

## **APPLICATION REPORT – 17/00124/FUL**

**Validation Date: 13 March 2017**

**Ward: Adlington And Anderton**

**Type of Application: Full Planning**

**Proposal: Retrospective application for erection of floodlight column, canopy, installation of stable doors and concrete hard standing**

**Location: Throstle Nest Farm Bolton Road Anderton Chorley PR6 9HN**

**Case Officer: Mr Iain Crossland**

**Applicant: Jane Holden**

**Agent: Mark Arrowsmith**

**Consultation expiry: 3 April 2017**

**Decision due by: 8 May 2017**

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### **RECOMMENDATION**

1. It is recommended that this application is approved subject to conditions.

### **SITE DESCRIPTION**

2. The application site comprises a livery stables and sand paddock situated to the south of Bolton Road, Anderton, at the rear of Throstle Nest Farm and Barn. The site is located in the Green Belt, in an area characterised by a ribbon of residential development along Bolton Road with open land beyond.
3. The stables are constructed of timber and are of a standard design. A flat roofed canopy has recently been added, which is the subject of this application, along with a single 4.2m high floodlight column, which is located to the south of the stables, adjacent to the sand paddock.
4. The site is accessed via a shared accessed track from Bolton Road.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

5. This application seeks retrospective planning consent for the erection of a floodlight column, canopy, installation of stable doors and concrete hard standing. The canopy is approximately 2.5m high and projects 2.6m from the east side elevation of the stables.

### **REPRESENTATIONS**

6. Four letters of objection have been received relating to the following issues:
  - Impact on character of the area.
  - Disturbance from additional horses and more people visiting the site.
  - Smells

- Light pollution
- Conditions attached to application 04/00213/COU not complied with.

## **CONSULTATIONS**

7. Anderton Parish Council: The Parish Council wishes to express its concern over this retrospective planning application in that it appears to represent a significant enlargement of existing facilities together with further encroachment into open land and which may have a detrimental visual effect on the natural amenity of the area. We would also not be supportive of the installation of floodlighting as we believe this would be contrary to planning guidance for equestrian development in rural areas and would be detrimental and out of keeping with the ambient lighting levels of this naturally dark area.
8. Regulatory Services - Environmental Health: An assessment has been made in terms of the potential for statutory nuisance to be caused to neighbouring properties. There are no concerns regarding excess light from the erection of the floodlights. As this is a retrospective application, records held by the Regulatory Services section have been checked and no complaints relating to excess light from the premises have been found.

## **PLANNING CONSIDERATIONS**

### Principle of development and impact on the Green Belt

9. The application site is located wholly within the Green Belt, The National Planning Policy Framework (the Framework) states that the construction of new buildings should be regarded as inappropriate in the Green Belt, except in a limited number of specific circumstances.
10. In relation to the erection of the canopy, which is in effect an extension to the building, Paragraph 89 of the National Planning Policy Framework states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. There are a number of exceptions to inappropriate development. One exception is 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 is an exception to inappropriate development.
11. Whether the proposed extension would result in disproportionate additions over and above the size of the original building is a subjective judgment which is considered further below. Objective criteria could include the volume of the existing buildings although it is important to note that the Framework does not include such an allowance or capacity test. To engage with the exceptions of paragraph 89 of the Framework, the test relates to the original building.
12. The Local Plan contains no specific policy in relation to the extension of buildings in the Green Belt, although Policy HS5 of the Chorley Local Plan 2012 – 2026 does provide further detail in the case of extensions to dwellings in the Green Belt. This states that proposed extensions should not result in a disproportionate increase in the volume of the original dwelling, and that increases of up to 50% (volume) are not considered disproportionate. It would therefore seem sensible to employ a similar threshold in relation to other buildings.
13. The original building as built has an external volume of approximately 398 cubic metres. The canopy, when complete would increase volume of the building by an additional 113 cubic metres, which would constitute a 28% increase. This meets with the allowances set out in Policy HS5, and would not be considered disproportionate in this respect. The proposed development would extend existing building with an open sided canopy and would be viewed in the context of the existing built form.
14. Given the above it is considered that the proposed development would not result in disproportionate additions over and above the size of the original building and as such would not represent inappropriate development in the Green Belt.

15. In relation to the floodlight column Paragraph 89 of the National Planning Policy Framework states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. There are a number of exceptions to inappropriate development. One exception is the provision of appropriate facilities for outdoor sport and outdoor recreation, which are not considered inappropriate by the National Planning Policy Framework (The Framework) as long as they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
16. Policy BNE1 of the Chorley Local Plan 2012-2026 states that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that the proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials.
17. Section F of the Rural Development SPD sets out more detailed guidance in relation to equestrian development. In assessing the acceptability of equestrian development the SPD states that where floodlighting is proposed, it should be designed to minimise light spillage from the lit area.
18. The floodlight column has been erected adjacent to the existing sand paddock and is approximately 15m to the south of the stables. The slender profile of the monopole and dark colour reduces the visual prominence in the landscape and at 4.2m in height it is not a widely visible structure, and is not considered to be unduly harmful to openness.
19. With regards to the generation of light itself it is recommended that the hours of operation are limited by condition to between 4pm and 9pm daily. This would allow for the limited exercising of horses in the winter evenings, whilst balancing the impact of light in a rural setting. Having the use of lighting during the winter months would enable horse owner to visit after work to attend to their animals and engage them in some exercise.
20. On the basis that it is a single slender monopole of 4.2m in height it is not considered that the floodlight structure detracts from the openness of the Green Belt and it is noted that the proposal does not involve the loss of countryside given that the sand paddock is already in situ. During darkness light may spill onto adjoining land, however, this will be limited by the use of an hours condition and the fact that it is a single floodlight resulting in limited sky glow.

#### Impact on neighbour amenity

21. The floodlight lamp is angled towards the sand paddock, as would be expected. As such the light is not directed towards any neighbouring properties.
22. The floodlight column is located approximately 43m from the nearest dwelling at Throstle Nest Barn, which has a side elevation facing the site. It is noted that there is a garage outbuilding to the front side of this property, which limits views of the site and the light that is generated by the floodlight.
23. Throstle Nest Farm is some 64m from the floodlight, with intervening structures between it and the sand paddock. As such views of the site and the light that is generated by the floodlights are limited.
24. The other properties on Bolton Road are located at least 78m from the floodlight. Again, views of the site and the light that is generated by the floodlights are limited due to intervening structures. Also there is no impact from direct light as the lamp faces the paddock and not towards the dwellings.
25. The Council's Environmental Health Officer raises no objection to the scheme and does not anticipate that the proposed lighting will cause a statutory nuisance to the occupiers of nearby residential properties. In addition no complaints have been received. It is acknowledged that light will be visible from properties on Bolton Road at times when the floodlight is in operation, however, it is not considered that this will result in an intensity of

direct lighting that would be harmful to the living conditions of nearby residents given the degree of separation, positioning of flood lighting and restrictions placed upon operating times. Attaching conditions limiting the hours of operation of the floodlights would help to limit any impact.

26. It is noted that a number of responses received from neighbours have raised concerns regarding the disturbance from those using the stables to tend to and exercise their horses, and that this has been exacerbated by the number of horses increasing from five to eight. This relates primarily to noise, vehicles and litter. Although it is acknowledged that the presence of more horses may result in greater patronage of the stables by owners, which may result in additional vehicles journeys to and from the site, as well as the regrettable impacts of human activity the actual number of horses accommodated on the site cannot be controlled.
27. The most recent planning application (ref. 04/00213/COU), for the change of use of private stables to livery, identified accommodation for five horses and a large storage area. The large storage area has since been reduced in size and sub divided to provide three additional stables. No conditions were attached to planning permission 04/00213/COU to limit the number of horses present on the site. The internal arrangement of the building can be carried out without the need for planning permission. Therefore additional horses can be accommodated at the site without the need to apply for planning permission. The number of horses at the site cannot therefore be assessed nor controlled through this application.

#### Impact on character and appearance of the locality

28. The canopy structure that has been partially erected is modest in scale and is viewed in the context of the existing stables. It is of a simple design style and would not harm the character of the area when complete.
29. The floodlight has been erected adjacent to an existing sand paddock at an established livery stables comprising grass paddock areas, sand paddock, and stables building along with a yard area and other equestrian paraphernalia. The installation of a single floodlight column is not considered to detract from the character or appearance of the rural landscape in this instance as it is a 4.2m high monopole that is slender in profile and dark in colour. This reduces the visual prominence in the landscape, particularly when viewed in the context of the associated buildings, structures and paraphernalia.
30. Although sky glow may be visible from the public footpath 65m to the west and to a lesser extent from Bolton Road it is noted that the site is on the periphery of the Adlington / Anderton settlement where there are street lights and other light sources, rather than in a more isolated and intrinsically dark landscape. Further to this a single floodlight column of 4.2m in height has a limited lighting impact. It is, however, recommended that the hours of operation of the floodlight should be limited by condition to between 4pm and 9pm daily to reduce the impact from sky glow and light trespass on the landscape.
31. As such, it is considered that the proposed development will not have an unacceptably detrimental impact on the character of the locality.

#### Other matters

32. Smells: The smells that are generated at the site, primarily from horse manure, are similar to those expected of a rural location, close to farming activities. In addition smells are already present on the site as a result of the existing stables, horses and associated manure. This application would not alter the situation.
33. Conditions attached to application 04/00213/COU not complied with: It is noted that the car parking area has been laid in the approved position. No details of manure storage have been submitted, however, as more than 10 years have elapsed since the application was approved and the conditions have been in breach for more than 10 years they are immune from enforcement actions and the development is lawful. No enforcement complaints have been received that relate to planning permission 04/00213/COU prior to the complaint leading to this current application.

## CONCLUSION

34. The 'principle' of facilities to support outdoor sport and recreation is an acceptable one. The development is not considered to detrimentally harm the openness of the Green Belt or landscape character and there is a suitable distance between the site and the adjacent residential properties to ensure that living conditions will not suffer detrimental harm. It is considered that there will be no severe residual cumulative impact as a result of the proposed development. It is therefore recommended that the application is approved.

**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.

## RELEVANT HISTORY OF THE SITE

- Ref:** 01/00458/COU **Decision:** PERFP **Decision Date:** 1 August 2001  
**Description:** Demolition of ancillary outbuildings, change of use of stables into 2 no. dwelling units and erection of new stables building,
- Ref:** 97/00646/FUL **Decision:** PERFP **Decision Date:** 5 November 1997  
**Description:** All weather arena,
- Ref:** 04/00213/COU **Decision:** PERFP **Decision Date:** 17 May 2004  
**Description:** Retrospective application for change of use of private stables to livery,

## Suggested Conditions

No.	Condition												
1.	<p>The lighting column hereby permitted shall be limited to a single monopole not exceeding 4.2m in height. Reason: For the avoidance of doubt and in the interests of proper planning, in the interests of the rural character of the area.</p>												
2.	<p>The floodlight hereby permitted shall only operate between 16:00 and 21.00 and not at any other time. Reason: In the interests of the rural character of the area, the amenity of the area, adjoining and nearby residential properties.</p>												
3.	<p>The development hereby permitted must only be completed in accordance with the approved plans. The approved plans are:</p> <table border="1"><thead><tr><th>Plan Ref.</th><th>Received On</th><th>Title:</th></tr></thead><tbody><tr><td>0272/001</td><td>03 February 2017</td><td>Location Plan</td></tr><tr><td>0272/002</td><td>13 March 2017</td><td>Site plan</td></tr><tr><td>0272/003</td><td>13 March 2017</td><td>Elevations</td></tr></tbody></table> <p><i>Reason: To define the permission and in the interests of the proper development of the site.</i></p>	Plan Ref.	Received On	Title:	0272/001	03 February 2017	Location Plan	0272/002	13 March 2017	Site plan	0272/003	13 March 2017	Elevations
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