

Case Officer Miss Helen Green

Ward Clayton-le-Woods And Whittle-le-Woods

Proposal Formation of riding arena (40m X 20m),

Location Land Adjacent Cross Keys Drive Whittle Le Woods Lancashire

Applicant Mr J Savigar

Proposal The application proposes the formation of a riding arena measuring 40 metres x 20 metres on land adjacent to Cross Keys Drive, Whittle-Le-Woods.

The proposed arena is located to the east of Cross Keys Drive in a field designated as Safeguarded Land. It lies adjacent to land currently owned by the applicant and is used for horse related activity/recreation. The applicant is intending to purchase the land if permission is forthcoming.

The riding arena is to consist of post and railing fencing on four sides of the arena measuring 1.5 metres in height. There are 2.No. five barred gates proposed in both the north and south facing elevations of the arena measuring 1.5 metres in height.

Due to the differing levels of the field the land will be levelled and elevated slightly only on the eastern side of the arena. This side of the arena will be banked in grass.

Policy **DC1** – Development in the Green Belt
GN1 – Settlement Policy
GN5 – Building Design and Retaining Existing Landscape Features and Natural Habitats
EP8 – Development Involving Horses
DC3 – Areas of Safeguarded Land
LT10 – Public Rights of Way
SPG – Development Involving Horses

Planning History There is no relevant planning history

Consultations

The Ramblers Association:

- Footpath Number 23 Whittle-Le-Woods is near the proposed development;
- Providing that provision is made for the retention of the footpath, Chorley Group of the Mid Lancashire Area of the Ramblers Association will have no objections to the granting of planning permission.

Whittle-Le-Woods Parish Council:

- The Parish Council has expressed concern over how the horses will access the arena. Horses are currently led down the public footpath from the stable block, causing severe damage to the footpath which was completely re-laid in the year 2000, resulting in areas having to be refurbished in 2005;

- The Parish Council would like to request that a condition of Planning Permission be that a suitably approved gate which would not allow access by horses be erected by the owner on the pathway.

LCC Public Rights of Way:

- The Definitive Map of Public Rights of Way only records a Public Right of Way on foot along Public Footpath 23, Whittle-Le-Woods. There is no recorded public right to pass along this route either on horseback or to lead a horse;
- LCC maintain the surface of Public Footpaths to a standard that is suitable for passage on foot. The standard required for safe passage of horses may be higher than that required for safe passage on foot;
- The public have the right of way on foot and as such there is no recorded right to lead or ride a horse along this route. As such any person taking a horse along this route would be required to give way to users on foot;
- Safety issues may arise if the route is also used by dog walkers, or users with prams or wheelchairs;
- If the applicant intends to take vehicles along the public footpath without lawful authority an offence will be committed under the Road Traffic Act 1988;
- The Public Right of Way must not be obstructed during the development or by the completed development;
- If it is necessary for the Public Right of Way to be temporarily diverted or temporarily closed, this is the responsibility of the landowner over which the right of way passes to ensure that this is done following the appropriate legal procedures.

Head of Environmental Services - no comment

Representations No letters have been received.

Assessment The application site is located to the east of Cross Keys Drive in an area of Safeguarded Land as defined on the proposals map. The proposed riding arena measures 40 metres in length by 20 metres in width. The arena will consist of post and railing fencing on four sides of the arena measuring 1.5 metres in height. There are 2.No. five barred gates proposed in both the north and south facing elevations of the arena measuring 1.5 metres in height.

I consider that the main issues to address are that of the impact of the proposals on Safeguarded Land, neighbour amenity and the Public Right of Way.

In accordance with policy DC3 of the Chorley Borough Local Plan Review Safeguarded Land is to be treated as if it were Green Belt. The types of development regarded as appropriate in the Green Belt are “essential facilities for outdoor sport and recreation which should be genuinely required for uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it”

In accordance with the above the principle of the arena would be an acceptable use within Safeguarded Land.

Screening is provided to the application site by an area of woodland located along the northern elevation of the arena. Areas

of open land lie to the east and the south of the site. To the west of the site screening is provided to the dwellings on Cross Keys Drive by a number of trees. I consider that the scale and nature of the development to be appropriate to the character of the site and the local environment. Although there will be an intensification in the use of the land horses, are currently grazed on the land in question and the impact on neighbouring properties will be no more detrimental than the current activity.

It is considered that the proposed development would therefore not cause an unacceptable loss of amenity to neighbouring properties.

A public footpath runs along the north side of the proposed arena and it is from this footpath which the horses will gain access to the arena from the stables located at 46 Cross Keys Drive. The applicant has confirmed that the landowner has given written permission to use the footpath for access to the riding arena. The applicant has also offered to pay to upgrade the footpath at his own expense. I consider that as the horses already gain access to the field from the public footpath the footpath will be used no more intensively than at the present time. Furthermore due to the position of the footpath there will be no further need for additional access tracks to be created across open fields in accordance with the council's guidance.

Taking the above points into consideration I would recommend approval of the application subject to a number of conditions.

Recommendation Approval

Recommendation: Permit Full Planning Permission Conditions

1. The proposed development must be begun not later than three years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. No external source of lighting shall be permitted in association with the riding arena.

Reason: In accordance with Policy No. EP21A of the Adopted Chorley Borough Local Plan Review.

3. The development hereby permitted shall not commence until the surface material of the proposed riding arena (notwithstanding any details shown on previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.

4. The fencing hereby permitted shall be constructed in accordance with the approved plans.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.
