

Application No: 2008/0416

Application Type: Full Application etc

Proposal: Proposed 12 no. stone and slate stables and ancillary faculties

Location: The former Pit Yard, Dean Lane, Water

Report of: Executive Director of Regulatory Services

Status: For Publication

Report to: Development Control Committee

Date: 1 September 2008

Applicant: Mrs. Rachel Wilson

Determination Expiry Date: 2 September 2008

Agent: Stephen Anderson

REASON FOR REPORTING

Tick Box

Outside Officer Scheme of Delegation

Member Call-In

Name of Member:

Reason for Call-In:

More than 3 objections received

X

Other (please state)

HUMAN RIGHTS

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights: -

Article 8

The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

APPLICATION DETAILS

1. The Site

1.1 The application site, a former pit yard, is located on the northerly side of Dean Lane to the east of the village Water. It is bounded by Dean Lane to the south,

Nabb Clough to the south-east, an unadopted road containing footpath no. 128 to the east and footpath no. 123 to the north-west. Other than the northerly part, the site is relatively levelled and hard surfaced.

- 1.2 The site is situated in the countryside and surrounded by open land. There are some farm houses and agricultural holdings in the vicinity of the site.

2. Relevant Planning History

- 2.1 Planning permission ref. 2006/008 for the erection of wooden stable and riding ménage at Nabb Farm, Dean Lane, Water, was approved, subject to conditions on 3 April 2006. No works in respect of the approved development have commenced on the site to date.

3. The Proposal

- 3.1 The proposal involves the construction of a commercial stable block comprising 9 no. stables and associated storage/office facilities. The stable block, a horse-shoe shaped single storey building, would be set back from Dean Lane and easterly side against the eastern retaining wall to the pit yard. The access to the building would be gained via a timber gate located approximately 9m away from the southerly boundary of the site adjacent to Dean Lane. Although, footpath no. 131 is included within the site area, however, it would be segregated from the site and would not be interfered with by the running of the stables.
- 3.2 It is proposed that the external walls of stable block would be built in natural stone and the pitched roof in natural slate. The surface of the courtyard will be prepared with stone cobbles and stone slabs reclaimed from the site. Fencing and boundary demarcations will be constructed using timber post and rail fences/dry stone walls.
- 3.3 It is proposed that the northerly part of the site would be used for the provision of a turning space for horse boxes and parking area to accommodate 6 no. parking spaces. Manure and bin storage areas are proposed at the north-easterly corner of the site. The manure storage area would be enclosed with a 2m high natural stone wall to the sides and a timber fence in front.

4. Policy Context

4.1 National Planning Guidance

PPS1 - Delivering Sustainable Development
PPS7 - Sustainable Development in Rural Areas
PPG17 - Planning for Open Space, Sport and Recreation

4.2 Development Plan Policies

RPG13

Joint Lancashire Structure Plan (Adopted 2005)

Policy 1 – General Policy

Policy 5 – Development Outside of Principal Urban Areas, Main Towns, Etc

Policy 20 – Lancashire’s Landscapes

Rossendale District Local Plan (Adopted 1995)

DS5 – Development Outside the Urban Boundary & Green Belt

DC1 – Development Criteria

DC4 - Materials

4.3 **Other Material Planning Considerations**

LCC Landscape & Heritage SPD

LCC Landscape Strategy for Lancashire

5. **CONSULTATIONS**

LCC (Highways) - Re-site the stile to the public footpath to a position 2m (minimum) from the edge of the adopted highway to improve sight lines from the site and to provide a refuge for walkers using the footpath. Would also require to see a site drawing showing acceptable parking provision and a turning facility for cars, transporters etc. No other highway comments.

RBC (Environmental Health) - No comments

6. **REPRESENTATIONS**

- 6.1 A site notice was posted on 30 July 2008 and the relevant neighbours were notified by letter on 22 July 2008 to accord with the General Development Procedure Order.

One letter signed by 13 individual residents of the area raising objection to the proposal has been received. The comments made are:

- The site is located adjacent to a stream. We have grave concerns for the “run off” of animal waste into the local water course and subsequent pollution of stream which sustain abundant wildlife in the form of fish and birds.
- The animal waste from 12 stables would be stored on the site. This would cause smell which is objectionable.
- Dean Lane is very restrictive in width and is unsuitable for substantial vehicles or vehicles with substantial trailers to access the site to transport the horses.
- The proposed on site parking caters for a few cars and certainly not enough to accommodate 12 horse owners arriving at the same time to attend their animals.
- The entrance to the site is not adequate for the manoeuvring of vehicles with large trailers. Any manoeuvres on the road will endanger public safety.
- The site is entirely inappropriate for the location.

7. **ASSESSMENT**

- 7.1 In dealing with this application the main issues to consider are:

1. Principle of the development
2. Character and appearance

3. Neighbour amenity
3. Highway safety

Principle

The development is located within the Countryside, wherein national guidance and development plan policies indicate that the erection of a building for the keeping of horses is appropriate in principle, so long as it is of a siting/size/design/facing materials that avoid undue harm to the character and appearance of the countryside.

Character and appearance

The application site is located at a lower level by approximately 0.5m compared with the open land to the east and north. The proposed stable block would be built with its easterly side elevation against the easterly retaining wall to the pit yard, southerly elevation facing Dean Lane and westerly elevation adjacent the footpath no. 131. Due to the existing trees/shrubs, the views of the site would be partially screened from the south and west. The stable block would be built using natural stone and slate and would be 2.7 m high to the eaves and 4.3 m high to the ridge. Due to its limited height (4.3m to ridge height) and lowered position compared with the adjacent land, it is considered that the proposed development would be sited so as to minimise the impact upon the surrounding area. Furthermore, it is considered that the proposed materials are appropriate to the rural area and the proposed stable block would not detract from its appearance. It is therefore considered that the proposed development accords with the advice given in PPS1 and PPS7 and the criteria of the saved Policy DC1 of the adopted Rossendale District Local Plan.

Neighbour amenity

There are no residential properties in close proximity of the site. The nearest residential properties to the west of the site on Dean Lane and the farm house to the north are located approximately 100m and 160m respectively. It is therefore unlikely that the proposed development, in terms of noise and disturbance, would have any significant impact on the amenities of the neighbouring properties.

The residents have expressed their concerns with regard to smell emanating from the stables, potential pollution to the nearby water course and suitability of the proposed access for 12 stables. It should be pointed out that the original scheme has been revised to provide 9 stables without any office/residential accommodation over the first floor. Furthermore, the scheme includes the provision of manure and storage facilities which are considered appropriate and acceptable. It is proposed that the proposed manure facility would have sufficient capacity for two weeks following which the manure would be removed from it. Due to its relationship with the adjacent dwellings and the distance involved, it is considered that the proposal would not have an unacceptable detrimental impact on the amenities of its neighbours in terms of noise, disturbance and odour.

Highway safety

The highway authority is satisfied that so long as the existing stile to the footpath no. 131 is moved 2m away from the highway to improve the sight

lines, the proposed development is acceptable. An appropriate condition to secure suitable visibility splay for the site would be needed.

7. REASONS FOR APPROVAL

- 7.1 It is considered that the proposed development is appropriate within the rural area and would not adversely affect the amenity of the adjacent residents or the highway safety. The proposed development would not look out of place within the locality and would not therefore affect adversely the character of the area. Therefore, it is considered that the proposed development is in accordance with the advice given in PPS1, PPS7, Policy 1 of the Joint Lancashire Structure Plan and criteria of the saved Policy DC1 of the Rossendale District Local Plan.

8. RECOMMENDATION(S)

- 8.1 The Committee is recommended that planning permission be granted subject to condition.

CONDITIONS/REASONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Reason: To accord with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development shall be carried out in accordance with Amended Plans numbered 092-01, 02, 03, 10, 11, 13, 15, 16, 17, 18, 19, 20 and 21 received on 19 August 2008. Reason: *To ensure the development complies with the approved plans and for the avoidance of doubt.*
3. Any construction works associated with the development hereby approved shall not take place except between the hours of 7:00 am and 7:00 pm Monday to Friday and 8:00 am and 1:00 pm on Saturdays. No construction shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays. Reason: *To safeguard the amenities of nearby residential properties, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*
4. All materials to be used in the elevations and roof of the proposed development shall be as stated on the application form and approved drawings and shall not be varied without the prior written permission of the Local Planning Authority. Reason: *To ensure that the development will be of satisfactory appearance.*
5. A landscape scheme shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. It shall be implemented not later than 12 months from the date of the building is first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority. Reason: *To secure the satisfactory development of the site and in the interests of visual amenity.*

6. Notwithstanding what is shown on the approved drawings, before the construction of the stables hereby permitted is commenced details of the siting and form of the animal waste storage facility to be provided shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented prior to the first use of the stables and thereafter maintained in perpetuity. *Reason: To prevent pollution and to protect the amenities of nearby residents, in accordance with the criteria of the saved Policy DC1 of the adopted Rossendale District Local Plan.*

7. Prior to the development commencing, details of the proposed access, parking and turning areas shall be submitted to and approved by the Local Planning Authority. The approved access, parking and turning areas shall be constructed in accordance with the approved plan prior to the first use of the stables. The parking and turning area shall therefore be retained in perpetuity for the purposes of parking and turning. *Reason: To ensure adequate off-street parking and turning to permit vehicles to leave the site in forward gear, in the interests of highway safety.*

8. No development shall be commenced until works for the disposal of sewage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority. *Reason: To ensure satisfactory provision is made for the completion of essential works to the drainage system.*

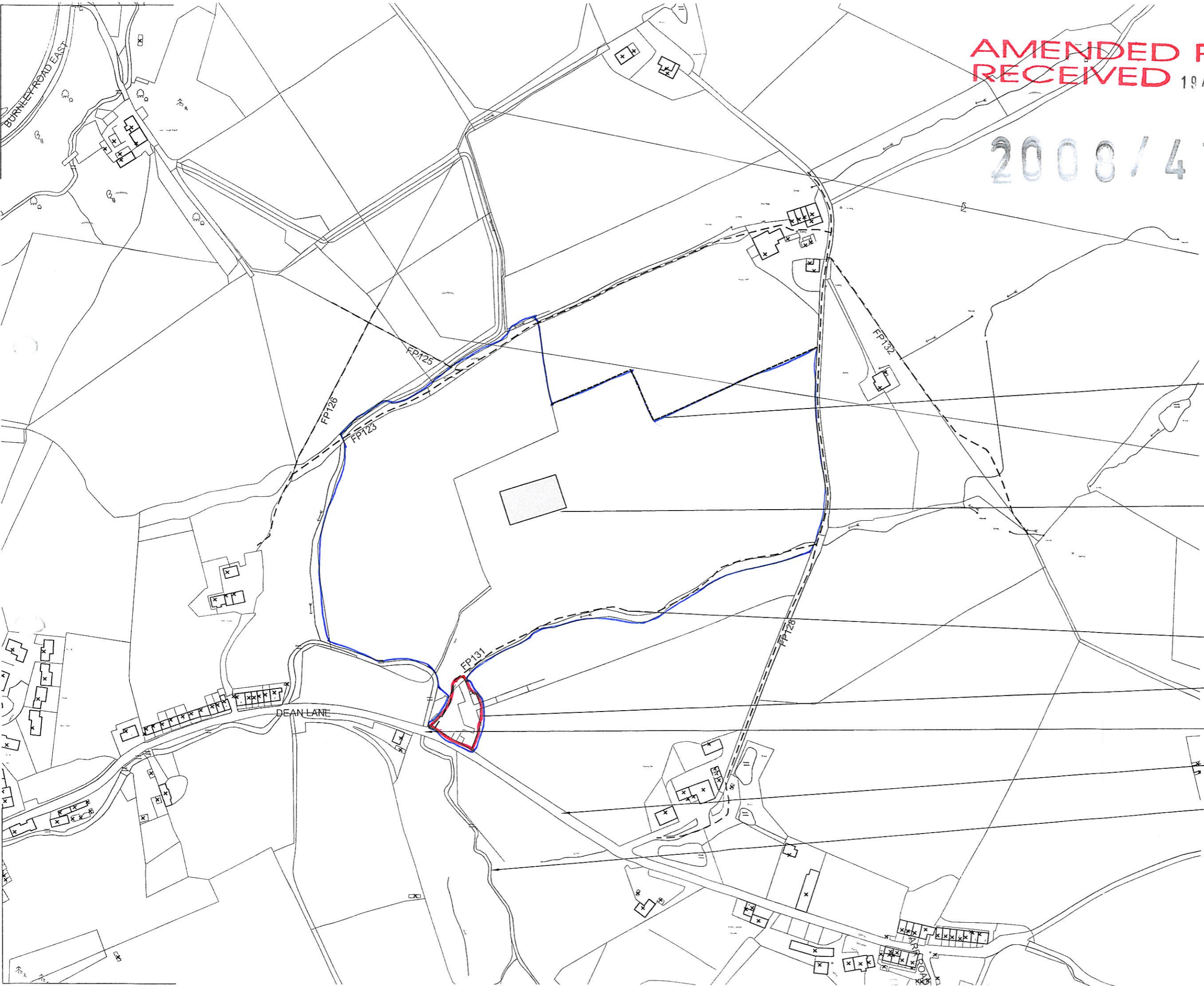
Contact Officer	
Name	M. Sadiq
Position	Planning Officer
Service / Team	Development Control
Telephone	01706 217777
Email address	planning@rossendalebc.gov.uk

*LOCATION PLAN TO BE PROVIDED
ATTACH ALL APPENDICES*

**AMENDED PLANS
RECEIVED** 19 AUG 2008

2008/416

Project
The Pit Yard, Water Proposed Stables
Drawing Title
Proposed
Site Location Plan
Drawing No
092-01
Date/Drawn By
November 2007 / SMA
Scale
1:2500 @ A3
Revision
A



Blue line denotes adjacent land in the Applicant's ownership

Manege as approved under ref: 2006/008

Public footpath FP131

Red line denotes extent of site

Nabb Bridge

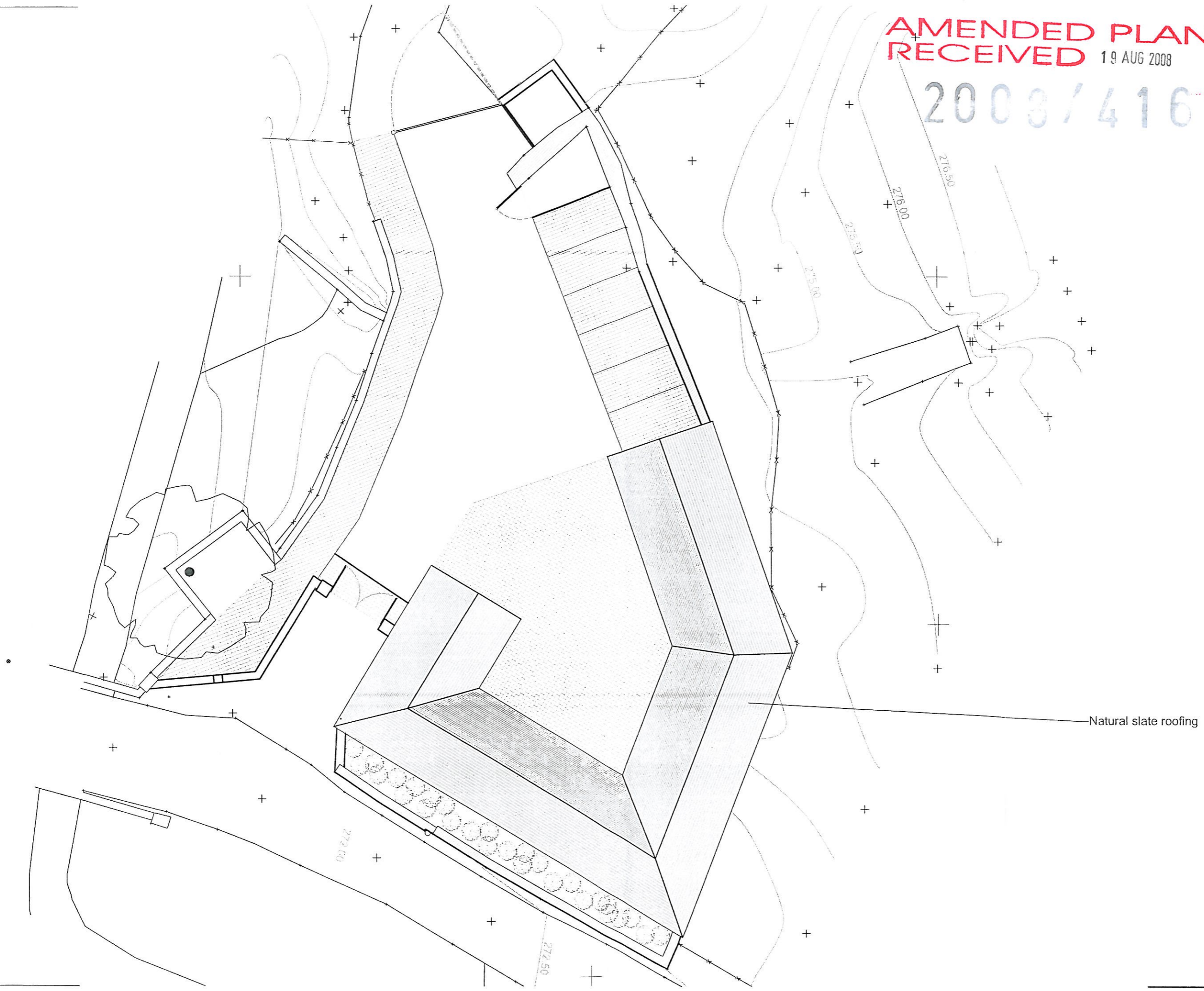
Dean Lane

Nabb Clough

AMENDED PLANS
RECEIVED 19 AUG 2008

2008/416

Project	The Pit Yard, Water
Proposed Stables	
Drawing Title	
Proposed	
First Floor Plan	
Drawing No.	092-13
Date/Drawn By	November 2007 / SMA
Scale	1:200 @ A3
Revision	A



Natural slate roofing

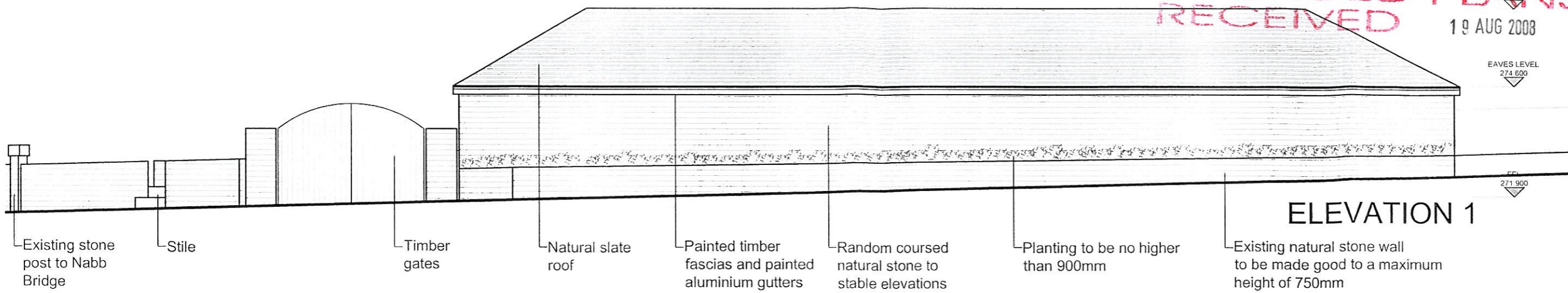
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19 AUG 2008

RIDGE LEVEL 276.415

EAVES LEVEL 274.600

FFL 271.900

Project	The Pit Yard, Water Proposed Stables
Drawing Title	Proposed Elevations
Drawing No.	092-15
Date/Drawn By	November 2007 / SMA
Scale	1:100 @ A3
Revision	A



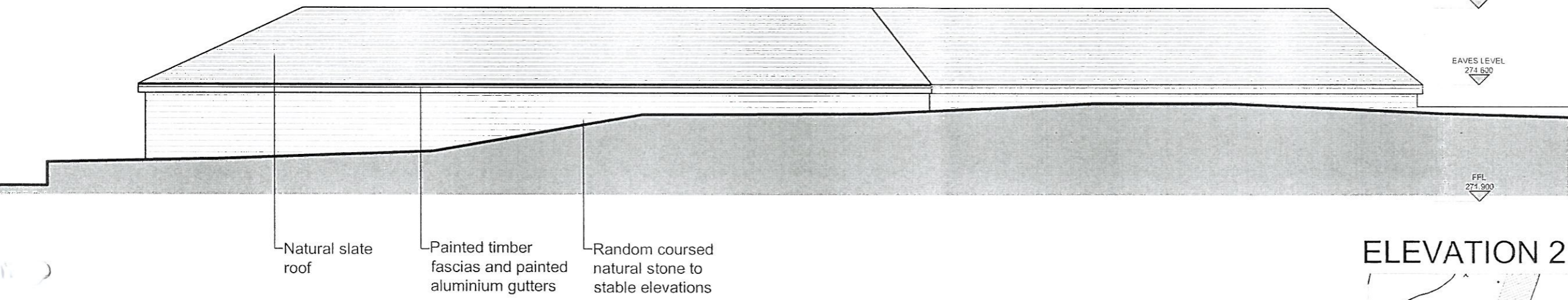
- Existing stone post to Nabb Bridge
- Stile
- Timber gates
- Natural slate roof
- Painted timber fascias and painted aluminium gutters
- Random coursed natural stone to stable elevations
- Planting to be no higher than 900mm
- Existing natural stone wall to be made good to a maximum height of 750mm

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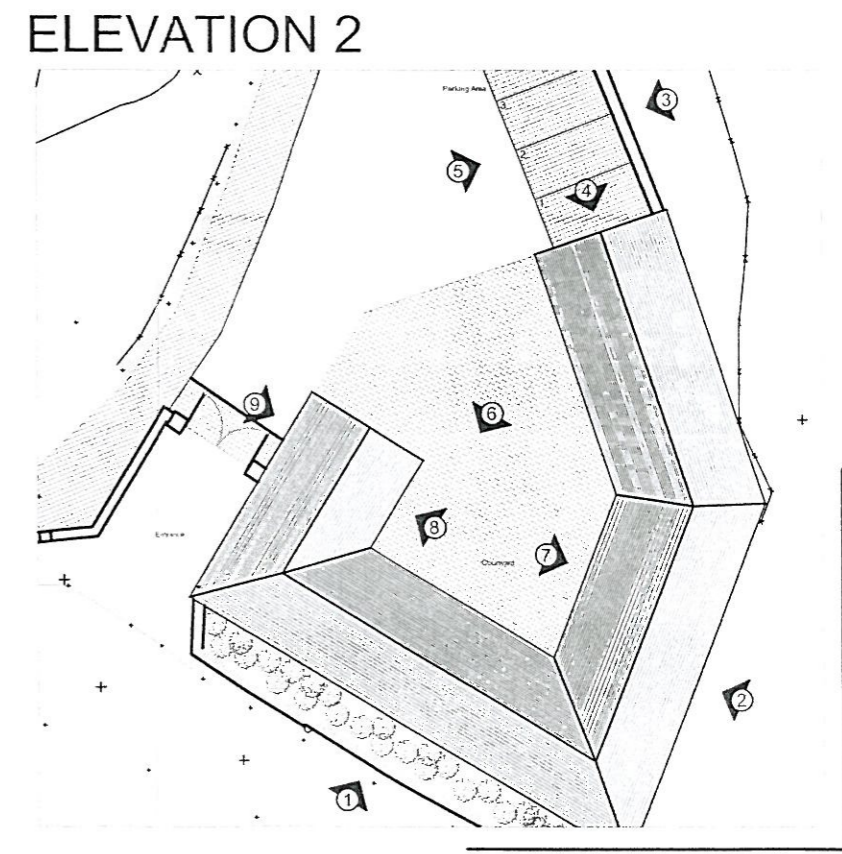
RIDGE LEVEL 276.415

EAVES LEVEL 274.600

FFL 271.900

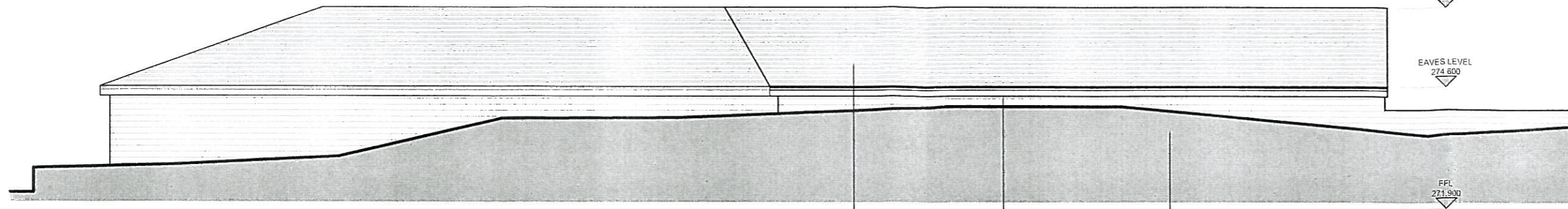


- Natural slate roof
- Painted timber fascias and painted aluminium gutters
- Random coursed natural stone to stable elevations



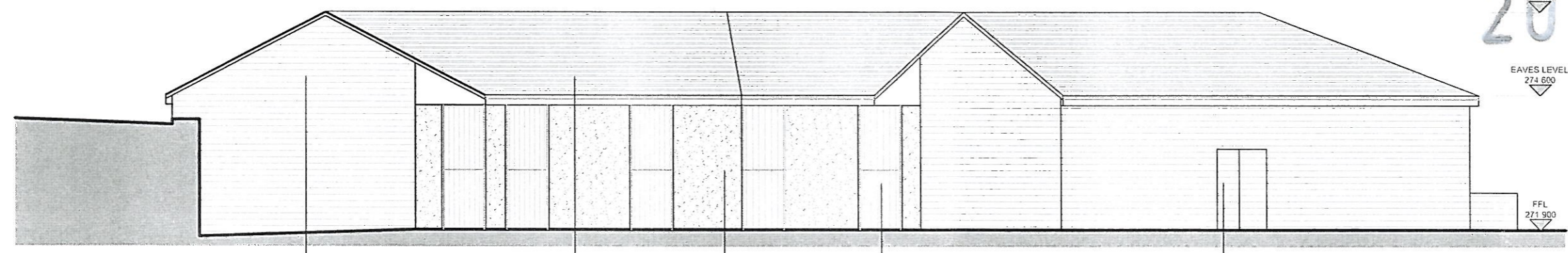
AMENDED PLANS RECEIVED 19 AUG 2008

Project	The Pit Yard, Water Proposed Stables
Drawing Title	Proposed Elevations
Drawing No.	092-16
Date/Drawn By	November 2007 / SMA
Scale	1:100 @ A3
Revision	A



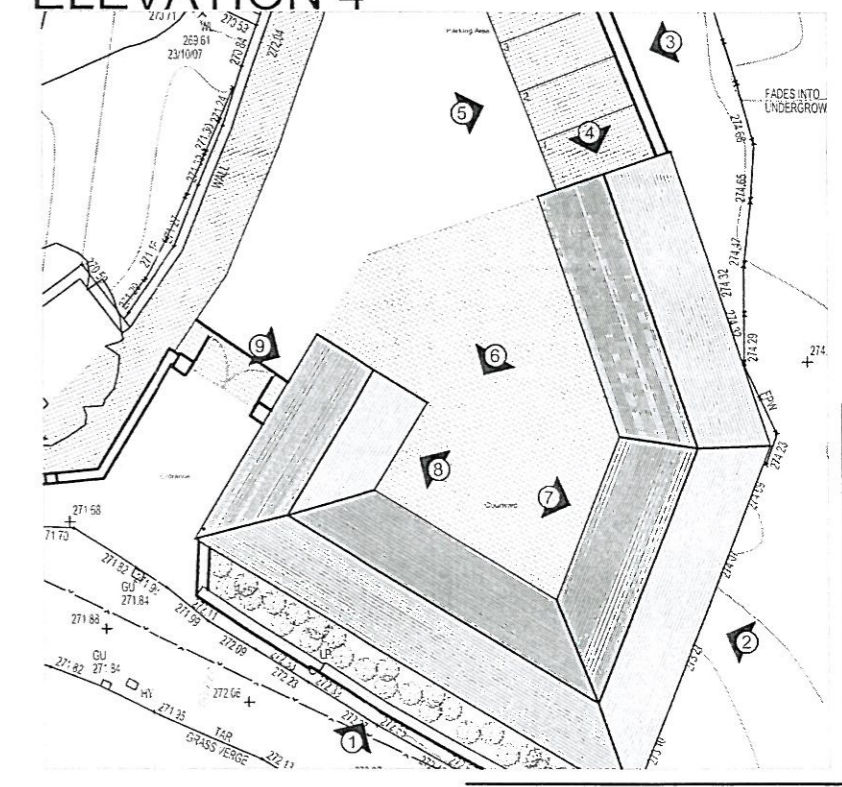
Natural slate roof
 Painted timber fascias and painted aluminium gutters
 Random coursed natural stone to stable elevations

ELEVATION 3



Random coursed natural stone to gable elevation
 Natural slate roof
 Render to internal courtyard elevations
 Timber stable door
 Natural stone gatepost

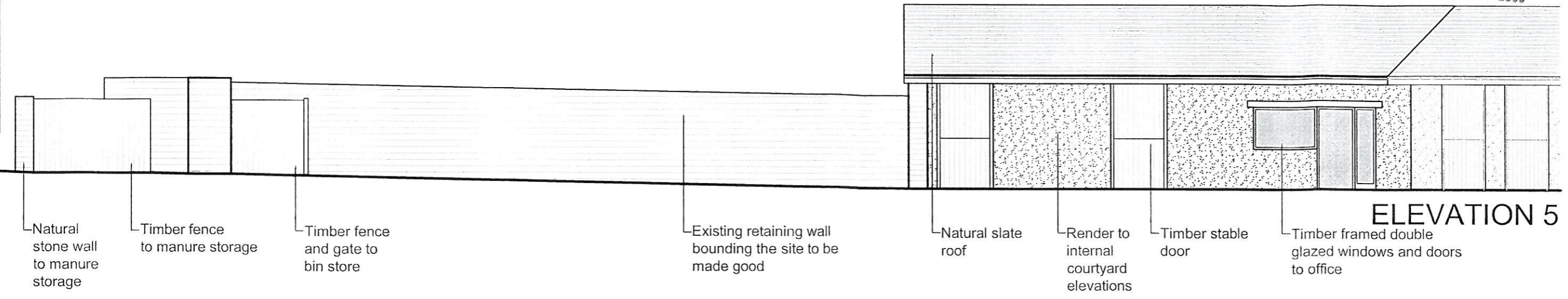
ELEVATION 4



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RECEIVED 19 AUG 2008

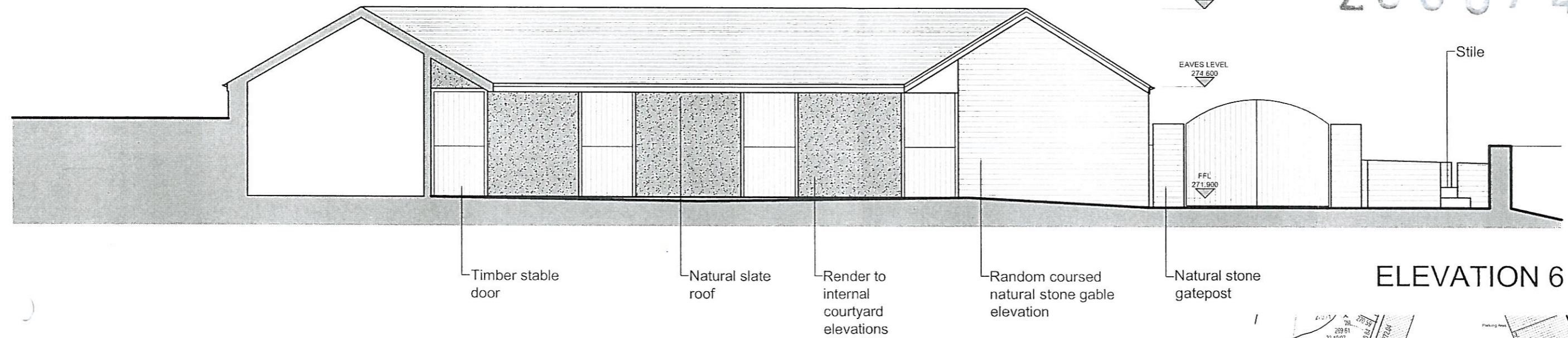
Project	The Pit Yard, Water Proposed Stables
Drawing Title	Proposed Elevations
Drawing No.	092-17
Date/Drawn By	November 2007 / SMA
Scale	1:100 @ A3
Revision	A



ELEVATION 5

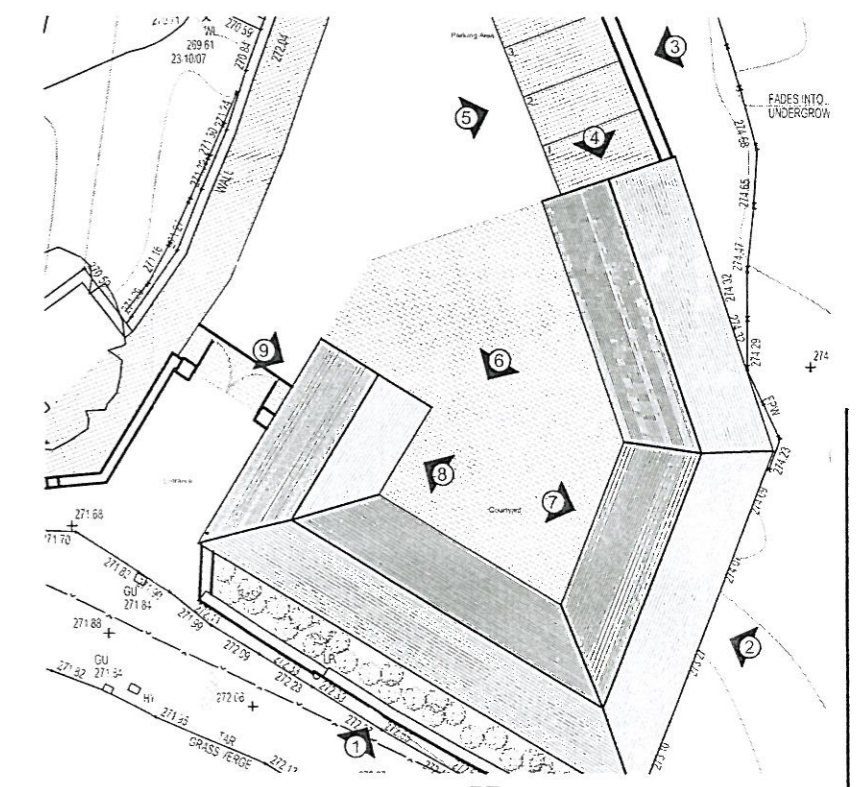
- Natural stone wall to manure storage
- Timber fence to manure storage
- Timber fence and gate to bin store
- Existing retaining wall bounding the site to be made good
- Natural slate roof
- Render to internal courtyard elevations
- Timber stable door
- Timber framed double glazed windows and doors to office

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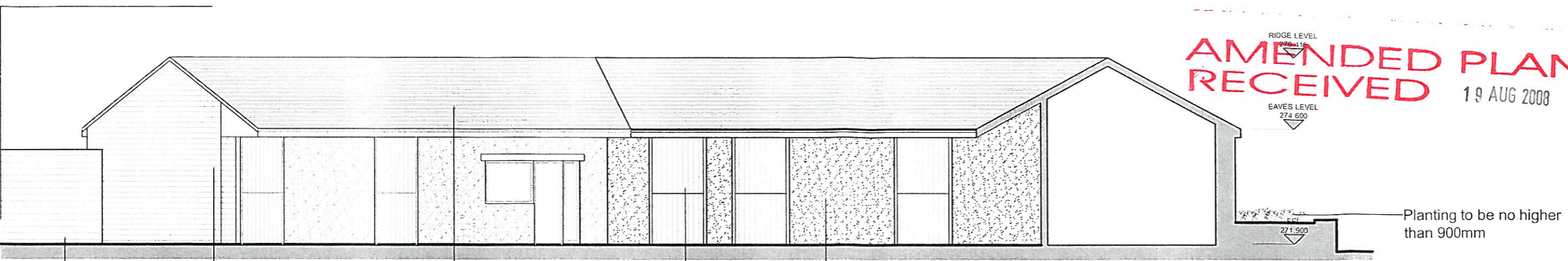
ELEVATION 6

- Timber stable door
- Natural slate roof
- Render to internal courtyard elevations
- Random coursed natural stone gable elevation
- Natural stone gatepost



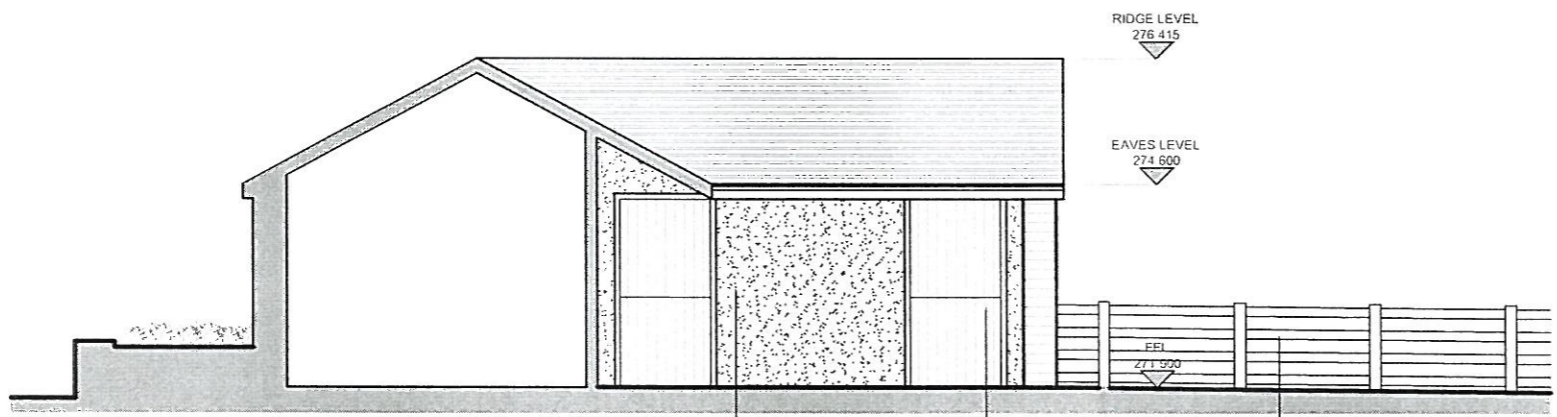
AMENDED PLANS RECEIVED 19 AUG 2008

Project	The Pit Yard, Water Proposed Stables
Drawing Title	Proposed Elevations
Drawing No.	092-18
Date/Drawn By	November 2007 / SMA
Scale	1:100 @ A3
Revision	A



Existing stone wall to be made good
 Random coursed natural stone to stable elevations
 Natural slate roof
 Render to internal courtyard elevations
 Timber stable door

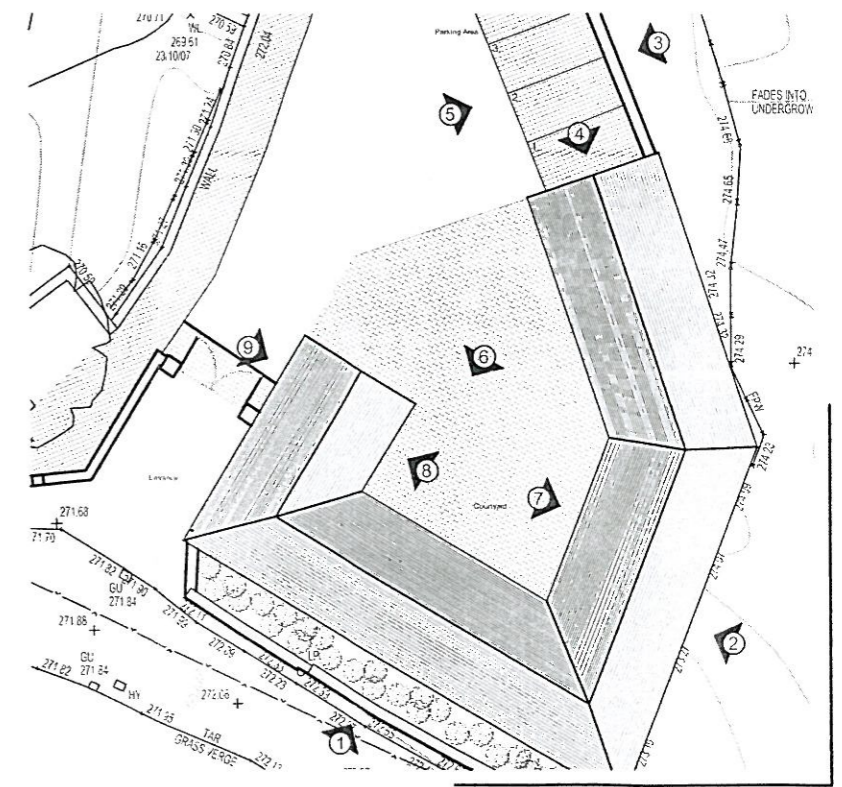
ELEVATION 7



Render to internal courtyard elevations
 Timber stable door
 Timber post and rail fence separating Public Footpath from stables

2008/416

ELEVATION 8

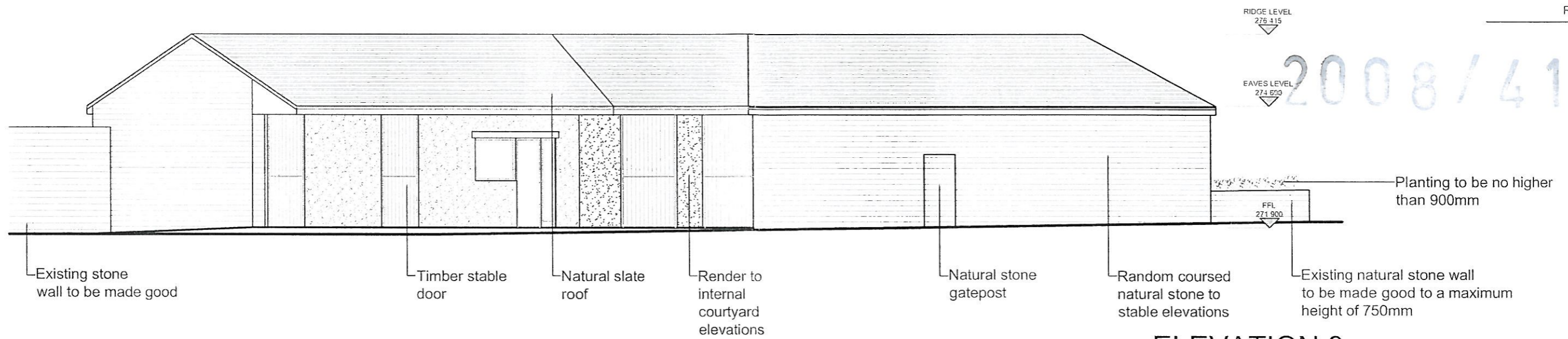


AMENDED PLANS RECEIVED 19 AUG 2008

Project
The Pit Yard, Water Proposed Stables
Drawing Title
Proposed Elevations

Drawing No.
092-19
Date/Drawn By
August 2008 / SMA
Scale
1:100 @ A3
Revision

2008/416



ELEVATION 9

