

Application No: 2008/658	Application Type: Full
Proposal: Construction of manege for private use	Location: Land opposite 150-154 Rising Bridge Road, Rising Bridge
Report of: Executive Director - Business	Status: For Publication
Report to: Development Control Committee	Date: 8 th December 2008
Applicant: Mr M Flood	Determination Expiry Date: 21 st November 2008
Agent: Mr J C Pye	

REASON FOR REPORTING **Tick Box**

Outside Officer Scheme of Delegation

Member Call-In

Name of Member:

More than 3 objections received ✓

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** This application relates to a field running parallel with properties 150- 180 Rising Bridge Road, Rising Bridge. The field is bounded by timber fencing and dry stone walling. Mature trees are located along the perimeter of the site. Two buildings currently exist on the field; a small 'shed' occupying a relatively central position within the field, and a timber building forming four stables, situated to the south of the site, was approved under planning application 2004/469. This building is used for the private use of the applicant and his family. The site is accessed via a gated entrance from Rising Bridge Road adjacent to the stables.
- 1.2** The site is situated within the Green Belt as designated in the Rossendale District Local Plan.

2. RELEVANT PLANNING HISTORY

- 2004/469 Erection of Timber Building to form four Stables and Tack Room
Approved
- 2004/899 Continuation of use of land for the parking of one horse box trailer
Approved

3. THE PROPOSAL

- 3.1** The applicant seeks consent for the construction of a manege for private use. The manege would measure 40m by 20m and would be sited to the rear of the existing stables, its length running parallel with Rising Bridge Road. The manege would be enclosed by 1.2m high timber post and rail fencing. There will be no significant change in levels on site other than the removal of the existing topsoil.

4. POLICY CONTEXT

National

PPS1 - Delivering Sustainable Development
PPS3 - Housing
PPG13 - Transport

Development Plan

Regional Spatial Strategy

Policy DP 1 - Spatial Principles
Policy DP 2 - Promote Sustainable Communities
Policy DP 3 - Promote Sustainable Economic Development
Policy DP 4 - Make the Best Use of Existing Resources and Infrastructure

Policy DP 5 - Manage Travel Demand; Reduce the Need to Travel, and Increase Accessibility
Policy DP 6 - Marry Opportunity and Need
Policy DP 7 - Promote Environmental Quality
Policy DP 8 - Mainstreaming Rural Issues
Policy DP 9 - Reduce Emissions and Adapt to Climate Change
Policy RDF4 - Green Belts

Rossendale District Local Plan.(1995)

DS3 - Green Belt
DC1 - Development Criteria
DC4 - Materials

5. **CONSULTATION RESPONSES**

LCC (Highways) - No highways comments.

RBC (Land Drainage) - Soakaways to be designed in accordance with Building Research Establishment Digest 365 or Approved Document H of the Building Regulations, 2002 Edition.

Drainage of the proposal should not cause nuisance to adjoining land.

6. **REPRESENTATIONS**

6.1 Two site notices were posted on 7/10/2008 as shown on the site plan. 15 neighbours were notified by letter on 02/10/2008 to accord with the General Development Procedure Order. The site notice has been posted to go above and beyond the regulatory requirement to ensure a high level of Community engagement to accord with PPS1.

6.2 16 letters have been received objecting to the proposal. Concerns are expressed relating to the following issues:

- How the private use is controlled
- Lighting
- Parking
- Access
- Drainage

7. **ASSESSMENT**

7.1 The main issues for consideration are: 1) Principle; 2) Visual amenity; 3) Residential Amenity; 4) Highway Safety.

7.2 Principle

7.3 PPG2 – Green Belts states that “The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness.”

7.4 PPG2 also states that there is a presumption against inappropriate development within the Green Belt, as such it is for the applicant to show why permission should be granted. The construction of new buildings inside a Green Belt is inappropriate unless it is for the following purposes:

- Agriculture and forestry
- Essential facilities for outdoor sport and recreation
- Limited extension, alteration or replacement of existing dwellings
- Limited infilling existing villages
- Limited infilling or redevelopment of major existing developed sites.

7.5 The application is considered to fall within the category of ‘Essential facilities for outdoor sport and recreation’.

7.6 The proposed manege would be sited on a relatively flat section of land. No cutting or infilling of the land would be required. The only feature of the proposed use that would be prominent is the timber fencing to bound the riding area. It is considered, therefore, that the manege would not unduly detract from the openness of the Green Belt.

7.7 Taking the above into consideration, the application is considered acceptable in terms of Green Belt Policy and therefore acceptable in principle.

7.8 Visual Amenity

7.9 Paragraph 3.15 of PPG2 Green Belts states that, “The visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt which, although they would not prejudice the purposes of including land in Green Belts, might be visually detrimental by reason of their siting, materials or design.”

7.10 The siting of the manege to the rear of the existing stables is considered appropriate and would contain the development associated with the land to one corner. The design of the manege is characteristic of the proposed use. The boundary treatment is considered appropriate to a countryside location. The field on which the manege would be sited is already used for the keeping of horses. It is considered that the development, therefore, would not detract from the visual amenities of the Green Belt. The scheme is considered acceptable in terms of its impact on visual amenity.

7.11 Residential Amenity

7.12 No lighting is proposed for the manege. Horses are considered not to generate a degree of noise that would be detrimental to neighbouring residents, and in any case, the field is already associated with the keeping of horses by virtue of the existing stables. The proposed manege is for private use, and will be

secured as such via condition, it is therefore considered that there would not be a material increase in the number of visitors attending the site. The scheme is considered acceptable in terms of neighbour amenity.

7.13 Highway Safety

7.14 As the use is for private recreational purposes already associated with the field, there would be no increase in the number of vehicles attending the site and there would not be a necessity for the creation of additional access and parking on site. There have been no objections to the proposed scheme from LCC Highways. The scheme is considered acceptable in terms of highway safety.

7.15 Consultees

7.16 In response to the points raised by objectors not already covered by the report, the RBC Land Drainage engineer has been consulted on the application and does not raise an objection, providing that the soakaways are designed in accordance with specific regulations; the other buildings and untidiness of the land cannot be controlled during the course of this application, however, the Planning Enforcement Team and the NEAT Team have been made aware of the concerns raised by objectors. As such, there are considered to be no other material considerations to outweigh the recommendation for approval.

8. CONCLUSION

8.1 The proposed development is acceptable in principle, and would not unduly detract from the visual amenities of the area, residential amenity, or highway safety.

9 RECOMMENDATION

9.1 That the Committee be minded to approve the application subject to conditions.

10 SUMMARY REASON FOR APPROVAL

The proposed development is acceptable in principle, and would not unduly detract from the visual amenities of the area, neighbour amenity, or highway safety. It is therefore considered that the proposal accords with the provisions of PPS1, PPG2, Policy RDF4 Green Belts of the Regional Spatial Strategy for the North West of England, and saved Policies DS3 – Green Belts, DC1 - Development Criteria, and DC4 – Materials of the Rossendale District Local Plan.

11 CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission

Reason: Required by Section 51 of the Planning and Compulsory Purchase 2004 Act.

2. The development shall be carried out in accordance with the plans dated 26 September 2008 unless subsequently amended and approved in writing by the Local Planning Authority.

Reason: To ensure the development complies with the approved plans and for the avoidance of doubt.

3. All materials to be used for the perimeter fencing and the surfacing 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, in accordance with the criteria of the saved Policy DC1 of the adopted Rossendale District Local Plan.

4. Before the development hereby permitted is first commenced the drainage system associated with the development hereby approved shall be designed and implemented in accordance with Building Research Establishment Digest 365 or Approved Document H of the Building Regulations, 2002 Edition. The drainage of the proposal should not cause nuisance to adjoining land.

Reason: To secure proper drainage, in accordance with the criteria of Saved Policy DC1 of the adopted Rossendale District Local Plan.

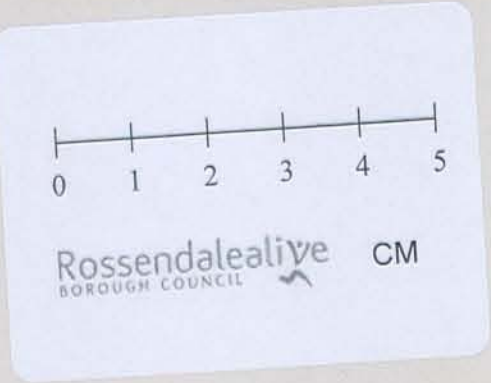
5. The manege hereby permitted shall be for private use and for the riding of horses only. The land shall not be used for any business purpose in connection with the training or schooling of horse or for the holding of any events, competitions, trials, horse club meetings or gymkhanas. The permission does not imply or grant permission for installation of any system of external illumination or sound – amplification.

Reason: In the interests of visual amenity, neighbour amenity and highway safety in accordance with the criteria of Saved Policy DC1 of the adopted Rossendale District Local Plan.

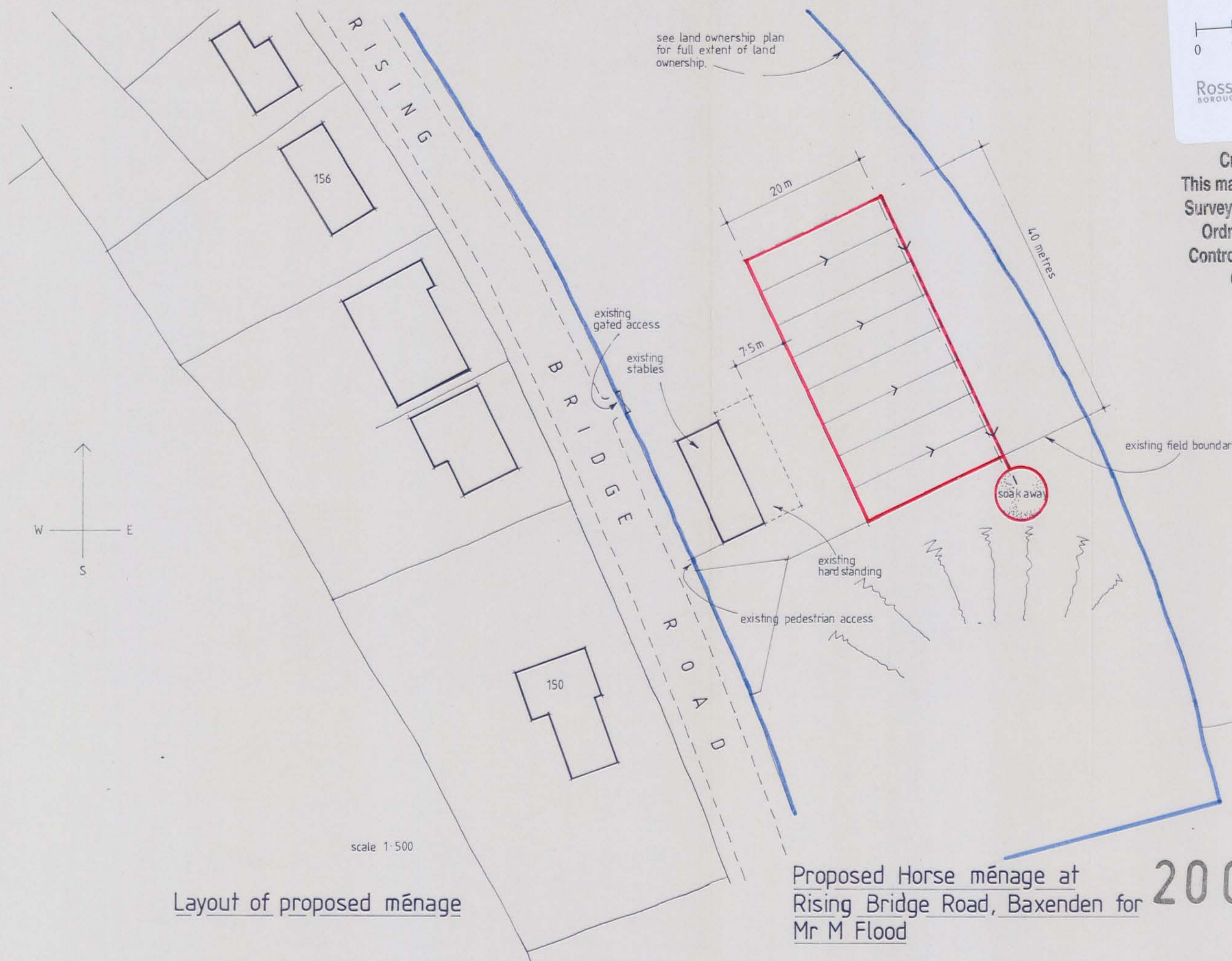
6. Any construction works associated with the development hereby approved shall not take place except between the hours of 8:00 am and 7:00 pm Monday to Friday and 8:00 am and 1:00 pm on Saturdays. No construction works shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays.

Reason: To safeguard the amenities of neighbours, in accordance with the criteria of saved Policy DC1 of the adopted Rossendale District Local Plan.

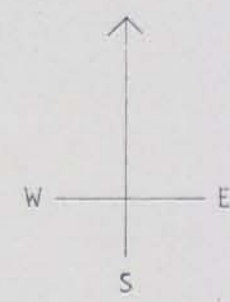
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see land ownership plan for full extent of land ownership.



scale 1:500

Layout of proposed ménage

Proposed Horse ménage at
Rising Bridge Road, Baxenden for
Mr M Flood

2008/658

JCP/0281

26 SEP 2008