

Application Recommended for Approval

APP/2018/0489

Whittlefield with Ightenhill Ward

Full Planning Application

Proposed change of use from agricultural to equestrian, formation of riding arena and erection of stables

HUNTERS OAK FARM IGTENHILL PARK LANE BURNLEY

Background:

The application relates to a piece of land, comprising 0.63 ha/1.6 acres, attached to a rural dwelling.

An objection has been received.

Relevant Policies:

National Planning Policy Framework

Burnley's Local Plan(2018)

SP7: Protecting the Green Belt

EMP7: Equestrian Development

NE1: Biodiversity and Ecological Networks

NE3: Landscape Character

NE4: Trees, Hedgerows and Woodlands

NE5: Environmental Protection

CC4: Development and Flood Risk

IC3: Car Parking Standards

Site History: None relevant.

Consultation Responses:

Highway Authority _ No objections. Request the imposition of a condition restricting the arena/stables to be used for private purposes only. [*Comment – Private use is intended by the applicant. However, a condition to restrict the use would be reasonable*]

Owner of access track (Article 14 representation)

A representation is made by the owner/operator of the nearby farm buildings. This is as follows (summarised and itemised):

1. No objection to the use as proposed.
2. Objects to use of the track for access. He is the owner of the track and he would not allow its use for the purpose. [*Comment – The access track is within the red edge identifying the application site. The applicant has certified that he has duly served notice on the owner of the track. He is aware of the objection to use of the track. He claims that he has right of way for the purposes of the development. This is a private matter to be resolved between the parties involved. A grant of planning permission would not over-ride any private rights, duties or restrictions*].
3. Concern that the scale of the proposal (a block of four stables) suggest possible commercial use in the future. [*Comment – Private use is proposed by*

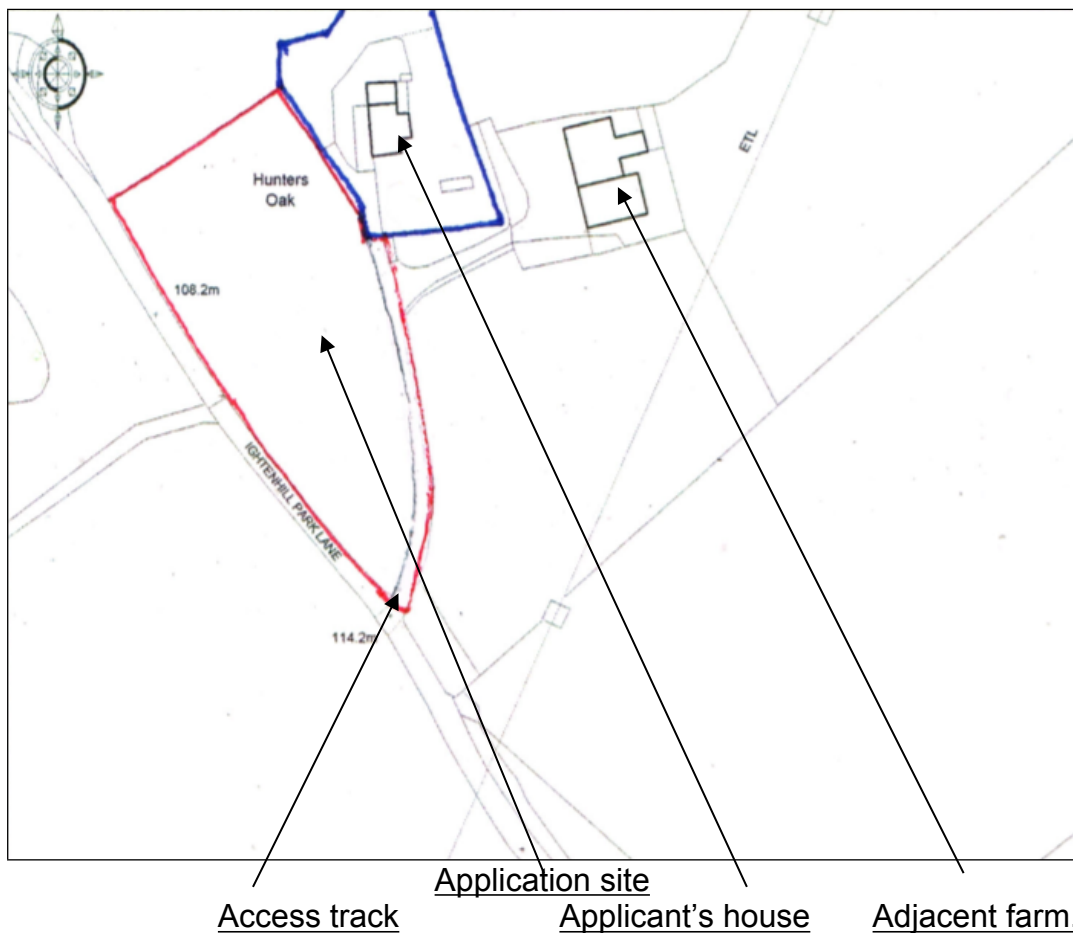
the applicant. A condition is recommended to prevent use for commercial use of the facilities].

4. Suggests that an alternative point of access direct from Ightenhill Park Lane be provided. [*Comment – The question of an access direct from Ightenhill Park Lane has been discussed with the applicant. However, he declined to address that issue in this application, as he was confident about the right of access via the track. Because the matter of a new access to the Lane has not been considered – there are likely adverse impacts on the landscape and hedgerows/trees; and on highway safety (in particular because of the narrow width of the Lane along the frontage of the land) – a condition is recommended to avoid any doubt that planning permission would be required for such access].*

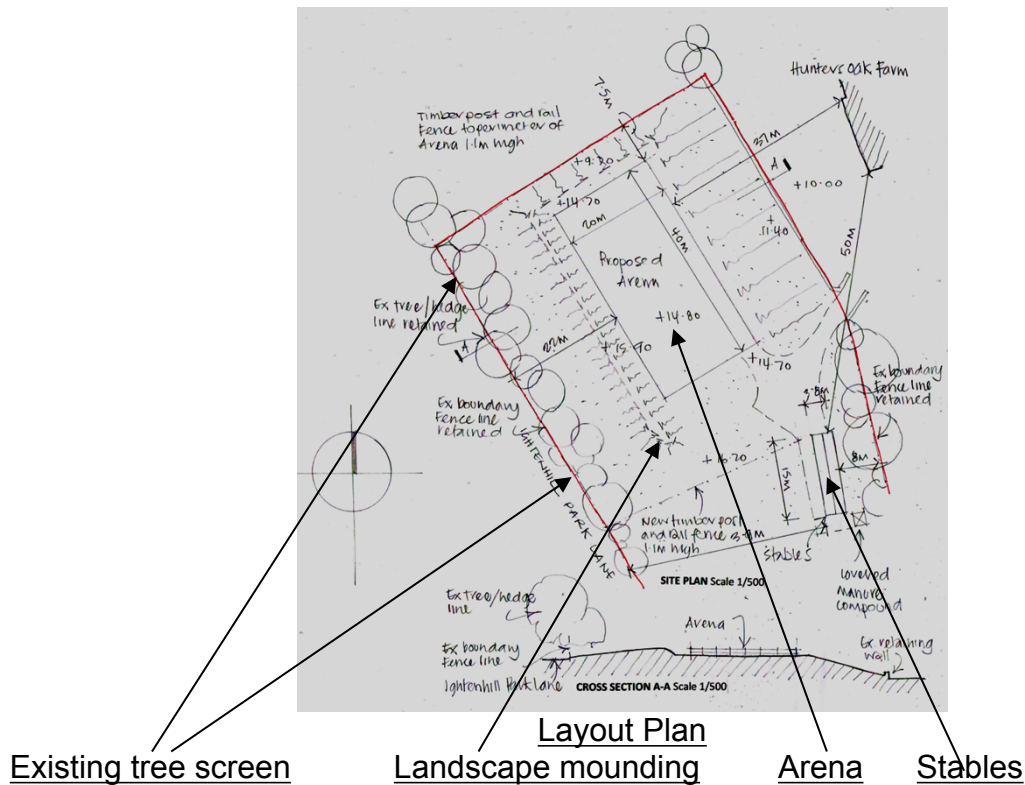
Planning and Environmental Considerations:

The application relates to a piece of land attached to a rural dwelling. It is adjacent to Ightenhill Park Lane to which access is gained via a rural track over which the applicant has a right-of-way.

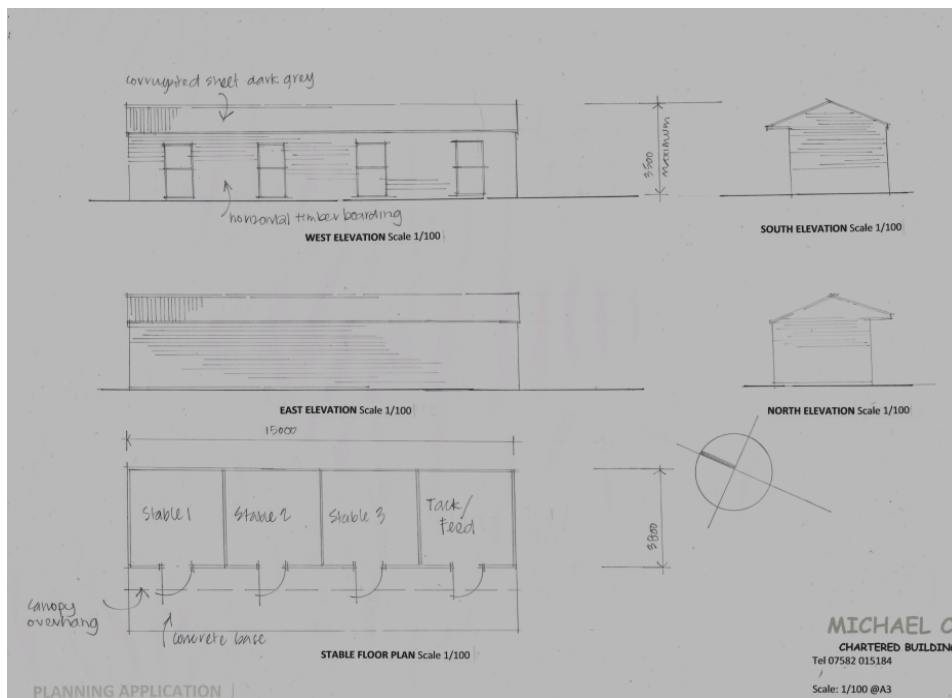
This is shown below on the location plan:



The application proposes the erection of stables and construction of a equestrian arena on the land.



Existing tree screen Landscape mounding Arena Stables



Proposed stable building

The manege would comprise a post and rail fence around a surface topping (rubber surface). The stables would be of timber construction.

Policies and Assessment

The application site is outside the Development Boundary defined by **Policy SP4**; and, more particularly, it is within the Green Belt identified in **Policy SP7**. In the Green Belt *inappropriate development* should not be permitted.

The provision of outdoor sports facilities (as the present proposal) is not regarded as inappropriate and the proposal would not be in conflict with Green Belt policy.

Policy EMP7 requires equestrian development to meet criteria under the following headings:

Access

(a) requires that the site access is satisfactory in highway terms and without adversely affecting the rural landscape

An existing access would be used; it would be unaltered and there would be minimal (if any) adverse impact.

Siting and Scale

(b) Freestanding stables should be closely related to existing buildings;

The stables would be sited sufficiently close to the applicant's house and the adjacent farm buildings to appear part of that group.

(c) Equestrian developments should be at an adequate distance from residential properties, depending on the scale of the proposal;

Whilst being reasonably close to the applicant's house the development is remote from other dwellings.

(d) Associated facilities should be a minimum size necessary and should not encroach into open countryside.

The proposed development is of a modest scale and would be contained within the small parcel of land.

Design and Materials

(e) The design, construction and materials of stables should be fit for purpose and appropriate to the rural area.

The stables would be purpose designed, comprising timber boarded walls, with dark grey corrugated sheet cladding.

(f) is not applicable.

(g) Floodlighting will not be permitted where there will be an unacceptable visual or landscape impact.

Whilst floodlighting is not indicated in the application, if installed, it would be likely to adversely affect the night-time amenities of the rural location. The provision of low intensity lighting is not likely to cause harm. Therefore, a condition is recommended to restrict flood-lighting whilst not excluding simple pathway type lighting that the applicant may wish to install in the future.

(h) Applications should be submitted with a pasture management plan.

The submitted ecology survey report gives details of the grassland. Further details relating to the management of the small parcel of land are unnecessary. The land comprises 0.6ha – allowing for the footprint of the magese and stables the paddock would comprise around 0.5ha.

In respect of the need for a Pasture Management Plan, the applicant states that this is not necessary on the following basis:

It is unlikely that 3 horses will ever occupy the site [Apparently, the project is intended to serve one horse for family use, the additional stables being provided as 'stay-over' horse accommodation for occasional family/social visits by other horse owners] however, on the basis that they do, the horses will be boxed and only rarely grazed. All exercise will be either on hacks or within the proposed arena. There is provision within the proposals for sufficient space for adequate food supplies. When occasional turning out of the horse(s) occurs, this will be seldom and periodic (or indeed cyclical) to ensure grass and land is not depleted and maintained in suitable condition. The DEFRA guidance on pasture management is only to demonstrate what is in place if there is no supplementary feeding in place. The submitted proposals are considered to be clear on this issue. The applicant is conversant with the Code of Practice for the Welfare of Horses.

Measures relating to the proper upkeep of the paddock are included in a design and access statement submitted with the application. A condition is recommended to require that to remain in effect.

Other matters

A statement is submitted with the application detailing how the development would be carried out and operated. The proposals for surface water drainage; and collection, storage and removal of manure is thoughtfully set out. A condition is recommended to require the identified measures to be implemented, thereby ensuring that the development remains in accordance with **Policies NE5** (pollution) and **CC4** (local flood risk). There would be no conflict with **Policy IC3** as adequate car parking would be within the site.

In conclusion the proposed development is of a modest scale, typical of similar facilities added to other dwellings in the countryside surrounding the urban parts of the Borough. It would recommendation is made on that basis.

Recommendation:

That planning permission be Granted subject to the following conditions:

Conditions

1. The development must be begun within three years of the date of this decision.
2. The development shall be carried out in accordance with the application drawings, namely: Location Plan received 27th February 2019; drawings number 02A (excluding superseded Location Plan) (showing plan layout of the development); 03A (Proposed Stables), received 12 October 2018.

3. There shall be no floodlighting erected or operated at the site in respect of the approved riding area at any time. This shall not exclude low level and low intensity lighting required elsewhere.
4. The horse riding arena and stables shall be for private use only, and shall not at any time be used for livery, as a riding school, for gymkharna, or for any other commercial purpose.
5. There shall be no vehicular or pedestrian access to the development direct from Ightenhill Park Lane, at any time.
6. The development shall be operated at all times in accordance with the measures set out in the Design and Access Statement under the sub-heading *Collection, storage and removal of manure*.

Reasons

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. To ensure that the development remains in accordance with the development plan.
3. In the interests of the visual amenities of the area, in accordance with Policy NE5 of the Burnley's Local Plan (2018).
4. To enable consideration of any public/commercial use in relation to the development plan, in particular Policy EMP7 of the Burnley's Local Plan (2018).
5. For the avoidance of doubt as no such access was proposed in the application; and any such proposal should be considered in relation to the development plan (in particular Policies EMP7, NE3 and NE4 of the Burnley's Local Plan (2018)); and, the need to provide for highway safety.
6. In the interests of amenity and to minimise ground and water pollution in accordance with Policy NE5 of the Burnley's Local Plan (2018).

AR
21.5.2019