

**TITLE: 2006/115 EXTENSION OF EXISTING INDOOR RIDING ARENA TO PROVIDE LECTURE ROOM AND BAR**

**TO/ON: DEVELOPMENT CONTROL COMMITTEE  
30<sup>TH</sup> MAY 2006**

**BY: TEAM MANAGER DEVELOPMENT CONTROL**

**APPLICANT: MR K HOLDEN**

**DETERMINATION EXPIRY DATE: 2<sup>ND</sup> MAY 2006**

### **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.

### **Site and Proposal**

The proposal site stands to the rear of Stone Fold Village accessed from Northfield Road and the Kings Highway, Rising Bridge. The site comprises 90 acres of agricultural land which is used for the keeping of horses in association with the running of the equestrian centre. A number of agricultural buildings have been converted due to the increase in numbers of liveries. The applicant proposes to extend the property on the South elevation in green metal profile wall cladding. The proposal site is within a Countryside location.

### **Relevant Planning History**

None

### **Notification Responses**

Site notices were posted to which there were eleven letters of objection.

The following issues were raised:

- Noise generated from the arena
- Noise generated from the increase in traffic
- Stonefold becoming a holiday village
- Congestion and increase in visitors to the area

- Uncertainty over the need for a bar at an equestrian centre
- Obstruction from horse boxes blocking the access through Stonefold village
- Damage to the already inadequate access road
- Horse boxes/vehicles accessing the site at un-neighbourly times of the day
- Damage to properties by vehicles accessing the site
- Increased water flow down Northfield Road due to previous works affecting drainage
- Highway Safety
- Ownership of the road – liability for accidents

## **Consultation Responses**

### **LCC Highways**

No Highways implications

### **County Land Agent**

The applicant began keeping horses on the site on a commercial basis in 1991 when he started a livery operation after ceasing his commercial cattle dairy enterprise in 1989. He utilised the existing agricultural buildings to provide a livery accommodation for horses. Over the subsequent years the numbers of liveries increased which led to further agricultural buildings being converted. In addition Mr Holden introduced new aspects to the horse enterprise such as riding shows. Initially, these took place utilising the part of the agricultural land and subsequently Mr. Holden took the decision in 1997 to apply for planning permission to erect a building to provide an undercover riding facility.

The basis of this application is in accordance with an existing commercially operated equestrian enterprise. It is clear from the situation as exists at present at Croft Top Farm that Mr. Holden has developed the site with the view of erecting a purpose built equestrian centre whilst still maintaining his core livery business utilising existing buildings on the unit.

The proposed development whilst representing relatively small scale built development compared to the scale of the two purpose built structures I envisage will provide an added contribution to the overall facilities which are being offered for public use.

The proposed site for development does appear to be the most logical location when considering the purpose of providing this facility whilst also utilising an area of land which does provide a specific location other than a walkway which is still proposed to be maintained.

## **Development Plan Policies**

Rossendale District Local Plan (Adopted 1995)

Policy DS.1 (Urban Boundary)

Policy DC1 (Development Criteria)

Policy DC4 (Materials)

Joint Lancashire Structure Plan (Adopted 2005)

Policy 1 (General Policy)

## **Other Material Planning Considerations**

None

## **Planning Issues**

The first issue to consider is that of land use principle. The development would be located within the Countryside, however the current use of the associated buildings and land as an equestrian centre and the relatively small scale proposal means that

there would be no significant effect upon the landscape or existing conditions in the area in accordance with Policy 1 and Policy 20 of The Joint Lancashire Structure Plan.

The second issue is the level of objection which was received to the application. The first point of objection was the generation of additional noise from the development. Whilst it is recognised that the development would create some additional noise, it is considered that the scale of the extension would not lead to a significant increase in noise levels. In addition, the extension is situated to the South elevation of the building which is the furthest part from any residential properties. Therefore it is considered that in this respect there would be no significant impact upon neighbour amenity.

Some residents also raised the issue of increase noise levels from increased traffic visiting the site and congestion, however the applicant intends only to employ one additional member of staff and therefore the increase in traffic is not considered to be significant. In addition there were no objections from the highways department. Objections were also raised about the future plans of the applicant to develop Stonefold into a Holiday Village. This is unassociated with the current application and therefore should not form any part of a reason for refusal.

Many of the objectors raised the issue of damage which is done to their properties by horse boxes which visit the site however it is considered that this is an issue associated with the current operation of the site and not the future use of any extensions. It appears that many of the objections are based on operations which currently take place on the site as opposed to the effects that an extension may have.

One issue which is relevant and can be addressed by adding adequate condition to an approval is the visiting of the site by customers at un-neighbourly times of the day and night. It is recognised that this may have a significant impact upon neighbour amenity and therefore should be strictly controlled by means of a condition. This however cannot control the hours of business of the existing equestrian centre.

In principal the use as existing is acceptable and the relatively small scale development compared to the large building which already stands on the site, it is considered that the development would have no significant additional effect upon neighbour amenity and therefore would be in accordance with the provisions of Policy DC.1 of The Rossendale District Local Plan.

The materials which are proposed for the development would not look out of place within the locality and would have no significant effect upon visual amenity. The siting of the development on the South elevation is the most sensitive location as it would not be visible from any residential properties and would have no impact upon the character of the countryside location. Therefore the development is regarded to be in accordance with Policy DC.1 and DC.4 of The Rossendale district Local Plan and Policy 20 of The Joint Lancashire Structure Plan.

There were no objections from any statutory consultees and whilst the neighbour objections are recognised the development is recommended for conditional approval.

### **Recommendation**

That the development is approved subject to conditional control.

### **Conditions and Reasons**

1. The development 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 Act 2004)

2. All the external materials and finishes to be used on the roof and elevations of the 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)

3. Any construction works associated with the development hereby approved shall not take place except between the hours of 7:00 hrs and 19:00 hrs Monday to Friday and 8:00 hrs and 13:00 hrs 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 Policy DC.1 of The Rossendale District Local Plan.)

4. The bar hereby approved shall only be open to the public during the hours of 12:00 hrs and 22:30hrs on event days only. (Reason: In the interests of residential amenity and to accord with Policy DC.1 of The Rossendale District Local Plan)

### **Development Plan Policies**

#### **Rossendale District Local Plan**

DS.1

DC.1

DC.4

#### **Joint Lancashire Structure Plan**

Policy 1

Policy 20

