

Enforcement of Planning Control
Enforcement Item for Consideration: Unauthorised Stables
Report by Planning Officer (Compliance and Implementation)

Summary:	This report concerns the construction of a new stable without planning permission.
Recommendation:	That authorisation be granted for the serving of an Enforcement Notice seeking removal of the stables and also for prosecution (in consultation with the Solicitor) in the event that the enforcement notice is not complied with.

Location: Fleet Farm, Acle New Road, Halvergate

1 Background

- 1.1 Planning Permission was granted on the 13 September 2010 for a 34sq metre extension to existing stables with a first floor hayloft (BA/2010/0237/FUL). Subsequently a completely new stable block was constructed of a size and scale not compliant with this permission.
- 1.2 The application, which was approved, was for an extension to the existing stable. The existing stable was single storey and four bays wide, clad in untreated weatherboarding and had a red pantiled, hipped roof. The approval allowed alterations and extension to the existing stable. The alterations included the provision of a brick plinth around the base of the stable, re-cladding of timber weather boarding and a gable extension to the east end. The stable was to remain at the same height (single storey) with storage accommodation provided within the roof. No roof lights were proposed.

2 Description of Site and Development

- 2.1 The site is situated within a remote, rural, location on Halvergate Marshes within the Halvergate Marsh Conservation Area. The landscape is flat and open with limited tree screening, meaning buildings can be visually prominent. There are few buildings on the marshes, a scattering of agricultural barns can be seen, but being dull in colour, blend well with the landscape. Due to its remote location, there are few domestic properties. The domestic properties that do exist relate to, or once related to, agricultural holdings, and are therefore rural in character and well established in the landscape.

- 2.2 The new building has been constructed in brick, with corbel detailing, has a red-pan tiled roof with decorative ridge tiles. Roof lights have been provided. The roof is at a steeper pitch than previous and is approximately 2-2.5m higher. The building also appears to be approximately 2-2.5m wider than the stable that previously existed.
- 2.3 The stable, house, and barn at Fleet Farm can be seen to varying degrees from all viewpoints on the plan attached at Appendix 1. The stable is particularly visible from the A47 and extremely visible and prominent from the track, which leads down from the A47 to the Berney Arms Public House.
- 2.4 In terms of the impact on the site itself, although it is acknowledged that the stable is not being used for residential accommodation, the design of the building is domestic by virtue of materials and design detailing brick corbelling, decorative ridge tiles and the use of Velux windows. It is considered that any ancillary building should remain ancillary in form and in character. As it stands, the stable visually competes with the dwelling on site, and in fact appears larger from many viewpoints, particularly to the north, east, and south. By virtue of its scale, materials, and design detailing, it is considered that the stable, which is equivalent scale, mass, and form, of a separate dwelling, visually competes with the existing structures and detracts from the informal relationship that once existed between the buildings on site. It also detracts from the simple, traditional, character of the existing dwelling on site.
- 2.5 In terms of the impact on landscape, and character and appearance of the Conservation Area, the Conservation Area is characterised by a wide open landscape and un-interrupted skyline as outlined within the Landscape Character Assessment- *'Skylines are largely undeveloped and simple in character, due to the expansive areas of marsh, although occasionally punctuated by historic wind pumps'*. Buildings that do exist are simple in form and rural in character. Due to its height and massing, the stable is highly visible and can be seen at a great distance across the marshes, interrupting the skyline and the views across the marshes. It is therefore considered that the stable detracts from the special characteristic of the Halvergate Marshes Conservation Area to an unacceptable level.
- 2.6 In addition, although it is acknowledged that the lights have not yet been erected, the support posts have been. It is considered that these would detract from the rural character of the site. There would also be concerns about the impact they would have on Protected Species, given the current lack of light on the open marshes. The installation of external lights would therefore be considered inappropriate.

3 Action Proposed

- 3.1 It is therefore considered that the development is inappropriate and contrary to both National and Local Planning Policies and is unlikely to gain retrospective planning permission. The undeveloped areas of the broads have a character and appearance that planning policies seek to protect.

- 3.2 It will be necessary for the owner to demolish the new stable block for which he has no planning permission.
- 3.3 It is proposed to serve an Enforcement Notice requiring the removal of the stable block and the restoration of the site. It is proposed that a compliance period of three months is given. Authority is also sought to prosecute the owner in the event that the enforcement notice is not complied with.

4 Financial Implications

- 4.1 There may be legal costs associated with this course of action.

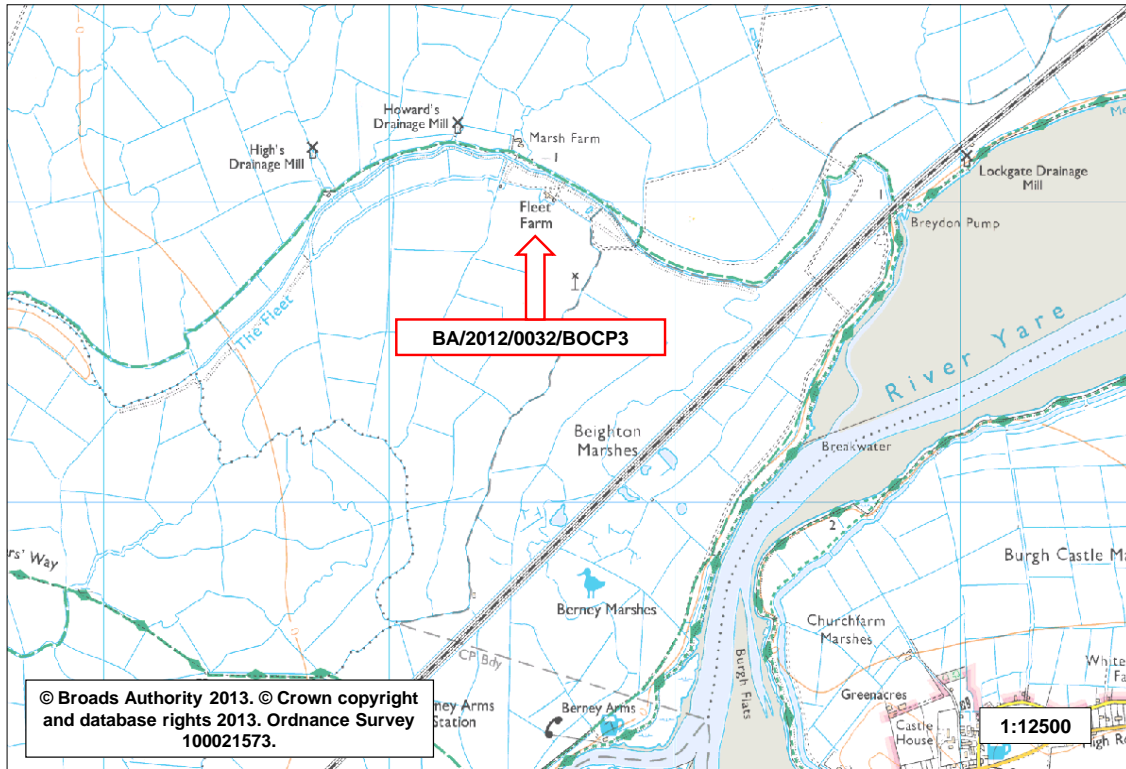
Background Papers: Broads Authority DC Enforcement File BA/2012/0032/BOCP3 and BA/2010/0237/FUL

Author: Tony Risebrow
Date of Report: 12 December 2012

Appendices: APPENDIX 1 – Location Plans

APPENDIX 1

BA/2012/0032/BOCP3 - Fleet Farm, Acle New Road, Halvergate
Breach of planning relating to use of stables/garages



BA/2012/0032/BOCP3 - Fleet Farm, Acle New Road, Halvergate
Breach of planning relating to use of stables/garages

