

Item 3g **15/01203/FUL**

Case Officer **Caron Taylor**

Ward **Euxton South**

Proposal **Proposed sand paddock**

Location **Culbeck Farm
Culbeck Lane
Euxton
Chorley
PR7 6EP**

Applicant **Mr & Mrs M Hill**

Consultation expiry: **20th May 2016**

Decision due by: **24th June 2016**

Recommendation

It is recommended that this application is approved.

Representations

Euxton Parish Council – no comments have been received.

In total 4 representations have been received objecting to the proposal on the following summarised grounds: (Two neighbour objections were received to the original notification and two objections were received to the amended plans (one from one of the original neighbour who objected and the other from another neighbour):

- Re-siting the sand paddock further south makes no difference to their original objections;
- It is still Green Belt so should not be developed on;
- Culbeck Lane has deteriorated significantly over the past few years in the main owing to the heavy farm vehicles and previous farm construction traffic. No subsequent repair is carried out by the residents of Culbeck Farm and no attempts have been made by LCC to force any repair to the damage created to the highway. LCC should be dealing with the illegal damage created to their highway before any more planning applications are approved, which will only intensify the present difficult issues on the lane. It will be situated less than 30m from neighbouring properties and result in significant visual intrusion and smell from the site and contravenes the Rural Development SPD Chorley Borough Councils Planning Guidance Development Involving Horses (document FP89);
- It is of a massive size at 800m², the rural development SPD states it should be of a minimum size and not encroach into open countryside. It will be intrusive in the landscape;
- It will exacerbate access issues on Culbeck Lane;
- There is other land available within the farm for the sand paddock;
- It will result in intrusion and noise and scar the landscape;
- The applicant proposes to access the site from Culbeck Lane. Due to the sensitive issues already existing between residents regarding access over Culbeck Lane which recently resulted in violence and a custodial sentence for the brother of the applicant they feel this will only exacerbate access problems along the lane;
- The applicant states that the reason for the proposed site is that there isn't any other appropriate land anywhere else. The applicant has owned horses for 8 years since 2007 and has exercised these in various fields. There is ample land available within the existing 'developed' areas of Culbeck Farm without disturbing further Green Belt land and adjacent to neighbouring properties;

- The site access is off Culbeck Lane, para 6.11 states that equestrian developments should not create dangers to horses, riders and other road users. There have been numerous access related incidents along Culbeck Lane including acts of physical violence by and prison sentences for members of the applicant's family. The proposed site is likely to increase potential conflicts for current residents along the lane;
- The application mentions that it conforms to NPPF guidance esp. paras 81 & 89 - to promote outdoor and recreational activity - this only relates to commercial equestrian proposals not private and so is not correct. There is plenty of suitable land for a sand paddock within the 'developed' area of Culbeck Farm - alongside existing outbuildings and barns - there is no need to have this site on existing Green Belt fields, it will cause significant visual intrusion, create access problems for exiting residents. The application is very poor and should not be granted planning permission.

Consultees

Consultee	Summary of Comments received
Lancashire County Council Highways	Have no objection to the proposal.

Assessment

Principle of the Development

1. The application site is in the Green Belt. Paragraph 89 of the National Planning Policy Framework (the Framework) relates to buildings so is not relevant to the current application. It is considered that the proposal should be assessed under Paragraph 90 as an engineering operation. The Framework states that such development is not inappropriate provided it preserves the openness of the Green Belt and does not conflict with the purposes of including land in it.

2. As such there are two considerations in respect of the proposal and the appropriateness of the development in the Green Belt as follows:

1) Will the development preserve the openness of the Green Belt?

Whilst the test for sites such as this relates to preserving openness it is important to note that the Framework contains no specific definition of 'openness'. The proposal involves creating a sand paddock which includes some re-profiling of the land to allow the paddock to be flat. The paddock will be enclosed by a post and rail fence approximately 1.2m high. The proposal does however, effectively preserve the openness of the Green Belt.

2) Will the development conflict with the purposes of including land in the Green Belt?

Paragraph 80 of the Framework sets out the five Green Belt purposes which the scheme is assessed against as below:

Purpose 1 (to check the unrestricted sprawl of large built-up areas)

The proposal is not adjacent to a large built-up area and will not therefore involve sprawl of a large built-up area into the Green Belt.

Purpose 2 (to prevent neighbouring towns merging into one another)

The proposal would not lead to the coalescence of neighbouring towns or the coalescence of neighbouring villages.

Purpose 3 (to assist in safeguarding the countryside from encroachment)

Although the proposal would be sited on the other side of Culbeck Lane from Culbeck Farm it will be viewed in the context of the farm and the adjacent dwellings in the landscape. It is not therefore considered it would be viewed in isolation and therefore as encroachment.

Purpose 4 (to preserve the setting and special character of historic towns)

This does not apply as the site is not located near a historical town.

Purpose 5 (to assist in urban regeneration, by encouraging the recycling of derelict and other urban land).

It is not considered that the proposal conflicts with this purpose as the proposal does not involve new built development which would be more appropriately sited on brownfield land (which is the reasoning behind this purpose).

3. As such it is considered that the proposal will preserve the openness of the Green Belt and will not conflict with the purposes of including land in the Green Belt. The proposal is therefore not considered inappropriate development in the Green Belt.
4. It is noted that objectors state that the Framework (NPPF) guidance only relates to commercial equestrian proposes not private ones. This is not correct the Framework covers all development within the Green Belt.

Design and Layout

5. The application site is a field located to the west side of Culbeck Farm accessed from Culbeck Lane almost opposite the access to the farm yard. The stables are sited on the farm near to the access so the paddock will be sited relatively close to the existing stables. The case officer has visited the site and toured the farm to see if the paddock could be sited within the existing yard. This is not considered possible, due to levels of adjacent land and the relationship with the cattle areas on the farm and the route to get the horses to the paddock.
6. In terms of its size the paddock will be approximately 20m x 40m in size. This is a typical size of paddock that the Council regularly permits across the borough for private use. It is not considered excessive in size (as a comparison a standard dressage arena is 20mx x 60m, 20m x 40m is the size of a small arena). A cross-section of the proposed sand paddock has been provided. It will have a stone base layer, with membrane over with sand on top. It will be surrounded by a post and rail fence around to a maximum height of 1.3m with a sand/kick board around the bottom.
7. Due to the existing levels of the land the sand paddock will require some cut and fill works. The greatest level increase will be to the south end of the sand paddock, the majority of the works will involve reducing the level of the land at its northern end so it will sit lower in the landscape than the current level of the land. It is not considered to be significant in terms of how it will change the character of the site visually and given that the level will mainly be reduced it will ensure it does not appear built out of the ground. The post and rail fencing proposed around the sand paddock is of an acceptable design and is a typical means of enclosing sand paddocks and fields in rural areas.
8. The design and scale of the sand paddock is therefore considered to be acceptable.

Neighbour Amenity

9. The sand paddock will be located approximately 15m away from the boundary with the nearest property 1 Culbeck Lane and approximately 22m from the property itself.
10. Objectors have commented that the sand paddock should be at least 30m away from their properties as required by the Council's Supplementary Planning Documents. This distance however relates to the siting of new buildings. With buildings, problems of smells and flies are more of an issue than with a paddock where exercise and grazing are to take place.
11. There will undoubtedly be some noise generated from the use of the sand paddock but it is not considered that it will cause unacceptable detrimental harm to the living conditions of the occupiers of the nearest properties. It is to be sited next to an adjacent working farm, parts of which are closer to the neighbouring properties than the paddock proposed.
12. The sand paddock does not include the provision of lighting or sound amplification and a condition is recommended preventing the installation of these features.

Highways

13. Culbeck Lane is an unadopted road in a poor state of repair. The Council is aware that there have been issues between the residents regarding access along the lane and in relation to the condition of the road. Residents have also been in contact with the County Council about the repair of the road as a public right of way runs along it. The application must strictly be considered on its planning merits. Access issues are a separate private matter between residents.
14. The horses are already housed on the farm and the field where the paddock will be positioned has an existing access into it. It is not considered that the proposal will result in an unacceptable increase in traffic in terms of highway safety.

15. The proposal will not block the public right of way (no. 35) that runs along Culbeck Lane or public right of way no. 35 that crosses Culbeck Lane.

16. The proposal is therefore considered acceptable in relation to highways and access.

Overall Conclusion

The application is recommended for approval subject to conditions.

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 have been several applications relating to development on the farm in recent years however none relating to a sand paddock.

Suggested Conditions

No.	Condition												
1.	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>												
2.	The development hereby permitted shall be carried out in accordance with the following approved plans: <table border="1" data-bbox="320 1151 1305 1279"> <thead> <tr> <th>Title</th> <th>Drawing Reference</th> <th>Received date</th> </tr> </thead> <tbody> <tr> <td>Site Plan (Rev 2)</td> <td>C458-10-RM</td> <td>25th January 2016</td> </tr> <tr> <td>Cross-section Elevations</td> <td>N/A</td> <td>28th April 2016</td> </tr> <tr> <td>Notes-Sand Paddock</td> <td>N/A</td> <td>7th December 2015</td> </tr> </tbody> </table> <i>Reason: For the avoidance of doubt and in the interests of proper planning.</i>	Title	Drawing Reference	Received date	Site Plan (Rev 2)	C458-10-RM	25 th January 2016	Cross-section Elevations	N/A	28 th April 2016	Notes-Sand Paddock	N/A	7 th December 2015
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3.	The development hereby permitted shall only be carried out in conformity with the proposed ground levels shown on the approved plan(s) or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced. <i>Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</i>												
4.	The permission hereby granted is for the use of the sand paddock for the private riding of horses and ponies only. The sand paddock shall not be used for any business purpose in connection with the training or schooling of horse and pony riders or for the holding of any events, competitions, trials, horse/pony club meetings or gymkhanas and this permission does not imply or grant permission for installation of any system of external illumination or sound-amplification. <i>Reason: To define the permission and in the interests of the amenities of the occupiers of neighbouring properties and highway safety.</i>												
5.	Where use of the sand paddock hereby permitted for the authorised purposes ceases for a period exceeding 6 months within 10 years of its substantial completion it shall be removed from the field and the land restored to its former condition. <i>Reason: To avoid the proliferation of structures in the Green Belt for which there is not a continuing need.</i>												

6.	No source of external illumination or sound amplification shall be installed on the development hereby permitted. <i>Reason: To protect the open and rural character of the locality.</i>