

STABLES AT DOCTORS HILL, ASHLEY, BOX

PROPOSAL FOR RETROSPECTIVE PLANNING PERMISSION FOR THE USE OF PART OF THE EXISTING BARN FOR RESIDENTIAL PURPOSES.

DESIGN AND ACCESS STATEMENT. 1

A. INTRODUCTION

1. This proposal is for retrospective planning permission to use a section of the existing barn for domestic purposes, and to obtain planning permission for a summerhouse positioned next to the barn
2. The need for this retrospective application is that the attention of thy council planning enforcement officer, Jo Stewart, was drawn to the site by allegations of a breach of planning conditions made be a local resident.
3. Following a site visit by Jo Stewart, she informed the land owner that two matters needed rectification, namely the use of part of the barn for residential purposes and that the summerhouse did not benefit from a planning permission. Her advice was twofold
 - a). The cease the use for residential purposes and remove the summerhouse or
 - b). Apply for retrospective planning permission
4. The landowner has decided to test the planning system and apply for retrospective planning permission .

B. PLANNING HISTORY

1. Planning permission was granted for the construction of an 'American barn' and a 'menage' on 24th Jan 2020, ref: 19/11042/FUL
2. The permission was implemented, which included various conditions most notably a limit for the number of horses at any one time, and a prohibition of the commercial use of the land. The reasons for these conditions were to prevent over grazing, the protect the living conditions of nearby residents and highway safety
3. The owner of the land who is the beneficiary of the planning permission for the 'American' barn, implemented the planning permission with the conditions imposed

4. Day to day management of the owners horses began to be problematic simply because of the remote nature of the land to her residence and the constant travelling between her home and the site often two or three times a day
5. The owner began to use part of the barn as living accommodation to allow a greater level of husbandry for the day to day management of her horses. This need came into sharp focus when on two separate occasions foals did not survive due to absence of attentive care.

THE PROPOSAL

1. This planning application is for retrospective permission to use part of the 'American' barn for residential purposes.
2. As previously alluded to, the need for on-site husbandry has been demonstrated, a matter that is prevalent in the agricultural and equestrian field.
3. The area that is in use as 'residential' amounts to one third of the volume of the barn, and does not change the design and appearance of the building. In reality, the residential use lacks any feature that one might associate with such a use.
4. It therefore does not have any impacts that could be construed as domestic development within a rural setting.

EVALUATION

1. It is understood that the local planning authority resist dwellings in the countryside unless there is clear justification for them. The main and principle reason for this is to restrict the amount of traffic movements in locations that are unsustainable.
2. The existing planning permission for the barn and stabling of up to six horses, is noted for its absence of any conditions that restrict the vehicle movements that are necessary to manage the land for the use allowed.
3. There is an argument to support the case that the number of vehicular movements for remote management are more that if the land had a residential use. In this particular instance, the one bedroom accommodation provided requires one car space to comply with the planning guidance for new housing developments.
4. It is noted that planning conditions refer to the need to prevent a commercial use of the land in the interests of highway safety and those of local residents. The matter of a commercial use is not part of this proposal as it is a fact that no commercial activity occurs on the land, and no allegations to this effect have been made by the local planning authority.

5. It is therefore the case of evaluating whether the remote management of the land and the un-controlled access to it, varies in reality from the current situation in terms of highway safety and the interests of local residents. The existing planning permission does not restrict the amount and nature of traffic movements, so this matter has no bearing on the application and the council's assessment of it.

6. It is recognised and accepted that there is a need for on-site animal husbandry and that those engaged in farm and equestrian management often do so where it is needed. The need for on-site management in this instance is no exception to this rule, and which has proven to be the case in tragic circumstances previously alluded to.