

Item 6 **08/01181/FUL** **Refuse Full Planning Permission**

Case Officer **Caron Taylor**

Ward **Eccleston And Mawdesley**

Proposal **Demolition of existing outbuildings and extension of existing stable building to create Indoor Riding Arena**

Location **The Oaks Blue Stone Lane Mawdesley Ormskirk L40 2RJ**

Applicant **Ms Maggie Dobby**

The application has been brought to the Chairman's Briefing, as it is expected that a large number of representations in support of the application will be received.

Consultation expiry: 16th January 2009

Application expiry: 6th February 2009

Proposal The application is for the demolition of existing outbuildings and the extension of an existing stable building to create an indoor riding arena.

Summary The proposal is inappropriate development in the Green Belt. Despite being sympathetic to the applicant's circumstances it is not considered that such weight could be applied to the very special circumstances put forward by the applicant that would outweigh Green Belt policy.

Policies Planning Policy Guidance Note 2: Green Belts
Regional Spatial Strategy: Policy RDF4
Local Plan Policies DC1, EP8
Supplementary Planning Guidance: Development Involving Horses

Planning History The applicant sought pre-application advice on the proposal at the beginning of 2008 and at that time is was advised that due to the siting of the proposal in the Green Belt, any building would be inappropriate development although it may be possible to make a case if buildings of a combined similar size to the one proposed could be demolished.

Prior to this the planning history is as follows:

Ref: 03/01133/COU **Decision:** Permitted

Decision Date: 15 December 2003

Description: Change of use of agricultural buildings to stables, indoor arena, tack room and swimming pool, formation of sand paddock and extension to garden (retrospective)

Ref: 06/00330/FUL **Decision:** Permitted

Decision Date: 19 May 2006

Description: Alteration and extension of existing porch/conservatory

Background The application property is a detached bungalow on Bluestone Lane in the Green Belt. There are a range of former agricultural buildings on the site that have been converted to stables, an indoor arena, tack room and swimming pool. In addition a sand paddock has been formed.

Consultations None received

Representations None received at time of writing, although the case officer has spoken to some of the ward members for Mawdesley who has advised that there is a lot of support for the application and representations in support should be expected.

Applicant's Case See below

Assessment Green Belt

The site is in the Green Belt where development is strictly controlled. Planning Policy Guidance note 2: Green Belts (PPG2) and Local Plan Policy DC1 state that the construction of new buildings is inappropriate unless it is used for specified purposes including essential facilities for outdoor sport and recreation which preserve the openness of the Green Belt and the purposes of including land within it. PPG2 gives examples including small stables for outdoor sport. It is considered that the size of the building in this case has the potential to cause considerable impact on the Green Belt and shifts the balance of the operation to indoor recreation.

The application proposes the demolition of two redundant buildings (4 and 5 on the plans) and a further redundant building (building 6 on the plans) has been demolished since the beginning of 2008. However the combined volume of these three buildings (approximately 2384m³) is less than half the volume of the building now proposed (approximately 5954m³) so there would be significantly more impact on the Green Belt than the buildings demolished.

Local Plan policy EP8 and the associated Supplementary Planning Guidance: Development Involving Horse states that for indoor facilities to be acceptable, the development shall be within an existing building or form part of a farm diversification scheme, which the current proposal does not comply with and is therefore contrary to these policies.

The proposal is therefore inappropriate development in the Green Belt and therefore harmful by definition.

Very Special Circumstances / Applicant's Case

If inappropriate development is to be permitted in the Green Belt, there must be very special circumstances to permit it. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

A case for very special circumstances has been put forward in the Design and Access Statement relating to Philippa Dobby. This states that the purpose of the proposed indoor arena is to improve the existing amenities by having an on-site arena that provides the safe standard and quality that is required in order to gain the

highest level of achievement for both horse and rider. All the on-site amenities including the proposed building are for the sole use of Philippa Dobby and her horses.

Ms Dobby became the youngest winner of Hicksteads Ladies Derby and also the winner of the Winter A & B Grand Prix Series where the competition was of all ages and included ex-Olympic team members. Her objectives are to produce a string of young horses capable of competing at the highest level of equestrianism and to go forward with rider and horses for continued membership of Great Britain teams in the coming years and future Olympic selection. Ms Dobby has been nominated for trials for lottery funding and by virtue of winning an under 23 league competition, Ms Dobby has won a bursary to train with the world renowned Brazilian equestrian and show jumper Rodrigo Pessoa in Belgium. Her training programme will also include periods with 2008 British Olympic Team Member Tim Stockdale who rode with great success in Beijing.

It is argued that the application demonstrates the very special circumstances which are sufficient to merit approval and will not create any precedent within the requirements of the Green Belt policy.

Assessment

PPG2 on Green Belts states that in view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt when considering any planning application or appeal concerning such development.

Although the Council may be sympathetic to the personal circumstances of Ms Dobby's case, it is not considered that the circumstances are so very special that they are sufficient to outweigh the substantial weight given to Green Belt policy especially given the vast size of the proposed building.

In addition the very special circumstances of the case relate to the personal circumstances of the applicant and the building may remain on the land long after the need for it has ceased.

An application should not be refused if conditions can be applied to make it acceptable. The Council can apply conditions to planning permissions tying them to a particular person (a personal permission), however Government Circular 11/95 on the use of conditions advises against the imposition of conditions which require that a permission is only exercisable by a specific named individual, particularly where a permanent building is proposed. In this case given the size of the building and likely associated costs of erecting it, it is not considered reasonable to give a personal permission. Although conditions could be applied restricting the use of the building to the occupiers of The Oaks (so any future occupiers could use it for their own personal use), it would leave an inappropriate building in the countryside long after the need for it is gone.

Visual Amenity/Landscape Impact

It is not considered that the positioning or materials of the building would be unacceptable impact in terms of the landscape if the principle of the development were acceptable. It will be bound on

two sides by boundary vegetation and will not be visible from Bluestone Lane. Although the building will be visible from a public footpath to the northwest, it will largely be viewed in the context of the existing buildings on the site.

Recommendation: Refuse Full Planning Permission

Reasons

1. The proposed development would be located within the Green Belt as defined by the North West Regional Spatial Strategy Policy RDF4 and the Adopted Chorley Borough Local Plan Review. The proposed development is contrary to Policy DC1 of the Adopted Chorley Borough Local Plan Review and PPG2: Green Belts as in the Green Belt there is a presumption against inappropriate development, which this would be. In addition, the application is contrary to Local Plan Policy EP8 and its associated Supplementary Planning Guidance: Development Involving Horses which states for indoor facilities to be acceptable they should be located within existing buildings or form part of a farm diversification scheme. It is not considered that the arguments put forward in support of the application are sufficient very special circumstances to outweigh the presumption against it.
