

**Application Recommended for Approval with Conditions**

**FUL/2020/0612**

Town and Country Planning Act 1990

Creation of new hardstanding, stable and fence enclosure for equine use

Land off Richmond Avenue Burnley

Cliviger

**APPLICANT:** Mr Tony Stowell

**AGENT:** Mr Stuart Booth

The application before the Committee following receipt of objections.

**Background:**

The application relates to an open field to the south of the settlement of Cliviger located off Richmond Avenue.



*Photo 1: Access to land from Richmond Avenue and public footpath.*



*Photo 2: exiting stables and yard area as seen from Richmond Avenue.*



*Photo 3: site of proposed stables*

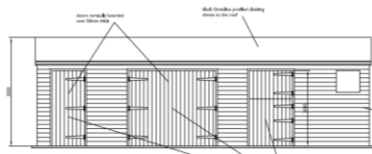


*Photo 4: site of proposed stables from foot path*

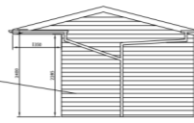
**Proposal:**

The application seeks consent for the installation of an area of hardstanding measuring approximately 12.6m by 10m, which will provide stable flooring for a temporary field shelter/ stable in the winter months measuring approximately 9m by 3.6m with a ridge and eaves height of approximately 3m and 2.4m respectively. The proposal is to provide a small yard area for equine use. No access path will be required or provided from Richmond avenue.

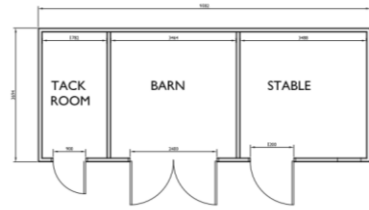
# Plans show



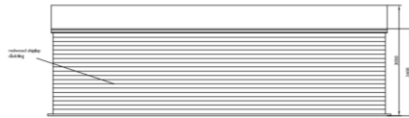
FRONT ELEVATION



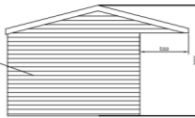
SIDE ELEVATION



SIDE ELEVATION

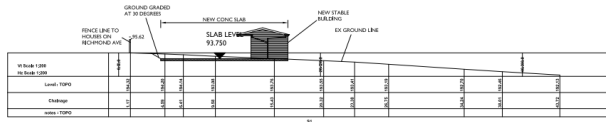


REAR ELEVATION

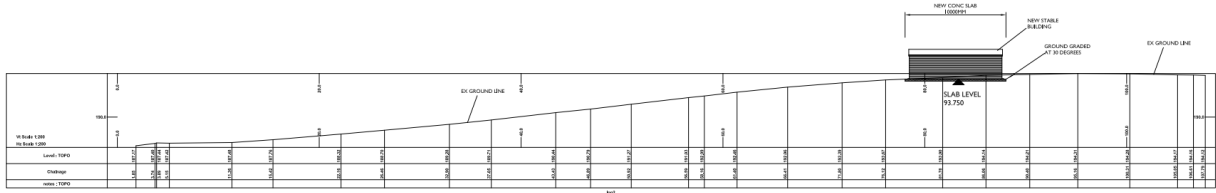


SIDE ELEVATION

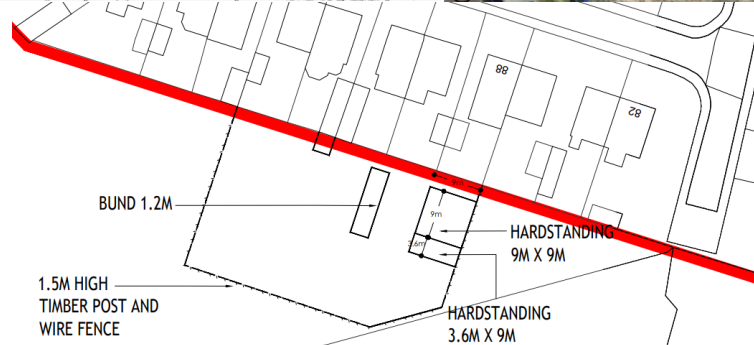
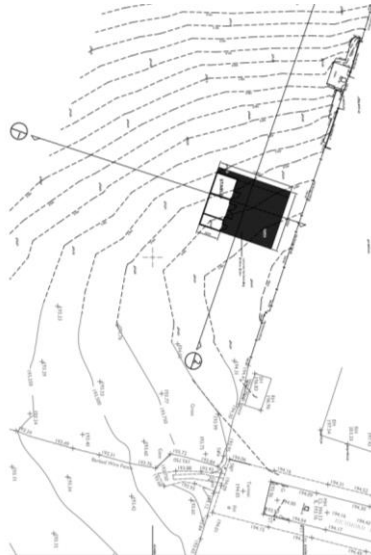
- FINISHES**
- WALLS 15x25mm Redwood slip/slip cladding treated with preservative
  - ROOF Black Clonkure roofing sheets
  - WINDOW redwood window frame with perspex glazing
  - DOORS room 2085mm high vertically boarded
  - GUTTERS black upvc
  - EWPS black upvc



SECTION 2



SECTION 1





## **Relevant Policies:**

### Burnley's Local Plan 2018

SP5 – Development Quality and Sustainability  
EMP7- Equestrian Development

NPPF 2019

## **Site History:**

N/A

## **Consultation Responses:**

**Neighbours** – 7 letters have been received with the material objections summarised:

- Negative impact on public footpath
- Concerns re manure storage
- Impact on residential amenity (smell noise, overlooking, overbearing)

Multiple comments have been made with regards to the possibility of Miller Homes using the proposed site to gain access to the current development site to the east, this planning application if for the erection of a stable building, any approval granted for stables on this land will not result in any permission being given by the LPA for the use of this field by the developers (Miller Homes). These comments are not considered to be material nor have any weight on the current planning application for an equine stables.

## **Cliviger Parish Council:**

- (1) It is inappropriate development on a green field site.
- (2) The application is very close to neighbouring homes.
- (3) There is some confusion over why the application is on equine grounds and would question whether this is permitted development.
- (4) There appears to be no evidence of need for this application

## **Planning and Environmental Considerations:**

### **The principle of development**

Policy SP1 states that when considering development proposals, Burnley Borough Council will take a positive approach that reflects the presumption in favour of sustainable development set out in the NPPF.

Policy SP4, details the development strategy for the borough. Part 4 of this policy states that; the open countryside is defined as land beyond any Development Boundary. In the open countryside development will be strictly controlled.

Policy EMP7, details requirements for equestrian development including; access, siting and scale and design and materials.

## **Main issues**

- Impact on the character of the area including design and appearance
- Impact on amenity of neighbours

### Impact on the character of the area

Paragraph 124 of the NPPF states the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Local Plan policy SP5 sets out requirements for the design quality of all types of development. Policy EMP7 requires that thought be given to the sitting, scale, design and material of equestrian developments in order to protect the rural area.

The proposed building while remaining adequately distanced from the residential dwellings, is considered to relate to the existing group of buildings and is not considered to appear as incongruous or prominent within the landscape. The site will not result in any significant land works that would alter the natural hillside thereby protecting this undulating landscape.

The proposal is considered to be of an appropriate size and to be constructed using materials (red wood cladding and black onduline roofing sheets) that are typical with this type of development and are considered to be appropriate for use within the rural area.

The construction of a stables within a field with an existing equine use is an appropriate development for the area and will be in keeping with existing land uses. The proposal is not considered to have any impact to the enjoyment or use of the public footpath.

The application includes the provision of an earth bund, to provide a wind break to the prevailing wind from the north west and provide shelter to those using the yard and stables area. This is not considered to result in any significant negative impact on the visual amenity or character of the area.

The proposal is considered to be appropriate for the existing use of the land and of a size and design typical to the nature of the development, as such it is considered that the application will not result in any significant negative impact to the visual amenity and character of the area and rural landscape and as such meets policies SP5 and EMP7.

### Impact on the amenity of neighbours

Policy SP5 seek to ensure that development does not result in an unacceptable adverse impact on the amenity of neighbouring occupants or adjacent land users.

The nearest residential dwellings to the proposal would be, 86, 88, and 90 Richmond Avenue, the proposed stables would be sited approximately 12.5m from the rear boundary of no.88 Richmond Avenues amenity space. With this distance in mind the proposed single storey stable building measuring approximately 4m high to the ridge, is not considered to have any undue impact in terms of overshadowing or loss of daylight. The proposed equine use is not considered to give rise to any significant overlooking

that would result in a significant negative impact on the neighbouring properties residential amenity.

With regards to noise disturbance and smell, the applicant has confirmed that manure would be removed as/when required and given the application site's rural location in the open countryside it is not considered that odours from a manure store for two horses and noise would be particularly prominent, especially given the adjacent field could be used to house a significantly greater number of agricultural animals without the need for planning permission.

Policy EMP7 c) requires that equine development be sited at an adequate distance from neighbouring residential properties. The proposed stables due to its scale and massing is considered to be located an adequate distance from neighbouring residential properties, this is due to the size of the proposed stables, and the fact that the horses will mainly remain outdoors as they currently are, using the stables for poor weather or vet visits ect. As such the proposed development is not considered to result in any undue harm to the residential amenity of nearby neighbouring properties.

## **Conclusion**

The proposed development is acceptable in principle, will maintain the character of the area and will not have an unacceptable impact upon neighbouring amenity.

**Recommendation:** Approve subject to conditions

1. The development must be begun within three years of the date of this decision.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the approved plans listed on this notice below.

Reason: To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.

3. All materials to be used in the approved scheme shall be as stated on the application form and approved drawings and shall not be varied without the prior written approval of the Local Planning Authority.

4. The stable building and hardstanding hereby permitted shall be for private use only and shall not be used in connection with any commercial enterprise such as livery stables or riding school.

Reason: For the avoidance of doubt as the more intensive commercial use of the development could be detrimental to the appearance and character of the locality, the amenities of nearby residents or highways safety contrary to policy SP 5 of the adopted Local Plan.

HM  
Assistant Planning Officer