

<b>Item 3a</b>	<b>15/00961/FUL</b>
<b>Case Officer</b>	<b>Helen Lowe</b>
<b>Ward</b>	<b>Eccleston and Mawdesley</b>
<b>Proposal</b>	<b>Proposed stable block comprising 3no. stables, hay store &amp; tack room together with associated paddock and midden</b>
<b>Location</b>	<b>Towngate stables, Dark Lane, Mawdesley</b>
<b>Applicant</b>	<b>Mr Andrew Mawdesley</b>
<b>Consultation expiry:</b>	<b>6 November 2015</b>
<b>Decision due by:</b>	<b>4 December 2015</b>
<b>Recommendation</b>	<b>Approve</b>
<b>Executive Summary</b>	<p><b>This application proposes the erection of three stables, with an attached tack room and hay store, located within an area of Mawdesley that is washed over by the Green Belt.</b></p> <p><b>The proposed development is considered to accord with the Council's Guidance and would not be inappropriate in a rural area. The proposal is accordingly recommended for approval.</b></p>

## Representations

**Mawdesley Parish Council** have made the following comments:

- The site is within a large commercial area and is the only open space in what is a Green Belt Area.
- The site has already had an enforcement notice to clear a large amount of illegally sited builder's equipment.
- Access to the site is completely unsuitable.
- The site is located within the Green Belt and consider that the development fails to maintain openness, by reason of the introduction of a building within a relatively small remaining area of open land. The proposal cannot be regarded as appropriate development.
- To allow the proposed development would result in further encroachment of development onto an area of countryside and thereby erode the openness of the countryside. This would be contrary to the basis of Green Belt planning policy locally and nationally.
- There is no evidence that it has been sited so as to relate well to existing trees, hedgerows or landscape features. The stables would be sited centrally within the field, maximising the visual impact of the built development. In addition, the proposed plans show no screening for car and horse-box parking, no details of the midden are provided other than its siting which is within 30 metres of the facing windows of the adjacent care home.
- the provision of internal masonry walls does not accord with this particular consideration as set out in the SPD;
- The inadequacy of on-site grazing for the horses has forced the applicant to indicate additional grazing land at Bluestone Lane. This would require the horses to be taken along some 500 metres of highway between the two grazing fields. As such, to exercise horses off site or to take horses between the two paddocks would require the horses to be led or ridden on local roads, including busy roads such as Hall Lane, Dark Lane and Bluestone Lane with blind corners and junctions providing additional hazards to the horses, riders and other road users.
- The proposed development is not a credible proposition on horse welfare grounds by reason of the lack of adequate on-site grazing and no convenient bridledways, if no other, and represents a clear overdevelopment of land and cannot be regarded as an appropriate use of land within the Green Belt.
- The visual intrusion and clutter associated with the development would detract from the outlook that residents could reasonably expect to enjoy in a countryside and Green Belt location, to the detriment of their amenities;
- There have been other incidents whereby stables have not been used for their stated purpose and inappropriate uses and developments have been introduced within the Green Belt. Such sustained and systematic abuse of the planning system reduces considerably the public's faith in the planning system and should be guarded against and avoided by the Council;

**In total no further representations have been received**

## Consultees

<b>Consultee</b>	<b>Summary of Comments received</b>
Lancashire County Council Highways	The proposal is acceptable from a highways perspective

## **Assessment**

This application was deferred from the previous Development Control Committee meeting in order for a site visit to take place. Information included on the previous agenda has now been incorporated into the report.

### Supporting Information

1. The applicant has provided the following information in support of the application:
2. The existing structure is currently used to store a tractor to help manage the field to the rear and to contain straw and hay acquired at the end of the season for the horses, to last the winter. It provides a cost effective approach to obtaining feed and bedding material from local sources at a time it becomes available. In light of this much needed facility, the current structure in unsuited to rearing animals. As the existing agricultural shed was not designed to stable horses it therefore currently does not comply with the recommendations provided by the National Equine Welfare Council (NEWC) or the Code of Practice for the Welfare of Horses produced by DEFRA. It is also considered good practice to have a substantive roof overhang to a stable entrance to protect the opening from the wind rain and sun, while providing a view, which the existing structure lacks.
3. The existing shed offers no stabling facilities and the materials used in its construction do not permit thorough cleaning and disinfection. The agricultural shed is therefore drafty and presents a concern in terms of spread of disease, a potential cause for injury and a risk to the animals in the event of fire, as stabled horses should be capable of being released quickly in the event of fire or an emergency. Our client therefore wishes to safeguard the welfare of his daughters horses by eradicate the risk of cold stress, discomfort and an increased susceptibility to disease posed by the existing structure. The construction of a new stabling facility will serve to eradicate such concerns achieved by meeting current national welfare standards.'

### Principle of the Development

4. The application site is located within the Green Belt. The construction of new buildings in the Green Belt is generally inappropriate, however the Framework sets out a number of exceptions. One of these exceptions is the provision of appropriate facilities for outdoor sport and recreation, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.
5. The Council has adopted the Central Lancashire Rural Development Supplementary Planning Document (SPD) which provides additional guidance on equestrian development. It states that small scale private development is considered to involve no more than three horses. Tack rooms and hay stores should part of the same building and each should be of a similar size to an individual stable. The maximum ridge height should be 3.5m.
6. The application proposes the erection of three stables, with an attached tack room and hay store, in an 'L' shaped formation. The maximum ridge height would be 3.5m. The stables would be constructed from timber cladding with a profiled metal sheet roof. It is usual for stables of this nature to have internal masonry walls up to a height of 1.2m, in order to prevent horses from damaging the stables. As the stables would be clad in timber this accords with the Council's SPD.
7. The proposed midden would be sited 2.6m from the northern boundary of the application site, however the buildings of Stocks Hall Care Home to the north are approximately 41m north of this boundary, thereby complying with the requirement of the SPD to be at least 30m from neighbouring residential properties.
8. The stables would be positioned approximately 23m north of the existing site entrance. This enables the existing hardstanding within the site to be retained and utilised as a

vehicle parking and turning area. Given the nature and character of surrounding land uses it is considered that the positioning of the proposed stables is appropriate and would not unduly detract from the character and appearance of the area. The area of hardstanding to be retained is not considered to be excessive.

9. At present there are a number of pieces of equipment and materials being stored on the land in association with the adjacent building yard & commercial uses. These would be removed should consent be granted. A condition could be attached to ensure their removal. There is also an existing storage building on the site that is proposed to be retained. No planning consent for the building exists, however it has clearly been in situ for many years. Further information is awaited from the applicant to confirm the intended future uses of this building. It is not considered that this building is suitable for use for housing of horses due to its condition.
10. The stables would be in private use, to be used by the applicant's family. A condition could be attached requiring the stables to be used for private purposes only.

#### Design and Appearance

11. The stables would be constructed from timber boarding with a profiled metal sheet roof. This accord with the Council's SPD. The size and scale are also considered to accord with the Council's Guidelines, as outlined above.

#### Neighbour Amenity

12. The nearest residential property would be Stocks Hall Care Home (currently under construction) to the north and Haydene and Springdale to the east. The properties to the east would be over 100m from the stables, with a number of buildings associated with Towngate Works, on the intervening land. The Care Home would be approximately 50m away to the north of the proposed stable block.
13. The site is bounded on the west, east and south with a mature hedge. There is an existing timber fence, approximately 1.8m high, along the northern boundary.
14. It is considered that the stables would be well screened by the existing boundary treatments, with limited visibility from any public vantage points and in any case would not represent a feature unusual in a rural area.

#### Highway Safety

15. Access to the application site is via Towngate works, a complex of small industrial and commercial units. The LCC Highways Engineer has not raised any concerns with the proposals. It would appear from the statement submitted by the applicant that there is likely to be some movement of horses from the application site, along Bluestone Lane, to and from other land owned by themselves. The Parish Council have expressed some concerns with regard to this arrangement. The Council's SPD states that the movement of horses or vehicles resulting from the siting of stables should not create a danger to horses and riders or to other road users.
16. Whilst the location of the stables adjacent to a commercial and industrial complex is unusual, the Highway Engineer has not raised any concerns. Taking also into account the small number of horses involved and the likelihood of such movements occurring irrespective of the proposals it is considered unlikely that a refusal could be sustained on these grounds.

#### Other matters

17. The Parish Council has raised a number of other matters regarding the proposals which include the amount of land available for grazing of the horses to be kept.
18. The DEFRA Code of Practice for the Welfare of Horses, Ponies, Donkeys and their Hybrids (2009) advises that as a general rule each horse requires approximately 0.5-1.0 hectares of grazing of suitable quality, if no supplementary feeding is being provided. The applicant has indicated that supplementary feeding will be provided. Furthermore, it is not

considered that it is the role of the planning system to ensure the welfare of the horses is maintained in this regard.

19. Concerns are also raised with regard to the potential future uses of the stables and the possibility that if permission is granted it may not be adhered to. A decision can only be made on the proposals put forward and presumptions about possible future uses or breaches of planning control cannot be a material planning consideration.
20. It is also noted that the site has been subject of previous enforcement action. This is incorrect. It is a parcel of land to the south that has been the subject of enforcement action (ref. EN 647 & planning application 12/00173/FUL).

#### **Overall Conclusion**

21. The proposed development is considered to accord with the Council's Guidance and would not be inappropriate in a rural area. The proposal is accordingly recommended for approval.

#### **Planning 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.

#### **Planning History**

There is no relevant planning history.

## **Suggested Conditions**

<b>No.</b>	<b>Condition</b>																		
1.	<p>The proposed development must be begun not later than three years from the date of this permission.  <i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>																		
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="320 539 1302 954"> <thead> <tr> <th data-bbox="320 539 716 636"><b>Title</b></th> <th data-bbox="716 539 983 636"><b>Drawing Reference</b></th> <th data-bbox="983 539 1302 636"><b>Received date</b></th> </tr> </thead> <tbody> <tr> <td data-bbox="320 636 716 696">Location plan</td> <td data-bbox="716 636 983 696">1.01 A</td> <td data-bbox="983 636 1302 696">23 September 2015</td> </tr> <tr> <td data-bbox="320 696 716 757">Proposed site plan</td> <td data-bbox="716 696 983 757">2.01 B</td> <td data-bbox="983 696 1302 757">23 September 2015</td> </tr> <tr> <td data-bbox="320 757 716 817">Proposed floor plan</td> <td data-bbox="716 757 983 817">2.02 B</td> <td data-bbox="983 757 1302 817">23 September 2015</td> </tr> <tr> <td data-bbox="320 817 716 878">Proposed elevations</td> <td data-bbox="716 817 983 878">2.03 B</td> <td data-bbox="983 817 1302 878">23 September 2015</td> </tr> <tr> <td data-bbox="320 878 716 954">Existing site plan</td> <td data-bbox="716 878 983 954">1.02 A</td> <td data-bbox="983 878 1302 954">23 September 2015</td> </tr> </tbody> </table> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning.</i></p>	<b>Title</b>	<b>Drawing Reference</b>	<b>Received date</b>	Location plan	1.01 A	23 September 2015	Proposed site plan	2.01 B	23 September 2015	Proposed floor plan	2.02 B	23 September 2015	Proposed elevations	2.03 B	23 September 2015	Existing site plan	1.02 A	23 September 2015
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3.	<p>The stables hereby permitted shall be used for the stabling of horses and storage of associated equipment and feed only and, in particular, shall not be used for any trade, business or other storage purposes.  <i>Reason: To define the permission and in the interests of the visual amenities and character of the area.</i></p>																		
4.	<p>If the stables hereby permitted are not brought into use or the use of them ceases for a period of one year within 10 years of their substantial completion, they shall be removed from the land and the land shall be restored to its former condition.  <i>Reason: To avoid the proliferation of buildings in the Green Belt for which there is not a continuing need and in the interests of the visual amenity of the Green Belt.</i></p>																		
5.	<p>No goods, plant or material shall be deposited or stored in the open on the site. All existing goods, plant or materials not shown on the approved site layout, reference 2.01 rev B dated 23rd September 2015, shall be removed from the site in their entirety within three months of the commencement of the development.  <i>Reason: In order to protect the amenities of the area and the openness of the Green Belt.</i></p>																		