Rob Duncan
Planning
Consultancy

PLANNING STATEMENT

STABLES AT LONG CROFT LODGE
HORTON

SEPTEMBER 2020

Site Address:
Stables at Long Croft Lodge, Lea Laughton Lane, Horton, Staffordshire, ST13 8PU

Applicant:
Mr. A. Graham

Proposal:
Lawful Development Certificate for Existing Development: Construction of Stables

Planning Statement:
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Job Reference: RDP/2020/112

Report Prepared By:
Rob Duncan BSc(Hons) MA MRTPI
Rob Duncan Planning Consultancy Ltd

Contact Details:
Rob Duncan Planning Consultancy Ltd.
70 Ferndale Road, Lichfield, Staffordshire, WS13 7DL
Email: rob78duncan@gmail.com
Tel. 07779 783521

1. Introduction

1.1 Rob Duncan Planning Consultancy Ltd. has been instructed by Mr. A. Graham to lodge an application under s191 of the Town and Country Planning Act 1990 (As Amended) to seek confirmation that the construction of a range of stable buildings on land at Long Croft Lodge, Lea Laughton Lane, Horton have been completed for a period in excess of four years, and consequently are now lawful.

1.2 Planning permission to erect a stable block on this site was first granted under application SMD/2002/1155. Subsequently a variety of other stables have been erected on the site, as shown on the coloured aerial photograph enclosed as part of the accompanying Statutory Declaration (Appendix A). The following developments are encompassed within this Lawful Development Certificate submission:

- Extension to eastern end of stable block
- Construction of small stable block to north of stable block
- Extension to southern end of stable block
- Construction of stable block adjacent to existing manege
- Extension to stable block adjacent to existing manege

1.3 In order to demonstrate precisely and unambiguously that these buildings have been completed for more than four years and are therefore now immune from enforcement action by the Local Planning Authority, the following suite of evidence has been prepared:

- **Appendix A** - Statutory Declaration of Mr. A. Graham (Applicant)

- **Appendix B** - Historic Aerial Photographs

2 The Site

2.1 The application site is located to the north of Lea Laughton Lane, Horton, and comprises a parcel of land that extends to approximately 0.13 hectares in area. Located within the northwestern corner of the site is a large 'L' shaped range of stables, with an extension to its rear, and a small stable block located to its immediate north/northeast. A separate row of stables is located at the eastern end of the existing yard area, with an equestrian manege beyond. Lea House Farm lies to the southwest of the site, with Long Croft Lodge located to the east. Vehicular access to the site is taken direct off Lea Laughton Lane via an existing track that also serves Long Croft Lodge.

3 The Proposal

3.1 This Lawful Development Certificate seeks confirmation that:

1) The existing stable buildings have been completed for a period in in excess of 4 years, and consequently are now immune from enforcement action by the Local Authority.

4 Statement of Case

4.1 Paragraph 006 of the Planning Practice Guidance relates to Lawful Development Certificates and confirms that an applicant is responsible for providing sufficient information to support an application. It goes on to state that if a local planning authority has no evidence itself or from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application, provided the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability.

4.2 Section 171B of the Town and Country Planning Act 1990 (As Amended) confirms that where there has been a breach of planning control consisting of the carrying out without planning permission of building operations, no enforcement action may be taken after the end of the period of four years beginning with the date of the breach. The four-year rule is considered to apply in this case, as the land upon which the stables have been erected is long established in equestrian use, with a large area of hardstanding used for the parking of vehicles and horse trailers, and a manege all shown to be in situ since 2003, and consequently the works to erect the stables did not entail a material change of use of the land.

4.3 The application is accompanied by a Statutory Declaration prepared by the applicant (Mr. A. Graham) in which he confirms that he is the owner of the site, having purchased it in 2002. It confirms that he applied for planning permission in 2002 for the erection of a stable block and that he carried out the works immediately upon approval being granted. The Statutory Declaration nevertheless confirms that at the time of constructing the building the applicant deviated from the approved plans, making it longer at its eastern end by adding a further stable. The originally constructed building is shown outlined in yellow on the aerial photograph appended to the Statutory Declaration.

4.4 The Statutory Declaration goes on to confirm that in 2008 the applicant undertook works to extend the existing stable block at its easternmost end to provide a further two stables and two storage areas which project off the building to the north. Those works are confirmed to have been completed by the end of 2008 and are shown outlined in blue on the aerial photograph appended to the Statutory Declaration. The Statutory Declaration also confirms that in 2008 works were carried out to construct a small stable block

beneath the existing trees to the north of the existing stable block, which were also completed by the end of 2008.

4.5 Further works to extend the existing 'L' shaped stable block were then carried out in 2012, with an extension added to the southern end of the stable block to provide an additional two stables, as confirmed by the Statutory Declaration. Those works are confirmed to have been completed by the end of 2012 and are identified in red on the aerial photograph appended to the Statutory Declaration.

4.6 The Statutory Declaration goes on to confirm that in 2012 the applicant also undertook works to construct a new freestanding stable block alongside the existing manege. That building is confirmed to comprise of four stables and two storage rooms, with works completed by the end of 2012. That part of the building is shown outlined in green on the aerial photograph accompanying the Statutory Declaration.

4.7 Further works on the site were carried out in 2015, with the applicant confirming within his Statutory Declaration that he undertook works to extend the stable block that lies adjacent to the manege to provide an additional stable. The remainder of that building comprises a roof canopy over the access through to the manege. Those works are confirmed to have been completed by late 2015 and are shown outlined in purple on the aerial photograph accompanying the Statutory Declaration.

4.8 The applicant is the owner of the site and is consequently best placed to confirm the facts of the situation. The content of the Statutory Declaration constitutes a precise and unambiguous piece of evidence that carries substantial weight. On its own the Statutory Declaration clearly demonstrates beyond the balance of probability that the stable buildings on the site have been in constructed for more than four years, and that consequently they are

now immune from enforcement action by the Local Authority. The facts set out within the Statutory Declaration are nevertheless independently corroborated by the historic aerial photographs enclosed as Appendix B, which give additional credence to the content of the Statutory Declaration.

4.9 The aerial photograph from 2003 shows the original 'L' shaped building in situ, along with the large area of hardstanding and equestrian manege. Horse trailers are observable parked on the yard area. The aerial photograph from 2004 likewise shows the 'L' shaped building and manege in situ and the yard area being used by horse trailers, as do the aerial photographs from 2006 and 2007.

4.10 The aerial photograph from 2011 shows the easternmost extension to the 'L' shaped stable block in situ (outlined blue on the aerial photograph accompanying the Statutory Declaration), with the crown spread of adjacent trees obscuring views of the small stable block constructed beneath.

4.11 The 2015 aerial photograph shows the southern extension to the 'L' shaped building in situ (as outlined in red on the aerial photograph enclosed with the Statutory Declaration), along with three quarters of the stable block constructed alongside the manege (as outlined in green). The remaining section of that building was completed by the end of 2015 as confirmed within the Statutory Declaration and is shown as in situ on the 2017 aerial photograph.

4.12 The Statutory Declaration furthermore confirms that the hardstanding located around the buildings has only ever been used for the parking of vehicles and horse boxes / trailers associated with the equestrian use of the site and has not been used for any other purpose. It is furthermore confirmed that the hardstanding yard area, along with the stable buildings, remain in equestrian use to the present day.

5 Conclusion

5.1 Having regard to the Statutory Declaration prepared by the applicant, and the independent corroboratory evidence afforded by the aerial photographs, it is submitted that a clear and unambiguous case has been presented to demonstrate beyond the balance of probability that the stable buildings have been in situ for more than years and that consequently they are now immune from enforcement action by the Local Authority. The Local Authority is respectfully requested to issue a Lawful Development Certificate to confirm this.