

Recommendation Report for Planning Permission**REF NO:** EG/35/12/**LOCATION:** Longreach
Eastergate Lane
Eastergate**PROPOSAL:** Retention of horse-box hire business, mobile home, office/staffroom, workshop storage building and area of hardstanding.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	This application is to regularise the activities on the site that have taken place without planning permission, that is the establishment of a horse box business, retention of a mobile home for staff, a portacabin for office/staff room and a barn for maintenance and storage.
SITE AREA	2.48 hectares.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Timber fencing around yard and mobile home.
SITE CHARACTERISTICS	Professional stables, training horses for eventing. The site consists of stables and a dwelling previously approved and a large barn used as a workshop, a mobile home, a portacabin with revised platform, hardstanding with horse boxes which are used for hire purposes.
CHARACTER OF LOCALITY	Predominantly rural. Mix of horticultural use and horse culture. To the front of the site and to the west are Eastmere Stables which was last used as a breeding stable, but now empty.

RELEVANT SITE HISTORY

EG/9/97/CLE	Application for a Certificate of Lawfulness for an existing use-use as a single dwelling, together with adjoining livery yard and paddocks.	Approve 27-06-1997
EG/3/98	Erection of 1 no. cottage to replace existing residential mobile home	Approve Conditionally 20-05-1998

EG/36/00/	Retrospective permission for existing sand school. Re-siting of previously approved cottage (EG/3/98). Extension to existing stable block	Approve Conditionally 03-07-2000
EG/30/03/	Erection of detached dwelling and double garage. Re-submission of EG/16/03. (Departure from the Development Plan)	Approve Conditionally 23-06-2003

REPRESENTATIONS

Representations received:

Awaited.

Others:

None

Comments on Representations received:

None.

CONSULTATIONS

Southern Water Planning
WSCC Local Development Divis.
Environment Agency
Engineers (Fluvial Flooding)
Environmental Health

Consultations responses received:

COUNTY HIGHWAYS:

No objection. A previous application EG/16/03 raised an objection due to increased vehicular movements on a narrow and poor visibility junction. A site visit in July 2012 appears to have less visibility issues than previously. Although the site lines are not ideal, no highway safety issue is expected particularly as the site has operated in the existing manner for a number of years and no recorded issue has arisen. Therefore no objections.

ENVIRONMENT AGENCY:

No comments, the risk is considered to be minimal and the Agency lacks resources to make full comments.

SOUTHERN WATER:

The applicant is advised to consult the Environment Agency directly regarding the use of a septic tank drainage which disposes of effluent to sub-soil irrigation. The Council's officers should comment on the adequacy of soakaways to dispose of surface water from the proposed.

ENVIRONMENTAL HEALTH:

No objection.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:
Outside the Built Up Area Boundary.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

PLANNING POLICY GUIDANCE

POLICY COMMENTARY

be assessed particularly with regard to visual and residential amenity.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

The emerging Arun Local Plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. It remains subject to public consultation and the formal adoption process as a whole, and it is therefore of very limited weight in terms of the decision making process at this stage.

CONCLUSIONS

PRINCIPLE:

The site lies outside the Built Up Area Boundary. The site is a livery stable yard with sand school, stables and paddocks. There is a residential dwelling permitted and as part of the permission, the mobile home which was a temporary agricultural workers dwelling was to be removed. It is now being used for staff accommodation.

HISTORY OF THE SITE:

EG/9/97/CLE established the use of the site as a single dwelling with adjoining livery yard and paddocks. EG/36/00 permission was granted for retrospective sand school and extension to the stable block. Since April 2010 a horsebox hire business has been operating from the site.

Additionally the original mobile home has been used for staff accommodation and a staff room with decking has been provided for staff use. The hardstanding has been increased to accommodate this use.

THE HORSEBOX BUSINESS AND OFFICE/STAFF ROOM:

There are seven horseboxes available for self drive ranging from 3.5 tonnes to 7.5 tonnes. Bookings are made by the internet or by phone. The business is operated from the office/staff room building which is timber clad which has been on site for twelve years with profile sheeting

roof 8m x 3.3m up on a raised platform surrounded by decking. It is located to the rear of the site adjacent to the horseboxes. Cleaning and parking takes place on the hardstanding which consists of substructure of crushed brick and topped with road planings. A staff of three operate the business.

THE BARN (WORKSHOP AND STORAGE BUILDING)

The barn is 27.35m x 10m and was said to be constructed in 2006 and is used to maintain the horseboxes and general maintenance with regard to the stabling business. The hire horseboxes are parked to the side of this building.

MOBILE HOME:

The mobile home is the replacement building on site which the owners occupied until the construction of the dwelling Okehurst and was the subject of EG/9/97/CLE. It is occupied by a member of staff who runs the business including preparing the horseboxes which are returned outside of normal business hours and weekends and care of up to 20 horses kept on site.

JUSTIFICATION:

The horsebox hire is a diversification of the main livery business. The retention of the mobile home ensures the security and efficiency of the business in this location by providing accommodation on site for an employee working anti-social hours. As the building was already there, and does not result in any significant loss of open countryside it is not considered that its retention would cause any demonstrable harm to the countryside.

NATIONAL PLANNING POLICY FRAMEWORK:

Paragraph 28 supports a prosperous rural economy by supporting sustainable growth and expansion of all types of business and enterprise in rural areas both through conversion of existing buildings and well designed new buildings. It is considered that this application is in accordance with this policy.

FLOOD RISK ASSESSMENT:

The site is Flood Zone 1. The office/staff room is 52.65 sq. m. and the hardstanding is 120 sq.m. porous material, Since the development there has been no surface water run off onto the surrounding paddocks.

With regard to foul drainage, this has been by septic tank since 1997 and no additional foul drainage is proposed.

HOURS OF OPERATION:

The business normally operates 8.00 a.m. - 8.00 p.m. but horseboxes may be returned outside of these hours.

SUMMARY:

The site has a thriving livery business which has diversified into horsebox hire. It is therefore considered that the retention of the horsebox hire business, mobile home for an employee, office staff room and workshop building are necessary to support the diversification of the livery business and it is recommended that the application is approved subject to the following conditions.

Human Rights Act:

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article (8) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal none of the following impacts (negative, Neutral or positive) have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby approved shall be carried out in accordance with the following approved plans drawings TCPS 479A/1 rev B, OHH02, OHH03, OHH04, OHH02, LOC1, LOC3,

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 2 The mobile home, office/staffroom, workshop and hardstanding hereby permitted shall be used in association with the livery and horsebox hire business and for no other separate use, or other commercial/business activity or residential accommodation.

Reason: The site lies outside the built up area boundary where development unrelated to the essential needs of agriculture and/or forestry would not normally be permitted in accordance with policies GEN2, GEN3 and DEV 5 of the Arun District Local Plan.

- 3 **INFORMATIVE:** Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that (the development would not cause any material adverse effect on visual or

residential amenity on the surrounding area and its character)and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN3, GEN7, DEV5

NATIONAL PLANNING POLICY FRAMEWORK

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.