
**CRABAPPLE FARM STABLES, WOODCHURCH ROAD- PLANNING APPLICATION
F/TH/14/0958**

To: **Planning Committee - 17 June 2015**

By: **Planning Manager**

Classification: **Unrestricted**

Ward: **Villages**

Summary: This report concerns the planning application for the change of use of stables to dwellinghouse with the erection of a single storey rear extension.

The application was previously considered by the Planning Committee on 18th February 2015 where Members resolved for further consideration by Officers, including discussion with the applicant, of the potential for planning permission to be granted subject to a condition restricting occupancy of the proposed dwelling to the family members of the occupier of the existing dwelling. The conclusion of those discussions was that it would not be possible to restrict the occupancy as suggested and at that meeting Members resolved to undertake a Site Visit, which is scheduled for 12 June 2015

This report explains the background and recommends that this planning application be refused for the reason set out in the planning officers original report to planning committee of February 2015 (which is annexed to this report)

For Decision

1.0 Introduction

- 1.1 At the Planning Committee meeting on 18 February 2015 it was resolved by Members for Officers to discuss with the applicant the potential for planning permission to be granted subject to a condition restricting occupancy of the proposed dwelling to the family members of the occupier of the existing dwelling, on the application to convert part of the stables into a self-contained dwelling. Following this meeting, discussions occurred between the agent and the planning officer about potential conditions to restrict the occupancy of the proposed dwelling and it was concluded that such a condition could not be imposed.
- 1.2 Members were also advised that the existing dwelling which was granted in 1994 (94/0720) along with the erection of the equestrian centre was restricted in occupancy by the following planning condition:

The occupation of the dwelling shall be limited to a person solely or mainly employed at the equestrian centre, and the immediate family of such a person.

and that, the applicant's daughter is the main employee in the equestrian Centre and therefore should she move out of the house, the occupancy of the dwelling would be in breach of the planning condition.

The applicant has since applied to amend that condition to allow for him to continue occupying the house after he and his partner retire from operating the equestrian centre. This application is as yet undecided and in any event is not relevant to the determination of the application for the proposed dwelling.

2.0 The Current Situation

- 2.1 The planning considerations remain as set out within the Officer's report to the Planning Committee in February 2015 (annexed to this report), as does the recommendation that the planning application for the change of use of part of the stable rebuilding should be refused on the grounds that the proposed use would constitute an unsustainable form of development within the Countryside which conflicts with both local and national planning policy.
- 2.2 The planning application now falls to be decided by Members having regard to the original officer report from February 2015 and with the benefit of having visited the site.

3.0 Corporate Implications

3.1 Financial

- 3.1.1 Should the application be refused planning permission and the applicant appeal against the refusal, the Council will incur costs in defending its position. Also, as with any appeal, the Council must ensure that it acts reasonably at each stage to avoid the potential for an award of costs to be made against the Council.

3.2 Legal

- 3.2.1 It is not considered that there are any specific legal implications to determining this application.

4.0 Equity and Equalities

- 4.1 There are no equalities issues affected by this decision.

5.0 Decision Making Process

- 5.1 It is the responsibility of the Planning Committee to determine the planning application.

Contact Officer:	<i>Simon Thomas – Planning Manager</i>
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Annex List

Annex 1	Report to planning committee on 18 February 2015 (reference F/TH/14/0018)
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