

Committee Report**Date: 06.11.2019**

Item Number	03
Application Number	19/00800/FUL
Proposal	Extensions and alterations to existing stable building to provide two additional stables
Location	Blueberry Stables Lancaster Road Preesall Poulton Le Fylde FY6 0HN
Applicant	Mrs K McGinley
Correspondence Address	c/o Mr Luke Godden 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****1.0 INTRODUCTION**

1.1 This application is before Members at the request of Councillor Orme. A site visit is recommended to enable Members to view the proposal and its setting beyond the plans submitted.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The application site is located on the southern side of Lancaster Road in Preesall, close to the road junction with Cartgate. The application site is at the north eastern extent of the wider area of land under the applicant's ownership and relates to an existing stable building set towards the eastern boundary. The existing vehicular access to the site is from Lancaster Road. The site is in an area of countryside set out on the proposals map to the Local Plan and lies within Flood Zone 3.

3.0 THE PROPOSAL

3.1 The application proposes extensions and alterations to the existing stable building to provide two additional stables. The extensions would project 3.8m beyond the southern wall of the existing building and would measure 7.5m in width. The ridge height of this rear element would increase from 3.7m to 4.5m in overall height, with eaves to match the existing building. The building would be of a block construction with a rendered external finish, with grey roof tiles and upvc windows and doors. The extension would increase the footprint of the existing building by 35 sqm.

4.0 RELEVANT PLANNING HISTORY

- 4.1 04/00336/FUL: Extension to existing stable block to form two additional stables - Refused due to inadequate access.
- 4.2 14/00051/FUL: Proposed replacement stable block, new horse walker and new entrance gate, brick piers and walls to access - Approved and part implemented.
- 4.3 16/00686/FUL: Erection of live/work. Withdrawn.
- 4.4 17/00178/FUL: Erection of detached dwelling and change of use of domestic stables to stud and operation from site of mobile farrier business. Refused - Appeal Dismissed.
- 4.5 18/00741/OUT: Outline application for the erection of 1 detached dwelling with appearance, access and scale applied for. Withdrawn.
- 4.6 18/00835/OUT: Outline application for erection of one detached dwelling (for the occupation of one gypsy traveller family) with access, appearance and scale applied for (all other matters reserved). Withdrawn.
- 4.7 18/00946/OUT: Outline application for erection of one detached dwelling (for the occupation of one gypsy traveller family) with access, appearance and scale applied for (all other matters reserved) (resubmission of 18/00835/OUT). Refused - Appeal Pending.
- 4.8 18/01170/FUL: Erection of storage building for private equestrian use. Approved.

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 Areas
- CDMP1 - Environmental Protection
- CDMP2 - Flood Risk & Surface Water Management
- CDMP3 - Design
- CDMP6 - Accessibility & Transport
- EP10 - Equestrian Development

5.2 NATIONAL PLANNING POLICY BFRAMEWORK (NPPF) 2019

5.2.1 The revised National Planning Policy Framework (NPPF) was published by the Government on the 19th February 2019. 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 2019 NPPF are material considerations which should also be taken into account for the purposes of decision taking.

5.2.2 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 12 - Achieving well-designed places
- Chapter 15 - Conserving and enhancing the natural environment

5.3 OTHER GUIDANCE

National Planning Practice Guidance (NPPG)

6.0 CONSULTATION RESPONSES

6.1 PREESALL TOWN COUNCIL

6.1.1 Raise the following points of objection:

- Previously recommended works at the site have not been carried out;
- The land is covered by ragwort (toxic to horses) and the exercise/grazing area is inadequate;
- There is no mitigation for flooding and the adjacent ditch needs clearing/managing;
- The wooden stables should be demolished;
- Toxic hardcore could cause contamination;
- A full ecology survey is required to assess impact on known local protected species;
- The applicant has not used the existing building as a stable and there is no requirement for the development and horses have not been housed in the new stable block;
- There is a narrow entry to the site without a turning circle with a safety impact to road users.

6.2 WBC HEAD OF ENGINEERING SERVICES (DRAINAGE)

6.2.1 No objections although has advised that the watercourse to the east of the site should be brought up to standard to ensure good drainage (the applicant is responsible as Riparian owner).

7.0 REPRESENTATIONS

7.1 7 public representations have been received which raise the following points of objection:

- There is no requirement as the existing stables is not used to keep horses;
- Conditions attached to previous permissions have not been complied with;

- There are serious flooding problems which will be worsened, particularly given climate change;
- There are Great Crested Newts in the watercourse - ecological assessment is required;
- The watercourses are not maintained which is necessary to avoid flooding on Sunnyside Terrace and the hedgerows are not cut back to the site frontage;
- The existing/proposed site plans are incorrect;
- Parking spaces approved previously are not shown;
- The proposal is overdevelopment of a small site which will impact neighbours;
- To keep 6 horses would require management and staff to rotate horses/exercise etc., which would increase number of visitors to the site;
- There is ragwort on the site and the land is unsuitable for grazing;
- The upvc windows proposed are unsuitable for horses;
- The application is likely to lead to a change of use (for residential) at a later stage.

8.0 CONTACT WITH APPLICANT/AGENT

8.1 The applicant's agent has submitted additional justification for the proposed development during the application.

9.0 ISSUES

9.1 The main planning issues are:

- Principle of development and Policy compliance
- Visual Impact / Design
- Impact on residential amenity
- Impact on Highway / Parking
- Flood Risk / Drainage
- Ecology

Principle of development and Policy compliance

9.2 In accordance with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting point for the determination of this application is the Development Plan which, in this instance, is the adopted Wyre Local Plan. Equestrian related activities are considered to be an acceptable form of new development in the countryside in accordance with Policy SP4 of the Local Plan subject to compliance with Policy EP10 (Equestrian Development).

9.3 Policy EP10 of the Local Plan sets out that a sequential approach should be applied to proposed stables in the countryside, with preference given first to conversion of an existing building; and then adjacent to an existing building; and then open field. The application involves extension of an existing stable building. Whilst conversion of existing buildings is sequentially more preferable, it is acknowledged that there is a building to the east of the main stable building which is to be demolished and so there would be no net gain of built development as a result of this proposal. Permission has been recently granted for a new building to the west of the site, this was designed and proposed to store horse boxes, trailers and other equestrian paraphernalia evident on the site as opposed to the stabling of horses. The application proposes an extension to an existing building which would be relatively well screened and well related to the existing built development on site.

The intended removal of the existing smaller timber building would reduce the built development adjacent to Lancaster Road and would result in an overall visual benefit. Consequently the proposal is considered to satisfy this element of the policy.

9.4 Policy EP10 requires proposals for commercial stables to be supported by a sound business plan, however the agent for the applicant has confirmed the applicant owns 6 horses and the site is for private use. There is no requirement for a business plan in this case. It has been confirmed that the horses are not on the site at present and have not been on site over the summer months as they are currently on livery elsewhere. The agent has explained this is because until the approved equestrian development (horse walker and riding manege) is completed the site is not in a suitable state for stabling of the 6 horses. The Council does not have any guidance on what is defined as 'private' use however 6 horses would not be an unreasonable number. A condition would ensure that the proposal is not used for commercial purposes.

9.5 Policy EP10 goes on to require the landholding to be of sufficient size to support the number of stables. There is some grazing land within the site, and whilst this may be small and is currently overgrown and unsuitable for grazing, there is no reason why it could not be made into a suitable state. Guidance from the British Horse Society suggests that 1 acre of land should be available per horse. However this guidance is based on horse welfare and how the site is managed can determine the ratio of horses to land. Whilst the proposal involves a more intensive equestrian operation, the provision of a horse walker and riding arena (both have planning permission) would provide exercise for horses to overcome the constraints on the land. Furthermore the applicant's agent also refers to other grazing land rented nearby and states that it is not uncommon for horses to be turned out on land that is separate from their stables. Whilst the site area available for exercise and grazing is approximately 1 acre, it is considered that subject to suitable management and rotation of horses, the site is sufficiently sized to cater for up to 6 horses.

9.6 Policy EP10 goes on to require the development as a whole to be well screened from the surrounding countryside. This will be covered in the next section on visual impact.

9.7 It is also important to acknowledge that application 14/00051/FUL which is partially implemented granted permission for 6 stables in total on a similar footprint to what is proposed here. This application seeks to amend the design of 2 of the previously approved stables but would not result in any net increase in number of stables. Whilst it is still necessary to consider the proposal against the relevant development plan policies this approved development represents a realistic fall-back position which should be given significant weight. On the basis of the above, the principle of development is considered to be acceptable.

Visual Impact / Design

9.8 It is considered that the proposed extension including footprint and roof alteration is modest in scale and in keeping with the overall scale and appearance of the existing building. The proposal would largely be screened from Lancaster Road by the front boundary hedgerow and due to its siting away from the road. Whilst it would be visible from some positions, it would not be prominent and the siting adjacent to an existing hard surfaced area would limit the projection of development into the open countryside to the south. It is noted that there is an existing stable to the eastern part of the site which is the subject of an enforcement case relating to its demolition, as controlled by a planning condition attached to permission

14/00051/FUL. Whilst this stable provides some screening, its removal would result in a visual gain, and it is noted that the plans state an intention to remove this building. White render walls above a brick plinth and roof tiles are proposed for the extension. Subject to suitable details being agreed these would match the existing stables which would be visually acceptable. White UPVC windows and doors are also proposed which are not a traditional stable material and so a condition is recommended to agree appropriate materials such as timber which is evident on the existing stable building. Subject to suitable materials being agreed the proposal would be sympathetic to the countryside setting and result in an acceptable external appearance.

Impact on residential amenity

9.9 The building would be sited a significant distance from any residential properties and given the scale and nature of the proposed use, it would not result in any detrimental impacts on residential amenity. Furthermore, the building would not allow for any significant intensification of the current permitted use of the site given its scale. As such, the application is deemed to have an acceptable impact in terms of amenity.

Impact on Highway / Parking

9.10 The existing access would be used. The proposal would not result in an intensification in terms of the use of the site or the number of visitors and it would remain for private equestrian use. On this basis it is reasonable to conclude that no material impact on the site access or local highway network would occur, as stated by LCC Highways in their response to the 2014 application which provided for 6 stables. The 2014 application proposed that the area between the new gates and highway would be finished in tarmac although this was not conditioned. As this hard surfacing has not been provided to date then it is reasonable to condition this to be provided under this current application. It is understood that horses could be moved from the site in vehicles at present and this application would not allow for any increased movements beyond the present permissions. Overall, subject to conditions, it is deemed that the application would have an acceptable impact on highway safety.

Flood Risk / Drainage

9.11 The site is in Flood Zone 3 and the application is accompanied by a flood risk assessment which includes mitigation measures. The proposal would comprise a minor development and would not require a sequential test or exceptions test. The application form states that surface water drainage would discharge to the watercourse, details of which are shown on a proposed drainage plan. The Council's Drainage Engineer has been consulted on the application and does not raise any objections to the proposal although advises the watercourses to the site boundaries should be cleared which is the responsibility of the site owner. If this is an existing problem then it is not something that can be controlled by this development but the Council can exercise their powers under separate legislation to require this to happen if need be. A condition can be added to ensure the development drains to the watercourse as indicated. A condition would also be attached to any permission granted requiring the existing building adjacent to the eastern boundary to be removed. This would allow a greater stand-off distance from the buildings to the watercourse which would be an improvement from the existing relationship. Overall, it is therefore considered that the development would have an acceptable impact in relation to flooding and drainage.

Ecology

9.12 The building would be set away from the hedgerow and watercourse to the eastern site boundary with limited potential to impact on protected species. In relation to the removal of the existing building, an informative would be added to any permission granted to ensure the developer is aware of their responsibilities in relation to protected species. Given the scale of the proposed building and the intervening distance from the hedges and watercourse, it is considered that there would not be any significant impact in terms of ecology.

Other Issues

9.13 There are no trees within the site that would be affected. No issues have been identified in relation to land contamination.

9.14 In reference to concerns/objections raised by members of the public, any proposed conversion or use of the site for residential purposes would require separate planning permission and this application would not allow for residential use. Whilst there is potential for ragwort to be present at the site, there is no reason why the site could not be made suitable for grazing if treated properly. The submitted plans show development that has been approved but not yet constructed at the site. Given this is clearly labelled on the plans, following a case officer visit to the site, the submitted plans are deemed to be accurate for the purposes of assessing the existing and proposed development. The existing smaller timber stable adjacent to the eastern boundary should have been demolished as part of permission 14/00051/FUL. It is noted that the plans submitted for this application indicate the building will be removed. As this has not been demolished, the Council are currently undertaking an investigation into a breach of planning condition.

10.0 CONCLUSION

10.1 The proposal would be acceptable in principle and would not result in any unacceptable impacts in terms of design, amenity, highways or flooding. All other relevant material planning considerations have been assessed to be acceptable. The proposal would comply with relevant local and national policies and it is therefore recommended that the application is permitted.

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 full planning permission subject to conditions.

Recommendation: Permit

Conditions: -

1. The development must be begun before the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. 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 05.08.2019 including the following plans/documents:

- Site Location Plan, received by the Local Planning Authority 5th August 2019;
- Proposed Site & Drainage Plan Drg No. LG/WM/3401, received by the Local Planning Authority 6th August 2019;
- Proposed Plans and Elevations Drg No. LG/WM/3402, received by the Local Planning Authority 6th August 2019.

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.

3. No development above ground level shall be commenced until details of the materials to be used in the construction of the external surfaces of the extension (including the external walls, roof, and windows) have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials.

Reason: To safeguard the visual amenities of the locality and in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31). Insufficient material details have been included in the application and not all of those proposed are considered to be appropriate.

4. The development hereby approved shall be used for private equestrian use only and shall not be used for any trade, business or livery use.

Reason: In the interests of the amenity of occupiers of neighbouring properties, the visual amenity of the area and highway safety.

5. Prior to first use of the development hereby approved, the part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be surfaced in tarmacadam, concrete, block pavements, or other permanent hard surfaced material.

Reason: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users and in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

6. Prior to the installation of any external lighting associated with the development hereby approved, a scheme for the provision of external lighting together with an Artificial Lighting Assessment shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed and operated in accordance with the approved scheme details, which shall be maintained and retained thereafter.

Reason: To safeguard residential amenity and in the interests of visual amenity in accordance with Policies SP4, CDMP1 and CDMP3 of the Wyre Local Plan (2011-31).

7. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) submitted with the application including the mitigation measures detailed within the FRA. The mitigation measures shall be fully implemented prior to first occupation of the development or subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be approved in writing by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy CDMP2 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

8. No part of the development shall be brought into first use until the drainage works have been completed in accordance with the approved scheme details as shown on the Proposed Drainage Plan DWG NO. LG/WM/3401. 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.

Notes: -

1. Watercourses to the east and south of the site are in poor condition (when last inspected by LCC/WBC). The applicant (as riparian owner) must ensure that watercourses are brought up to standard as part of any drainage plan for this development. Regular maintenance of the watercourses is required to reduce risk of flooding to Sunnyside Terrace and Lancaster Road.

2. It is an offence to disturb, harm or kill any species specifically protected under the Wildlife and Countryside Act 1981. In the event of any such species being unexpectedly encountered before and during site clearance or development work, then work shall stop immediately until specialist advice has been sought from a suitably qualified Ecologist regarding the need for additional survey(s), a license from Natural England and/or the implementation of necessary mitigation measures.