



**REPORT FROM:** PLANNING, BUILDING CONTROL AND LICENSING SERVICES MANAGER

**TO:** BRIERFIELD AND REEDLEY COMMITTEE

**DATE:** 07 MARCH 2017

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## PLANNING APPLICATIONS

### PURPOSE OF REPORT

To determine the attached planning application.

## REPORT TO BRIERFIELD & REEDLEY COMMITTEE ON 07 MARCH 2017

**Application Ref:** 17/0002/FUL  
**Proposal:** Full: Erection of stable building and formation of access track with parking area  
**At:** Field No. 9199, Royle, Burnley  
**On behalf of:** Mrs K Donohoe  
**Date Registered:** 6 January 2017  
**Expiry Date:** 3 March 2017  
**Case Officer:** Lee Greenwood

### **Site Description and Proposal**

This application is brought to committee owing to the number of objections received.

The site comprises an open field (no. 9199), located in the south west corner of the Borough close to the boundary with Burnley Council. The land is in designated as falling within green belt and open countryside in the Local Plan.

The application is made retrospectively to retain the stable block in its current position. The site has been subject to two earlier submissions which are of relevance to this current proposal.

In 2012 (ref – 13/12/0277P) consent was granted to use the land for equestrian purposes including the erection of a new stable block, which was sited adjacent to the southern boundary of the land. However due to persistent issues of flooding a second application to re-position the development on higher land to the east was submitted and approved in 2016 (13/16/0057P).

However, as built the structure sits further to the north than previously approved and is slightly larger owing to the addition of an open fronted storage area to the side of the block. The forecourt area has also changed and is now hardsurfaced and enclosed by post and rail fencing.

It is therefore sought to retain the development in its current form.

### **Relevant Planning History**

**13/12/0277P** - Full: Change of use of Field No. 9199 from agricultural land to equestrian use and erection of a stable block and manure store and access track - **Approved**

**13/16/0057P** - Relocation of stable block with new access, parking area and landscaping - **Approved**

### **Consultee Response**

**LCC Highways** – no objections

**Environment Agency** - The application site lies just within Flood Zone 2, which is defined as having a medium probability of flooding. The application is not accompanied by a Flood Risk Assessment and therefore does not comply with the National Planning Policy Framework (NPPF). However, in this instance the development is classified as 'Less Vulnerable' and, if you are minded

to approve this application, we consider that the development would be safe and would not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere.

The applicant should be aware of the potential flood risk and should be satisfied that any flooding will not adversely affect their proposals.

**PBC Environmental Health** – no comments to make

**Reedley Hallows PC**; no comments received

### **Public Response**

**A site notice has been posted and six neighbours notified** – 3 objections received, commenting on;

- People should not be allowed to build in the wrong place without permission
- Building blocks one right of way for adjacent land owners, the access track another.
- Building is too big and ugly
- Site is in poor condition
- Road leading to stables is built over a septic tank inspection chamber
- Building should be more than 15m away from the nearest soakaway
- Site does not have change of use
- Midden is now closer to houses

### **Officer Comments**

#### **Policy**

##### **Pendle Local Plan Part 1: Core Strategy**

ENV1 (Protecting and Enhancing Our Natural and Historic Environments) states that proposals in the designated open countryside should have regard to the Development in the Open Countryside SPG.

ENV2 (Achieving Quality in Design and Conservation) All new development should viably seek to deliver the highest possible standards of design, in form and sustainability, and be designed to meet future demands whilst enhancing and conserving our heritage assets. Proposals should maintain the openness of the Green Belt.

##### **Replacement Pendle Local Plan**

Saved Policy 39 relates to Equestrian Development, this states that the location, size and design of a proposal must preserve the landscape character and openness of an area. This is addressed in the design section below.

##### **National Planning Policy Framework**

As detailed in paragraph 89 of the Framework, the provision of outdoor recreation facilities is not by definition inappropriate in the green belt, providing it preserves openness and does not conflict with the purposed of including the land within the designation.

## **Design**

Whilst the building is larger than originally approved and has been re-positioned to the north, its overall impact on the wider landscape is not significantly greater.

It is located within an embankment adjacent to the field boundary which reduces its scale and prominence in the landscape. It appears as a typical rural structure, with dark stained timber clad walls and a shallow pitched corrugated roof. Other such examples are visible in the immediate landscape and as such the development here would not appear incongruous or anomalous.

The current position of the stable block raises no significant visual amenity issues relating to the openness of green belt. Therefore is acceptable in accordance with policies ENV1, ENV2 and 39.

## **Amenity**

The stable building is located further away from the nearest dwellings when compared to earlier consents. This provides sufficient distance to ensure that it does not adversely impact upon residential amenity.

A covered storage area has been provided in which to store a trailer for muck, this will be removed periodically when full.

The development is therefore acceptable in terms of residential amenity in accordance with policy ENV2.

## **Highways**

The development does not result in any adverse highway safety issues. LCC Engineers have assessed the submission and raise no objections.

## **Other Matters**

Several civil matters have been raised in objection to the application. Maintenance of private rights of way and access to septic tanks are not material considerations in the determination of this submission.

## **Reason for Decision**

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The development is acceptable in terms of policy, design, amenity and highway safety. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

## **RECOMMENDATION: Approve**

Subject to the following conditions:

1. The stables hereby permitted shall be used for the stabling of horses owned by or leased by the owner of the land and shall not be used for livery or any commercial purpose whatsoever at any time.

**Reason:** To safeguard the amenities of the area and in the interests of highway safety.

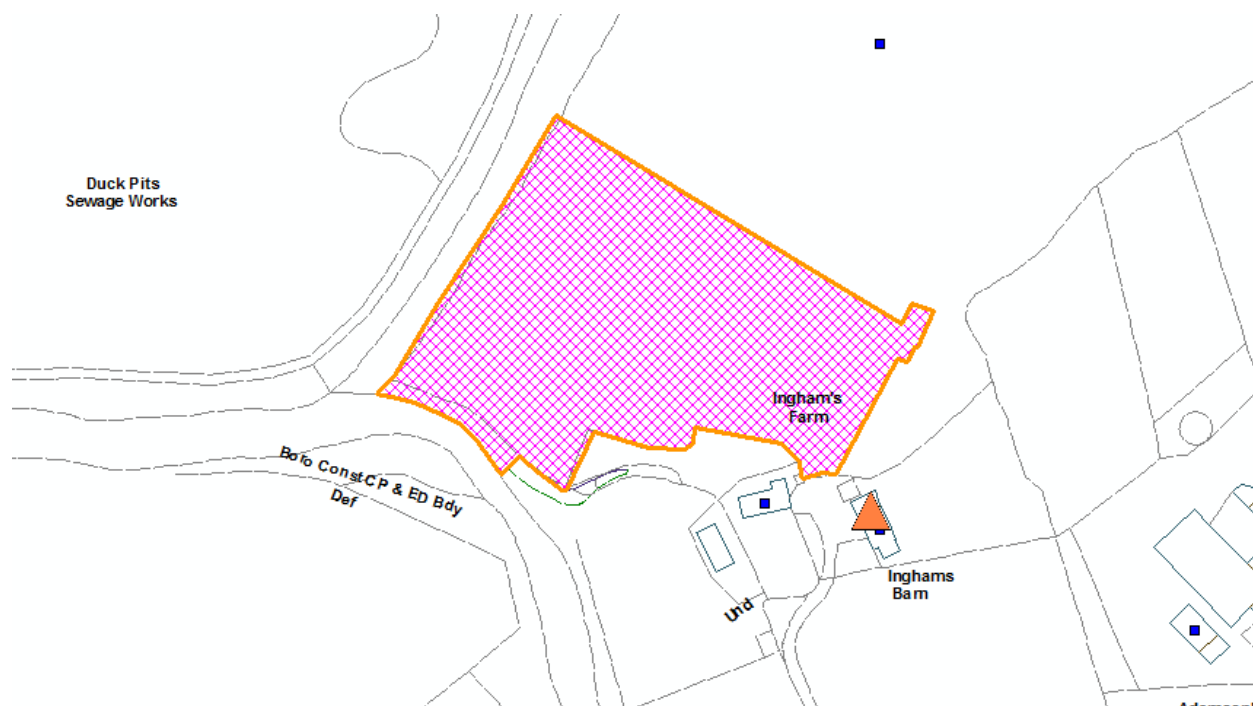
2. There shall be no external lighting of the development hereby permitted unless with the prior written consent of the Local Planning Authority as to the type, size, location, intensity and direction of the lighting. Details of any lighting shall have been submitted to and agreed with the Local Planning Authority within two weeks.

**Reason:** In order to prevent light pollution to protect the character of the area.

3. Within two months of the date of this permission a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:
  - a. all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
  - b. an outline specification for ground preparation;
  - c. all proposed hard landscape elements and pavings, including layout, materials and colours;

The approved scheme shall be implemented in its entirety within the first planting season following the substantial completion of the development. Any tree or other planting that is lost, felled, removed, uprooted, dead, dying or diseased, or is substantially damaged within a period of five years thereafter shall be replaced with a specimen of similar species and size, during the first available planting season following the date of loss or damage.

**Reason:** To ensure that the development is adequately landscaped so as to integrate with its surroundings.



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**On behalf of:** Mrs K Donohoe

#### **LIST OF BACKGROUND PAPERS**

Planning Applications

**NW/SM**

**Date: 24 February 2017**