

Item 3f **15/00485/FUL**
Case Officer **Caron Taylor**
Ward **Adlington And Anderton**
Proposal **Application for the erection of a new building ancillary to the existing equine vet business and retrospective application for the retention of a fence, tree surround and hard landscaping.**
Location **Gillivervet
Garwood Equine Centre
Bolton Road
Anderton
Chorley
PR6 9HN**
Applicant **Gillivervet Ltd**
Consultation expiry: **30th June 2015**
Decision due by: **21st July 2015**

Delegated		Delegated following Chairs Brief		Committee	X
Date:					

	Case Officer	Authorising Officer
	CT	
Date	30/07/2015	

Recommendation
Approve full planning permission

Representations

Anderton Parish Council

The council notes that in part this application is retrospective in respect of works already carried out which is regrettable and the council cannot condone this action. However in the interests of supporting and developing local, rural business the council would be generally supportive of the proposed development.

It is acknowledged that the proposed new building would normally be contrary to Green Belt policy but in the context of the existing site and buildings and specific location the council would not have objection to this being approved.

In total 3 representations have been received which are summarised below

Objection

- Applicant has a history of retrospective applications after activity undertaken without following due process correctly in advance. Care should be taken not to condone this;
- Creeping development in a green belt setting should only be exceptionally allowed, albeit that the development looks modest;
- Development would bring an increase in livestock activity with potential noise and smells nearer to neighbouring houses. Increased activity brings greater eyesore in approach to neighbouring houses with muck piled up outside building;
- It will increase damage to roadway with horse boxes. It has only just been repaired this year, with likely more problems in winter with wheel slip on the slope access,

- especially as the roadway is not kept gritted when icy;
- Increased volume of traffic accessing the site raises safety issues on a busy main road.
- It is noted that the proposed new building should normally be contrary to Green Belt policy- do not agree with constant new buildings being added every year or two;
- If the planning is going to be granted Mr Gilliver should create banking and a full and high screen of trees to act as a screen.
- The proposal will be in front of and in the eyeline of Woodward House and the materials uses would like an industrial estate type building;
- When opting to live in the countryside it is not expected that someone be continually allowed to spoil the view by building on Green Belt to such a degree.

Consultees

Consultee	Summary of Comments received
LCC Highways	State they have no objection to the application.

Applicant's Case

1. The applicant has responded to the objections received as follows:
2. The proposed development may increase the number of horses attending the practice but as for an increase in noise and smell this is strongly denied. The standard of hygiene and stable management are very high. At no time is any muck piled up outside the building. All used bedding is removed weekly in a skip and as such we have no muck heap, reducing smells and flies to an absolute minimum. They do not use straw and therefore have no straw muck heap. The straw muck heap referred to has absolutely nothing to do with the veterinary practice, they only use shavings as bedding and our soiled bedding & manure is removed weekly. Neighbours above and below the veterinary practice both have muck heaps contributing to smell and flies.
3. The proposed development is not directly in front of Woodward House but will be to the left of the property. The development is in line with the existing building and therefore cannot reduce their views. Woodward House is surrounded by trees and vegetation which shields the house and must therefore reduce their views.
4. With regard to the state of the lane, the applicant states they have had the lane resurfaced and improved the access for the adjacent properties only receiving a financial contribution from one of these properties.

Assessment

Background

5. Historically a Veterinary Practice was established at Garwood in 1989 by John Gilliver, a Veterinary Surgeon with a special interest in equine stud medicine. At present the practice employs 5 veterinary surgeons, 4 office staff & 4 yard staff.
6. The Practice deals almost exclusively with horses. The veterinary principal has a keen interest in Equine Reproduction and the practice has high stud content. Neighbouring practices refer their clients to the practice for equine reproductive services.
7. Equine reproduction is evolving and new techniques are emerging with artificial insemination using fresh, chilled and frozen equine semen. These techniques allow mare owners to use the very best competition stallions in Europe and the world, and have this facility within easy travelling distance to breed top class show-jumpers, eventers & dressage horses.
8. The Practice is approved by the British Equine Veterinary Association for the use of chilled & frozen semen and the practice has also been awarded Tier 2 status by the Practice Standards agency of the Royal College of Veterinary Surgeons.

9. Improving techniques for artificial insemination include deep intra uterine insemination & hysteroscopic insemination which require specialised equipment and expertise that can only be performed by a veterinary surgeon.

Principle of the Development

10. The application site is in the Green Belt. From aerial photographs it appears that the site where the building will be positioned, where the tree surround is and where the hardstanding has been laid was previously part of the field to the south and a new fence line has been erected along the south boundary of the development.
11. The National Planning Policy Framework (the Framework) states that a Local Planning Authority should regard the construction of new buildings as inappropriate in Green Belt.
12. The proposed building would be single storey with a mono-pitched pitched roof. It would be sited against the southern boundary of the site adjacent to a similar existing building. It would have a greater impact on the openness of the Green Belt than the existing development. Harm caused by inappropriateness must be added to other harm in the form of impact on openness.
13. The laying of hard surfacing, fencing and tree surround are considered to be engineering operations which is not inappropriate provided they preserve the openness and do not conflict with the purposes of including land within the Green Belt. The proposal would lead to encroachment of hardstanding into the countryside and the use of the hardstanding for the parking of vehicles would have an impact on openness. Therefore although minor in size it is considered inappropriate development.
14. Therefore as the proposal is considered inappropriate development in the Green Belt it should not be approved except in very special circumstances. A number of points have been put forward by the applicant in favour of the development:
 - The proposal is an extension to an existing rural business operating from the site. The business currently undertakes artificial insemination techniques in the existing main building that is also used for all the other veterinary activities e.g. examinations, lameness workups, dentistry, x-rays etc. - clients and general public also have access to these areas.
 - The proposed building would allow all the components of the technique to take place under one roof specifically designed for the purpose with a "safe pen" for valuable foals in front of the stocks restraining the mare, a small on site laboratory for thawing and evaluating semen and a safe storage facility for frozen semen in liquid nitrogen flasks is also proposed.
 - The applicant states that the proposed development would offer greater security, much safer working conditions and limited public access, as at present they cannot have a safe pen for valuable foals, and clients have access to these areas and the semen storage areas. In addition the laboratory is currently some distance from the mare handling area.
 - The proposed building would enable them to separate the horse breeding activities (scanning mares, artificial Insemination etc.) from the general horse work. Separate laboratory facilities would improve semen handling, thawing & evaluation at a closer site. The insemination process in its entirety can only be performed by a veterinary surgeon and the fact that the specialised equipment and trained personnel are on site and that the other facilities are available ensure that this is the only location for such a development. It is not a standalone facility but an integral part of the veterinary practice with specialist equipment already on site.
15. These considerations are considered very special, they specifically relate to the existing business and show that the proposed building is needed to be sited adjacent to the existing veterinary centre in terms of equipment and staffing but the artificial insemination

needs some physical separation. It is considered that together they do amount to very special circumstances which outweigh the harm by inappropriateness and to openness of the Green Belt. It is not considered there is other harm in addition to this.

16. The Framework states at paragraph 19 that significant weight should be placed on the need to support economic growth through the planning system and at paragraph 28 that plans should support the sustainable growth of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings. The proposal would support the growth of an existing local rural business.
17. In addition the proposed building will sit adjacent to an existing similar building separated by about half a meter. If the proposal had been proposed attached to this building, by moving it half a meter it is considered it would not be inappropriate development as an extension to that building as it is not considered it would be a disproportionate addition to it. This is considered to be a realistic fall-back position open to the applicant that is also given significant weight in the decision making process.

Design and Layout

18. The proposed building would be single storey measuring approximately 4m deep by 13.7m long with a mono-pitched pitched roof the same as per the existing building approximately 0.5m to the east. It will be of a similar height to this building being approximately 2.8m high at the front and 2.4m high at the rear. It will house a stable, small laboratory, a scanning room and accommodation for a mare with a foal. The application originally proposed that the building be built of blockwork with white render and a green profile tin roof. However it is considered that it would be more appropriate if the side and rear elevations of the building were also green profile cladding to match the existing adjacent building and this has been agreed with the agent. This will result in the building blending into the existing landscape. The building will largely be viewed in the context of the existing buildings on the site and would be situated close to them.
19. The proposals also include the erection of a fence which has already been erected. The fence is a post and rail wooden fence of a type often found in the countryside and existing on other boundaries immediate to the site so its design is considered acceptable.
20. The proposed planter, which has already been constructed, is also made of wood in the form of a large wooden planter approximately 1m in height and 2m by 2m. Its design is considered acceptable.

Impact on the neighbours

21. The site of the proposed building is level with the application site but the land slopes down to the rear (south) of the building so the site is more elevated than the properties to the south.
22. There are two properties to the south, known as Hayricks and Woodward House Farm, accessed by the same access track from Bolton Road that is used to access the application site. These properties are separated from the application site by part of a field owned by the applicant. Woodward House Farm is the nearest property looking towards the site of the proposed building and the extended hardstanding and fence, although the proposed building is not directly facing the front windows of this property, being to the northeast of it.
23. There will be approximately 22m from the rear elevation of the proposed building and hardstanding and the boundary with Woodward House Farm and over 30m from the front elevation of this property. Hayricks is sited further to the west than Woodward House Farm and does not directly face the building. There is planting on the boundary of these properties restricting some views of the site but it is accepted this will be substantially less in the winter than the summer months. The comments of the neighbouring properties are noted. These properties currently have views onto the site and of the car park. It is considered that the distance of the proposed building and of the extended

carpark from these properties is such that it will not have an unacceptable impact on their amenities in terms of noise and/or smells or outlook.

Trees

24. The application also applies retrospectively for a surround around a tree. It is considered acceptable and given the proximity of the tree to the carpark and the movement of horse boxes it is considered that will provide the tree with protection from vehicles manoeuvring.

Traffic and Transport

25. The application site is accessed down a track off Bolton Road and this will remain the same under the current application. It is not considered that the size of the proposal will result in an increase in traffic to a level that is unacceptable. The properties that have objected to the application are to the south south-west of the site and although they share an access point onto Bolton Road with the site, vehicles visiting the site do not need to pass these properties. Lancashire County Council Highways have not objected to the application. The track is privately owned and its upkeep is therefore a private matter between those responsible for it. It is clear that it has been resurfaced recently between the Bolton Road and the site access.

Coal Mines

26. The site is in a low risk area for coal mining as identified by The Coal Authority. This requires an informative note to be placed on any permission.

Overall Conclusion

27. The application is recommended for approval subject to conditions.

Planning Policies

28. 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 proposals has had regard to guidance contained with the National Planning Policy Framework (the Framework) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

Planning History

Reference	Description	Decision	Date
10/01124/FUL	Proposed occupational dwelling (also incorporating staff accommodation)	Refused	18 March 2010
06/00418/FUL	Erection of a detached house and garage with a self-contained room over garage	Withdrawn	23 May 2006
01/00144/FUL	Formation of sand paddock and erection of stable block and midden	Permitted	23 April 2001
94/00933/FUL	Erection of Building in association with Veterinary Practice,	Permitted	4 April 1995
94/00299/FUL	Erection of building to be used as Equine Clinic	Withdrawn	15 November 1994

