



**REPORT of  
CHIEF EXECUTIVE**

---

to  
**NORTH WESTERN AREA PLANNING COMMITTEE  
9 JANUARY 2017**

<b>Application Number</b>	<b>FUL/MAL/16/00959</b>
<b>Location</b>	Stables At Bridlemere Place Fambridge Road North Fambridge Essex
<b>Proposal</b>	Retrospective - Erection of stable buildings
<b>Applicant</b>	Mr & Mrs Brown
<b>Agent</b>	Mr Robert Parish - RSP Design
<b>Target Decision Date</b>	15 February 2017
<b>Case Officer</b>	Spyros Mouratidis, TEL: 01621 875841
<b>Parish</b>	<b>NORTH FAMBRIDGE</b>
<b>Reason for Referral to the Committee / Council</b>	Parish Trigger Major Application

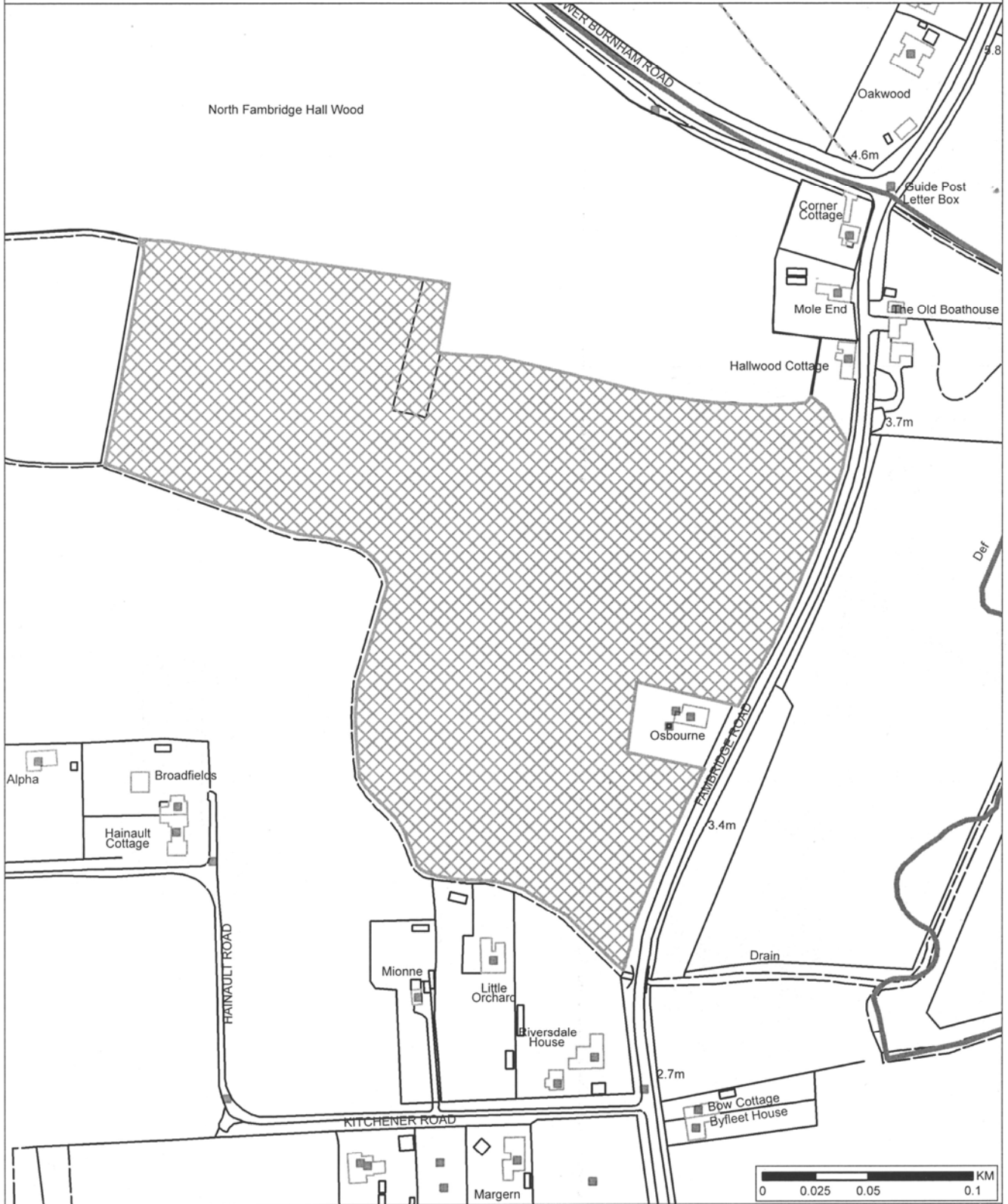
**1. RECOMMENDATION**


**APPROVE** subject to the conditions (as detailed in Section 8 of this report).

**2. SITE MAP**

Please see overleaf.

**Stables At Bridlemere Place - Fambridge Road - North Fambridge**  
**FUL/MAL/16/00959**



 <b>Copyright</b> For reference purposes only. No further copies may be made. This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Maldon District Council 100018588 2014	Scale:	1:2,500
	Organisation:	Maldon District Council
	Department:	Planning Services
	Comments:	NW Committee
	Date:	22/12/2016
	MSA Number:	100018588

[www.maldon.gov.uk](http://www.maldon.gov.uk)

### **3. SUMMARY**

#### **3.1 Proposal / brief overview, including any relevant background information**

3.1.1 The site lies to the western side of Fambridge Road and is a plot of open land set adjacent to the highway. It is currently occupied by two single-storey stable buildings which are the subject of this application. The site lies within a rural area outside of the development boundary of North Fambridge and within the designated Coastal Zone and Special Landscape Area. The site also lies within a Flood Zone 3.

3.1.2 To the east of the stable buildings, outside the site but under the same ownership is Bridlemere Place, a two-storey dwellinghouse. The vehicle access is to the east via Bridlemere Place. There are two more access points to site, one to the north of Bridlemere Place and one to the south via an unnamed rural road which runs along the southern and western boundary of the site. The site is bounded by an existing hedgerow. The site is surrounded by open agricultural fields with the exception of sporadic residential development to the north and south adjacent to Fambridge Road.

3.1.3 Planning permission is sought for two single-storey buildings to be used as stables. The buildings have already been erected and as such the application is retrospective in nature. The buildings are of identical design. They measure 3.6m deep by 7.4m wide and have a dual-pitched roof with a ridge height of 3m. The buildings are located more than 100m away from the northern, southern and western boundaries of the site and 6.3m away from the rear boundary of Bridlemere Place, the associated residential property.

#### **3.2 Conclusion**

3.2.1 The stable buildings by nature of their siting, scale and appearance are considered to be acceptable and compliant with the Maldon District Replacement Local Plan, the submission Local Development Plan and the National Planning Policy Framework, subject to conditions.

### **4. MAIN RELEVANT POLICIES**

Members' attention is drawn to the list of background papers attached to the agenda.

#### **4.1 National Planning Policy Framework 2012 including paragraphs:**

- 14 - Presumption in favour of sustainable development
- 17 - Core Planning Principles
- 56-68 - Requiring good design
- 93-108 - Meeting the challenge of climate change, flooding and coastal change
- 109-125 - Conserving and enhancing the natural environment

#### **4.2 Maldon District Replacement Local Plan 2005 – Saved Policies:**

- S2 - Development Outside Development Boundaries
- CON5 - Pollution Prevention
- BE1 - Design of Development and Landscaping

- CC6 - Landscape Protection
- CC7 - Special Landscape Areas
- CC11 - Coastal Zone
- T1 - Sustainable Transport and Location of New Development
- T8 - Vehicle Parking Standards

**4.3 Maldon District Local Development Plan submitted to the Secretary of State for Examination-in-Public on 25 April 2014:**

- S8 - Settlement Boundaries and the Countryside
- D1 - Design Quality and Built Environment
- D2 - Climate Change and Environmental Impact of New Development
- T1 - Sustainable Transport

**4.4 Relevant Planning Guidance / Documents:**

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Esses Design Guide
- Car Parking Standards
- EB009a - Braintree, Brentwood, Chelmsford, Maldon And Uttlesford Landscape Character Assessments

**5. MAIN CONSIDERATIONS**

**5.1 Principle of Development**

5.1.1 Whilst, the development is located outside of any defined development boundary, within the rural countryside, it is considered reasonable to have a provision of outdoor recreational facilities such as this in rural locations within the district. Therefore, the principle of the development is acceptable.

5.1.2 Other material considerations, such as the impact of the proposal to the residential amenity and to the character and appearance of the area, are discussed below.

**5.2 Design and Impact on the Character of the Area**

5.2.1 The planning system promotes high quality development through good inclusive design and layout, and the creation of safe, sustainable, liveable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design sought to create a high quality built environment for all types of development.

5.2.2 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. In order to comply with saved policy BE1 of the Replacement Local Plan (RLP), the proposal must be compatible with, or improve the surrounding location through its scale, height and choice of external materials. Similarly, the basis of policy D1 of the submitted Local Development Plan

(LDP) ensures that development will not have a detrimental impact on its surrounding area and local context and will actively seek opportunities for enhancement in the built environment.

- 5.2.3 Policies CC6 and CC7 of the Local Plan and emerging policy S8 seek to ensure that the natural beauty, tranquility, amenity and traditional quality of the District's landscape will be protected, conserved and enhanced. Similarly, policy CC11 of the RLP seeks to protect the coastal landscape of the district. Proposals for development in the countryside will only be permitted if no harm is caused to the landscape character of the locality, the location, siting, design and materials are appropriate and if the development is landscaped to protect and enhance the local distinctiveness.
- 5.2.4 Mainly, the boundary of the site is treated with mature hedges, reflective of its rural location. There are temporary soft metallic fences around Bridlemere Place as the property is under construction. These fences and a metal field gate form the eastern boundary of the site. The eastern building is located 6.3m away from the boundary with Bridlemere Place, approximately 26m to the west of the dwelling house and 54m away from Fambridge Road. The buildings can be glimpsed from Fambridge Road and the unnamed rural road but they are viewed within the context of the adjoining substantial two-storey residential property.
- 5.2.5 Generally, stables, by the nature of their design, are traditional in appearance and with appropriate detailing they can have a limited impact upon the character and appearance of the area. In terms of their design, the stables buildings on site are considered to be typical for this type of development and reflective of those observed within the District. The siting, size and scale of the buildings is considered appropriate. In particular, the low level dual pitched roof and the proximity to the adjoining residential property have resulted in a development that blends in with the surrounding environment. Moreover, the use of materials is considered suitable for the rural location. Given that the size of the site measures 6.1ha. The buildings sit comfortably within their site and setting.
- 5.2.6 The buildings provide space for two to three horses and storage space. Under the British Horse Society standards, at least 0.5Ha of grazing land are required per horse. As the site area is measuring 6.1Ha, it is considered sufficient to accommodate the grazing of two to three horses without an adverse impact on the character and appearance of the land due to overgrazing.
- 5.2.7 Conditions could be used to ensure that no external lighting is provided to the stables, without permission first obtained from the Local Planning Authority, in order to prevent unacceptable light spillage in the isolated rural locality.
- 5.2.8 Overall, the stable buildings are not considered to cause demonstrable harm to the character and appearance of the rural locality, in compliance with local policies and national guidance.

### **5.3 Impact on Residential Amenity**

- 5.3.1 Policy BE1 of the RLP protects neighbouring occupiers from unacceptable development which results in a loss of amenity in relation to overlooking, overpowering or undue reduction of light to the main windows of their property.

Similarly, the basis of policy D1 of the submission LDP seeks to ensure that development will protect the amenity of its surrounding area.

- 5.3.2 The stable buildings are located approximately 26m away from Bridlemere Place and more than 100m away from any other neighbouring property. Given the distance of the stable buildings from the neighbouring residential dwellings, concerns regarding overpowering, overlooking and overshadowing are not considered to be demonstrable to neighbouring occupiers.
- 5.3.3 It has been noted that the application site and the neighbouring property to the west are under the ownership of the applicant.
- 5.3.4 Conditions could be imposed over the burning of waste to protect residential amenity. Also, a condition for the submission of a waste management scheme should be imposed to protect against pollution and smell in accordance with saved policy CON5 of the RLP.
- 5.3.5 It is considered that the above means of control would ensure the protection of neighbouring amenity in accordance with local policies and national guidance.

#### **5.4 Access, Parking and Highway Safety**

- 5.4.1 Policy T8 of the RLP seeks to ensure that appropriate off-street parking is provided in conjunction with a change of use. Likewise, policy D1 of the submission LDP seeks to ensure that safe and secure vehicle parking is provided in accordance with the Council's adopted parking standards. The Parking Standards are expressed as maximum standards taking into account Government guidance which encourages the reduction in the reliance on the car and promotes methods of sustainable transport.
- 5.4.2 It is considered that the users of the site already rely and will continue to rely on private motor vehicles to attend to their needs. The proposed development would have some impact upon existing patterns of traffic and would increase the needs for parking provision on site. It is not considered the proposal would have an undue impact on highway safety as Lodge Road is a rural highway with low levels of traffic. Furthermore, whilst no designated parking spaces have been shown on the submitted drawings, there is enough space on site to accommodate the appropriate parking provision. Therefore, the proposal is considered on balance acceptable in relation to highway safety.
- 5.4.3 The existing access arrangements for the site are to be retained as part of the application. Currently there is no provision of parking on site. However, given that the users of the site are the residents of the adjoining dwelling, the lack of parking provision on site is not considered to be detrimental for the highway safety and the free flow of traffic. Moreover, Bridlemere Place, benefits from ample parking space.
- 5.4.4 A condition shall be imposed to prevent the use of the site for commercial purposes in order to discourage the generation of additional traffic in the interests of highway safety. On this basis, the proposal is not considered to result in any demonstrable harm by way of highway safety.

## 5.5 Flood Risk

5.5.1 The buildings are located within tidal Flood Zone 3a, the high probability zone. Table 2 of the Flood Risk and Coastal Change section of the Planning Practice Guidance (PPG) classifies outdoor recreation use as ‘water-compatible development’. Table 3 of the PPG advises that ‘water-compatible development’ could be permitted in Flood Zone 3a. It is not considered that the level of development would increase the risk of flooding elsewhere.

5.5.2 Therefore, the development is considered suitable for this location.

## 6. ANY RELEVANT SITE HISTORY

- **FUL/MAL/15/00552**– Construct replacement dwelling. Approved [02.09.2015].
- **FUL/MAL/15/00785**– Temporary siting of residential caravan. Refused [10.12.2015], Appeal Dismissed [05.05.2016].
- **HOUSE/MAL/16/00927**– New vehicle access/egress. Refused [12.10.2016].
- **LDP/MAL/16/01035**– Claim for lawful development certificate for proposed development - Construct detached garage & cartlodge outbuilding. Approved [26.10.2016].
- **PDE/MAL/16/01054**– Single storey rear extension which would extend beyond the rear wall of the original house by 6.75m, height to the eaves would be 3m and the maximum height would be 3.7m. Withdrawn [12.10.2016].
- **LDP/MAL/16/01161**– Claim for Lawful Development Certificate for proposed single storey rear/side extension. Refused [29.11.2016].
- **PDE/MAL/16/01164**– Single storey rear extension which would extend beyond the rear wall of the original house by 8m, height to the eaves would be 3m and the maximum height would be 3.7m. No Prior Approval is Required [04.11.2016].

## 7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

### 7.1 Representations received from Parish / Town Councils

<b>Name of Parish / Town Council</b>	<b>Comment</b>	<b>Officer Response</b>
North Fambridge Parish Council	Object – <ul style="list-style-type: none"><li>• The current use of this land is agricultural not equestrian.</li><li>• The grazing of livestock (including horses) is an agricultural use</li><li>• The placing of stables/field shelters etc. on skids does not remove</li></ul>	The issues regarding the need of the application or not are not relevant as the application has already been submitted. The application is retrospective in nature as the buildings have already been erected.  The Parish Council’s concerns about the impact

Name of Parish / Town Council	Comment	Officer Response
	<p>the need for planning permission unless they are very regularly moved (see APP/:U1430/C14/300380 3 and 3002995). It is clear these structures are not intended to be regularly moved.</p> <ul style="list-style-type: none"> <li>• The application is therefore to retain two existing stables where they are currently sited. They are very obvious from the road and although they are agricultural buildings they are a mass of building which intrudes into the countryside. They are prominent from the road and look out of place in the rural scene.</li> <li>• The stables are additional buildings on zone 3 land and there are serious concerns about flooding onto the road.</li> <li>• The lawful development granted on this plot was for the same footprint as the previous building – a one storey wooden building. MDC have recently passed plans for an extension to the 2 storey building on the original footprint, which extends the building allowed. These stables are for more buildings. It is felt that they provide an overdevelopment of the plot.</li> </ul>	<p>of the development to the character and appearance of the area are addressed on section 5.2 of the report.</p> <p>The Parish Council's concerns regarding flood risk are addressed on section 5.5 of this report.</p>

**7.2 Statutory Consultees and Other Organisations** (*summarised*)

<b>Name of Statutory Consultee / Other Organisation</b>	<b>Comment</b>	<b>Officer Response</b>
Essex County Council Highways	No comment.	

**7.3 Internal Consultees** (*summarised*)

<b>Name of Internal Consultee</b>	<b>Comment</b>	<b>Officer Response</b>
Environmental Health	No objection subject to conditions regarding restriction of use for private purposes, details of waste management, restriction of waste burning on site.	Noted.

**7.4 Representations received from Interested Parties** (*summarised*)

7.4.1 Letters were received **in support** of the application from the following and the reasons for support are summarised as set out in the table below:

- Mr & Mrs Mitchell Little Orchard Kitchener Road North Fambridge

<b>Supporting Comment</b>	<b>Officer Response</b>
It would be nice to watch the horses.	Noted.

**8. PROPOSED CONDITIONS**

**Conditions:**

- 1 The development hereby permitted shall be used solely for the private stabling of horses owned and tended by the occupiers of the dwellinghouse known as 'Bridlemere Place' shown edged in blue on the approved location plan, drawing no. 16-100-PP-02 and for no other purpose including for the purposes of business or commercial use, livery or riding school.  
REASON: To prevent the generation of additional traffic in the interests of highway safety and in accordance with Policy T1 of the Local Plan and to ensure the nature of the use is appropriate within the rural area and in accordance with policy CC6, CC7 and BE1 of the adopted Maldon District Replacement Local Plan and emerging policy D1 of the Local Development Plan.
- 2 No floodlighting or other external form of illumination of the site or stables hereby approved shall be undertaken without the prior written approval of the Local Planning Authority.  
REASON: To prevent unacceptable light spillage in the rural locality in accordance with policy CON5 of the adopted Maldon District Replacement Local Plan.

- 3 No jump equipment or other form of riding obstacle shall be placed upon the land nor shall any caravan or similar chattel be stationed on the site without the prior written approval of the Local Planning Authority.  
REASON: To ensure the nature of the use is appropriate within the rural area and in accordance with policy BE1 of the adopted Maldon District Replacement Local Plan and emerging policy D1 of the Local Development Plan.
- 4 No manège, riding arena, hardstanding or similar finished surface, other than those forming part of this permission, shall be constructed within the site without the prior written approval of the Local Planning Authority.  
REASON: To ensure the nature of the use is appropriate within the rural area and in accordance with policy CC6, CC7, CC11 and BE1 of the adopted Maldon District Replacement Local Plan and emerging policy D1 of the Local Development Plan.
- 5 The stables hereby permitted shall not be used unless and until details of the arrangements for the storage, drainage and disposal of manure, bedding and liquid animal wastes have been submitted to and approved in writing by the local planning authority. All such wastes shall be stored and disposed of in accordance with the scheme as approved.  
REASON: To ensure the nature of the use is appropriate within the rural area and in accordance with policy CON5 of the adopted Maldon District Replacement Local Plan.
- 6 There shall be no burning of animal or stable wastes anywhere on the site as shown edged in red (or blue) on the plans which are attached to and form part of this permission.  
REASON: To ensure the nature of the use is appropriate within the rural area and in accordance with policy CON5 of the adopted Maldon District Replacement Local Plan.