

DECISION DATE 8 February 2007	APPLICATION NO. 06/01510/FUL A6	PLANNING COMMITTEE: 22 January 2007
DEVELOPMENT PROPOSED ERECTION OF AN EXTENSION TO EXISTING STABLE BLOCK		SITE ADDRESS FIELD 2619 LOW ROAD HALTON-WITH- AUGHTON LANCASHIRE LOW ROAD HALTON LANCASHIRE
APPLICANT: Mr Barry And Mrs Jill Cragg 13 Sykelands Avenue Halton LA2 69F		AGENT:

REASON FOR DELAY

N/A

PARISH NOTIFICATION

None to date, any comments will be reported to Planning Committee.

LAND USE ALLOCATION/DEPARTURE

Lancaster District Local Plan - Within the Countryside area, bounded by the Forest of Bowland Area of Outstanding Natural Beauty

STATUTORY CONSULTATIONS

County Surveyor - Views awaited

Environmental Health Services - Views awaited

OTHER OBSERVATIONS RECEIVED

None to date, any comments will be reported to Planning Committee.

REPORT

This form of application would normally be dealt with under the scheme of delegation, however, the land has been the subject of an earlier planning application which resulted in a number of objections being raised and the imposition of a Section 106 Planning Agreement to prevent the development of the site with further structures and mobile elements. The application has therefore been presented to the Planning Committee for determination.

Site and its Surroundings

The application site is located on Low Road approximately 200 metres from the eastern edge of Halton. The site comprises a 4.3 acre field with a frontage to Low Road. The southern part of the field is slightly lower than the adjacent Low Road with the remaining field rising steeply to the north. A 3.0m plus high hawthorn hedgerow runs along the field southern boundary with Low Road and returns into the site at the field access.

The Proposal

The current proposal seeks to erect a further stable building to those which currently exist at the site. The stable block will be attached to the end of the current building and is proposed to be constructed in matching timber and felt construction. The new stable building is 4.6m x 3.6m (15' x12') and is of a slightly larger size to house a currently pregnant mare and her foal following its birth. A letter from the applicant's veterinary surgeon outline the need for a larger stable than those currently erected on the site.

The new stable will extend the current building that comprises two stables and adjoining building contains a further stable and a storeroom. The total number of stables on the site being raised to four plus a storeroom.

Planning History

The site until 2003 formed part of a larger agricultural holding. This holding was subdivided and sold off in a number of separate lots. Following purchase of the land, the applicant submitted a planning application for the erection of a stable block under 03/01409/FUL. The application raised a number of concerns/objections and was subsequently approved at committee with the imposition of a Section 106 Planning Agreement to prevent the development of the site with further structures and mobile elements (copy of the agenda item enclosed).

Planning Policy

The site lies within the Countryside Area and is bounded by the Forest of Bowland Area of Outstanding Natural Beauty (AONB) as designated within the Lancaster District Local Plan. Policies E4 and E3 respectively relate to these land designations. Both these policies are developed to provide protection for the landscape, its character and natural beauty. Development would only be acceptable that did not have an adverse affect upon the landscape, was constructed to a scale/design and of materials appropriate to the locality. In addition, the development would not result in an adverse effect upon interests of nature conservation or geological importance. Policies 1 and 20 of the Lancashire Structure Plan are similarly aimed at protecting the rural landscape from inappropriate development, seeking to only grant consent for development that is appropriate to the rural area and is in keeping with the landscape character of the area.

Policy R10 of the Lancaster Local Plan relates to Equestrian Development within the countryside. The policy is supportive of equestrian development that is of an appropriate scale, design, materials and landscaping. In addition, development should not have an adverse impact upon wildlife habitat, best and most versatile land or public rights of way. Consideration is directed towards the location of these forms of development close to existing settlements.

Comments

The earlier application recommended refusal of the development as it was considered that the development would have an adverse impact upon the character of the area and the neighbouring Forest of Bowland AONB. Members considered the proposals acceptable subject to the imposition of additional controls over the land in the form of a Section 106 Agreement. The agreement sought to restrict the site

from further development and restricted the siting of mobile field shelters and other such items which do not require the benefit of planning consent but have an impact upon the character of the landscape.

Since the time of the original application the hedgerow running along Low Road has been allowed to grow and currently stands over 3.0m high and screens the existing stable complex from the adjoining road. The new stable building would also enjoy the benefit of screening from the roadside elevation by the hedgerow. The whole of the stable complex is visible from a public footpath which crosses the field and looks down on the group of buildings. This public aspect will not be screened and the additional stable building will also be visible.

It is considered that given the historic planning decisions and the improvement to the screening of the site from Low Road, the addition of a further stable block is acceptable in principle. It is also worth pointing out that the site appears to have been well run and managed in the last 3 years and has caused no particular problems. The group of buildings and the hardcore standing/turning area is still clearly visible from the public footpath which crosses the site. The imposition of a planning condition which seeks the planting of an additional hedgerow to the edge of the hardcore area would aid the long term screening of the complex from public view.

Conclusion

The development should be granted with the attachment of suitable conditions to ensure additional planting and to control the use of the stable building. The Section 106 Agreement will require amendment to reflect the scale of development approved under this application. The other restrictions detail within the Agreement will need to be maintained to prevent the accretion of equestrian relating paraphernalia and the siting of mobile field shelters.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal which appear 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.

RECOMMENDATIONS

That subject to the expiration of the site notice and consultation period and no significant objections being raised that **PERMISSION BE GRANTED** following the modification of the existing Section 106 Planning Agreement with the following conditions: -

1. Standard time 3 year time limit.
2. Development to be built in accordance with the approved plans.
3. The development is for private use only, no commercial activity to take place at the site.
4. As may be required by the consultees.