<table>
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<tr>
<th>Agenda Item</th>
<th>Committee Date</th>
<th>Application Number</th>
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<tr>
<td>A12</td>
<td>8 February 2010</td>
<td>10/00013/FUL</td>
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<table>
<thead>
<tr>
<th>Application Site</th>
<th>Proposal</th>
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| 20 Browsholme Close  
  Carnforth  
  Lancashire  
  LA5 9UW | Erection of a block of 4 stables for private equestrian use |

<table>
<thead>
<tr>
<th>Name of Applicant</th>
<th>Name of Agent</th>
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<tr>
<td>Mrs Jane Reid</td>
<td>Mrs Julia Pye</td>
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<tr>
<th>Decision Target Date</th>
<th>Reason For Delay</th>
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<td>4 March 2010</td>
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<tr>
<th>Case Officer</th>
<th>Departure</th>
<th>Summary of Recommendation</th>
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<tr>
<td>Mr Andrew Holden</td>
<td>No</td>
<td>Refusal</td>
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1.0 The Site and its Surroundings

1.1 The application site is located within an 8.5 hectare field to the north of Browsholme Close, Carnforth. The field lies within the North Lancashire Green Belt and forms the urban boundary between Crag Bank and Carnforth. The field is accessed via an existing track to the north west corner of the field. The track and field also has a public footpath diagonally north south across it running across it. The field is currently grazed by sheep and horses. The application site relates to a small area of pasture land immediately to the rear of the dwellings on Browsholme Close and Number 20 (the applicants' home) in particular. The dwellings along Browsholme Close and the neighbouring Bowland Close are all two storey detached houses. The properties have relatively short rear gardens (approximately 10m) with low ranch-style fencing to the rear boundary with the open field.

1.2 The lower section of the field, including the application site falls and the rear gardens to some of the residential properties fall within a Zone 1 Flood Risk Area. The flood risk being due to surface water drainage problem rather than tidal or river flooding.

2.0 The Proposal

2.1 The current proposal seeks consent for the erection of a 'U' shaped stable block incorporating four stables, two measuring approx 3.6m X 3.6m and two longer stables measuring approx 6.0m X 3.4m. The overall width of the block is 12.1m with the depth of the block 7.1m. The overall height is 3.0m and 2.4m to the eaves. The walls of the stables are to be dark stained timber with a block profile roof. A small open courtyard is developed to the front of the stable doors within the arms of the 'U'.

2.2 The application initially lacked clarity over the means of access to the development; this has since been confirmed as an existing track leading off Shore Road along a private road serving a limited number of dwellings and a number of fields. The access links the field to its north-west corner and subsequently across the applicant's field to the site of the current application. The stables are to be
for private use only and will be served by vehicles from the existing access but are located immediately to the rear of the applicant's own residential property to enable easy pedestrian access to the stables.

3.0 Site History

3.1 The site has been the subject of a recent application 09/00793/CU in August 2009 which sought consent for the erection of 6 stables, tack room, feed room and the change of use of land to form a sand paddock. The overall floor area of the stable building was in the region of 122sq m. The application was the subject of much objection and following initial discussions with the applicant, the application was subsequently withdrawn.

4.0 Consultation Responses

4.1 The following responses have been received from statutory consultees:

<table>
<thead>
<tr>
<th>Statutory Consultant</th>
<th>Response</th>
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<tr>
<td>County Highways</td>
<td>Views awaited following clarification of the access arrangements</td>
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<tr>
<td>Environmental Health</td>
<td>The development has the potential to have potential adverse impact. Recommends conditions to agree livestock waste storage arrangements and agreement of any external lighting system that would be introduced.</td>
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<tr>
<td>LCC - Land Drainage</td>
<td>The block is adjacent to an area of field which floods in time of heavy rainfall and property flooding is a possibility in this area. The development is considered to exacerbate this situation. It is considered that the surface water from the building should be discharged into the public surface water system in Browsholme Close or the application should be rejected.</td>
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<tr>
<td>Environment Agency</td>
<td>Site lies within a Zone 1 Flood Risk Area - flooding due to surface water drainage problems. Flooding is a material consideration in determining proposals. The application makes reference to the introduction of a drainage system but gives no details. The developer should produce an Assessment of the effect of the development and demonstrate that the proposed surface water drainage system will alleviate problems at the site. Suggest condition over manure storage if the application is approved</td>
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<tr>
<td>Carnforth Town Council</td>
<td>The Town Council’s comments made in response to the withdrawn application 09/00793/CU still stand, since the new application does not appear to answer any of the previously raised grounds for concern that:–</td>
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<td>• the building is still over-large and will intrude into green belt land;</td>
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<td>• the land is susceptible to flooding;</td>
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<td>• the potential remains for development into a commercial operation;</td>
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<td>• the highway access is unsuitable.</td>
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<td>This development should not approved until meaningful answers on these matters are obtained and submitted for public consultation.</td>
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<td>Comment on the revised information has yet to be received and will be reported directly to committee.</td>
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5.0 Neighbour Representations

5.1 To date 11 letters of objection have been received in respect of the current proposal. Any further correspondence will be reported directly to planning committee. The main grounds of objection include:–

- Lack of information in respect of means of access and pasture management plan and an inability to comment fully.
- Poor access
- Flood risk increased
- Light pollution
- Increased traffic/highway risks
- Waste pollution and water contamination
- Amenity issues, loss of privacy, noise, general disturbance from the use and horses, light disturbance, vermin, flies and smell
- Impact upon wildlife
- Scale of the development - the stables are in fact design to house two in the larger stables and will result in 6 horse being stabled within the 4 stables.
- Green Belt impact - the nature of the development is not necessarily essential to protect the openness of the Green Belt. The scale of the stables is not considered to be small scale and therefore very special circumstance would need to be developed to justify the intrusion of the building upon the openness of the Green Belt.
- The field within the stabled block is site is not agricultural and should require a change of use to equestrian for both the land and stable block.
- Queries whether the red edge should include the access to enable assessment.
- The longer term impact upon the applicant's dwelling needs to be assessed in respect of the loss of amenity to this as well as neighbouring residential properties.
- The application makes reference to the work undertaken by the applicant for Cumbria County Council - Every Child Matters but not account has been taken of the potential impact of the development upon children in this quiet residential cul-de-sac.
- The development is not private, the applicant allows commercial livery in addition having her own horses.
- Scale massing and design of the stable building is overbearing and detrimental to neighbouring amenity.
- The development constitutes a fire risk close to residential properties
- Query the access route and the longer term aspiration to access the site via Browsholme Close.
- Query the presence of protected species on the field (newts).

6.0 Principal Development Plan Policies

6.1 National Planning Policy Guidance (PPG) 2 - Green Belts – states that the construction of new buildings inside a Green Belt is inappropriate unless it is for, amongst a few other categories of development, essential facilities for outdoor sport and outdoor recreation and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it. An example of such a facility includes small stables for outdoor sport and outdoor recreation. The visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt which might be visually detrimental by reason of their siting, materials or design.

6.2 Lancaster District Local Plan — Saved policies E4, E11 and R10 are relevant.

6.3 Policy E4 (Countryside Area) – Development within the Countryside Area will only be permitted where it is in scale and keeping with the character and natural beauty of the landscape, is appropriate to its surroundings in terms of siting, scale, design materials, external appearance and landscaping, does not adversely affect nature conservation or geological interests and makes satisfactory access, servicing, cycle and car parking arrangements.

6.4 Partly Superseded Policy E11 - Development proposal within areas of risk of flooding will only be permitted where: appropriate flood protection measures are already in place or these will be provided without adverse environmental impacts.

6.5 Policy R10 (Equestrian Development) - Equestrian development within the countryside will be permitted where it is appropriate in terms of design, scale, materials to its surroundings, existing buildings on site are made use of wherever possible, the proposal does not have an unacceptable impact on rural roads and contains sufficient arrangements for access and parking, it does not have an adverse effect on nature conservation, best versatile agricultural land or any public rights of way, and it is located near an adequate network of bridleways / safe riding routes and close to existing settlements.

6.6 Lancaster Core Strategy - Policies SC7 and E1 are relevant.
Policy SC7 - Development and the Risk of Flooding seeks to new homes, workplaces and public areas are not exposed to unacceptable levels of Flood Risk. Development proposals will be assessed inline with the PPS 25 - Development and Flood Risk.

Policy E1 - Environmental Capital seeks to safeguard and enhance the District's Environmental Capital by protecting nature conservation site, Greenspaces, landscapes of national importance and the North Lancashire Green Belt.

Comment and Analysis

As originally submitted the application had a number of inaccuracies and lacked information. The vehicular access to the site has been clarified as utilising the existing field entrance to the north-west corner of the field, and the Pasture Management plan has been provided. The statement indicates that the site is located within a 21 acre field within which both six horses and additional agricultural livestock graze the field. The land is grazed on a rotational basis and the area of land is ample to service the six horse inline with the British Horse Society recommendation of one horse per 1.5 acres.

Additional information has been provided by the applicant from Cumbria County Council in respect of her work as a foster carer and in particular as a teenage specialist. The letters make reference to the substantial benefits that a gained from the ability of young children being able to engage in looking after horses. The development of a small stable complex is considered to aid these aims at it will allow the applicant to provide a safe and effective supervision of young people in her care without the need to take them to stables, which has been a previous necessity. The proposal is one which is supported by the unit.

It is considered that the application needs to be considered in respect of three key planning issues, namely impact upon Green Belt, impact upon residential amenity and the risk of flooding.

Green Belt - As indicated earlier in the report National Planning Policy Guidance (PPG) 2 - states that the construction of new buildings inside a Green Belt is inappropriate unless it is for, amongst a few other categories of development, essential facilities for outdoor sport and outdoor recreation and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it. Examples of such a facility include small stables for outdoor sport and outdoor recreation. The visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt which might be visually detrimental by reason of their siting, materials or design.

The proposal seeks to develop a stable block measuring 12.1m X 7.1m and will contain four stables two of which are significantly larger than the standard 3.6m X 3.6m. The applicant has indicated that she has six horses and it is anticipated that all six could be housed in the stable complex. The overall floor area of the block is 85 sq m including the courtyard enclosed by the three sides of the stables. The principle of allow small scale stabling within the Green Belt is accepted as one which can aid the maintenance of the openness of the Green Belt, this includes the use of private stabling.

It is not considered an essential requirement for the stables to be developed on the site. The field has historically and is currently actively grazed by both agricultural animals and horses with stabling occurring off-site. The ability for fostered children to access the horses and stable would clearly be beneficial but not essential for the maintenance of the openness of the land. The size of 'small stables' for outdoor recreation is not defined within PPG2, many appeal cases exist which explore the scale and extent of small stabling. The extent of the land holding and the need for the building to maintain the openness of the Green Belt also need to be taken into account in addition to the physical size of the building.
7.7 The building is located close to the edge of the Green Belt and naturally be seen to intrude within the Green Belt. The scale of the building as defined by many appeal cases is not one which could be defined a small scale, many cases make reference to building stables to house two or three horses being appropriate with dismissal of stable blocks of a similar scale and floor area to those proposed in this application. Overall is considered that the development of a stable block of the scale proposed would unduly impact upon the openness of the Green belt where no special justification applies. As such it is consider conflict with guidance contained within PPG 2 Green Belts and saved policies E4 of the Lancaster District Local Plan and E1 of the Lancaster Core Strategy.

7.8 Residential Amenity - It is proposed to construct the stable building immediately to the rear of the applicant’s own property and very close to a number of neighbouring dwelling. All of the properties fronting the field have relatively short garden and enjoy an open aspect over the field and have been developed with low boundary fencing to exploit this aspect. It is acknowledged that loss of a view is not an aspect which can be a material consideration in determining application but it is considered that the close relationship of the building to residential properties will be unduly dominant and will lead to issues in respect of residential amenity including loss of outlook, privacy, noise and general disturbance from the physical massing/scale of the building and its operation as a stable. As such it is consider inappropriate to develop a stable building within such close relationship to residential properties and conflicts with saved policy R10 of the Lancaster District Local Plan.

7.9 Flood risk - the site has a known surface water flooding problem and is identified with the Environment Agencies flood risk as falling within Zone 1 (low probability) of risk. Comments from neighbouring residents would indicate that the field, application site and neighbouring gardens are subject to regular flooding during periods of heavy rainfall. The Environment agency have not raised a formal objection to the scheme but would wish to see detailed assessment to ensure that the proposed development would not result in a worsening of the situation and that the flooding issue can be resolved. The City Council drainage engineer has confirmed the local flooding problems and suggested that the development would need to be drained into the public surface water system in Browsholme close or the application should be rejected.

7.10 The application makes reference to the surface water from the development being drained into soakaway. The stable building itself is to be have finished floor levels 300mm higher than ground level and it is contented that the development will not increase the risk of flooding. Reference is also made to the applicant’s intention “to thoroughly drain the area to vastly reduce the problem” but no information is given as to the details of this operation. It is considered that given the nature of the localised flooding problem in the area that the proposal to drain the site into soakaway together with locally raising the land over the footprint of the stables will compound the flooding issues and could lead to worsening of environmental impacts. As such it considered that the development in its proposed form would be contrary to partly superseded Policy E11 of the Lancaster District Local Plan and Policy SC7 of the Lancaster Core Strategy.

8.0 Conclusions

8.1 For the reasons outlined above the development is considered inappropriate and should be resisted.

Recommendation

Subject to no significant comments being raised by consultees, that Planning Permission BE REFUSED for the following reasons with the determination of the application being delegated to the Head of Planning Service to enable the site notification to elapse.

1. Impact upon the Green Belt
2. Loss of Residential Amenity
3. Increased Flood risk
Human Rights Act

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

Background Papers

1. None.