

Application Number:	2014/0159	Application Type:	Full
Proposal:	Construction of all-weather riding arena	Location:	Greens Farm Greens Lane Stacksteads Bacup
Report of:	Planning Unit Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	17 June 2014
Applicant:	Mrs D Sykes	Determination Expiry Date:	17 June 2014
Agent:	Mr James Clarke		

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REASON FOR REPORTING	
Outside Officer Scheme of Delegation	
Member Call-In Name of Member: Reason for Call-In:	
3 or more objections received	YES
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.

1. RECOMMENDATION

That Permission be granted subject to the Conditions set out in Section 10.

2. THE SITE

The applicant resides at Greens Farm, part of a substantial complex of buildings and yards in the Countryside to the south of the Urban Boundary of Stacksteads. The complex contains 4 dwellings in the ownership of others.

Access to the complex is by means of Greens Lane, an un-adopted tarmac lane of single-vehicle width that rises up from Cutler Lane.

The application relates to a fairly level area of land to the east of Greens Lane and to the north of a midden adjacent to a traditional agricultural building of 2-storey height owned by the applicant. When the site was visited this area appeared quite poached, the strip of land between it and Greens Lane occupied by a telegraph pole near that carries electricity cables to a number of properties.

To the opposite side of the lane is a high hedge bounding a field. To the east of the site is a house (Greens House), which is elevated 1.5m-2m above the level of the site, and has a ground and first floor window in the gable facing the site; boundary planting within the grounds of the neighbouring property largely screens view of the site from the ground floor window. To the north side of the site is the drive giving access to Greens House from Greens Lane.

3. RELEVANT PLANNING HISTORY

None

4. THE PROPOSAL

Permission is sought to provide on the application site an all-weather riding arena of 16m x 24m in area. It is to have a surface of fibre, sand and rubber, and be surrounded by a timber post-&-rail fence.

The Design & Access Statement advises that this area has been used for the riding of horses and the proposed riding arena is to be used by the resident –family for schooling of their horses, not for business purposes.

There is no indication that the riding arena is to be illuminated. Its construction will not require relocation of the telegraph pole carrying electricity cables.

5. CONSULTATION RESPONSES

None.

6. NEIGHBOUR NOTIFICATION RESPONSES

To accord with the General Development Procedure Order a site notice was posted on 2/5/14 and neighbours were notified by letter on 22/4/14.

Three letters of objection have been received, one from the resident of a house immediately adjacent to the application site and the others from occupiers of properties approximately 120m & 6km away :

Greens House (Adjacent)

Work has already begun and the submitted drawings are incorrect as there is a 4m wide access to garages at Greens House that the applicant has stopped them using. Gas, water and foul & surface drainage pipes to Greens House run under this access road and electricity wires go over it.

Concerned also that as the land slopes from south to north the intended soakaway would be to the north side of the riding arena and thus be on their land or interfere with services to Greens House.

Lumbley House (120m away)

The development was undertaken last year and surface-water does not drain to a soakaway but onto their land and then onto Greens Lane.

Osborne Terrace, Rawtenstall (6km away)

The “proposed plans” for the riding arena have been partly executed bar the drainage - its dimensions do not correspond to the plan and after bad weather surface-water drains onto adjoining land and then Greens Lane, which already had a surface-water problem.

7. RELEVANT PLANNING POLICIES

National

National Planning Policy Framework (2012)

Section 7 Requiring Good Design

Section 10 Meeting the challenges of climate change, etc

Section 11 Conserving & Enhancing the Natural Environment

Section 12 Conserving & Enhancing the Historic Environment

Development Plan

RBC Core Strategy DPD (2011)

AVP2 Area Vision for Bacup, Stacksteads, Britannia & Weir

Policy 1 General Development Locations & Principles

Policy 16 Preserving & Enhancing the Built Environment

Policy 19 Climate Change and Low & Zero Carbon Sources of Energy

Policy 21 Supporting the Rural Economy and its Communities

Policy 24 Planning Application Requirements

8. ASSESSMENT

The main considerations of the application are :

- 1) Principle; 2) Visual Amenity; 3) Neighbour Amenity; & 4) Access/Parking.

Principle

The provision of a facility for outdoor sport and recreation is appropriate in principle within the Countryside.

Visual Amenity

The proposed riding arena is relatively modest in size and, as it is to be sited immediately adjacent to existing buildings/yards, it will not detract to an unacceptable extent from the character and appearance of the area.

Neighbour Amenity

The proposed riding arena has implications really only for occupiers of Greens House. Its provision may result in some intensification in the horse-related use of this area. However, as it is not intended for business use, or to be illuminated, I do not consider it likely to generate significantly greater noise or disturbance for this or any other neighbour. Likewise, the difference in levels between the application site and Greens House, and intervening planting, are such that I do not consider this or any other neighbour likely to be unduly affected in terms of loss of light/outlook/privacy.

Contrary to the comments of objectors, the Agent advises that construction of the riding arena has not commenced. When the site was visited this area appeared quite poached, suggesting that it has been used for exercising/riding horses. There is nothing to suggest that the proposed riding arena will encroach upon anyone else's land or be over services to other properties. Whilst the submitted documents provide details of the perforated drainage pipes to be installed beneath the riding arena they are not clear about the siting/size/form of the proposed soakaway they are to connect to. Accordingly, it is considered appropriate to require by way of a Condition submission of fuller details of the intended drainage arrangements.

Access/Parking

The proposal is not likely to materially affect the nature/volume of traffic on Greens Lane and the proposed riding arena does not result in the loss of existing off-street parking. The Highway Authority has not objected to the proposal.

9. SUMMARY REASON FOR APPROVAL

The proposed development is appropriate in principle in the Countryside and, subject to the conditions, is not considered likely to unduly detract from visual and neighbour amenity or highway safety. It is considered that the development is in accordance with the National Planning Policy Framework, and Policies AVP2 / 1 / 16 / 19 / 21 / 24 of the Council's adopted Core Strategy DPD (2011).

10. RECOMMENDATION

Approve

CONDITIONS

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 the submitted Drawings and Design & Access Statement, unless otherwise required by the conditions below or first agreed in writing by the Local Planning Authority.
Reason : For the avoidance of doubt.
3. Prior to first use of the riding arena hereby permitted details of the surface-water drainage arrangements (most particularly the siting/size/form of the proposed soakaway, and connections thereto) shall be submitted to & approved in writing by the Local Planning Authority and the approved scheme shall be implemented.
Reason : To mitigate the risk of flooding, in accordance with Policy 24 of the adopted Core Strategy DPD.
4. The riding arena hereby permitted shall be used by the occupiers of Greens Farm for the schooling and exercise of their horses kept for hobby-purposes, and shall not be used for any business purpose. The permission does not imply or grant approval for the installation of any system of external illumination or sound amplification.
Reason : To protect visual/neighbour amenity, in accordance with Policy 24 of the adopted Core Strategy DPD.
5. 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 neighbours, in accordance with Policy 24 of the adopted Core Strategy DPD.