

**Application No:** 2010/0032

**Application Type:** Full

**Proposal:** Retention of 5 storage containers and car park and provision of manure store, septic tank & additional hardstanding.

**Location:** Gib Hill Stables, Gib Hall Lane, off Goodshaw Lane, Crawshawbooth.

**Report of:** Planning Unit Manager

**Status:** For Publication

**Report to:** Development Control Committee

**Date:** 1 June 2010

**Applicant:** Ms Joanne Hollows

**Determination Expiry Date:**  
19 March 2010

**Agent:** Hartley Planning & Development Assoc

**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. SITE**

Gib Hill Stables is situated within the Countryside Area to the east of the settlement of Crawshawbooth. Access to it is gained from Goodshaw Lane via Gib Hill Lane and a drive, the use of which is shared with The Willows Stables/Kennels/Cattery.

From the car park formed near the junction on Gib Hill Lane and the shared-drive the land slopes down to the stables building approximately 50m to the south. On the north side of this building are a mobile caravan, 2 containers and a midden. On the south side of the stables building are 2 containers, a touring caravan and small shed. On its west side is a riding arena.

### **2. RELEVANT PLANNING HISTORY**

2003/587 - Riding Arena with floodlights  
Withdrawn

2004/103 - Retrospective change of use of agricultural building to stables and of agricultural land to land for keeping of horses and the erection of a 60m x 20m riding arena

Approved subject to conditions:

- prohibiting the use of floodlighting or use of the land for siting a caravan for residential purposes
- restricting the number of animals to 8 to be kept in the approved stables
- requiring submission of a scheme for the containment and storage of manure
- requiring details of the connection between the herringbone drainage system and a suitable watercourse
- requiring the provision of a parking place on the south side of Gib Hall Lane
- requiring the submission of details for the provision of parking for both motor cars and horse boxes.

Although the business activities from the above site have been carried out for a long period of time, none of the above conditions have been satisfactorily complied with.

2006/643 - Erection of floodlights and siting of 5 No. temporary storage cabins  
Withdrawn

### **3. THE PROPOSAL**

This application has been submitted following an enforcement investigations in respect of the unauthorised structures/works carried out on the site. As such the application seeks permission for the:

- a) Retention of 5 No. storage containers.
- b) Provision of new manure store and septic tank.

- c) Retention/re-surfacing of the car parking area and construction of an access track linking the car park with new manure store.

It is proposed that the new manure store and septic tank would be located on land adjacent to the two containers on the northerly side of the stables block. The manure store, to measure 7m x 5m, would be constructed on a reinforced concrete slab enclosed with 1.5m high walls on three sides. The proposed septic tank would be buried underground and linked to existing field drainage.

It is proposed that the existing parking area located on the northerly end of the site would be re-surfaced with consolidated limestone. The proposed access track between the parking area and the new manure store would be prepared with a consolidated limestone surface. A landscaping scheme proposes planting of a hawthorn hedge extending from the west side of the car park to the stables building.

In support of the application, the applicant points out:

- Whilst a number of the horses kept at the stables are their own, the majority belong to other people, these being commercial premises.
- The containers are used in association with the stables and provide facilities such as customer toilets, wash area, horse rug washing and dry room, customer kitchen and study area, horse food and supplement storage, rug storage, office and area to watch training dvds/videos.
- The containers are not fixed to the ground and are likely not to involve development.
- The application does not seek permission for floodlighting.
- The existing mobile caravan will be removed from the site.
- The various containers and proposed manure store are all clustered closely round the stables block and they are essential for the continuing operation of the business.
- To permit the application will help them comply with conditions of Planning Permission 2004/103.

#### **4. POLICY CONTEXT**

##### **National Planning Guidance**

PPS1 Delivering Sustainable Development  
PPS4 Economic Growth  
PPS7 Sustainable Development in Rural Areas  
PPG17 Sport & Recreation

##### **Development Plan**

##### **Regional Spatial Strategy (Adopted 2008)**

DP1-9 Spatial Principles etc  
RDF2 Rural Areas  
RT2 Managing Travel Demand  
RT4 Management of the Highway Network  
EM1 Environmental Assets

Rossendale District Local Plan (1995)

DS5 Development Outside the Urban Boundary & Green Belt

DC1 Development Criteria

DC4 Materials

**Other Material Planning Considerations**

4NW Draft Partial Review of the RSS

LCC Parking Standards

LCC Landscape Strategy for Lancashire

RBC Emerging Core Strategy

**5. CONSULTATION**

LCC (Highways)

No highway comments

RBC (Environmental Health)

No comments

**6. Notification Responses**

To accord with the General Development Procedure Order a site notice was posted on 8 February 2010 and the relevant neighbours were notified by letter on 1 February 2010

Four letters raising objection to the proposal have been received from local residents. The comments made are:

- Numerous areas on this property have been developed without planning permission. The unauthorised car park, containers, caravans etc have been there for years.
- The traffic on Goodshaw Lane from this and other developments on Gib Hill Lane has significantly increased.
- Goodshaw Lane is a single track lane used by many pedestrians, walkers and horse riders.
- The presence of a car park/vehicle storage area up the hill has had a marked change on the nature of the area which was previously farmland with farm buildings.
- The floodlighting around the riding arena that was specifically prohibited but is regularly used. Being in an elevated position, the extreme glare from these lights has a radical effect on the nature of the once dark farmland and hills.

**7. Planning Issues**

Principle

In the adopted Local Plan, the application site lies within a Countryside Area, wherein Policy DS5 would preclude development other than for the purposes of agriculture, forestry or other uses appropriate to a rural area, unless for the rehabilitation and re-use of buildings.

The proposed development including the parking area, manure heap, containers etc, is currently being used in association with the stables and riding arena permitted under planning permission 2004/103. The applicant advises that the existing stables building is occupied by 8 horses (three owned by the applicant and the remainder owned by customers) and the containers provide necessary facilities for the running of the stables and riding arena.

Out of the five containers presently located at the site, four are used for the storage of horse food/supplements, horse bedding, horse rugs and provision of horse rug washing and drying area, customer kitchen/study area/ toilet etc. One container is used as office/storage for DIY equipment, electric fencing items, tools etc. Having regard to the more recent PPS7, it is considered that the proposed development relating to an existing stables/horse riding facility is an appropriate use for a rural area and, therefore, accords with Policy DS5 of the Local Plan.

However, PPS7 and Development Plan policies require that the proposal will not unduly affect the character and appearance of the countryside, neighbour amenity, drainage or highway safety. These matters are considered below.

The mobile home presently to be seen on the site is not in use and the applicant has agreed to remove it from the site. A condition is proposed to ensure it is removed.

#### Visual Amenity

The north part of the site, containing the parking area, is located in an elevated position. Both the parking area and the proposed access track down to the manure store are to be of consolidated limestone. I consider it more appropriate for them to be surfaced with locally sourced gritstone. Having regard to the elevated level of the car park I consider it appropriate to preclude its use for the storage of vehicles, horse boxes, trailers, etc, the applicant having the scope for this in a less conspicuous position. To that end a condition is proposed to preclude the car park being used between midnight and sunrise.

Permission 2004/103 prohibits use of floodlighting and the current application does not seek permission for it.

On this basis I am satisfied that the development will not have an unduly detrimental impact on the character/appearance of the countryside.

#### Neighbour Amenity

The site is located approximately 150m away from the dwellings on the opposite side of Goodshaw Lane. Although the proposed parking area and the access track, due to their elevated position, would be visible from the surrounding land, the containers, due to their low lying position and orientation, are considered to be inconspicuous when viewed from these residential properties. With time the proposed hedge will help to screen the development.

The issues raised by the residents include use of floodlighting at the riding arena. If necessary enforcement action will be pursued to ensure this does not recur

#### Highway Safety

Whilst it is accepted that the development which this application seeks permission to regularise may have contributed to an increase in traffic on Goodshaw Lane, the Highway Authority is satisfied with the access/parking arrangements at the site. I am satisfied that the development does not endanger public safety.

## **8. Summary Reason for Approval**

It is considered that the development for which permission is sought is for/associated with a use that is appropriate in the Countryside and, subject to the conditions will not unduly affect visual and neighbour amenity or highway safety. Therefore, it is considered that the development is in accordance with PPS1 / PPS7, Policies DP1-9 / RDF1 / RDF2 / RDF4 / EM1 of the Regional Spatial Strategy for the NW of England (2008), and Policies DS5 / DC1 of the Rossendale District Local Plan (1995).

## **9. RECOMMENDATION**

Approve

### **Conditions**

1. The development shall be carried out in accordance with the drawings numbered 2010/032 received on 22 January 2010 and Amended drawings numbered 2010/032 received on 24 February 2010 and 17 May 2010, unless otherwise required by the conditions below or first agreed in writing by the Local Planning Authority.  
*Reason: To ensure the development complies with the approved plans and to ensure that the development does not detract unnecessarily and unacceptably from the essentially open and rural character of the area, in accordance with Policies RDF2 / EM1 of the Regional Spatial Strategy and Policies DS5 / DC1 of the Rossendale District Local Plan.*
2. Notwithstanding what is shown on the drawings, the parking area and access track to the manure store shall be constructed with locally-sourced gritstone (rather than limestone) and the parking area shall not be used between midnight and sunrise for the parking of vehicles, horse-transporters, trailers, or any other form of storage.  
*Reason: To ensure that the development does not detract unnecessarily and unacceptably from the essentially open and rural character of the area, in accordance with Policies RDF2 / EM1 of the Regional Spatial Strategy and Policies DS5 / DC1 of the Rossendale District Local Plan.*
3. The hedge indicated on the drawings shall be planted before 31/12/10 and shall comprise of a mix of 80% hawthorn and 20% holly, with the spacings referred to in the Design & Access Statement., and suitably protected until established. Any of the plants in the hedge which within a period of 5 years from planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

*Reason: To ensure that the development does not detract unnecessarily and unacceptably from the essentially open and rural character of the area, in accordance with Policies RDF2 / EM1 of the Regional Spatial Strategy and Policies DS5 / DC1 of the Rossendale District Local Plan.*

4. The mobile home shall be removed from the premises within 6 weeks of the date of this decision and the containers hereby permitted shall be used in connection with the equine business at the premises and shall not be used as living accommodation.

*Reason : To ensure that the development does not detract unnecessarily and unacceptably from the essentially open and rural character of the area, in accordance with Policies RDF2 / EM1 of the Regional Spatial Strategy and Policies DS5 / DC1 of the Rossendale District Local Plan.*

5. Planning Permission 2004/103 precluded use of floodlighting and this decision notice does not infer or grant permission for any floodlighting at the premises.

*Reason : To ensure that the development does not detract unnecessarily and unacceptably from the essentially open and rural character of the area, in accordance with Policies RDF2 / EM1 of the Regional Spatial Strategy and Policies DS5 / DC1 of the Rossendale District Local Plan.*

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