

Committee Report**Date: 01.06.2022**

Item Number	01
Application Number	22/00074/FUL
Proposal	Erection of equine buildings and change of use of land to form car parking area (retrospective)
Location	Braeden Bleasdale Lane Claughton-On-Brock Preston Lancashire PR3 1UR
Applicant	Stephanie Davis
Correspondence Address	c/o Mrs Melanie Lawrenson 5 Bobbin Mill Cottages Stubbins Lane Claughton on Brock Preston PR3 0PL United Kingdom
Recommendation	Permit

REPORT OF THE HEAD OF PLANNING SERVICES**CASE OFFICER - Mr Rob McKillop**

Site Notice Displayed: 16.03.2022

1.0 INTRODUCTION

1.1 This application is before the Planning Committee for consideration at the request of Councillor Turner. A site visit is recommended to enable Members to understand the proposal beyond the plans submitted and the photos taken by the Case Officer.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The application site is the existing Braeden Pony Trekking centre located on the north western side of Bleasdale Lane in Claughton-On-Brock and lies within the Forest of Bowland AONB. The existing site consists of a parking area to the front. There are several existing buildings surrounding the central yard area, with a manege beyond this to the north east. The existing buildings are surrounded by fields which are owned by the applicant.

3.0 THE PROPOSAL

3.1 Retrospective planning permission is sought for the erection of equine buildings and change of use of land to form car parking area. The main extension would project 13.6m beyond the north-west of the existing stables, and would have the same 18.2 width as the existing building. The maximum height would be 4.2m, with an eaves height of 2.4m. Some additional stables would infill an area adjacent to the existing stable block to match the existing dimensions of the building. The proposed car parking area would be formed to the north west of the proposed

extended stable buildings. The extensions would be constructed from cement fibre sheets for the roof and the walls would be finished with tanalised timber Yorkshire boards with concrete panels to the lower part.

4.0 RELEVANT PLANNING HISTORY

4.1 The site has the following relevant planning history:

4.2 09/00276/FUL - Change of use from private stables to pony trekking centre including new stable block, manège with reception and staff room in existing stable block. Approved.

4.3 10/00424/FUL - Change of use of land for the erection of ancillary accommodation block for use in connection with existing pony trekking centre, to provide reception and groom's living accommodation. Withdrawn.

4.4 10/00655/FUL - Change of use of land for the erection of ancillary accommodation block for use in connection with existing pony trekking centre, to provide reception and groom's living accommodation (re-sub 10/00424/FUL). Refused.

4.5 14/00164/FUL - Change of use of part of land for the erection of stable block for use within the existing pony trekking centre. Approved.

4.6 14/00165/FUL - Change of use of part of land for the erection of an ancillary building to provide a visitor centre, reception and toilet facilities for use in connection with the existing pony trekking centre. Approved.

4.7 14/00166/FUL - Retrospective application for the erection of two stables. Approved.

4.8 14/01002/LAWE - Certificate of lawful use for use of existing ancillary accommodation (reception and staff room) of the pony trekking centre as residential accommodation. Granted.

4.9 21/01278/FUL - Change of use from agriculture to doggy day care (sui generis) including erection of timber building and creation of hardstanding and track. Pending consideration.

5.0 PLANNING POLICY

5.1 ADOPTED WYRE BOROUGH LOCAL PLAN

5.1.1 The Wyre Local Plan 2011-2031 (WLP31) was adopted on 28 February 2019 and forms the development plan for Wyre. To the extent that development plan policies are material to the application, and in accordance with the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.

5.1.2 The following policies contained within the WLP 2031 are of most relevance:

- SP1 - Development Strategy
- SP2 - Sustainable Development

- SP4 - Countryside
- SP5 - Forest of Bowland AONB
- CDMP1 - Environmental Protection
- CDMP2 - Flood Risk & Surface Water Management
- CDMP3 - Design
- CDMP4 - Environmental Assets
- CDMP6 - Accessibility & Transport
- EP8 - Rural Economy
- EP10 - Equestrian Development

5.2 EMERGING LOCAL PLAN PARTIAL REVIEW

5.2.1 A Publication version of the Wyre Local Plan Partial Review underwent a public consultation between 30 November 2021 and 18 January 2022. The Submission draft Wyre Local Plan Partial Review 2011-2031 (WLPPR31) was approved for submission to the Secretary of State for examination on 15 April 2022 and approved for Development Management purposes. Presently the Submission draft WLPPR31 forms a material consideration of limited weight in the consideration of planning applications.

5.3 NATIONAL PLANNING POLICY FRAMEWORK 2021

5.3.1 The revised National Planning Policy Framework (NPPF) was published by the Government on 20th July 2021. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The policies in the 2021 NPPF are material considerations which should also be taken into account for the purposes of decision taking.

5.3.2 The following sections / policies set out within the NPPF are relevant to the determination of this application:

- Chapter 2 - Achieving sustainable development
- Chapter 4 - Decision-making
- Chapter 6 - Building a strong, competitive economy
- Chapter 8 - Promoting healthy and safe communities
- Chapter 9 - Promoting sustainable transport
- Chapter 12 - Achieving well-designed places
- Chapter 14 - Meeting the challenge of climate change, flooding and coastal change

5.4 OTHER MATERIAL CONSIDERATIONS

5.5 National Planning Practice Guidance (NPPG)

6.0 CONSULTATION RESPONSES

6.1 BLEASDALE PARISH COUNCIL

6.1.1 No comments received.

6.2 CLAUGHTON PARISH COUNCIL

6.2.1 Objections (summarised):

- There has been a history of retrospective applications and enforcement cases;
- The development, combined with proposals on adjacent land, will increase activity in this area;
- The NPPF states development in AONBs should be limited, and landscape should be conserved and enhanced;
- The development will be larger than previous buildings at the site and will appear as a visual blot on the landscape;
- The buildings are unrelated to other built development or settlement;
- Increased hardstanding will spoil the landscape and no landscaping proposals are included;
- The proposal is unsustainable in this location and there are no public benefits to outweigh harm (as required by Policy SP4 of the Local Plan);
- Proposal conflict with Policies SP2, SP4, SP5, EP8 and EP10 of the Local Plan;
- No ecology survey has been submitted and the proposals will impact on local wildlife.

6.3 LANCASHIRE COUNTY COUNCIL (HIGHWAYS)

6.3.1 No objections subject to conditions.

6.4 WYRE BC HEAD OF ENGINEERING SERVICES (DRAINAGE)

6.4.1 No objection in principle - details of waste management to be provided and no foul/contaminated water to discharge to the watercourse.

7.0 REPRESENTATIONS

7.1 4 comments have been received in support of the application (summarised as follows):

- Local businesses should support the success of all;
- The Dog Day Care element is not part of this application;
- The building is required to provide existing horses with a greater range of space to assist with their proper management;
- Different space requirements existing in different situations subject to management;
- There does not appear to increase the footprint of development;
- It is usual for businesses to expand in an organic fashion, as per agriculture;
- The development is appropriate for this location and is not likely to take place in a town centre or somewhere more "sustainable";
- There are other buildings in the area in view of a public footpath built to the same standards with the same materials;
- Horses are not likely to harm the environment as much as 4x4 vehicles and rally cars;
- The car parking provides safe access/use for visitors;
- The development is good for tourism and carries health benefits for users, including mental health and reduced anxiety;
- The site brings so much joy to so many people;
- Properly managed grazing can maintain pasture land in good condition which carries species and habitat benefits.

7.2 2 comments have been received in objection to the application (summarised as follows):

- The Parish Council's objections are accurate and supported;
- The footprint would be increased by more than 100% of the original footprint which is against planning regulations;
- Buildings have been erected away from the main site for a dog day care business under the guise of a horse stable;
- This has increased the number of horses to more than the number allowed per acre;
- The original plans stated that the development should not be used for commercial purposes.

8.0 CONTACTS WITH APPLICANT/AGENT

8.1 A progress update was provided to the applicant's agent during the application.

9.0 ASSESSMENT

9.1 The key considerations in the assessment of this application are:

- Principle of Development
- Impact on the Residential Amenity
- Visual Impact and Forest of Bowland AONB
- Highway Safety, Access and Parking
- Drainage and flood risk
- Ecological Impacts

Principle of Development

9.2 The application site is within the Countryside and within the designated Forest of Bowland Area of Outstanding Natural Beauty. Policy SP4 of the Wyre Local Plan set out the types of development that would be supported in Countryside areas. Equine activities are supported where development is in line with Policies EP8 and EP10 of the Local Plan. Policy EP8 of the Local Plan sets out support to help diversify the rural economy, including the expansion of businesses where the scale is not detrimental to the rural character of the area and any new building is necessary. The building is considered necessary for the continued operation of the business by way of providing improved accommodation for horses and the scale is not considered detrimental to the rural character of the area. As such, the application is considered to accord with Policy EP8.

9.3 Policy EP10 (1) of the Local Plan sets out that proposals for commercial stable or equestrian facilities should follow a sequential approach. Given that there is no suitable existing building available for conversion, it is considered that the position next to an existing group of buildings would accord with the sequential approach set out in Policy EP10 (1). The extensions are for the continued operation of the existing pony trekking business and would provide improved conditions for the existing horses kept at the site. The Design and Access Statement sets out that the applicant owns 22 acres of land to the north west and south west of the pony trekking centre. The British Horse Society recommends a ratio of one horse per 1- 1.5 acres on permanent grazing. Whilst the land holding would be below the recommended area based on the number of horses, this is only guidance and factors such as the

availability of additional feed and the size of horses should be considered in terms of the acceptability of conditions. As such, it is considered that the development and associated landholding, subject to good management, would be appropriate to support the number of horses stabled at the site. The proposed extensions would benefit from some screening within the area given the raised bund to the rear of the site. On this basis, the application is considered to accord with the criteria set out in Policy EP10 (2).

9.4 Policy SP5 requires development to conserve and contribute positively to the natural beauty of the AONB. Given the scale, siting and partial screening, the development is not considered to result in any significant impact on the character of the AONB. The visual implications will be set out in more detail below. Overall, the principle of the development is considered to be acceptable and the application would accord with Policies SP4, SP5, EP8 and EP10 of the Local Plan (2011-31).

Impact on Residential Amenity

9.5 The nearest residential neighbour is Sunningdale to the north east of the site. The proposed extension would project from the north west of the existing stables. The proposed extensions would be more than 70m away from this neighbouring property and would not result in any overbearing or overshadowing impacts. The submitted details indicate that there are 30 horses belonging to the applicant which are kept at the site, in addition to 13 livery horses. This is a relatively high number of horses, however the proposals are intended to provide improved accommodation for existing horses, rather than accommodate additional horses. The existing operation as a pony trekking centre is likely to result in some noise and disturbance, but this is only likely to be sporadic. The proposed development is considered unlikely to result in any significant noise/amenity issues given the countryside location where there is noise and disturbance from agricultural activity throughout the year. Overall, the proposals would not result in any significant impacts on residential amenity.

Visual Impact and Forest of Bowland AONB

9.6 The impact on the landscape and its scenic beauty need to be considered given the site is within the Forest of Bowland AONB. The proposed building would be constructed in materials matching existing buildings at the site and typical of other agricultural buildings in the area. In terms of visual impact within the vicinity, the position of the extensions to the rear of existing buildings at the site means that these extensions would not feature in views from Bleasdale Lane opposite the site. The nearest public right of way is approximately 400m to the north, and whilst the proposed extensions may be visible from some positions in the surrounding area, the extensions would be viewed against the backdrop of existing buildings and development at the site and would therefore not feature prominently in views within the vicinity, particularly where viewed at a distance. It is also noted that the extensions would not exceed the height of existing buildings and they would match generally match the layout and dimensions of existing buildings at the site. There is an existing raised bund around the north east and north western edges of the car park which would provide some additional screening. Furthermore, a condition would be added to any permission granted to for details of landscaping to be provided for further consideration which would further mitigate against any visual impacts.

9.7 Overall, on the basis of the aforementioned considerations, it is considered that the development would not have an unacceptable visual impact and it would preserve the character and appearance of the Forest of Bowland AONB and

surrounding countryside area. The application would accord with Policies SP4, SP5 and CDMP3 of the Wyre Local Plan 2011-31.

Highway Safety, Access and Parking

9.8 The existing site access would be used onto Bleasdale Lane which provides appropriate visibility. Lancashire County Council's Highways has also been consulted on the application and raise no objections to the scheme, subject to conditions. There is existing parking to the front of the site, however the provision of additional spaces to the rear of the site would reduce the likelihood of on street parking along Bleasdale Lane. The proposals are not intended for any increase in the use or activity at the site, and there is not likely to be any significant increase in the number of vehicle movements to and from the site.

9.9 Overall, it is considered that the development would not result in any unacceptable impacts on highways safety. On this basis, the application would accord with Policy CDMP6 of the Local Plan.

Drainage and flood risk

9.10 The site lies within Flood Zone 1 (lowest risk). The council's drainage engineer has no objections in principle, although has requested details of how waste would be managed and has also advised that no foul or contaminated water should discharge to the adjacent watercourse.

The application form indicates surface water would drain to an existing watercourse, therefore it would be necessary to condition any permission granted to secure proposed drainage plans and details of waste management to ensure an appropriate drainage arrangement. There is not likely to be any increase in flood risk associated with the proposed development.

9.11 Overall, the application is considered to have no unacceptable impact on flooding and drainage and would accord with Chapter 14 of NPPF, the National Planning Practice Guidance 'Flood Risk and Coastal Change and Policy CDMP2 of the Wyre Local Plan.

Ecological Impacts

9.12 The impact of the proposal on local nature conservation features has been considered. Whilst the site is in a rural location, the development would be to the rear of existing buildings, in an area that is currently used for informal outdoor storage and is considered to have very limited habitat and ecological value. The development would not result in the loss of any trees or shrubs, and a condition would be added to any permission granted for soft landscaping to be provided. It is envisaged that soft landscaping would be provided on the raised bund surrounding the proposed car park. This is considered to represent a biodiversity enhancement of the site overall, given the soft landscaping would carry higher habitat value, and a net gain in respect of biodiversity is therefore likely.

9.13 Overall, subject to conditions, the application would have an acceptable impact on ecology and biodiversity, and would accord with Policy CDPM4 of the Local Plan 2011-31 and Para 170 of the NPPF.

Other Matters

9.14 Land Contamination - The use of the site is well established and no contamination issues have been identified

9.15 Sustainability - Policy SP2 of the Local Plan requires new development to be sustainable in physical, social, environmental and economic terms. The site would provide some economic benefit and employment opportunity for local people. The use would ensure that the majority of land surrounding the site would remain in use for grazing which is natural for this area. The proposal would represent a relatively minor overall increase in built development at the site and the provision of new landscaping at the site is considered to provide habitat and environmental benefits. A condition would be added to secure electric vehicle charging points and overall, the development is considered to be sustainable in accordance with Policy SP2.

Other issues raised

9.16 In respect of points raised in objections letters, the planning process allows permission to be granted retrospective for development that is acceptable.

10.0 CONCLUSION

10.1 The proposal is acceptable in principle and would not result in and harmful impact on the Forest of Bowland AONB. The development would have an acceptable impact in terms of design, amenity or highways safety, flooding and ecology. All other relevant material planning considerations have been assessed and found to be acceptable and the proposal would comply with the relevant policies in the NPPF and Wyre Local Plan (2011-31). It is, therefore, recommended that planning permission is granted, subject to conditions.

11.0 HUMAN RIGHTS ACT IMPLICATIONS

11.1 ARTICLE 8 - Right to respect the private and family life has been considered in coming to this recommendation.

11.2 ARTICLE 1 - of the First Protocol Protection of Property has been considered in coming to this recommendation.

12.0 RECOMMENDATION

12.1 Grant planning permission subject to conditions

Recommendation: Permit

Conditions: -

1. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 10.02.2022 including the following plans/documents:

- Location Plan
- Location Plan V2 - 09.02.2022
- Existing and Proposed Plans and Elevations Drg No. ML/SD/6120

The development shall be retained hereafter in accordance with this detail.

Reason: For the avoidance of doubt and so that the Local Planning Authority shall be satisfied as to the details.

2. The development shall be carried out strictly using those materials specified on the approved plan unless other minor variations are submitted to and approved in writing by the Local Planning Authority after the date of this permission and before implementation.

Reason: To safeguard the visual amenities of the locality and in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

3. Within 6 months of the date of this permission, the parking / turning areas shown on the approved plan Drg No. ML/SD/6120 shall be laid out, surfaced and drained. The parking / turning areas shall thereafter be retained and maintained and not used for any purpose other than for the parking and manoeuvring of vehicles without express planning consent from the local planning authority first being obtained.

Reason: To ensure that adequate off road parking is provided and retained to serve the development in the interests of highway safety and in accordance with the provisions of Policy CDMP6 of the Wyre Local Plan (2011-31).

4. Within 6 months of the date of this permission, a drainage scheme, which shall detail measures for the attenuation and the disposal of foul and surface waters, together with details of existing and proposed ground and finished floor levels to achieve the drainage scheme and any flood risk mitigation deemed necessary, shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be in accordance with the hierarchy of drainage options outlined in Policy CDMP2 of the Adopted Local Plan 2011-31 or any equivalent policy in an adopted Local Plan that replicates the existing Local Plan, with evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates to be submitted. For the avoidance of doubt, surface water must drain separate from the foul and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

The drainage works and levels shall be completed in accordance with the approved scheme within 18 months of the date of this permission. Thereafter the agreed scheme shall be retained, managed and maintained in accordance with the approved details.

Reason: To promote sustainable development using appropriate drainage systems, ensure a safe form of development that poses no unacceptable risk of pollution to water resources or human health, to prevent an undue increase in surface water run-off to reduce the risk of flooding and in the interests of visual and residential amenity in accordance with policies CDMP2 and CDMP3 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

5. Within 6 months of the date of this permission, full details soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. These details shall include, areas of soft landscaping (including any retained trees, hedgerows and other planting and any replanted or transplanted hedgerows), hard surfaced areas and materials, planting plans specifications and schedules (including

plant size, species and number/ densities), existing landscaping to be retained, and shall show how account has been taken of any underground services.

The landscaping works shall be carried out in accordance with the approved details within one year of the date of this permission or otherwise in accordance with a programme agreed in writing by the Local Planning Authority and shall thereafter be retained and maintained.

Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 7 years of planting, or any trees or shrubs planted as replacements shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the site is satisfactorily landscaped in the interests of visual amenity and ecology in accordance with Policies CDMP3 and CDMP4 of the Wyre Local Plan (2011-31) and to ensure compliance with the Wildlife and Countryside Act 1981 and section 15 of the National Planning Policy Framework.

6. Within 6 months of the date of this permission, an electric vehicle recharging (EVCP) scheme shall be submitted to and approved in writing by the local planning authority unless it is demonstrated that such provision of EVCP is not practical due to identified site constraints. The electric vehicle recharging point(s) shall be provided in accordance with the approved details within 12 months of the date of this permission, and such electric vehicle recharging point(s) shall be maintained and retained for that purpose thereafter.

Reason: To ensure the provision of appropriate on-site mitigation to compensate for the impact on air quality caused by the development in the surrounding area in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).