

Application No: 12/4814M

Location: FLORENCE STABLES, WOODFORD LANE, NEWTON,
MACCLESFIELD, CHESHIRE, SK10 4LH

Proposal: Regularisation of stables and yard, two additional stables, horse walker,
change of use of store into stables.

Applicant: Mr P Jackson

Expiry Date: 11-Mar-2013

Date Report Prepared: 8th November 2013

SUMMARY RECOMMENDATION

Refuse – Insufficient land for 18 horses

MAIN ISSUES

- Whether the proposal is acceptable in the Green Belt
- Whether there is sufficient grazing land for 18 horses
- Design/impact on the character and appearance of the area
- Highway safety
- Impact on residential amenity
- Ecology

REASON FOR REPORT

This application has been referred to Northern Planning Committee at the discretion of the Planning and Place Shaping Manager.

Members will recall that this application came before them on 17th April 2013, where a resolution was made to approve the application, subject to:

- A revision to the site boundary, to incorporate all of the horse walker;
- Evidence of the applicant's land ownership;
- Consideration about whether a personal condition was necessary.

The decision was delegated to the Planning and Place Shaping Manager and the Chairman to determine, however, on further scrutiny of the application, concerns were raised by Officers in respect of which plans came before Members, and the accuracy of those plans. Additional information and revised plans have been submitted, by the applicant. All parties have been reconsulted, and therefore the application is to be reconsidered by Members.

DESCRIPTION OF SITE AND CONTEXT

The application site is just over half way down Woodford Lane, a rural country lane in Prestbury. 17 dwellings and 2 equestrian businesses are located on Woodford Lane. The surrounding area comprises relatively flat open countryside.

The site is washed over by Green Belt, as defined in the Macclesfield Borough Local Plan 2004.

Florence Stables is located directly to the rear of Florence Farm and Florence Cottage.

The site is in equestrian use.

DETAILS OF PROPOSAL

This application is retrospective. It seeks permission to retain the existing use of the site as a commercial livery, which stables 18 horses at Florence Stables.

The application site comprises:

- Access onto Woodford Lane
- Area of hardstanding, providing informal parking/turning area
- Stable yard
- Former agricultural building, converted to provide 9 stables, kitchen, office, WC & tack room / store
- Single storey wooden stables for 2 horses
- Single storey wooden stables for 7 horses, with 2 stores
- Midden
- Replacement horse walker
- Manège

The application site (the site edged in red) in this application does not include the grazing land to the south east of the site, which is within applicant's ownership.

It should be noted that there is a second livery toward the end of Woodford Lane; Lumb Brook Livery. This business is also within the applicant's ownership; however, it does not form part of this application.

RELEVANT HISTORY

06/0084P Proposed manège
 Approved with Conditions 04/04/06
 (A condition attached to this approval prevented the commercial use of manège)

It is understood that the site was purchased by the applicant in 1995. A valuation report advises that the site was a small holding comprising a detached dwelling (Florence Cottage), agricultural and domestic outbuildings and some land. At the time, the site contained 6/7 looseboxes attached to a barn. This building was later converted into a dwelling (Florence Farm).

There were some wooden storage sheds to the rear of Florence Farm, which were replaced in 1996/7 with the existing single storey wooden stable building, which accommodate 7 horses.

The original implement shed was replaced with the agricultural building in 1996/7. This has since been converted into 9 stables/stalls.

It appears that there has been a gradual increase in the number of stables on site. In 1996 there were 7 stables. In 2004 3 stables were put in the agricultural building / barn. In 2007, another 6/7 stables were put in the agricultural building / barn. At some point between 2007 – 2012 a further 2 stables were added, bringing the total to 18.

The access road and yard were formed in 2000.

POLICIES

Macclesfield Borough Local Plan 2004 – saved policies

NE11 – Nature Conservation
BE1 – Design guidance
GC1 – New Buildings (Green Belt)
GC8 – Reuse of buildings (Green Belt)
DC1 – Design (New Build)
DC3 – Amenity
DC6 – Circulation and Access
DC32 – Equestrian facilities

Other Material Planning considerations:

Supplementary Planning Guidance – Equestrian Facilities (Borough of Macclesfield)

National Planning policy Framework

CONSULTATIONS (External to Planning)

Highways: no objection

Environmental Health: concerns raised in respect of residential amenity

Environment Agency: no comment

VIEWS OF THE PARISH COUNCILS

The application site falls within the parish of Prestbury, however is very close to the parish of Mottram St Andrew, as such both Parish Councils have been consulted on the application.

Prestbury Parish Council

No objection on the condition that the stables remain full livery so not to increase traffic.

Mottram St. Andrew

Object for the following reasons:

1. Adverse impact on residential amenity, from additional vehicle movements, loss of privacy, overbearing effect, general disturbance
2. Shared access arrangement is unsatisfactory
3. Development creates off site highway hazards
4. Proposal has an adverse impact on Green Belt policy.

OTHER REPRESENTATIONS

The following is a summary of the formal representations made. The formal representations are available to view in full on the Council's website.

No objection

- 8 properties and Prestbury Amenity Society raise no objection to the proposal

Support

- A customer of Lumb Brook Livery advises that other customers have more than 1 horse stabled there, therefore reducing traffic movements
- Seldom meet another road user or see parking on Woodford Lane
- In keeping with traditions of rural community and rural pursuits
- Business supports local economy, in accordance with Government guidance
- Reduces time & money travelling to other liveries
- 18 stables have been in place for 4 years, no experience with problems of cars passing or parking on the lane
- British Horse Society advise that it is quiet, well run, professional, the horses well-cared for, safe environment, good for local economy, directly and indirectly and provides local jobs
- Livery vital to the "Cheshire Hoof" initiative 2011
- Thomason Walters Equine Vets advise that the site is well maintained, minimal impact on Woodford Lane. Not noticed any change in circumstances over the past 8 years

Members should note that letters of support have been received from customers of the livery businesses, the British Horse Society and Thomason Walters Equine Veterinary Surgeons.

Petition

- 20 signatures on petition agreeing that:

“Traffic on Woodford Lane has dramatically increased in the last 5 years”.

Objection

Formal objections have been received from 7 households who live within close proximity of the site.

Objections have also been received from 2 other households, which are not within the vicinity of the site, but are relatives of people who live locally.

For ease, the objections have been incorporated into a number of categories:

Principle

- Small stables have become large scale commercial equestrian facilities – 43 in total on Woodford Lane
- Increase in stables by 11 in the last 4 years
- Intensive development on rural routes should be resisted
- Infrastructure at saturation point

Highway safety

- Woodford Lane unsuitable for significant traffic volumes
- 3 accidents in last 2 years
- Cumulative impact on traffic increase on single track road is unacceptable
- Customers parking on the Lane
- The combination of Lumb Brook Livery expanding from 14 to 25 stables and Florence Farm Stables from 7 to 18 has significantly increased traffic on Woodford Lane
- Poor visibility
- Vehicle stand offs in Lane – reverse onto highway verge – people with horseboxes refuse to reverse
- Total traffic movements:

16,612 – car movements, 202 HGV deliveries, 1405 horseboxes

- Insufficient parking
- HGVs damage to road – examples of potholes

In addition, a Highways study has been prepared by Axis (Transportation Planning), on behalf of a number of local residents, which CEC Highways have considered and assessed. This is discussed in the Highways section below.

Residential Amenity

- Smell from manure and horses
- Noise – large HGVs passing by immediately adjacent to properties frequently
- Loss of privacy – overlooking
- Overbearing effect
- General disturbance

Policy

Contrary to policies:

- DC3 – residential amenity
- DC32 – Equestrian facilities
 1. Harm to environmental quality through damage to road verges
 2. Road hazard
 3. Not farm diversification

Green Belt

- Contrary to Paragraph 89 of NPPF, as not an “appropriate facility”
- Pressure for further buildings – bedding and feed stuffs, e.g. 2010 application at Lumb Brook Livery

Grazing Land

- 9.25 acres of available land for grazing which is insufficient for 18 horses
- Insufficient land at Lumb Brook Livery

Domestic permission

- 06/0084P –Condition 2 - domestic use only

Livery

- Not been a livery for 20 years.
- 2006-2008 = 16 stables, 2011-2012 = 18 stables

General comments

- Applicant makes own haylage. Any shortfall met by Mr. Hall. Mr. Hall is sole supplier of big bale haylage to applicant – 2 deliveries per year
- Not a busy lane, never been an unsafe movement
- Lumbrook Livery has expanded beyond recognition – it is a serious competition yard
- Number of stables at Florence Farm Stables has been reduced by 4 from 22 to 18
- Straw supplier delivers every 4-6 weeks

APPLICANT'S SUPPORTING INFORMATION

The following information has been submitted in support of the application:

- Covering letter
- Design, Access & Planning Statement
- Summary of vehicle movements
- Correspondence from the British Horse Society
- Correspondence from Equine Veterinary Surgeons
- Parking layout
- Revised plans
- Land ownership details

Full details of these documents can be viewed on the Council's website.

In summary, the Design, Access & Planning Statement advises:

- There are 5 hectares of land adjacent to the equestrian complex and a further 5 hectares shared with Lumb Brook Livery (Within applicant's ownership)
- The yard can accommodate several horse boxes and 4 cars, in addition to the hardstanding
- The business employs 1 F/T member of staff and 2 P/T members of staff
- The midden is located well away from residential properties, and is emptied regularly by a local farmer
- Elements of the site are lawful, due to the amount of time they have been in place

- The National Planning Policy Framework (NPPF) indicates that there should be support for a prosperous rural economy & support for outdoor sport and recreation, which preserves the openness of the Green Belt
- Part of the proposal is to convert an existing building to stables, which accords with the Local Plan & NPPF
- Proposal complies with policy DC32 in respect of Equestrian Facilities
- The proposal complies with the Macclesfield Borough Local Plan & the NPPF

In addition, detailed correspondence has been received which contests the concerns raised by Environmental Health, and the local residents.

This correspondence can be read in full on the Council's website.

OFFICER ASSESSMENT

Green Belt

As the application site is within the Green Belt, consideration must be paid to the Green Belt policies contained within the National Planning Policy Framework (NPPF) and Macclesfield Borough Local Plan 2004. Policies in respect of the Green Belt are considered to be consistent with the NPPF, and therefore should be afforded full weight.

Paragraph 89 of the National Planning Policy Framework advises that the provision of appropriate facilities for outdoor sport, outdoor recreation are acceptable within the Green Belt, as long as it preserve the openness of the Green Belt, and does not conflict with the purposes of including land within it.

Equestrian Facilities

Policy DC32 of the Macclesfield Borough Local Plan and the Council's Supplementary Planning Guidance on 'Equestrian Facilities' expand on the guidance in the NPPF. They advise that equestrian facilities will normally be allowed in the countryside provided that a number of criteria are met. These are:

1. The stables being small scale, and are required in the interests of animal welfare;
2. Sufficient grazing land being available for grazing and turning out for exercise;
3. Not being prominent;
4. Not harming a designated area;
5. Not leading to a deterioration of bridleways, open spaces, or creating off-street hazards;
6. Does not result in the loss of good quality agricultural land;
7. Access and parking is satisfactory to the local highway authority;
8. Not harming residential amenity;
9. Larger scale facilities utilise redundant buildings or are sited within an existing complex of buildings; form part of a farm diversification scheme; and remain as part of the original holding;
10. Buildings must be of an appropriate scale and design to the landscape setting;
11. Does not require the provision of residential accommodation.

This development is considered to fall outside the definition of small scale facilities and criterion 9 is thought to be relevant to the determination of this application. The single storey stable block containing 7 stables has been on site since 1996/7, and therefore, through the

passage of time is lawful. The agricultural building opposite has been converted between 2004-2008 to provide 9 stables. The conversion of the building is self contained, and is not considered to harm the openness of the Green Belt. The more recent 2 bay stable building erected at some point between 2007-2012 to the rear of Florence Farm sits within the complex of buildings, forming a courtyard. This complex of buildings is not considered to be in conflict with criterion 9.

Concern is however raised in respect of the lack of any land for grazing and exercise for 18 horses. The policy advises 1 acre or 0.4 hectares of grazing land is required per horse, to prevent unacceptable erosion. This would generate a requirement for 18 acres or 7.2 hectares. It is considered that a reduction in the amount of land could be agreed in this case, due to the provision of the horse walker and ménage, which provide the horses with some exercise.

It is understood that the applicant owns the fields to the south east of the site, between the application site and Lumb Brook Livery (which stables approximately 25 horses), indeed Title Deeds have been submitted as evidence, however, this land does not form part of the application site. Concerns are raised that this land could be used solely in relation to the applicant's other equestrian business nearby, sold, or rented.

If the land formed part of the application site, a condition could be attached limiting the use of the land to the business.

It is not considered acceptable to have a commercial livery with no grazing land for 18 horses, nor is it in the interests of animal welfare.

Members will be aware from the previous consideration that the British Horse Society was satisfied with how the 2 livery operations are run together by the applicant. Members were previously advised that a personal planning permission may overcome issues with lack of grazing land. However, whilst reconsidering the issues that has required the application to be reverted back to committee for a new resolution, officers are of the opinion that a condition for a personal planning permission would not be in accordance with guidance on the use of such conditions as set out in circular 11/95. Planning permission is specifically required for the change of use of agricultural land to equestrian use, as it is only used for supplementary grazing as horses are fed hay within the stables. The applicant has indicated that the land has been used for equestrian use for 30 years; however, there is no formal permission in place.

Consideration has been given to a s106 legal agreement to tie land within the applicant's control to the development. However, the applicant has expressed that they will not sign up to such an agreement.

The applicant was advised to withdraw this application, and resubmit a new application including the land within his ownership. A new application has been submitted to this effect and is included on this committee agenda; however, the original planning application has not been withdrawn and therefore needs to be determined.

To the south east of the stables is a horse walker, midden, and beyond that the ménage. The horse walker replaces a similar structure. The Design, Access and Planning Statement advises that the former horse walker was removed in 1997, and the existing horse walker was

erected in 2006, at the same time the ménage was formed. The horse walker is considered to be an appropriate facility, required in the interest of animal welfare, to provide exercise.

Overall, the proposal is not considered to have a significant impact on the openness of the Green Belt or the character of the landscape. The buildings/structures are not prominent, and are not out of keeping in a rural area.

Significant concerns are raised in respect of the limited amount of land on site for grazing and exercise. Policy DC32 and the SPG on Equestrian Facilities are clear that there needs to be sufficient land for grazing and exercise, in the interests of animal welfare and to avoid unacceptable erosion of land.

Members must consider how much weight to give to the conflict with this local plan policy and the SPG. Weight should be given in accordance with the degree of conformity with the NPPF. The criteria of the policy set out standards to enable the development of rural businesses sustainably whilst protecting characteristics of the countryside, landscape and green belt. It is therefore considered that the policy does not conflict with the NPPF and conforms to it. As such due weight should be given to any contravention of the policy resulting from this development.

Highway Safety

A significant number of concerns have been received in relation to matters of highway safety. Following a number of site visits and two traffic surveys, the Strategic Highways Manager raises no objections to the proposal. The following comments are made, particularly having regard to the Axis Highway report:

Strategic Highways Assessment

Woodford Lane operates safely, its junction with Lees Lane operates at a level which is not considered a material issue for this development proposal and the traffic generation would not change in a material way as this application is to regularise the existing use.

Despite this, and considering the additional Axis letter supporting the objector's view, the Strategic Highways Manager considered that in order that Members were accurately and clearly informed that sample surveys should be undertaken to demonstrate the traffic generation to and from this site.

As a result, two surveys have been conducted, one on a weekday evening – claimed by the Axis report to be a time of significant generation – and one on a weekend again covering a period of time in which much traffic was generated. The surveys were conducted without warning or appointment and therefore are as representative of existing flows as can be reasonably expected.

The following table details manually surveyed flows on a weekday evening at a time claimed to be busy by objectors and as can be seen covers traffic generated from both Florence and Lumb Brook stables:

FLORENCE STABLES, WOODFORD LANE, NEWTON.

TRAFFIC GENERATION SURVEY – 08-10-2013.

16.30pm TO 18.30pm (daylight hours)

	FLORENCE STABLES				LUMB BROOK LIVERY		
TIME	CAR	TRAILER	HORSE BOX		CAR	TRAILER	HORSE BOX
16.30 – 16.45	0	0	0		3	0	0
16.45 – 17.00	2	0	0		2	0	0
17.00 – 17.15	2	0	0		1	0	0
17.15 – 17.30	0	0	0		4	0	0
17.30 – 17.45	3	0	0		4	0	0
17.45 – 18.00	3	0	0		1	0	0
18.00 – 18.15	0	0	0		1	0	0
18.15 – 18.30	0	0	0		0	0	0
TOTALS	10	0	0		16	0	0

NB: All figures are in trips and are combined directions for each site.

At the time of the survey there were 3 horse boxes and 7 cars parked in Florence Stables outer yard.

It can be seen from the table above that in line with the view of the Strategic Highways Manager the actual traffic generation from this site is very low on an example weekday evening.

The weekend survey was conducted by camera on a Saturday at the request of the LPA. The survey was conducted over 12 hours and in 15 minute segments from 7am to 7pm and demonstrated all turning movements at the junction of the Florence Stable access including: both 'straight on' directions along Woodford Lane and all permutations of turning movements into and out of the Florence Stables access.

In summary the survey tables capture all traffic to and from both Florence Stables and the existing Lumb Brook livery which is not part of this application.

The trips to and from Florence Stables over the twelve hour survey were:

- | | |
|---|----------|
| 1. Woodford Lane (North) to Florence Stables access | 2 trips |
| 2. Florence Stables access to Woodford Ln (North) | 1 trip |
| 3. Woodford Lane (South) to Florence Stables access | 13 trips |
| 4. Florence Stables access to Woodford Lane (south) | 17 trips |

12 hour total: 33 trips

33 trips in 12 hours is an average of 3 trips per hour. The highest individual hour was between 5pm and 6pm and generated 7 trips.

In comparison, Lumb Brook Livery generated 68 trips over the twelve hour survey. This is an average of 6 trips per hour.

Axis Highway Report

The claim that there is verge over-riding is echoed in the comments by the Strategic Highways Manager dated March 2013, who subsequent to a site visit, recognised that there was some over-riding and indeed Axis have provided 4 photos of some over-riding marks on the lane. It is the view of the Strategic Highways Manager that all rural lanes suffer this type of over-riding from farm traffic and heavy through traffic however Woodford Lane is not seriously affected by over-riding and clearly does not have through traffic.

The Axis report also makes significant comment on the fact that the traffic would have the potential to intensify significantly if a more intensive use was brought to the site. This may be true but this is not the application under consideration here. This application simply seeks to regularise the current level of use and will not increase traffic on Woodford Lane.

The Axis report assesses the junction of Woodford Lane with Lees Lane and suggests that the visibility is below standard and that the junction has an accident record and that this is a material consideration against this application. The Strategic Highways Manager has checked the accident record at this junction and it is similar to that you might expect from a junction of this type in a rural location, however, on examination it is clear that of the small cluster of four slight injury accidents recorded near to Woodford Lane junction in the 5 years up to December 2012, only one involved turning movements with Woodford Lane as a causal factor. Two involved the junction of Mill Lane opposite and the fourth was a loss of control on Lees Lane itself with only one vehicle involved.

As a result and despite the fact that the junction of Woodford Lane is not ideal in its provisional standards, the Strategic Highways Manager finds that the accident record in the vicinity of the junction of Woodford Lane with Lees Lane is not significant to the consideration of this application, particularly given this application will not increase traffic on Woodford Lane.

The Axis report also points out forward visibility around two of the bends on Woodford Lane is insufficient in line with Manual for Streets 2 recommendations and that additional traffic would increase the likelihood of conflict on the lane.

Woodford Lane does operate safely and as current traffic levels will not change the Strategic Highways Manager concludes that this is not material reason to resist this application.

With regard to parking, the Axis report criticises the provision claiming it is insufficient, however once again the 18 stables on this site are operating and there is no evidence of displaced parking onto Woodford Lane. It seems evident therefore that whilst there is no

formal parking layout within the site that the parking areas available provide sufficient facility to absorb parking need.

Additional letter by Axis Consultancy

The additional letter from Axis spends a considerable amount of time projecting their view of traffic generation from this site and stating that the view of the Strategic Highways Manager is incorrect regarding the volume of traffic which will be generated from this site. The report also re-iterates the claims with regard to verge over-riding and forward visibility on bends along Woodford Lane.

There are no supporting traffic surveys or specific information regarding traffic generation, however, there are some claims for high numbers of vehicles and horse boxes needing to access the site and a further re-iteration of the concerns for walkers who use this lane to access a public footpath and who may find themselves in conflict with traffic along its length.

Highways conclusion

Woodford Lane operates safely. The junction of Woodford Lane with Lees Lane has a minor accident record which is not significant to this application.

The surveys were undertaken at the request of the LPA. Strategic Highways would not normally have taken them on such a low traffic generator. The surveys demonstrate that the traffic generation from this site has a low hourly impact.

The Highway Engineer noted that this site operates and generates traffic along Woodford Lane in a similar way to the established equestrian livery at Lumb Brook Livery at the end of this rural lane. There is no through traffic. His inspection found little or no verge over-riding from large vehicles and indeed less than could normally be expected on a rural lane serving a farming operation.

The Highways Engineer also noted that traffic flows are very low and whilst the lane is narrow, for much of its length there is no material evidence that vehicular conflict is a difficulty.

The Strategic Highways Manager maintains his position of no objection to this application proposal.

Accordingly the proposal is considered to accord with policy DC6 of the MBLP and paragraph 32 of the NPPF.

Design/impact on the character and appearance of the area

The design and form of the buildings/structures are typical for a rural area (predominantly timber stabling and corrugated metal agricultural store painted green) and the impact upon the character and visual amenity of this Green Belt area is considered to be acceptable. The horse walker is considered to be as discreetly sited as possible, whilst the walker has a

relatively large circumference it is relatively low lying and its functional appearance is not out of keeping to the setting.

Residential Amenity

Between them, the amenity policies outlined above aim to protect the living conditions of adjoining residential properties from harmful loss of amenity e.g. unacceptable noise, smells, dust that would significantly injure the amenities of adjoining or nearby residential property.

Residential properties are located in close proximity to the site, in particular Florence Farm, which is situated approximately 20m from the main complex of buildings. A large number of the objections relate to amenity concerns, in particular noise and smells.

The Environmental Protection Team note that these properties are located in a rural area where background noise is relatively low. The Services' main concerns relate to the potential loss of residential amenity by virtue of noise from vehicular movements to and from the site, and general on site noise.

Whilst it is noted that there are potential for odours from manure to emanate from the site, the midden is situated at a reasonable distance from the nearest dwellings. The officer notes that this may be aggravated at certain times of the year or under certain weather conditions. However, due to the rural location it is not considered unreasonable that there would be a certain degree of agricultural/equestrian odour.

The Environment Protection Team note that regular vehicular activity would occur from deliveries, owner movements and regular waste disposal. The extent of stabling would indicate that the number of deliveries could be substantial. The applicant's supporting information outlines their methods of buying in bulk to minimise deliveries, it is also considered appropriate to condition the hours of delivery, should Members resolve to approve the application.

According to the supporting information, the muck heap removal is carried out 2/3 times a year. The manure is removed from site by tractor and trailer to fields 2 miles from the site. Again, noting the rural location this is not deemed to be uncommon or excessive.

Due to the nature of the livery business, owners do not have to attend the site every day; some according to the supporting information only attend weekly. This is because they are on full livery and the horses are exercised by the stable staff (the horses are mainly competition horses and therefore require limited time in the field, and generally go in the horse walker for exercise once a day).

The information submitted by the applicants, outlines the vehicular movements during the week and at weekends. It is the weekends where access to and from the site is more frequent, as this when shows/events are taking place.

The yard is unlocked at 8am and closed again usually by 7pm at the weekends. The gates are then closed and locked for the night. An hours of operation condition has been considered, however, horses may require 24 hour care if they become ill, accordingly, such a

condition would be unreasonable and is unlikely to meet the tests of Circular 11/95: The Use of Conditions.

Whilst the business undoubtedly generates vehicular movements, noise and smells, it is not considered to cause significant harm to residential amenity to warrant a recommendation of refusal given the nature of the livery business. The applicant's business has been operating since 2007, since then it is understood there has been 2 additional stables erected. Florence Stables only accepts full and part liveries hence the staff carry out all, or most of the equestrian care. It is understood that the tenant owns a number of the horses stabled on site, and some customers have more than one horse stabled there. This reduces the amount of journeys for the owners, subsequently reducing traffic and the potential numbers of people on site.

As indicated in the highways section above, the traffic is not considered to be at a level that it has a significant impact on residential amenity.

Ecology

The Nature Conservation Officer has been consulted and advises that the construction of the stables buildings at this site may have had an adverse impact upon protected species, particularly great crested newts, if they were present at the time the works were undertaken.

However, the retrospective nature of the application means it is now impossible to determine whether any adverse impacts did occur or assess their significance. The proposed horse walker is too minor in nature to pose a significant risk to protected species. As such the scheme is not considered to raise concerns in terms of policy NE11.

Other matters

Comments have included issues surrounding the shared access and restrictive covenants, following the submission of a Certificate B and the appropriate notices being served; these matters are civil matters and fall outside of the jurisdiction of the planning department.

CONCLUSIONS AND REASON(S) FOR THE DECISION

In principle, no objection is raised in respect of retaining the site in equestrian use as a livery. The converted agricultural building is self-contained, and does not materially affect the openness of the Green Belt. The 2 bay stable building is positioned with a complex of buildings and is considered appropriate, as is the horse walker. Both are required for outdoor sport and recreation.

The use of the site for livery purposes is considered acceptable. The traffic generation, noise and smells are not considered to be at a level which have a significantly detrimental effect on residential amenity.

The traffic surveys were carried out in October, when arguably the site is quieter. The Saturday survey revealed that on average 3 trips were generated per hour. Even if these results were doubled to reflect busier period, it would still only be 6 trips per hour, or 1 trip

every ten minutes. This cannot be considered to cause a significant impact on residential amenity.

No objection has been raised by the Strategic Highways Manager in respect of traffic generation, access, parking, turning or damage to highway verges.

However, significant concern is raised in respect of the lack of grazing land being dedicated to this business. It is not considered appropriate to permit stabling for 18 horses without any dedicated land. Whilst the horse walker and the ménage will alleviate the situation to some degree, this is considered insufficient and contrary to the guidance contained within policy DC32 and the SPG on Equestrian Facilities.

Whilst it is recognised that the applicant owns the adjoining fields, which the horses are currently turned out on, concerns are raised as to whether that land is used in association with his other equestrian business, or whether that land could be sold off or rented out independently.

It is concluded that the fields must be dedicated to Florence Stables for the business to operate well. Members will note that this is what is being proposed in application 13/3356M, which is elsewhere on this agenda.

On this basis, a recommendation of refusal is made.

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Northern Area Manager has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should this application be the subject of an appeal, authority shall be delegated to the Northern Area Manager in consultation with the Chairman of the Northern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

Application for Full Planning

RECOMMENDATION: Refuse approval

1. R06MS - The equestrian facilities proposed are considered to be substandard, due to the lack of any grazing land being dedicated to the livery business, which stables 18 horses. The proposal thereby fails to comply with the requirements of Local Plan

(c) Crown copyright and database rights 2013. Ordnance Survey 100049045, 100049046.

