

Report of the Chief Executive

APPLICATION NUMBER:	23/00792/FUL
LOCATION:	Land north of Home Farm Cottage and Park View Cottage, Main Street, Strelley, Nottinghamshire
PROPOSAL:	Construct single storey equestrian storage building with roller shutter access

The application is brought to the Committee at the request of the Head of Service.

1. Purpose of the Report

1.1 The application seeks full planning permission for the erection of a storage building to be used for the storage of equestrian equipment. The building will measure 11m by 13m with a ridge height of 5.5m. The building will be finished in a mixed pallet of materials of timber cladding, stone and zinc.

2. Recommendation

The Committee is asked to RESOLVE that planning permission be refused for the reasons outlined in the appendix.

3. Detail

3.1 The application site consists of an enclosed area of open land consisting of a ménage and an open area of land used for external storage and storage within open sided curtain trailers. The site is accessed via an opening in the hedged boundary treatment to the east of the site leading onto a dirt track.

3.2 The site is also located within the Greenbelt.

4. Financial Implications

4.1 The comments from the Head of Finance Services were as follows: There are no additional financial implications for the Council with the costs/income being within the normal course of business and contained within existing budgets. Any separate financial issues associated with S106s (or similar legal documents) are covered elsewhere in the report.

5. Legal Implications

5.1 The comments from the Head of Legal Services were as follows: The Legal implications are set out in the report where relevant, a Legal advisor will also be present at the meeting should legal considerations arise.

6. Data Protection Compliance Implications

6.1 Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.

7. Climate Change Implications

Any climate change implications are contained within the report.

8. Background Papers

None.

APPENDIX

1. Details of the application

1.1 The application seeks full planning permission for the erection of a storage building to be used for the storage of equestrian equipment. The building will measure 11m by 13m with a ridge height of 5.5m. The building will be finished in a mixed pallet of materials of timber cladding, stone and zinc.

2. Site and surroundings

2.1 The application site consists of an enclosed area of open land consisting of a ménage and an open area of land used for external storage and storage within open sided curtain trailers. The site is accessed via an opening in the hedged boundary treatment to the east of the site leading onto a dirt track.

2.2 The site is also located within the Greenbelt.

2.3 In regards to neighbouring properties the site is located within open countryside with residential properties located immediately to the south of the site. Home Farm Cottage and Park View Cottage are located to the south of the site. The M1 bounds the site on the eastern boundary with open fields located to the west with the intervening dirt track.

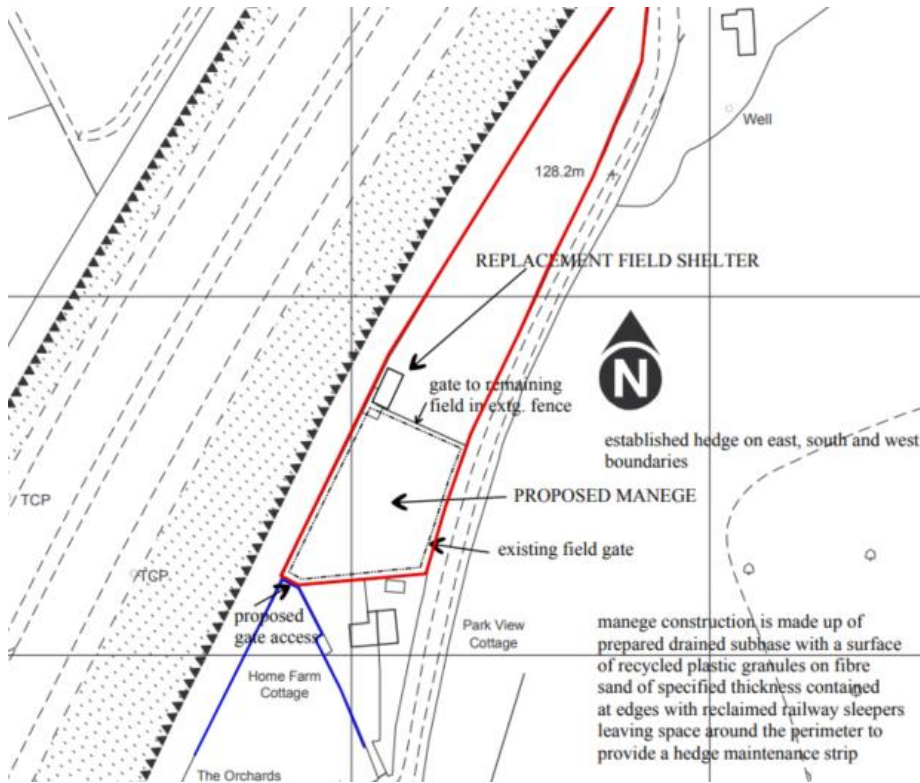
3. Relevant Planning History

3.1

Planning		
11/00200/FUL	Change of use of agricultural land to land used for the exercise of horses (construction of a ménage) and erection of replacement field shelter	Permitted
12/00509/FUL	Retain earth bunds and change of use of land west of Strelley Hall and north of Old Rectory Farm for equestrian activities	Permitted
12/00646/FUL	Construct stables and erect gates	Permitted
13/00476/FUL	Retain two poles to erect CCTV cameras	Permitted
15/00378/FUL	Erect Barn with internal stables, feed store and new secure field gates to existing gateway	Closed
16/00165/FUL	Construct barn and feed store	Refused
17/00232/FUL	Construct extension to stable block	Permitted
17/00565/FUL	Construct extension to approved existing stable block	Permitted
18/00123/FUL	Erect gates to two accesses	Refused
19/00243/FUL	Change of use from equestrian to mixed use equestrian and the keeping of fully licenced rescue wild cats and retain the	Permitted

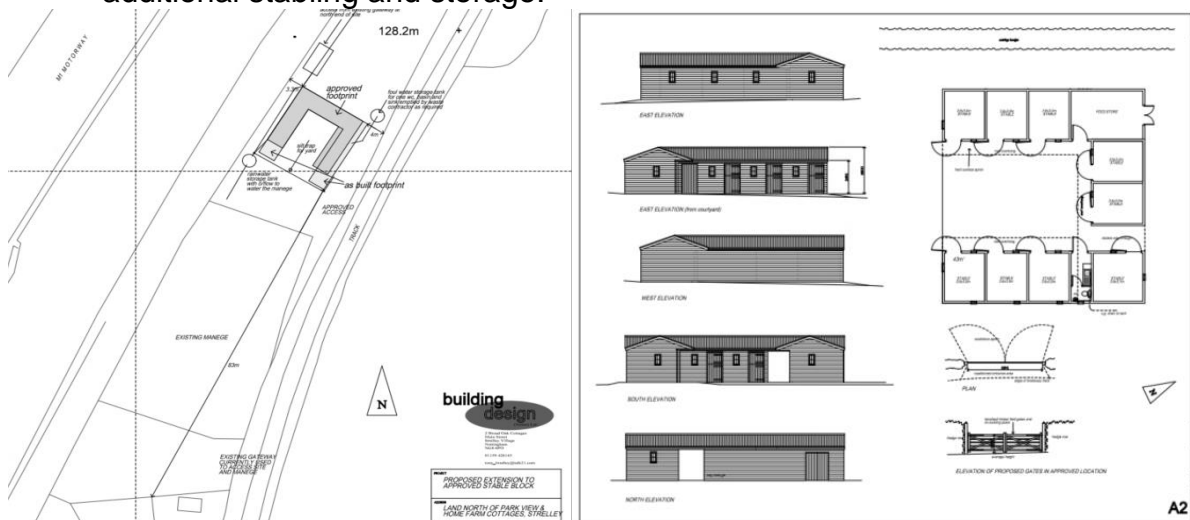
	secure enclosure required for their safe keeping	
19/00255/FUL	Revised alterations to stables from those previously approved (17/00565/FUL)	Permitted
20/00422/FUL	Erect 1.6m high field gates	Permitted
20/00388/FUL	Retain additional internal fencing, security doors and animal access	Permitted
21/00023/FUL	Construct stable extension, lions den and erect 3m high internal fencing to extend wildcat enclosure	Permitted
22/00330/VOC	Variation of conditions 1(The development hereby permitted shall be carried out in accordance with the approved plans...) and 2 (There shall be no general exhibition or viewing of the animals) of planning Reference Number: 21/00023/FUL	Returned
22/00696/VOC	Variation of condition 1 (The development hereby permitted shall be carried out in accordance with the approved plans...) of planning permission reference 21/00023/FUL to regularise the construction of a viewing platform within the lion enclosure and balcony to the north west side of the stable building	Refused
Appeals		
16/00015/APLWR	Construct barn and feed store	Dismissed

- 3.2 Application 11/00200/FUL granted permission for the change of use of the land in question from agricultural land to land for equestrian use and for the erection of a field shelter. The ménage has been created but not in the location as shown on the approved plan below. However due to the passage of time, the constructed ménage is now lawful as set out in paragraph 171b of Town and Country Planning Act 1990.



Plan showing approved ménage

3.3 An application for the erection of a stable block (12/00646/FUL) followed from an enforcement case for the erection of a stable block and subsequently a further application was submitted to extend the stable block to provide additional stabling and storage.



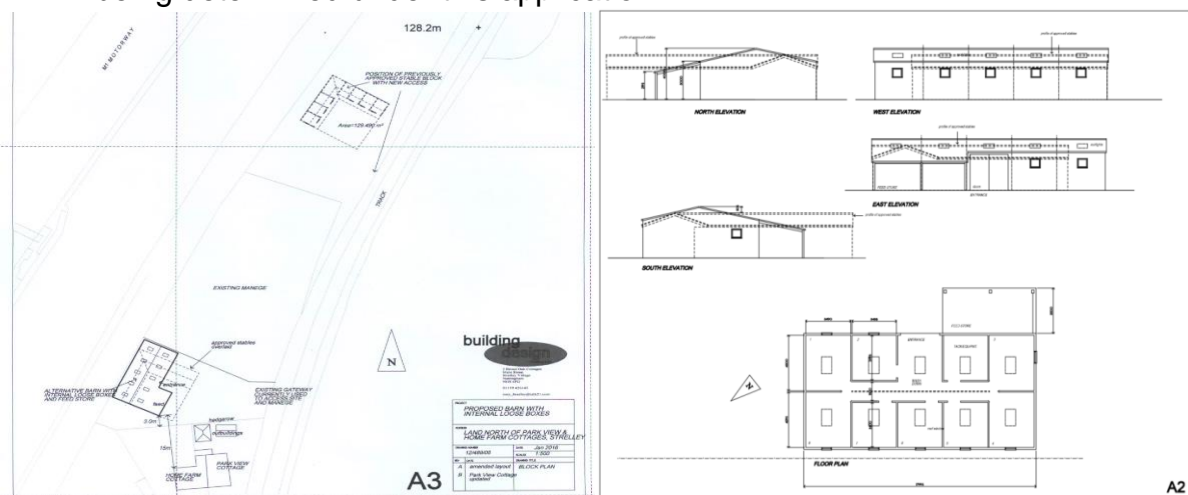
Plans of existing stable block granted under 12/00646/FUL

3.4 Following on from this a further application 19/00243/FUL was submitted for the change of use of the land to a mixed use of equestrian and the keeping of wild cats. This reduced the available space within the stable block for the provision of equestrian use by half.



Plan of the floor plan showing the reduced equestrian use

3.5 An application for the erection of a barn and feed store in the same location as the proposal, was refused under 16/00165/FUL and later refused at appeal. The building had a similar size of footprint and a smaller height to the one being determined under this application.



Plans of the previously refused barn and feed store.

4. Relevant Policies and Guidance

4.1 **Broxtowe Aligned Core Strategy 2014:**

The Council adopted the Core Strategy (CS) on 17 September 2014.

- Policy 3: Greenbelt
- Policy 10: Design and Enhancing Local Identity.
- Policy 11: The Historic Environment

4.2 **Part 2 Local Plan 2019**

The Council adopted the Part 2 Local Plan on 16 October 2019.

- Policy 8 - Development in the Greenbelt
- Policy 17 - Place-making, design and amenity.
- Policy 23 - Proposals Affecting Designated and Non-Designated Heritage Assets

4.3 **National Planning Policy Framework (NPPF) 2023**

- Section 2 - Achieving sustainable development
- Section 4 - Decision-making.
- Section 12 - Achieving well-designed places
- Section 13 - Protecting Greenbelt Land
- Section 16 - Conserving and enhancing the Historic Environment

5. Consultations

5.1 **Councillors & Parish/Town Councils:**

- Councillor P J Owen – Requested the application be heard at Committee if a recommendation for approval was forthcoming.
- Councillor G S Hills – No Response received.
- Councillor D Watts – Requested the application be heard at Committee if a recommendation for refusal was forthcoming.

5.2 **Neighbours**

- Seven neighbours were consulted on the application with one objection comment being received from a neighboring property and no third party comments received. The comments received are summarised as:
 - Incorrect address on the application form,
 - Proposal is not in compliance with local or national planning policies,
 - Design and appearance not in keeping with local environment,
 - Close proximity to the neighbouring boundary,
 - Loss of privacy, loss of daylight/sunlight,
 - Sense of enclosure,
 - Increase in noise and disturbance from construction traffic,
 - Historical precedent due to planning history,
 - Inappropriate proposal within the Greenbelt.

6. Assessment

6.1 **Principle**

The principle of an equestrian storage building to replace the current external storage within a site for equestrian use, is deemed acceptable in regard to the existing character of the surrounding area subject to compliance the local and national policies.

6.2 Design and Greenbelt

6.2.1 Policy 10 of the Aligned Core Strategy states that development will be assessed in terms of massing, scale and proportion, materials and the impact on the amenity of nearby residents or occupiers. Policy 17 of the Part 2 Local Plan 2019 states that development should be of a size, siting and design that makes a positive contribution to the character and appearance of the area and does not dominate the existing building or appear over-prominent in the street scene. Policy 8 of the Part 2 Local Plan 2019 states that Applications for development in the Green Belt will be determined in accordance with the NPPF, as supplemented by the following Broxtowe-specific points. 1. Proposals for diversification of the rural economy will be supported provided that they comply with the relevant paragraphs of the NPPF.

6.2.2 Paragraph 152 of the NPPF (2023) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 153 of the NPPF (2023) states that 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.

Paragraph 154 of the NPPF (2023) states that 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; c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building; d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces; e) limited infilling in villages; f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development; or – not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

6.2.3 The site is located wholly within the Greenbelt and the NPPF states that the provision of appropriate facilities for outdoor recreation is appropriate development provided that it preserves the openness of the Greenbelt and does not conflict with the purpose of the land within it. The planning inspector

for the previous application (16/00015/APLWR) stated 'There is no definition of what constitutes 'appropriate facilities' within the Framework. However, it is reasonable to consider that to be 'appropriate facilities' any buildings must be commensurate in size to the reasonable requirements of the use to which they are to be put, looked at objectively.' This proposed building has a footprint similar in size to the previously refused building but with an increased height. Given the building is proposed to be used for the storage of equestrian equipment it is considered that there is no requirement for a building of this scale given the existing equestrian building within close proximity to the site.

- 6.2.4 The building is proposed to be located on an area of current open land currently used for the external storage of equestrian activities and the storage of waste produced by the horses. There is currently no development within this area of land and so the erection of a built structure within it would result in the loss of openness. The site is surrounded on all sides by tall boundary treatments apart from the wide access point onto the dirt track which provide public views across the whole of the site. The loss of openness would be clearly visible from the track.
- 6.2.5 The proposed building is of standard design and construction for an agricultural building but with a more sympathetic appearance due to the natural palette of materials. Given the condition of the land in its current form being used for external storage within multiple curtain trailer units, the consolidation of all the equipment into a singular building and the removal of the trailers would be considered to be an improvement on the overall appearance of the land in the context of the wider countryside.
- 6.2.6 In conclusion it is considered that the proposal would not be appropriate development within the Greenbelt and there are no very special circumstances that exist to warrant the approval of the building.

6.3 Amenity

- 6.3.1 Policy 10 of the Aligned Core Strategy states that the impact of a development on neighbour amenity will be a consideration. Policy 17 of the Part 2 Local Plan 2019 states that any development should not cause an unacceptable loss of amenity for the occupiers of neighbouring properties.
- 6.3.2 The proposed building is located in close proximity to the neighbouring boundary with a separation distance of just 1m with the ridge running parallel to the boundary. Comments have been received from the neighbouring property with regards to the close proximity to the site, noise, loss of light and sense of enclosure.
- 6.3.3 Given the mature boundary treatments separating the neighbouring properties from the site and also the newly built building within the grounds of the neighbouring property to the south on this boundary along with the orientation of the building with the eaves running closest to the boundary, it is considered that there will be no sense of enclosure or feeling of overbearing from the proposal.

6.3.4 Concerns have also been raised with regards to the negative impact from the construction works being carried out to erect the building. These works are considered to be acceptable due to their short term nature. An informative could be added to any recommendation for approval reminding the applicants of the standard working hours for construction.

6.3.5 The current area of the site is used for external storage and the proposed building is to allow all this and other equestrian equipment from around the applicant's land holding to be regularised internally in one space. There is the potential for an intensified use of this area of land with the relocation of additional equestrian equipment from other locations within the applicants' ownership being brought into this area. This concentration of activity in such close proximity to the boundaries of the neighbouring properties is considered unacceptable due to the increased comings and goings within the site and an increase in the associated noise levels and disturbance associated with these activities.

6.3.6 In conclusion it is considered that the proposed building will have a negative impact on the amenity of the neighbouring property and is therefore unacceptable.

6.4 **Historic Environment**

6.4.1 The statutory duty of sections 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to have special regard to the desirability of preserving or enhancing the character or appearance of that area.

6.4.2 Policy 11 of the Aligned Core Strategy states that development will be supported where the historic environment and heritage assets and their settings are conserved and/or enhanced in line with their assets and significance. Policy 23 of the Part 2 Local Plan 2019 states that proposals will be supported where heritage assets and their settings are conserved or enhanced in line with their significance.

6.4.3 The site is located outside the Strelley Conservation Area, but the site borders the Conservation Area to the South. As such, the building is considered to still have an impact on the setting of the Conservation Area and this must be taken into consideration. This Conservation Area is made up of buildings of a historic appearance and design as well as buildings of an agricultural nature. The proposed building will be of an agricultural design with a natural choice for the finish pallet of materials. Its location close to the site boundary provides a relationship with the neighbouring buildings and given this location along with the high boundary treatments views of the building from within the Conservation Area will be limited.

6.4.4 Given the points above it is considered that the proposed building will have no negative impact on the character or appearance of the Conservation Area.

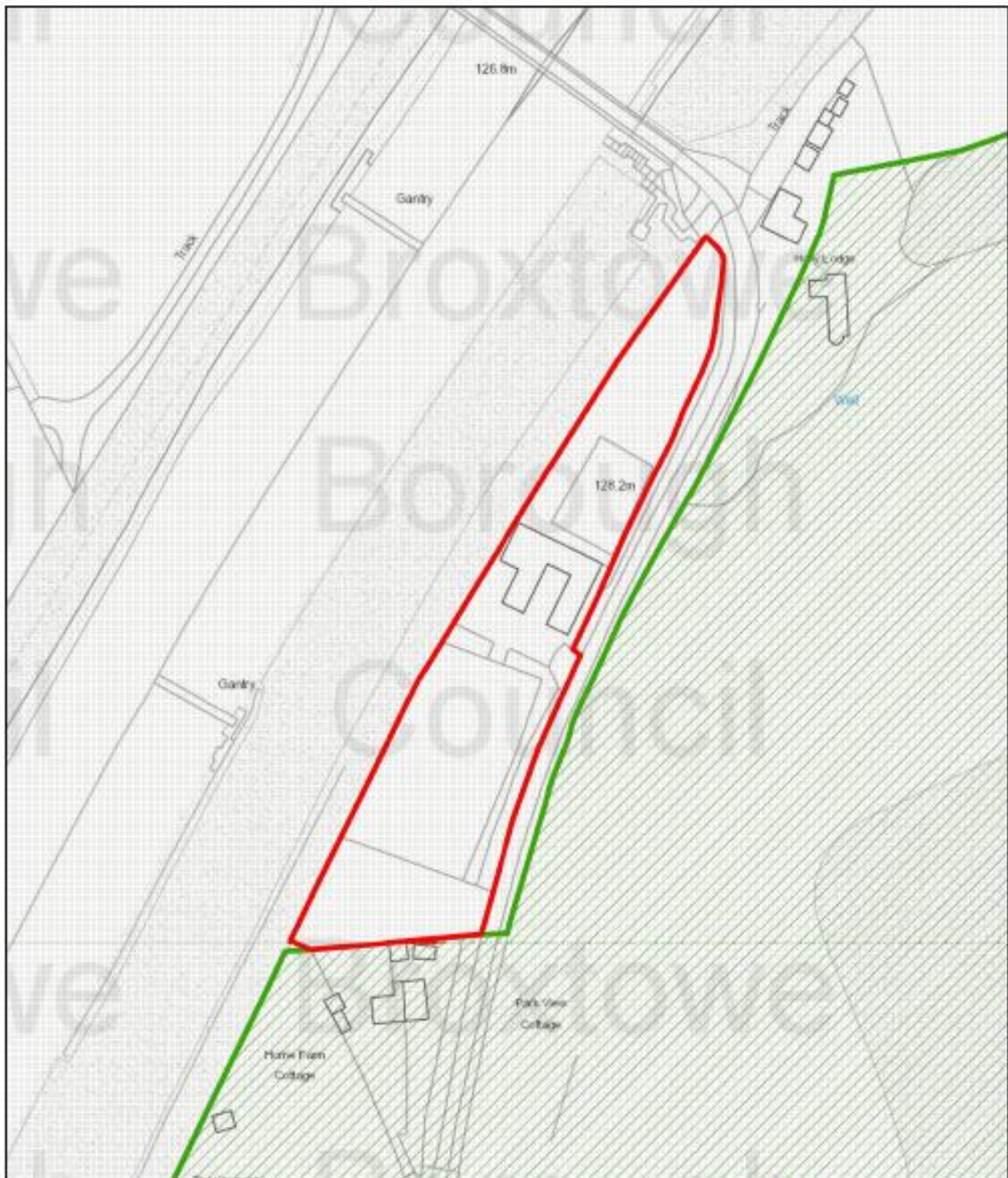
7. Conclusion

7.1 In conclusion, having regard to the relevant policies of the Local Plan, national planning guidance and to all other material considerations including comments raised in the representations received, the development is considered unacceptable and that there are no circumstances which otherwise would justify the granting of permission.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be refused subject to the following conditions.	
1.	Reason: The proposal by virtue of its location within the Green Belt, within which there is a strong presumption against inappropriate development except in very special circumstances, none of which, on the basis of the information provided, apply here, would represent inappropriate development in the Green Belt due to the size of the building and would harm the openness of the Green Belt. Accordingly, the proposal is contrary to the aims of the National Planning Policy Framework (2023), Policy 3 of the Broxtowe Aligned Core Strategy (2014) and Policy 8 of the Part 2 Local Plan (2019) and there are no material considerations of compelling weight that would justify treating the proposal as an exception to these policies.
2.	Reason: The proposal by virtue of its close proximity to the neighbouring properties is considered to have an unacceptable negative impact on neighbour amenity in terms of noise and the intensified use of the area of land. As such the proposal is contrary to the aims of the National Planning Policy Framework (2023), Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019) and there are no material considerations of compelling weight that would justify treating the proposal as an exception to these policies.
	NOTES TO APPLICANT
1.	The Council has tried to act positively and proactively in the determination of this application, however there were no changes considered available to the scheme to make the proposal acceptable.

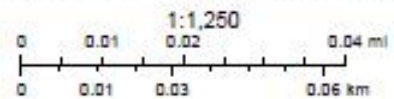
Map

23/00792/FUL



1/18/2024, 11:09:06 AM

-  Site
-  Green Belt
-  Conservation Area



© Crown copyright and database rights 2023. Ordnance Survey
AC0000020670. You are not permitted to copy, sub-license, distribute or sell
any of this data to third parties in any form.

Photos



Photograph of the proposed location of the building



Photograph of the proposed location of the building looking towards the neighbouring properties



Photograph looking from the proposed site across the remainder of the site



Photograph of the site notice

Plans

1 Site Location
1:1250

2 Block Plan
1:500

Scale 1 : 1250

Scale 1 : 500

No.	Description	Date	Key:	PROJECT	CLIENT	Scale @ A3
			— Denotes Site Boundary	Strelley Barn	R. Oliver	As Indicated
			— Denotes Proposed	Site Location Plan		
				Date: 30.05.23	Project number:	
				Drawn by: JSJ	DRIVING NUMBER	REV
				Checked by:	100	

5 Site Plan
1:1250

00 Proposed Ground Floor
1:100

01 Proposed Roof Plan
1:100

Scale 1 : 1250

Scale 1 : 100

1 Proposed Elevation 1
1:100

2 Proposed Elevation 2
1:100

Section A-A
1:100

3 Proposed Elevation 3
1:100

4 Proposed Elevation 4
1:100

3D
Scale 1 : 100

Legend:

- Proposed brick lining
- Proposed tile roof
- Proposed new water
- Proposed new door
- Proposed treatment of panel
- Proposed stone

Rev	Description	Date

PURPOSE OF SHEET: **PLANNING**

PROJECT: **Strelley Barn**

TITLE: **Proposed**

CLIENT: **R. Oliver**

DRAWN BY: JSJ DATE: 18.05.23

CHECKED BY: As indicated PROJECT NUMBER:

DRAWING NUMBER: **001** REV: