monitoring whilst under our care. We do consider it would be beneficial for the horses to have 24-hour supervision by Mr Pollard improving the care offered to the horses.

We hope this application is approved.

Kind regards.

North West Equine Vets

JESS TURNER

BSc (hons) EDS, BAEDT, BEVA

EQUINE DENTAL SERVICES

12th February 2019

To Whom It May Concern

Re: Mr M Pollard – Woodfold Stables

I would strongly support the approval of a planning application for a permanent residence at Woodfold Stables.

I have provided equine dentistry services for Miles Pollard's clients horses for over 3 years and have witnessed the type of work he carries out and the time he spends tending to the horses on livery at Woodfold.

Miles offers a bespoke service and I am un aware of anyone else that offers this type of service. There is a high demand for livery yards like the one at Woodfold.

In my opinion 24 hour a day supervision is required at Woodfold Stables and onsite accommodation for Miles is essential for the work he does.

Yours faithfully



Jess Turner BSc (Hons)

Beck House Cottage, Stoneygate Lane, Ribchester, Nr Preston. PR3 3YN

Tel: 07968487781

email: jessicabradshaw@hotmail.co.uk

2 Sandringham Drive
Brinscall
PR6 8SU

12TH February 2019

Dear Sir/Madam

Re: Woodfold Stables and Forge, Further Lane, Mellor

I am writing to raise my support for the planning application for on site accommodation at the above premises where I livery my horse.

Woodfold Stables is a fabulous livery yard and remedial service that provides bespoke livery options specifically treating horses with remedial issues. I have stabled on other stable yards but due to the issues with my horse's feet, I definitely would not stable anywhere else.

Mr Pollard provides a specific service which no other livery yard can do, and I am more than happy with the yard and services provided, however I feel the only thing lacking at Woodfold is 24 hour supervision.

My horse has navicular syndrome, his symptoms are degeneration of the navicular bone of the surrounding tissues this can lead to disabling lameness. My horse has specific remedial shoes that need changing every 3 weeks, by Miles Pollard. He can also only be turned out for a limited time and only on a soft surface. He also has to have medication 3 times a day consisting of anti-inflammatory drugs. My horse needs regular checking as he lies down a lot to take the pressure off his feet, and regularly gets cast in his stable and needs assistance getting up. At the moment Miles Pollard has a camera system installed to monitor the horses which isn't ideal as he lives over half an hour drive away, he does need to be on site.

I have valuable items stored in the tack room at Woodfold and my concern is these could be stolen due to the isolated position. This includes my equipment which is approximately valued at £3800.

Woodfold is in a vulnerable position due to its isolation, and if there is no-one on site it is a target for potential thieves. It would be much more secure to have people available 24/7 to safeguard the welfare of the animals on site, not to mention peace of mind for the owners who invest such a lot of time and money into their horses. Particularly due to the nature of the horses at Woodfold and their chances of becoming distressed in the evenings due to their ailments, on site presence in our opinion is very important.

I hope you will look favorably on this application.

Yours faithfully

Heather Ferguson

Address

XXXXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXXXX

XXXXXXXXXX

XXXXXX

13th feb 2019

Dear Sir/Madam

Re: Woodfold Stables and Forge, Further Lane, Mellor

I am writing to raise my support for the planning application for on site accommodation at the above premises where I livery my horse.

Woodfold Stables is a fabulous livery yard and remedial service that provides bespoke livery options specifically treating horses with bad feet. We have stabled on other stable yards but due to the issues with our horses feet, we definitely would not stable anywhere else.

Mr Pollard provides a specific service which no other livery can do, and we are more than happy with the yard and services provided however we feel the only thing lacking at Woodfold is 24 hour supervision.

We have valuable items stored in the tack room at Woodfold and my concern is these could be stolen due to the isolated position. Some of the items include ~~Flyer~~ saddles bridles boots rugs (Masra) which approximately are valued at £ 3000 .

Woodfold is in a vulnerable position due to its isolation, and if there is no-one on site it is a target for potential thieves. It would be much more secure to have people available 24/7 to safeguard the welfare of the animals on site, not to mention peace of mind for the owners who invest such a lot of time and money into their horses. Particularly due to the nature of the horses at Woodfold and their chances of becoming distressed in the evenings due to their ailments, on site presence in our opinion is very important.

I hope you will look favorably on this application.

Yours faithfully

Hazra patel



66 Killgate
Walton Park
Preston
PR5 5UW

11TH February 2019

Dear Sir/Madam

Re: Woodfold Stables and Forge, Further Lane, Mellor

I am writing to raise my support for the planning application for on site accommodation at the above premises where I livery my horse.

Woodfold Stables is a fabulous livery yard and remedial service that provides bespoke livery options specifically treating horses with remedial issues. I have stabled on other stable yards but due to the issues with my horse's feet, I definitely would not stable anywhere else.

Mr Pollard provides a specific service which no other livery yard can do, and I am more than happy with the yard and services provided, however I feel the only thing lacking at Woodfold is 24 hour supervision.

My horse has specific injuries, he can only be turned out one hour at a time, supervised and in his own paddock. My horse has specific remedial shoes that need changing every 3 weeks, by Miles Pollard.

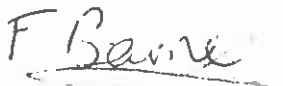
I have valuable items stored in the tack room at Woodfold and my concern is these could be stolen due to the isolated position. Some of the items include Black Country saddles bridles boots rugs which approximately are valued at £3000. I also store my trailer at Woodfold which is worth £4000.

Woodfold is in a vulnerable position due to its isolation, and if there is no-one on site it is a target for potential thieves. It would be much more secure to have people available 24/7 to safeguard the welfare of the animals on site, not to mention peace of mind for the owners who invest such a lot of time and money into their horses. Particularly due to the nature of the horses at Woodfold and their chances of becoming distressed in the evenings due to their ailments, on site presence in our opinion is very important.

I hope you will look favorably on this application.

Yours faithfully

Francesca Barnes

A handwritten signature in black ink, appearing to read 'F Barnes', with a horizontal line drawn underneath.

20 Barker Lane
Mellor
Blackburn
BB2 7ED
9TH February 2019

Dear Sir/Madam

Re: Woodfold Stables and Forge, Further Lane, Mellor

I am writing to raise my support for the planning application for on-site accommodation at the above premises where I previously liveried my horse.

Woodfold Stables is a fabulous livery yard and remedial service that provides bespoke livery options specifically treating horses with remedial issues. I have stabled on other stable yards but due to the issues with my Henry's feet, I definitely would not stable anywhere else. Miles is very bespoke with the service he offers I have struggled to find a yard that is owned by a farrier before with such services.

Mr Pollard provides a specific service which no other livery yard can do, and I am more than happy with the yard and services provided, however I feel the only thing lacking at Woodfold is 24 hour supervision.

My horse was 26 years old he suffered with laminitis, this is a disabling lameness. My horse needed regular toe trimming off his feet so he was sat on his heels taking the pressure off the laminae. He was on box rest, he also had to have medication 3 times a day. He also needed frog supports fitting daily by Miles.

My horse needed regular checking as he laid down a lot to take the pressure off his feet, and regularly got cast in his stable and needed assistance getting up especially with his age. He was also very stressed especially when he was on periods of box rest he needed feeding little amounts often, which would have been a lot easier if Miles lived there. He had very small hay nets of soaked hay every few hours. (Trickle fed)

I choose Woodfold over other yards for specifically for the specialists care and treatment that Mr Pollard could offer. As Woodfold is a small quiet yard this was ideal for Henry as he needed tentative care in his final 18 months.

Woodfold is in a vulnerable position due to its isolation, and if there is no-one on site it is a target for potential thieves. It would be much more secure to have people available 24/7 to safeguard the welfare of the animals on site, not to mention peace of mind for the owners who invest such a lot of time and money into their horses. Particularly due to the nature of the horses at Woodfold and their chances of becoming distressed in the evenings due to their ailments, on site presence in my opinion is very important.

I hope you will look favorably on this application.

Yours faithfully

Eliana Djamalis

E. Djamalis

5 Paris
Ramsgreave
Blackburn
BB1 9BJ

10TH February 2019

Dear Sir/Madam

Re: Woodfold Stables and Forge, Further Lane, Mellor

I am writing to raise my support for the planning application for on site accommodation at the above premises where I livery my horse.

Woodfold Stables is a fabulous livery yard and remedial service that provides bespoke livery options specifically treating horses with remedial issues. I have stabled on other stable yards but due to the issues with my horse's feet, I definitely would not stable anywhere else.

Mr Pollard provides a specific service which no other livery yard can do, and I am more than happy with the yard and services provided, however I feel the only thing lacking at Woodfold is 24 hour supervision.

My horse is a 10 year old part bred welsh, who suffers from stress related laminitis. This can lead to disabling lameness which needs constant care and attention. My horse has specific plastic imprint shoes that need changing every 2 weeks, by Miles Pollard. He also has frog supports fitted daily. He can also only be turned out for a limited time and only on a soft surface. He has a bare paddock as the rich grass can also trigger his illness. He also has to have medication 2 times a day consisting of anti-inflammatory drugs. With Woodfold being a small yard catering for specific horses with ailments and offering alternative turnout and specialist care. I choose Woodfold because I work away during the week and his laminitis needs careful management to keep him sound. With Miles expertise and experience with treating laminitis, I feel this gives my horse the best chance in recovery.

I have valuable items stored in the tack room at Woodfold and my concern is these could be stolen due to the isolated position. This includes my equestrian equipment which is approximately valued at £5000.

Woodfold is in a vulnerable position due to its isolation, and if there is no-one on site it is a target for potential thieves. It would be much more secure to have people available 24/7 to safeguard the welfare of the animals on site, not to mention peace of mind for the owners who invest such a lot of time and money into their horses. Particularly due to the nature of the horses at Woodfold and their chances of becoming distressed in the evenings due to their ailments, on site presence in our opinion is very important.

I hope you will look favorably on this application.
Yours faithfully

PDJama's.

Petrina DJama's.

Gibb Lane
Houghton
Lancashire
PR5 0RU

11TH February 2019

Dear Sir/Madam

Re: Woodfold Stables and Forge, Further Lane, Mellor

I am writing to raise my support for the planning application for on site accommodation at the above premises where I livery my horse.

Woodfold Stables is a fabulous livery yard and remedial service that provides bespoke livery options specifically treating horses with remedial issues. I have stabled on other stable yards but due to the issues with my horse's feet, I definitely would not stable anywhere else.

Mr Pollard provides a specific service which no other livery yard can do, and I am more than happy with the yard and services provided, however I feel the only thing lacking at Woodfold is 24 hour supervision.

My horse is a dressage pony with a tendon injury; Miles currently shoes Cameron with an Eggbar shoe every 4 weeks. He is on box rest and medication twice per day. Cameron can easily get stressed during box rest and needs a lot of attention. Cameron frequently rolls in his stable, he is prone to getting cast.

I have valuable items stored in the tack room at Woodfold and my concern is these could be stolen due to the isolated position. This includes my equestrian equipment which is approximately valued at £2500.

Woodfold is in a vulnerable position due to its isolation, and if there is no-one on site it is a target for potential thieves. It would be much more secure to have people available 24/7 to safeguard the welfare of the animals on site, not to mention peace of mind for the owners who invest such a lot of time and money into their horses. Particularly due to the nature of the horses at Woodfold and their chances of becoming distressed in the evenings due to their ailments, on site presence in our opinion is very important.

I hope you will look favorably on this application.

Yours faithfully

Charlotte Brown



Address

XXXXXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXXXXX

XXXXXXXXXX

XXXXXX

13th Feb

2019

Dear Sir/Madam

Re: Woodfold Stables and Forge, Further Lane, Mellor

I am writing to raise my support for the planning application for on site accommodation at the above premises where I livery my horse.

Woodfold Stables is a fabulous livery yard and remedial service that provides bespoke livery options specifically treating horses with bad feet. We have stabled on other stable yards but due to the issues with our horses feet, we definitely would not stable anywhere else.

Mr Pollard provides a specific service which no other livery can do, and we are more than happy with the yard and services provided however we feel the only thing lacking at Woodfold is 24 hour supervision.

We have valuable items stored in the tack room at Woodfold and my concern is these could be stolen due to the isolated position. Some of the items include saddles bridles boots rugs which approximately are valued at £1500.

Woodfold is in a vulnerable position due to its isolation, and if there is no-one on site it is a target for potential thieves. It would be much more secure to have people available 24/7 to safeguard the welfare of the animals on site, not to mention peace of mind for the owners who invest such a lot of time and money into their horses. Particularly due to the nature of the horses at Woodfold and their chances of becoming distressed in the evenings due to their ailments, on site presence in our opinion is very important.

I hope you will look favorably on this application.

Yours faithfully

Alice Marie Gould

Rose Cottage
Longsight Road
Clayton le dale
Blackburn
BB1 9EX

9th February 2019

To whom it may concern,

Re: Mr M. Pollard, Woodfold Stables & Forge, Further Lane, Mellor.

I am writing in connection with a planning application that has been submitted for a dwelling at Woodfold Stables and to express our upmost support for the approval of this application.

I have known Mr Pollard for 15 years and he is professional, reputable business man that we have a lot of respect for. I understand the type of work that Mr Pollard carries out and the skill set he holds to do the work being a farrier myself. He offers a very bespoke service.

Mr Pollard is an excellent farrier, Woodfold stables is a good place to keep your horse. Woodfold is the only livery yard in the area that specialises and offers remedial farrier work and specific requirements to meet the horse's needs which general livery yards do not offer this service.

I do consider it would be beneficial for the horses to have 24-hour supervision by Mr Pollard improving the care offered to the horses.

I hope this application is approved.

Kind regards,

Andrew Shuttleworth

A handwritten signature in black ink, appearing to read 'A Shuttleworth', with a long horizontal flourish extending to the right.

To Whom It May Concern

Re: Mr M Pollard - Woodfold Stables

I would strongly support the approval of a planning application for a permanent residence at Woodfold Stables.

I have provided tuition services to Miles Pollard's clients horses for over 2 years and have witnessed the type of work he carries out and the time he spends tending to the horses on livery at Woodfold.

Miles offers a bespoke service and I am unaware of anyone else that offers this type of service with his qualifications. There is high demand for specialists remedial yard like the one at Woodfold.

In my opinion 24 hour a day supervision is required at Woodfold Stables and on-site accommodation for Miles is essential for the works he does.

Yours Faithfully

Kind regards

A handwritten signature in black ink, appearing to read 'Alison Calvert', with a stylized flourish at the end.

Alison Calvert

BD Recognised Coach

APPENDIX 3

Planning Appeal Decisions

Appeal Decision

Hearing held on 30 January 2013

Site visit made on the same day

by Mrs A L Fairclough MA BSc(Hons) LLB(Hons) PGDipLP IHBC MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 April 2013

Appeal Ref: APP/B2355/A/12/2184388

Willow Stables, Goodshaw Lane, Rossendale, Lancashire BB4 8TN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs C Ainsworth against the decision of Rossendale Borough Council.
 - The application Ref: 2012/0251 dated 15 May 2012, was refused by notice dated 25 July 2012.
 - The development proposed is described as the 'erection of dwelling and removal of existing residential caravan'.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of a dwelling and removal of existing residential caravan at Willows Stables, Goodshaw Lane, Rossendale, Lancashire BB4 8TN in accordance with the terms of the application, Ref:20012/0251, dated 15 May 2012, subject to the conditions set out in the schedule at the end of this decision.

Procedural Matter

2. A formal s106 Unilateral Planning Obligation (UU) from the appellants was submitted with the appeal which would require the removal of the existing caravan and decking within one month of the residential occupation of the new dwelling. The use of the land (edged in green) for the stationing of a residential caravan will cease in perpetuity thus it would revoke the Certificate of Lawfulness (2008/0643) issued by Rossendale Borough Council on 10 December 2008. I shall consider that matter in more detail below.

Main Issues

3. The main issues in this case are:
 - (a) whether the arguments in support of the proposed dwelling are sufficient to justify a dwelling in the countryside; and
 - (b) the effect of the proposed dwelling on the character and appearance of the locality.

Reasons

4. The appeal proposal is for a single storey dwelling in association with an established rural business enterprise, which is located adjacent to a settlement. The appellants seek permission for a permanent dwelling for themselves and their 3 children and this would be conditioned for occupation limited to that

associated with agricultural forestry or other occupation requiring a rural location.

5. The National Planning Policy Framework (the Framework) was published in March 2012, cancelling, amongst other things, *Planning Policy Statement 7: Sustainable Development in Rural Areas* (PPS7). The Framework indicates that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities and isolated new homes in the countryside should be avoided unless there are special circumstances including whether there is an essential need for a rural worker to live permanently at or near their place of work in the countryside.
6. The most relevant policies referred to include Policy 1 of the *Core Strategy Development Plan Document: The Way Forward (2011 – 2026)* (CSDPD) and Policies RDF2 and EM1 of the *North West of England Regional Spatial Strategy to 2021* (RSS). CSDPD Policy 1 states that development within Rossendale should take place within the defined urban boundary unless it has to be located within the countryside. RSS Policy RDF2 states, amongst other things that plans and strategies for the region should maximise the economic potential of the Region's rural areas. RSS Policy EM1 indicates, amongst other things, that where proposals and schemes affect the regions landscape prospective developers and/or local authorities should mitigate any unavoidable damage. However, although the Government has announced its' plan to revoke the RSS and reduced weight should be given to the RSS Policies on this basis, they are broadly similar to those within the Framework.
7. Although the detail in Annex A of PPS7 no longer forms part of national policy, both parties agreed that the criteria outlined in Annex A are an acceptable basis for assessing the essential need of the proposed development.

Need for the Dwelling

8. The enterprise of some 40 acres, known as Willows Wags and Whiskers, centred on an established kennels, cattery and stabling business, which has been operating for 4 years, planning permission having been granted in 2007, on appeal (Ref: APP/B2355/A/07/2051596). It includes several modern buildings and an older building which was the former milking parlour related to the previous agricultural use of the site. These buildings now accommodate cats, dogs and horses and incorporate a part-time veterinary surgery (once per week) and an office. Externally there are areas allocated for car parking for visitors to the site, an external area of land for exercising the animals, several containers and a caravan with decking.
9. Currently Mrs Ainsworth resides with her husband, who works outside the enterprise, and their children in a residential caravan on the site. A certificate of Lawfulness (LDC) (Ref: 2008/643) was granted for the permanent residential use of the caravan on site. In addition planning permission has been granted to retain the timber decking surrounding the caravan (Ref: 2009/026). These are material considerations in the determination of this appeal.
10. The enterprise provides 'care accommodation' for up to 40 dogs, 36 cats (12 pens) and 7 livery horses plus their own horses (10 Shetland). In addition there are several boarding stables used for holiday livery which are regularly used at peak times. The appellants indicate that they see animal welfare as a

priority and this is guaranteed by the on-site presence of a suitably qualified and experienced person 24 hours a day. The Council's licence for the enterprise requires this whenever animals are boarded.

11. The enterprise is managed by Mrs Ainsworth on a full time basis with another full time worker plus additional workers (part time and seasonal). Mrs Ainsworth works from 07:30 until 21:00 everyday all year round and intermittently throughout the night depending on the needs of the animals that are boarding. The pens/stables are cleaned on a daily basis and the dogs/horses are exercised. Although limited evidence was submitted, Mrs Ainsworth indicated that a significant proportion of boarded animals require regular medical attention/medication day and night (e.g. insulin injections) and this was not disputed by the Council. The appellants indicate that the enterprise has animals boarding all year round. It is often at full capacity especially for most of the late spring/summer months and during other holiday/festive periods. During these periods Mrs Ainsworth needs to attend more frequently during the night.
12. Reference has been made to the installation of CCTV and that this would overcome the need for an on-site presence at night. I note that a CCTV system is currently in use for security and as a monitoring tool but the appellants' state that this alone does not always pick up when the animals are unwell or uneasy. In terms of security, there have been no significant issues relating to security due to the current on site presence of the Mrs Ainsworth and her regular night time visits.
13. The Council considers that the overnight on-site care could be covered by another person other than Mrs Ainsworth e.g. a night-watchman. However, Mrs Ainsworth states that there is an essential need for a qualified person to be available day and night to deal with situations such as providing animals with essential care or to be available to deal with imprecise and unpredictable health issues such as colic or other medical conditions. A night-watchman is not necessarily a suitably qualified animal carer. In addition Mrs Ainsworth states that sometimes up to 40% of the animals can require regular medication and that in many cases clients choose to house their pets at her enterprise specifically because there is this facility available. She states that if this is not managed by a suitably qualified and experienced person, it would cause loss or damage to the hard-earned reputation of the business that she has developed, which in turn would harm the viability of the business. Mrs Ainsworth argues that it is not akin to care of livestock as any losses are the farmers own. In this case these are highly prized, often expensive animals owned by other people and as such reputation for a well managed kennels and cattery is an important part of the success of the enterprise.
14. The Council maintains that there is accommodation nearby that could fulfil this need within the defined urban boundary. At the time of the appeal/hearing this included 2 suitable properties with 3-bedrooms (similar to the appeal proposal) within 3 minutes drive from the appeal site and priced at £130,000 to £145,000 were on the market. However, Mrs Ainsworth states that these were too far away to meet the needs of the enterprise by being out of sight and sound of the animals and dealing with emergency situations or any health issues of the animals in Mrs Ainsworth's care which at any one time cannot be predicted.

15. On the basis that Mrs Ainsworth is required to be on hand day and night to care for and often administer drugs for animals with illnesses when combined with the high number of animals requiring such care as identified by Mrs Ainsworth and because of the need to hear the animals to identify unusual behaviour by visiting them regularly, I consider that although there is adequate accommodation in fairly close proximity within the settlement boundary, none would be close enough to fulfil the functional requirement of the enterprise.
16. The area of the existing residential caravan and decking amounts to some 10.5m x 7m. This was agreed by both parties at the hearing. The existing caravan is at the end of its life and is due for replacement. Mrs Ainsworth states that the replacement cost of some £80,000, would not be a dissimilar amount to the construction of the new dwelling. Moreover the proposal would significantly improve quality of accommodation by creating an insulated sustainable dwelling built to Level 3 of the Code for Sustainable Homes when compared with a relatively poorly insulated static caravan.
17. In general it is the needs of the enterprise rather than the personal circumstances of the appellants which are the determining factor as to whether a house is available. However, I am mindful that, in this case the dwelling is required to replace a longstanding caravan which has the benefit of lawful use rights (as opposed to being a temporary dwelling required for the first 3 years of an establishment of a new enterprise as was the case with policy sent out in PPS7). Nevertheless Mrs Ainsworth and her family have lived in the caravan for more than 3 years as the business has developed and accommodation for a household associated with the enterprise has subsisted since before the creation of the enterprise. It does not seem unreasonable that a better standard of accommodation is provided for the owners of the kennels, cattery and stabling enterprise than exists at present.
18. On the evidence submitted and having regard to the existence of a permanent residential caravan on site, I consider that there is an essential need for one person to live permanently close to their place of work in the countryside.
19. There is no formal requirement in the Framework, as was the case in PPS7, for a financial test to be passed. However, the framework seeks to promote sustainable development, and, in my view, the provision of a dwelling in the countryside for business use which is not viable could not be said to be sustainable. Financial information has been supplied for the enterprise. This information includes profit and loss accounts for the periods 1 March 2009-28 February 2010; 1 March 2010 to 28 February 2011; 1 March 2011 – 28 February 2012 and accounts for the period from March 2012 – October 2012 (8 months). These accounts illustrate losses initially with the setting up of the business and construction costs. However, after one year the business was in profit with accounts for the last period of 8 months indicating a gross profit of £33,193.64. I am also told that there are no outstanding loans or mortgages associated with the enterprise; that these accounts include staff wages/salaries; and that the latest accounts includes the costs for the new kennels. On the basis of the information before me and taking into account that the Council considers the enterprise to be viable, I conclude that the enterprise has been demonstrated to be financially sound. Thus the enterprise could support the provision of the appeal scheme and the size of it is proportionate to the business.

Character and Appearance

20. The proposed dwelling would be located approximately to the east of the existing buildings within the defined curtilage of the enterprise. It would be single storey and would be some 5.5m to the ridge with a simple rectangular plan (of some 9m by 15m). It would be constructed in random rubble in natural stone with a traditional slated pitched roof. It would have a small curtilage to provide a safe domestic space for the family which would be enclosed by a new stone field boundary on the east and with a new field boundary and new tree planting to the south.
21. Mrs Ainsworth indicates that the proposed location is the best place on the holding as it would be well related to the existing buildings. This location has permission for a car park and vehicular turning area and is covered in hard standing (described as lawful by the Council). Sufficient car parking for the enterprise provided in front of the kennel and cattery buildings would remain.
22. The character of the immediate area, the urban fringe, is defined by clusters of built development interspersed with poor quality sheds, stables and garage structures on degraded land with coarse moorland countryside beyond. The slightly isolated position some 22m away from the existing built development would create an incursion into the countryside, which would be visible from nearby dwellings, public footpaths and distant viewpoints. However, I acknowledge that the land rises to the east and north and as such it would be screened from those aspects and when seen from the south it would be viewed against the backdrop of the rising topography. The building would not be visible from the nearby highway.
23. Moreover, I am aware that the proposed would complement the existing development on the enterprise and would also reflect the vernacular tradition and local distinctiveness of the area in terms of the use of traditional materials. Also, it would be single storey and lower in height than other dwellings and buildings immediately adjacent. Thus it would not be unduly prominent on the sloping countryside. I also note that the proposed scheme would only be slightly larger than the existing caravan and decking footprint. Furthermore, I acknowledge that there would be significant landscaping which would help to mitigate any impact resulting from its slightly isolated position. Additionally it would be positioned on land currently covered in hard standing which is used for the storage of plant, pallets and building materials. So although it would intrude into the surrounding open countryside, I do not consider that it would significantly harm the overall rural character of the area.

Other Considerations

24. As aforementioned the appellants have submitted a completed UU under Section 106 of the Town and Country Planning Act 1990 (as amended) with respect to the revocation of the LDC for the existing caravan to ensure that only one residential unit is associated with the enterprise. The Council raise no objections to the submitted UU. I am satisfied that the obligation meets the three tests for planning obligations set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 and I shall therefore take it into account in reaching my decision.
25. Mrs Ainsworth states that her 18 year old daughter is registered disabled and suffers from autism and fits. She has a mental age of 5 years and will always

be dependant. Although she is in full time education, she also works part time on the enterprise and as such achieves positive therapy. The family have managed her disability in the caravan whilst she was younger. However, now she is growing into a young adult, the family are struggling to accommodate her safely in the caravan. Although the appellants have raised the issue of the European Convention of Human Rights (ECHR) having in mind Article 8 regarding rights to home and family life, dismissal of the appeal would not interfere with the appellants rights in this respect as there is already accommodation on site in which the family could live. I recognise that the proposed development may improve their daughter's well being, but this has not been a determining factor in my decision to grant planning permission which has been based on the planning merits of the case.

26. The Council refers to linked appeal decisions in its appeal evidence. However, I note that they relate to different circumstances (enforcement of unauthorised caravan and equine use) and a slightly different policy background (Green Belt). In any case, I am required to determine each case on its own merits in the light of current planning policy and I have done so in this case.

Conditions

27. I have considered the need for conditions in the light of the *Circular 11/95: the Use of Conditions in Planning Permissions* and those discussed at the hearing. Where necessary I have made revisions to the wording of conditions to better reflect the advice of the Circular.
28. For the avoidance of doubt and in the interests of proper planning, I shall list the approved plans in a condition attached to the permission and require that development is carried out in accordance with these plans. In order to ensure that the development complements its surroundings and to protect the visual amenity of the countryside, conditions relating to materials and the withdrawal of permitted development rights and landscaping/boundary treatment are reasonable and necessary.
29. A condition linking a worker/licensee of the enterprise to the dwelling relating to the rural tie is also reasonable and necessary.
30. A condition relating to drainage to ensure satisfactory drainage and to minimise the risk of flooding is reasonable and necessary too.
31. A condition relating to the removal of the caravan is not lawful as the proposed curtilage of the new dwelling and the site covered by an LDC are not the same. However, the submitted UU would afford a solution on the basis the appellants voluntarily surrender their statutory rights to the caravan use if the permission for the proposed dwelling is implemented. This is dealt with in paragraphs 2 and 24 above.

Conclusions

32. It has been established that there is an essential need for a dwelling on the holding. There is a caravan on the appeal site which has the benefit of an LDC, but this proposal is for the replacement of that caravan. Furthermore, it has been demonstrated that a new dwelling can be sustained by the enterprise. Moreover, I consider that the business contributes to the local rural economy and thus is in accord with wider planning policy.

33. Overall, I consider that the need for the dwelling outweighs the modest harm to the character and appearance of the rural area which I have identified. Thus I find that the proposed development would accord with CSDPD Policy 1, RSS Policies RDF2 and EM1 and The Framework.
34. For the reasons given above and having regard to all matters raised, I conclude that the appeal should succeed.

Mrs A Fairclough

INSPECTOR

Schedule

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the approved plans – Drawing Ref: TRI-0799-01- Location Plan; Drawing Ref: TRI-0799-02- Site Plan Revised dated 31/05/12; and Drawing Ref: PH/SA/100 dated April 2012 entitled Proposed New Bungalow: Plans and Elevations.
- 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) No development shall take place until details of the proposed boundary wall to be constructed using local natural stone have been submitted to and agreed in writing by the local planning authority. The boundary wall shall be constructed in full accordance with the agreed scheme within one month of the occupation of the development hereby approved.
- 5) No development shall take place until a scheme of foul and surface water drainage has been submitted to and approved by the local planning authority. The approved scheme shall be carried out in accordance with the approved details before occupation of the development hereby approved.
- 6) Occupation of the dwelling house hereby permitted shall be limited to a worker solely or primarily employed in the management of the kennels, cattery, and equestrian centre known as Willows Wags and Whiskers, Willows Stables, Goodshaw Lane, Rossendale, Lancashire BB4 8TN and their partner and resident dependants.
- 7) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include details of fences and gates. The works approved shall be completed prior to the occupation of the development hereby approved.

- 8) Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.
- 9) No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.
- 10) Notwithstanding the provisions of Classes A, B, C & E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions, garages, buildings, sheds, conservatories or structures shall be erected within the curtilage of the property hereby approved.

APPEARANCES

FOR THE APPELLANT:

Mrs Deborah Ainsworth	Appellant
Mrs Janet Dixon	Agent for Appellants

FOR THE LOCAL PLANNING AUTHORITY:

Ms Rebecca Taylor	Planning Officer, Rossendale BC
Mr Richard Elliot	Planning Officer, Rossendale BC

DOCUMENTS SUBMITTED AT THE HEARING

- 1 Extract of Core Strategy submitted by the Council
- 2 Plan of appeal site submitted by the appellants
- 3 Revised Unilateral Undertaking submitted by the appellants
- 4 Plan of Public Footpaths in locality of appeal site submitted by the Council



Penderfyniad ar yr Apêl

Gwrandawriad a gynhaliwyd ar 08/11/11

Ymweliad â safle a wnaed ar 08/11/11

gan **R.M.Poppleton JP, DipTP, DMS, MRTPI**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 22/11/11

Appeal Decision

Hearing held on 08/11/11

Site visit made on 08/11/11

by **R.M.Poppleton JP, DipTP, DMS, MRTPI**

an Inspector appointed by the Welsh Ministers

Date: 22/11/11

Appeal Ref: APP/E6840/A/11/2156858

Site address: land off Candwr Road, Ponthir, Newport NP18 1HU

The **Welsh Ministers** have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Mrs Adele Mellen against Monmouthshire County Council.
- The application Ref DC/2010/00869 is dated 13 September 2010.
- The development proposed is the siting of a mobile home as a temporary equestrian and agricultural (rural enterprise) worker's dwelling.

Decision

1. The appeal is allowed and planning permission is granted for the change of use of land for the temporary siting of a mobile home for occupation by a person employed at the associated commercial equine convalescent/retirement home on land off Candwr Road, Ponthir, Newport NP18 1HU in accordance with the terms of the application, Ref DC/2010/00869, dated 13 September 2010 and the plans submitted with it, subject to the following conditions:-
 - 1) *The development hereby permitted shall begin not later than five years from the date of this decision.*
 - 2) *The use hereby permitted shall be discontinued and the mobile home shall be removed from the site and the land restored to its former condition on or before 3 years from the date of this permission, in accordance with a scheme of work submitted to the local planning authority prior to the expiration of that 3 year period for approval in writing.*
 - 3) *Before the mobile home is brought to and positioned on the application site, a scheme indicating its position within the application site and for the delineation of the perimeter of the site shall be submitted to and approved by the local planning authority: the approved scheme shall be carried out within 3 months of the occupation of the mobile home and retained until it is removed from the site.*
 - 4) *The occupancy of the mobile home shall be restricted to a person solely or mainly employed, or last employed on the rural enterprise comprising the commercial equine convalescent/retirement home to which the application relates, or a widow, widower or surviving civil partner of such a person, and to any resident dependants.*

Application for costs

2. At the Hearing, an application for an award of costs was made by the appellant against Monmouthshire County Council. That application is the subject of a separate decision.

Clarification

3. The manner in which the application is described on the application form and repeated in the banner heading above, is made ambiguous by including the term 'dwelling'. This creates a confusion between the change of use of land to permit the siting of a mobile home and operational development involved in the creation / construction of a dwelling. Following discussions at the hearing, I have amended the description to align with the change of use granted in 2002 in respect of the stables, to: 'the change of use of land for the temporary siting of a mobile home for occupation by a person employed at the associated commercial equine convalescent/retirement home'.

Main Issues

4. The appeal site lies within the countryside where policy H6 of the adopted Monmouthshire Unitary Development Plan 2006 imposes a strict restraint upon new residential development. Reflecting Planning Policy Wales and its associated Technical Advice Note No.6, policy H6 provides an exception to this restraint if the essential needs of a rural enterprise justify temporary or permanent accommodation on site. It is also agreed that the equine activities fall within the definitions of a rural enterprise set out in TAN6 which provides guidance as to how the justification of residential accommodation should be made.
5. Policy C3 of the UDP identifies the appeal location as a Special Landscape Area where development that would seriously harm the characteristics that led to the designation would be rejected unless that harm would be outweighed by benefits to the rural economy and those could not be achieved outside the designated area. It was agreed at the hearing that provided the proposal met the terms of policy H6, it would accord with this policy although some softening landscaping would be appropriate.
6. The main issue therefore distils to whether, in the light of the tests set out in TAN6, the proposal would accord with policy H6 designed to safeguard the character and appearance of the rural area.

Reasons

7. The land holding currently comprises about 5.86ha of owned land with an additional 2.4ha rented on a short term annual licence. However, this licence has been renewed annually for 6-7 years and the land owner has indicated that the appellant's use of the land will continue into at least next year. Although there is no security of tenure in respect of the rented land, there is no indication that it will not be available to the appellant in the future. In terms of buildings, there is a substantial block of stables (6 loose boxes and tack room) constructed in rendered blockwork with a tile roof and covered walkway that opens on to a yard. Alongside is an agricultural barn used for storage, machinery and cider making, with 3 further loose boxes used mostly during the lambing period. Another smaller agricultural barn is currently being constructed. All the buildings have the appropriate permissions from the planning authority. The appellant lives in Llanfrechfa being about 1.2-3 miles away, depending upon the route used.

8. In terms of stock levels, there are 28 ewes but currently no store lambs, with 4 horses/ponies, 2 of which are attracting revenue. Previously, store lambs have been bought in, but due to poor grass this year, this has not taken place. There are a number of pieces of machinery, including tractors and implements used in the tending of the land. Contractors are brought in to cut the hay that is stored in the barn.
9. The appeal site comprises about 500 sq.m of the paddock adjacent to the stoned track leading from Candwr Road. As agreed, such an area of land is unnecessarily large for siting a mobile home and it would be appropriate for its position to be agreed by the Council.
10. Although there are the fixed assets of the land and buildings that have been acquired and constructed since 2002, currently the proposed business has not started. The proposed mobile home therefore relates to a new enterprise that is yet to get under way. Accordingly, the advice at paragraph 4.6 of TAN6 is relevant to this case.
11. The first matter to be considered is whether there is a functional need for a resident worker for the proper running of the enterprise. From what I have learnt at the hearing and from the submitted statements, I consider that the keeping of sheep at the existing and proposed scale does not warrant resident supervision. Whilst seasonal demands may require an on-site presence, such events are predictable and can be addressed under the allowances provided by the GPDO¹. I note that the touring caravan on site has been used for this purpose. Therefore although income from that source may contribute to the financial sustainability of the holding depending upon the grass and market conditions, I place little weight on this aspect of the proposed enterprise in terms of the functional need for a resident worker.
12. It is clear that the approved use of the stables would involve the close supervision of horses entrusted to the appellant's care. As the horses would be convalescing following medical interventions for conditions such as laminitis, regular monitoring would be required. Although remote sensing such as CCTV linked to a dwelling elsewhere could alert the carer to a distressed cast horse (lying down and unable to stand), such a system could not assess the temperature of limbs that is associated with laminitis. Furthermore, as there would be significant churning of the patients in terms of new arrivals, there is the potential of distress whilst the horses settle and become accustomed to their surroundings. I was told that unless that supervision could be provided, referrals would not be made and the business could not progress. Similarly, owners of retired horses would not be willing to entrust their animals to an unsupervised facility.
13. Although the appellant would not be responsible for administering most medical interventions, from the evidence given it is clear that the appellant is an experienced horsewoman with the ability to deliver the care being proposed. Care would be carried out under the direction of clinicians and other specialists and could include administering some drugs, changing dressings and the trickle-feeding of a specialist diet. As these horses can be regarded as a specialist group of animals and the proper functioning of the approved facility is dependant upon clients and their medical advisers referring the horses, I consider that there is a functional need for a resident worker to be responsible for their welfare.

¹ Town and Country Planning General Permitted Development Order

14. As to whether that functional need is full-time or part-time, from the evidence presented, it is clear that the medical care and welfare needs may not be time limited and that regular monitoring could occur at unsocial hours. Each horse may need to be assessed 4-6 times/daily. At present or for the first 2 years, the business plan indicates that based on 8 horses in care, the functional need would not be full-time. That would not exist until year 3. The revised intentions are that 10 horses would be cared for in the existing stables and the loose boxes within the barn. I note the differences in the statistics that show a likely labour requirement suggested in the ABC costings book used by the Council of 475hours/horse/year compared to the appellant's estimate of 660hrs. However, I am satisfied that whereas the former relates to conventional full livery, the appellant's figure relates to full livery plus the additional care associated with the business activity. I therefore consider that the figures are not directly comparable and that there is a reasonable basis for relying upon the appellant's assessment.
15. Therefore, given the nature of this particular activity, I find no compelling evidence to support a conclusion that the functional need associated with the care of the horses would not be on a full time basis by year 3 of the business plan. Being a new enterprise, it would be unrealistic to expect that full-time requirement to be achieved at day one. Nevertheless, it is necessary to consider whether there is clear evidence of a firm intention and appellant's ability to develop the business as proposed. In this regard, I have already commented on the ability, a factor not disputed by the Council. In my view, the acquisition of the land and the construction of the stables and two agricultural buildings and the laying out of the yard and access drive are strong indicators of a firm intention. I also observed that space exists where the suggested expansion of these facilities could take place. Whilst some of the machinery is clearly not needed to tender the land and may be regarded as hobby machinery, the horse manure collector and tractor do lend additional weight to this part of the evidence.
16. I was advised that the nature of the care would be mostly in the loose boxes thereby requiring less use of the grazing land than in 'normal' livery establishments and riding out would be limited to that required to aid recuperation. Accordingly, a lower horse/hectare ratio would be appropriate, a factor that appeared at the hearing to allay one of the Council's worries. I too find no compelling reasons to disagree. Nevertheless, I can appreciate that the quiet location could also have a welfare benefit for horses in distress.
17. Given this level of investment in the fixed assets associated with the approved use of the stables together with these factors, I consider that the suggestion that the business should relocate to an alternative location where residential accommodation might be available can be afforded little weight. For the same reasons and having regard to the comments included above in respect of CCTV, I consider that it would be impractical to seek to meet the functional need from an off-site location. Moreover, given the bare land situation prior to the appellant's acquisition of the land and the construction of the buildings since 2002, there are no buildings on-site that could provide residential accommodation.
18. As to whether the enterprise is planned on a sound financial basis, a business plan has been submitted. Little documentary evidence has been produced to support some of the anticipated revenue figures and as no funding organisations have or will be involved, the business plan has not been scrutinised for its financial sustainability by an independent agency. Furthermore despite suggestions to the contrary, marketing has been tentative pending some certainty that the service being proposed could be

delivered. The few horses that have been taken in during the summer months to generate some income lend little support for the case. The Council's advisor also raised concerns about the source of some of the anticipated revenue streams drawing upon examples from the ABC handbook. It was also noted that only limited examples of similar enterprises had been submitted to add credence to the expected demand and charges to be made for the care proposed.

19. However, I was advised that the business plan has been based upon evidence gleaned from the Equine Business Guide that offers specialist statistics. Moreover anecdotal evidence suggests that the anticipated charges of at least £90/horse/week could be expected. Other facilities advertise stabling at between £75-150/horse/week. Whilst such charges may not be attained on a consistent basis, I understand that they relate to conventional livery facilities. I was told that the budgets have been produced on a very conservative basis and it is likely that revenues would be higher. As to demand, I was told that no other similar facility was nearby and that a steady demand should be anticipated, although I note that the ABC handbook's calculation for a conventional livery is based on 75% occupancy. Several letters from veterinary surgeons and remedial farriers also supported the appellant's expectation. This view was also shared by the Community Council who supported the proposal.
20. In the absence of firm documentary evidence, such expectations can not be guaranteed. Until such time that the business has become established for several years, it cannot be proved that the enterprise is financially sound, sustainable and worthwhile in terms of returns on investments made. The submitted budgets, based upon 8 rather than 10 horses, appear to include most expected fixed and variable costs and produce a net profit from which drawings for unpaid labour would be taken. Entries are also made in respect of the sheep, but given the variable numbers, I place little reliance upon this aspect other than noting that they represent an additional revenue stream.
21. Although the profit in the original business plan in relation to 8 horses and to lower charges of between £70-80 may be only a little above the standard rural wage levels for skilled workers, I find no compelling evidence to suggest that the business could not generate sufficient revenue to fund the continuation of the enterprise over a sustained period. I find no basis for concluding that figures relating to 10 horses would be likely to result in lower profit margins and note that it is now expected to produce a net profit of £30,000 by year 5, taking into account higher costs and revenue projections. Likewise, the lack of entries for depreciation may not be critical in this case, as the fixed assets have been established without funding and their replacement is not anticipated within the period of the business plan.
22. As made clear in paragraph 4.6.2 of TAN6, where a case for a dwelling cannot be completely proved, consideration can be given to temporary accommodation. That is the position here. I do not accept the Council's proposition that in the case of a temporary mobile home proposal, there is an open door through which an applicant can pass, pending a possible closed door when a permanent dwelling is proposed in the future. There must be a basis for the expectation that the business will succeed during the trial period and as made clear in TAN6, it is for the appellant to demonstrate the soundness of the case in order to justify the exception to the policy of restraint on rural development.
23. In this case, I am satisfied that there will be a functional need for a full-time worker on the site within 3 years that could not be met elsewhere and that the business is planned on a financially sound basis. Whilst there may be little margin for error,

should those expectations not come to fruition, then the mobile home would have to be removed and the land restored. Alternatively, those revenue expectations may well be met and exceeded. I consider that there is sufficient evidence for me to conclude that this is a realistic possibility.

24. I conclude therefore that the temporary siting of a mobile home is justified to enable the proper functioning of this rural enterprise and that the proposal would accord with policy H6. Accordingly, the appeal should be allowed and planning permission granted subject to the imposition of planning conditions. As discussed at the hearing, given the size of the appeal site, the position of the mobile home within that area should be agreed with the Council, as should any landscaping to soften its appearance. The imposed occupancy condition relates to the use with which the mobile home is associated, but given the temporary period of three years being sought and for which permission is granted, it is not necessary to include the wider occupancy condition that would be more appropriate to a permanent dwelling.
25. I have had regard to all other matters raised, but find nothing to lead me from these conclusions.

R.M. Poppleton

Inspector

APPEARANCES

FOR THE APPELLANT: Mrs Adele Mellen

Mr Richard Brodgen: Burton Knowles

Mr Christopher Mellon

FOR THE LOCAL PLANNING AUTHORITY: Monmouthshire County Council

Ms Jennifer Price: Assistant planning application
manger

Mr Richard Anstis: Rural consultant

INTERESTED PERSONS:

Cllr Williams: Llanhennock Community Council

APPENDIX 4

Photographs of stable building frame

Photographs of Stable Building Frame
Pol/886/2696&2697/FP

1.



2.



Photographs of Stable Building Frame
Pol/886/2696&2697/FP

3.



4.



Photographs of Stable Building Frame
Pol/886/2696&2697/FP

5.



6.



Photographs of Stable Building Frame
Pol/886/2696&2697/FP

7.



8.

