

## **APPLICATION REPORT – 22/00414/FUL**

**Validation Date: 5 May 2022**

**Ward: Coppull**

**Type of Application: Full Planning**

**Proposal: Erection of a stable block (retrospective)**

**Location: Land Opposite 37 Preston Road Coppull**

**Case Officer: Amy Aspinall**

**Applicant: Mrs Stewart**

**Agent: Mr Luke Banks, Wignalls Chartered Surveyors**

**Consultation expiry: 1 June 2022**

**Decision due by: 30 June 2022**

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### **RECOMMENDATION**

1. It is recommended that planning permission is granted for the retrospective development, subject to conditions.

### **SITE DESCRIPTION**

2. The application site comprises a rectangular strip of agricultural land, which has a field access off Preston Road. Opposite the site and to the south are residential properties, with Haydock Farm situated to the north west and open fields to the west.
3. The site falls wholly within the Green Belt, as defined by the Chorley Local Plan Policies Map.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

4. The application is retrospective and seeks full planning permission for the erection of a stable block.

### **RELEVANT HISTORY OF THE SITE**

5. There is no relevant planning history.

### **REPRESENTATIONS**

6. No representations have been received.

### **CONSULTATIONS**

7. Coppull Parish Council – The Parish Council have submitted a representation; however, the comments section is blank.

8. CIL Officers – Advise that the development is currently exempt from CIL under Reg.42 - Exemption for Minor Development as the new floorspace is less than 100sqm and does not constitute a new dwelling.
9. Lancashire Highway Services- Advise that they have no objection regarding development and are of the opinion that the development would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

## **PLANNING CONSIDERATIONS**

### Principle of development in the Green Belt

10. Section 13 of the Framework confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
11. Development will only be permitted within the Green Belt, in accordance with the Framework, if it is considered appropriate development or where very special circumstances can be demonstrated. The Framework confirms that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
12. Paragraph 149 of the Framework states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt but lists a number of exceptions.
13. It should be noted, that whilst a proposal may fail one or more exceptions, it only needs to fully satisfy one in order to be considered appropriate development. The exceptions are:

#### **149 a) buildings for agriculture and forestry**

14. The building is not for the purposes of agriculture or forestry.

#### **149 b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.**

15. The building is an appropriate facility for outdoor sport and outdoor recreation. However, the test of exception (b) is that the building must preserve the openness of the Green Belt and not conflict with the purposes of including land within it.
16. Prior to the development commencing, the land was undeveloped. The application asserts that a building previously occupied the site and that the existing slab is where the building was located. However, a planning history for the building has not been identified and the Council's GIS aerial imagery of 2009 and 2020 does not show a building to be present on site. Equally, it is not conclusive from the imagery that the slab has always been present. The application contains no evidence that the slab is lawful.
17. The Framework itself does not contain a specific definition of 'openness' and it is a subjective judgment, along with objective criteria of making that assessment. Whether harm is caused to openness depends on a variety of factors such as the scale of the development, its locational context and its spatial and/or visual implications
18. It is considered that in respect of the Framework, prior to the development being carried out, the site had minimal impact on the openness of the Green Belt due to it previously being an undeveloped parcel of agricultural land. The erection of the building on the land has a spatial impact on openness by its mere presence and is also a visible development along Preston Road. The existing boundary treatments do provide an element of screening, however, this does not negate the impact. The erection of the building has an impact on the

openness of the Green Belt compared to the previous situation as an undeveloped site, and in this context, it cannot be said that openness has been preserved. The development, therefore, fails the openness test of exception (b).

19. In respect of the second test of exception (b) the purposes of the Green Belt are set out at paragraph 138:

*a) to check the unrestricted sprawl of large built-up areas*

Due to the scale and nature of the development, it has not resulted in the unrestricted sprawl of large built-up areas

*b) to prevent neighbouring towns merging into one another*

The development does add to the potential of towns merging.

*c) to assist in safeguarding the countryside from encroachment*

The development has resulted in encroachment into the countryside due to the erection of built development on greenfield land.

*d) to preserve the setting and special character of historic towns*

Not applicable to the site.

*e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

Not applicable to the development.

20. The development has failed to safeguard the countryside from encroachment and, therefore, fails the second test of exception (b).

**149 c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building**

21. Not applicable.

**149 d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces**

22. Not applicable.

**149 e) limited infilling in villages**

23. The site lies adjacent to the settlement of Coppull as defined by the Chorley Local Plan 2012 – 2026 Policies Map. For the purposes of the Framework ‘villages’ are not defined by settlement boundaries and given the built form either side of the site and to the opposite side of Preston Road, there is a visual and functional link to the settlement. The site can satisfactorily be considered to fall within a village to engage exception (e).

24. The term ‘limited infilling’ is not defined in the Framework, however, ‘infill’ is defined in the Chorley Local Plan as the following:

25. *‘The infilling of a small gap in an otherwise built up frontage, e.g. typically a gap which could be filled by one or possibly two houses of a type in-keeping with the character of the streetscene’.*

26. Within the streetscene of Preston Road, the site has a width of approximately 90 metres, however, despite its width the land is of limited depth appearing as a narrow strip of land that exists between buildings either side and opposite. There is a readily identifiable built-up frontage and the application site is seen as a gap within this frontage. Recent appeal

decisions regarding limited infilling in villages have been consistent with this general approach and the need to consider other factors beyond the width of the gap.

27. The development relates to a stable block comprising 2no stables, which is small-scale. The development, therefore, satisfactorily falls within exception (e). It should be noted that where a development proposal satisfies the limited infilling exception, there is no requirement under the Framework to consider any tests of openness or the purposes of the Green Belt.

28. The development is, therefore, considered to be appropriate development in the Green Belt on the basis of this exception to inappropriate development.

**149 f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites)**

29. Not applicable.

**149 g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:**

- not have a greater impact on the openness of the Green Belt than the existing development; or**
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.**

30. Not applicable.

31. Whilst the development does not satisfy a number of exceptions, the development accords with exception (e) of paragraph 149 of the Framework and is, therefore, acceptable in principle within this Green Belt location.

Rural Development Supplementary Planning Document

32. The Central Lancashire Rural Development SPD (2012) provides guidance on the acceptability of equestrian developments at Chapter F. This is set out below:

*Scale - A small private development will involve no more than three horses. For development proposals involving more than three horses, the applicant should submit a statement with the planning application detailing why accommodation of the size proposed is required.*

33. The proposal provides stables 2no. horses and, therefore, is of an appropriate scale in accordance with the Supplementary Planning Document.

*Siting - New buildings should not harm the landscape character of the surrounding area. They should be well related to existing trees, hedges or landscape features, avoiding prominent positions, and generally at least 30 metres away from neighbouring residential properties. There should be proper screening for car and horse-box parking and appropriate arrangements for manure storage and/or management.*

34. The stable block is well sited in relation to existing boundary treatments, which does offer an element of screening. Neighbouring residential properties are over 30 metres away from the building. The need for a horse box on this site would be limited, however, should there be a requirement to park one on the site, the existing boundaries would be sufficient. Details of manure storage have not been provided but could be conditioned accordingly.

*Design/materials - Traditional designs will generally be the most appropriate, clad externally in timber and with an internal timber frame, with a maximum ridge height of 3.5 metres for stables. Tack rooms and hay stores should be part of the same building, and each should be of a similar size to an individual stable.*

35. The design and materials accord with the provisions of the SPD in terms of design and materials.

*Site treatment: hard-standing areas, access tracks and sand paddocks should be of the minimum size necessary and should not encroach on the open countryside. Careful consideration will be required for the design of storage or parking of horse boxes on site, and fencing should be appropriate to the local vernacular and not suburban in appearance. Sand paddocks should utilise existing ground levels unless absolutely necessary and should not appear built out of the ground and thus alien to the natural contours of the land. Where a sand paddock needs to be above ground level an assessment of its visual impact would be required and appropriate mitigation incorporated into the design. Floodlighting of sand paddocks and yards is generally inappropriate in the open countryside or near to neighbouring residents. Where floodlighting is proposed, it should be designed to minimise light spillage from the lit area.*

36. The application does not include any proposals for hardstanding areas or a sand paddock. Nor is any floodlighting proposed. The development is small-scale and would utilise the existing agricultural field gate for access without the need for additional site treatments or surfacing. No floodlighting is proposed and this is to be controlled by condition.

*Highway safety/bridleway use - the movement of horses or vehicles resulting from the siting of stables should not create danger to horses and riders, or to other road users. Stables are best sited to have safe and convenient access to the bridleway network or minor roads, although existing bridleways should not become over-intensively used as a result of the development. Wherever possible there should be a designated turning area within the site so that lorries, horse-boxes or towed trailers do not have to be reversed either on or off the highway.*

37. The proposal is considered acceptable in this regard, as Lancashire County Council Highways have raised no objection. The application states that the horses kept are Shetland Ponies, therefore, there would be no requirement to ride them.

*Re-instatement - In order to protect the appearance of the countryside, stables and associated development which are unused for a period of at least six months within 10 years of their completion will be required to be removed from the site (by a condition attached to the planning permission) and the land restored to its former condition.*

38. The land could easily be reinstated back to its former agricultural use. The suggested condition in the SPD would be reasonable and necessary and the applicant has confirmed their acceptability to it.

39. Paragraph 40 of the SPD also sets out additional criteria for developments involving horses:

*In the case of indoor facilities or commercial stables, the development is within an existing building or forms part of a farm diversification scheme;*

40. The development is for private use and does not include any indoor facilities other than the stable block.

*In the case of small, private developments the site should be close to existing buildings and well screened by existing trees or local landscape features;*

41. There are no existing buildings on site and whilst the stables are sited more centrally within the site, as the development is considered to be limited infilling, the siting is appropriate in this context.

*The development would not result in the over-intensive use of the local bridleway network; - the movement of either horses or vehicles as a result of the development would not prejudice road safety.*

42. The proposal is considered acceptable in this regard given the small-scale nature of the development and type of breed of ponies.

*Provision for removing any equipment and re-instating the site once its use for horses is no longer required.*

43. As set out above, such a condition could be attached to any grant of planning consent.

44. The development accords with the criteria of the Rural Development Supplementary Planning Document.

#### Impact on neighbouring amenity

*Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that, where relevant to the development the proposal would not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact; and that the proposal would not cause an unacceptable degree of noise disturbance to surrounding land uses.*

45. Given the location of the site adjacent to a working farm, the small-scale nature of the development and the separation to neighbouring residential properties, it is not considered that the development adversely affects neighbouring residential amenity. In addition, the application is retrospective, and no objections have been received in this respect. The development is therefore considered to be compatible with surrounding land uses.

#### **CONCLUSION**

46. The development accords with exception (e) of paragraph 149 of the Frameworks as it constitutes limited infilling in a village. The development satisfies the requirements of the Rural Development Supplementary Planning Document in relation to equestrian development and does not adversely affect the amenity afforded to neighbouring residential properties. It is recommended that planning permission is granted for the retrospective development, subject to conditions.

**RELEVANT POLICIES:** In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

#### Suggested conditions

47. To follow.