

## HOLME-NEXT-THE-SEA PARISH COUNCIL

### Minutes of an Extraordinary meeting of the Parish Council held in the Village Hall, Kirkgate, on Tuesday, 2<sup>nd</sup> April 2019 at 7pm.

**Present:** Lynn Devereux (Chair), Kevin Felgate (Vice Chair), Robbie Burton, Gillian Morley and Martin Crown

**In attendance:** Mike Longley (Parish Clerk and Responsible Financial Officer) and twenty members of the public.

#### 1. Apologies for Absence and approval of reasons

Cllr Easton (family commitment), Cllr Needham (no reason given), Cllr Jamieson (attending another PC meeting) and the Chair of the NOA (holiday).

#### 2. Declarations of Interest

There were none.

#### 3. Public participation

The Chair explained that, in view of the interest generated by one of the applications, it may be better if the two applications could be considered in reverse order to that shown on the agenda. It was agreed that the Lawful Development Certificate application would be considered first followed by the livery business application. In both cases after an explanation of the application, the public would have the opportunity to comment and ask questions. As the applicants for the livery business were present, they would have the opportunity to explain the application and answer questions. After hearing the comments and questions the Parish Council will hold discussions and make their comments and conclusions. It was **RESOLVED** to adjourn the meeting for up to 15 minutes for Public Participation

#### 4.1 Application for a Lawful Development Certificate, reference number 19/00439/LDE: For the existing use of land for the keeping of horses, including holiday livery between March and October – Land on the West side of the road and South of 71 Beach Road, Holme-next-the-Sea, Norfolk. Consultation expiry date 12<sup>th</sup> April 2019.

The Chair showed details of the Application on the big screen and talked through the details of the plan and application.

Public comments included:

- To establish a Lawful Development Use for land the applicant has to demonstrate a ten years history. The applicant hasn't produced this evidence. Stables are only for personal use, but it is difficult to monitor any personal use. DIY grazing only occurred for two periods. No evidence has been produced for this. The PC should request ten year's evidence that there has been activity from accounts and evidence of paying business rates.
- The policies which the BC referred to as reasons for not allowing expansion in 2016, which were to do with the environment and amenity, presumably still stand today.
- Does grazing use allow horseboxes to be parked on the grazing land overnight? (Unable to answer)
- The field shelter which had been there for many years was basic, but the stables that replaced it were much higher and included bathroom facilities.

Signed... *L S Devereux*.....Chairman

Date..... *14/05/2019*.....

Comments by Cllrs included:

- The conditions put on the stable block have been breached so it should be looked on very unfavourably. It will create more activity by the back door.
- Beach Road is very narrow, so it is a highways issue.
- A Cllr who has lived in the village for seventy years, stated that conditions had been breached and there had been very few horses grazing on the land in his memory, not a commercial operation.
- There has been an Enforcement Enquiry which has concluded that is only personal use, not commercial.
- The grazing field was an arable field when Miss Wheeler owned it. She never had horses grazing on it. It was never fenced and didn't have a gate. When they applied for permission for the stable block the applicant claimed it had been used for grazing, which was incorrect. The BC said they had no record of change of use from agricultural to equestrian, the reason was that it was an arable field and had never been used for grazing. The field was only sown with grass because the person farming it discovered that it was very wet in the northern corner. The application is full of contradictions. So, the field has been used for grazing for the last twenty years, since around 1999.
- The applicant keeps changing her story to get Lawful Development Certificate. The application is full of contradictions.

**In conclusion, it was agreed the PC should object and will request more detailed evidence of the alleged commercial operation that has been carried on for the last ten years.**

**4.2 Planning Application, reference number 19/00433/F: Proposed livery business with associated buildings – Land South of 60 and East of 71 Beach Road, Holme-next-the-Sea, Norfolk. Consultation expiry date 5<sup>th</sup> April 2019.**

The Chair showed details of the Application on the big screen and talked through the details of the plan and application. Mrs Gough, representing the applicants, then spoke and apologised for starting work on the development prior to submitting the planning application. Mrs Gough then explained the nature of the proposed livery business. Reference was made to the AONB and the work they are proposing to carry out to take this into account, by preparing a small site in the corner of the field and siting of bird boxes etc. Mrs Gough then invited questions and comments.

Comments/questions and answers:

- Q. Will someone be living on site for security purposes?
- A. Not necessary, as alarms and CCTV linked to mobile phones will be sufficient. There is a restriction on the land which prevents residential development.
- Q. The bunding looks terrible and is there any connection with the McGinn development along the B1454 south of Stanhoe, where there is similar unsightly bunding and a glamping development?
- A. No connection. Acknowledged it was a cousin of Mr A. McGinn who was doing a glamping development.
- Q. As you have been doing groundwork for several years, I am sure you are aware that under the Countryside and Wildlife Act 1991 section 5, you need licences for protected species. What licences do you have?

- A. We don't have that licence.
- Q. So you have broken the law?
- A. (Chair) They haven't been asked to do an Environmental Assessment by the LA.
- Q. What are you proposing to do to protect wildlife?
- A. We will need to address that. We would like some help with that. We are animal orientated people. We don't want to upset the wildlife and we would be grateful for any help with that.
- Q. When did they have gymkhanas on that arable land?
- A. Apparently twenty years ago.
- Q. I have lived in the village for seventy years and there never has been a gymkhana on that field. Gymkhanas were held at Heacham. How can you say that, do you remember that?
- A. We were told that. Also, on the Deeds it says it was grazing land.
- A. (Chair) There is a difference between what is stated on Deeds and the actual lawful planning position regarding land use, and with covenants. They are quite separate matters.
- Q. What discussions have you had with the NOA, bearing in mind this is very close to their site?
- A. We haven't had any discussions with the NOA.

The Chair intervened at this point to raise some questions emailed from the NOA Warden who is unable to attend the meeting.

- Q. The site shares a boundary with the NOA's reserve at Whiddington Wood and that hasn't been identified on the application. It is within 350 yards of Redwell Marsh which is a SSSI. Given the operating hours, 6 am to 9 pm, what floodlighting will there be?
- A. The architect got the hours the wrong way around. It should be 9 am to 6 pm, in the summer. The hours in the winter are likely to be 9 am to 2 pm. The lighting will be focussed onto the stables and into the stable yard. There will be minimal lighting around the rest of the site.
- Q. The hours could easily be changed though, if the business changed hands, couldn't they?
- A. (Chair) It is possible there could be a condition attached regarding the hours.
- A. We don't mind there being conditions attached but horses can be unpredictable, if they get sick etc., so the actual hours could occasionally vary.
- Q. But in general?
- A. Ideally, in winter, we would like to be starting at 9 am and by 2 pm to 3 pm we will have gone home.
- Q. There appears to be no ventilation in the buildings for the animals.
- A. That's just a rough drawing for now.
- Q. Is it? On a full planning application?
- A. Normally, there is ventilation through the top stable door and under the eaves of the roof.
- Q. Do you see the business developing, if it is successful, into other areas such as glamping?
- A. It is not in the plans.
- Q. There was supposed to be a business plan attached, but it wasn't.
- A. There was one.
- A. (Chair) One was received late in the day and there was no mention of other uses in the plan.
- Q. Why have you had such a detailed survey done of the paddocks?

- A. We wanted to know the flooding risks of the paddocks, to help us work out how many horses we could have on there without it getting too churned up. That would relate to how many stables we would need to put on there, as well.
- Q. It must have been very expensive, that survey?
- A. We did it so the Architect could do his job as well.
- Q. Can you tell me how high the barn is. It says the stables are low, but how high is the barn?
- A. The stables are quite low, and the barn is slightly bigger. We can get the measurements from the architect.
- A. (Chair) Well if you can send that information to the PC, we can make that available.
- Q. You say you have an isolation paddock.
- A. Normally you would have an isolation stable or paddock, under government rules to isolate an animal that is ill.
- Q. You say you have a menage.
- A. We are not having a menage. We didn't ask for a menage in the application.
- A. (Chair) It was in the Design & Access statement.
- Q. How much drainage is there going to be on the site?
- A. We don't know yet, until we know what plans will be approved and what instructions we have in terms of soakaway etc.
- Q. Vertex have drawn up the plans, but they are not qualified architects, as it is a legally protected name, they are not qualified in design.
- Q. Where is the isolation paddock and stable on the plan?
- A. The one to the left of our personal paddock is the isolation paddock.
- Q. It doesn't seem to have a stable on it though?
- A. It doesn't need to have a stable.
- Q. Surely, if it is going to have to be in isolation for a month, it will need some shelter?
- A. That is a good point, actually.
- Q. Has the unauthorised use actually ceased now?
- A. Yes.
- Q. (chair) Is there any link between your application and the application on the west side of Beach Road? I ask that because the accesses are immediately opposite each other and there has been a lot of confusion between the two applications.
- A. No, not at all.
- Q. The land to west of the site was for sale at the same time as the land which is part of this application. Is there any connection with this application and that land?
- A. No.
- Q. Which bridleways are you planning to use and how are you planning to access them? The footpath south towards Ringstead is not a bridleway.
- A. You are probably right, but the BHS website says that it is a bridleway.
- Q. So where will you be riding the horses?
- A. On the land and down to the beach.
- Q. You are aware the Le Strange Estate own the beach and limit the number of horses on the beach?
- A. They can limit it? For horses on holiday livery, we will just school them on the land, we won't be taking them down to the beach.

- Q. You've got seven stables, four horses of your own, so that leaves three paying horses in the stables
- A. Three to five paying horses in the stables as only two of ours will need to be in the stables.
- Q. What you are trying to create is something for yourself and trying to make it profitable to try and pay for it. So how are you going to make any money out of this as this is a substantial investment?
- A. It will take a very long time, but it will eventually come good. Tony has a very good business, the groundworks, and that will support this new venture and help to fund it.
- Q. You said there will be three full time members of staff?
- A. There will be two apprentices which are funded by the government. There will also be some breaking and schooling to provide a little bit of income. We might get some GCSE riding teaching as well.
- Q. You will need an awful lot of income to cover these costs though?
- A. We will, it is hard work.
- Q. Is it a viable business?
- A. We have a business plan.
- Q. Would you make it public? I am interested in job creation.
- A. Well the apprenticeships are funded by the government. There is one full timer.
- Q. How will the public get to the site for GCSE PE?
- A. They will have their own horses and we visit them at their own location.
- Q. But there is a classroom?
- A. That will be for Apprentices doing stable management.
- Q. How many parking spaces are there?
- A. Four for lorries and six for cars.
- Q. Is there enough space for parking and turning areas?
- A. We haven't actually measured it out.
- Q. I am worried about this massive topographical survey as it appears to be far more than is required for horse grazing. Would there be any restrictions on things like glamping and shepherds' huts?
- A. (Chair) It would be a different use, that is my understanding, so it would require a different application.
- Q. The Design and access statement mentions a sales area but it doesn't appear on the plans.
- A. No, that was taken off.
- Q. That's a shop isn't it?
- A. The sales, is selling of horses, not anything else.
- Q. Do you feel you have been a bit lax about concentrating on the finer detail?
- A. Yes! We have got a bit ahead of ourselves.
- Q. This is what causes concern to parishioners. I can understand the business you are proposing. Is there an underlying reason? We have seen plans like this before, then a house is built, then other structures are built, then it's all sold. We have, as a village, seen this before and we are quite concerned about it happening again.
- A. We can quite understand that. This is designed to provide me with a livelihood. We have put a lot of money into this, just to buy the field. We will not want to sell it.
- Q. But why did you put all that banking along the side of that road, its totally wrecked it with massive earthworks.

- A. It was more to do with not taking the soil away initially, and then we felt it would make it more secure for the horses and then we felt we could make it look pretty by planting wild flowers etc.
- Q. We believe there is roman archaeology on site. When the Enforcement Officer made you stop work the first time, she wasn't aware of it, but when she asked you to stop work the second time, she mentioned it to you.
- A. We have had that field checked by archaeologists and there are no records of anything on there.
- Q. Really? Have you got a survey?
- A. Not on paper, no.
- Q. Was it involving the county archaeology people?
- A. Obviously we will have this done again, we want to do things properly.
- Q. (Chair) We do have a letter from the Enforcement Officer saying the Heritage Officer believes there is archaeology on the site.
- A. We will have to do another survey then.
- Q. Who did the survey?
- A. A friend of mine who I have worked with before, Nick Fuller.

The public participation closed.

Parish Councillor comments:

- My biggest concern is, is there an ulterior motive. Now listening to what has been said, I don't think there is. I believe this is a genuine attempt to start a business. Whether this is the right place to start a business? I think they have been naïve in what they have done and the way they have approached this. Do we need this business? I don't see it as a major problem being three to five horses in addition to their own four horses.
- The Chair read out a note from an absent Cllr. Horses were raised at a recent meeting of the EMS group. There is concern about horses on the beach at Holkham. Holme is probably the only other access point to the beach.
- My major concern is the road. The roadway on the field is 4.5m wide but the road they are using to access it (Beach Road), is only 3.8m wide. Highways haven't commented on the proposal yet. Horses mixing with pedestrians and large vehicles on such a narrow road is concerning.
- That land is too heavy for horses and once the buildings have gone up and they realise the land is too heavy, what will they do with the buildings? That is what I am worried about.
- It has been said, but before we can agree to this, we need Environmental and Archaeological Studies and Highways views on the road access along Beach Road, assuming that the application stays the same as it is now.
- My main concern also is the traffic impact and access at that point on Beach Road and what is going to happen on the neighbouring site as we need to view the cumulative impact of these two developments. An Environmental Impact Assessment is fundamental given the closeness to the protected sites.

**In conclusion, the PC cannot support the application until the concerns have been addressed and we need more information to make a proper decision. So, the PC will object pending receipt of**

Signed... *L S Devereux*.....Chairman

Date.....*14/05/2019*.....

**clarification and information. We will ask for it to be called in if the officers recommend approval, but not if it is to be refused. All Cllrs agreed.**

The meeting closed at 8.15 pm.

Signed... *LS Devereux*.....Chairman

Date.....*14/05/2019*.....