

DECISION DATE 29 October 2007	APPLICATION NO. 07/01118/FUL A5	PLANNING COMMITTEE: 8 October 2007
DEVELOPMENT PROPOSED ERECTION OF AN EQUESTRIAN CENTRE WITH ASSOCIATED ACCESS AND CAR PARKING		SITE ADDRESS LAND TO THE WEST OF MIDDLETON ROAD OVERTON LANCASHIRE
APPLICANT: Lanquestrian C/o Trailholme Farm Trailholme Road Overton Nr Morecambe LA3 3HW		AGENT: C A Planning

REASON FOR DELAY

Not applicable.

PARISH NOTIFICATION

Overton Parish Council - No objections to this application.

LAND USE ALLOCATION/DEPARTURE

Countryside area.

STATUTORY CONSULTATIONS

County Council Highways - Notes that the new application provides overspill parking, as requested at the time of the last proposal. In highway terms the proposal is otherwise identical to the previous one. No objections, subject to some parking being reserved for disabled users. Conditions should be attached to any consent to cover the provision of the access and the parking shown.

Environmental Health - Comments as for previous application. Note that the site is previously undeveloped land.

County Council Property Services - Observations awaited.

OTHER OBSERVATIONS RECEIVED

Two letters have been received from residents of Middleton, who object on the following grounds:

- The development is in open countryside
- The access on to Middleton Road is already proving dangerous
- The use proposed is a leisure one, not an agricultural one
- The applicants are trying to obtain permission for residential use "by the back door".

They also allege that the site is on Green Belt land, but this is incorrect.

Any other representations received will be reported at Committee.

REPORT

This is a resubmission, with additional supporting material, of application 07/00259 which was refused consent in July this year. A copy of the relevant report is attached. The reasons for refusal, in full, were as follows:

1. The proposal is contrary to policy R10 of the Lancaster District Local Plan and paragraphs 31 and 32 of the central government advice note PPS7 (Planning Policy Statement: Sustainable Development in Rural Area) in that the proposal involves isolated development encroaching into the countryside.
2. The proposal, if approved, would be likely to result in a demand for isolated housing on a green field site in order to supervise the stables, which would be conflict with policy H8 of the Lancaster District Local Plan and Annex A of Planning Policy Statement 7.

As before, the proposal involves the erection of a large building with a floor area in the order of 2000 sq metres in fields on the west side of Middleton Road, between Middleton and Overton. This is intended to accommodate an indoor riding school with 13 stables, together with a reception area, classroom, tack room, feed store, saddlery and other ancillary facilities. It is shown as finished externally with concrete blockwork at the base, timber boarding on the walls, and a metal cladding roof. Access will be provided via a driveway off Middleton Road, which will be widened. A car park is to be constructed along with an overspill area surfaced in "grasscrete" or a similar material. In line with the suggestions of the County Council as highway authority, provision is included for overspill parking when required for major events. Unusually for this kind of development, foul drainage can be taken to the mains as there is a sewage treatment plant a short distance to the south of the site.

The applicants have provided a lengthy supporting statement in support of their new proposal. They argue that the proposal is consistent with both national and local planning policies for the area. In particular, it is stated that the quality of the agricultural land involved is poor, and that the siting chosen for the building will minimise its impact on the surrounding landscape.

In response to the suggestion that they should have found an existing complex of farm buildings in which to base their equestrian centre, they have provided a list of fifteen such sites in the Morecambe/Overton area. These include Trailholme Farm, to the south west of Overton, where the business has been based in the past. It is rejected as unsuitable both because the area is prone to flooding and because no land or buildings there are currently available for sale or for rent. Another site rejected is Woodburn Farm, on the north western edge of the applicants' land holding. They say that this is not available for use, even though a recent enquiry indicates that its owners would like to build houses on the site. Manor House Farm in Overton, which has recently been sold in lots, is rejected on the grounds that the sites available were too expensive. The other sites are rejected primarily on the basis that they are not available, though in some cases other factors, particularly accessibility and flood risk, are also mentioned. The Middleton Road site is therefore put forward as the best option available within the area of search.

The supporting papers include a Design and Access Statement, a Flood Risk Assessment and a series of letters and a petition from past customers of the riding school and others who support the proposal. Although some of these give addresses in Overton the bulk of them are in Morecambe and Heysham.

As before, the policy has to be considered in relation to the following policies in the Lancaster District Plan:

- E4, which sets out criteria for considering development in the area identified as Countryside
- R10 which sets out criteria for equestrian related development.

Account also needs to be taken of the central government advice note PPS7 (Planning Policy Statement: Sustainable Development in Rural Areas) which draws attention to the significance of horse riding and other equestrian activities to the rural economy.

A decision on this application rests essentially on whether the issues which led the rejection of the previous application have been satisfactorily addressed. The case for an isolated block of stables depends on no alternative accommodation being available. The information supplied by the applicants appears to indicate that this is the case, provided that they are correct in saying that Woodburn Farm on the edge of Middleton is not available to them. This issue has been raised with the applicants' agents and it is expected that a full response will be available by the time of the committee meeting. A preliminary approach by officers of the City Council to the agents acting for Woodburn Farm indicated that they would be extremely reluctant to dispose of it other than as an infill residential site, for which it undoubtedly has potential.

A car park in open countryside is inevitably intrusive when it is in use. The applicants propose to surface it in materials which will minimise its impact when it is empty. In addition, tree planting around it can be made a condition of consent being granted. With this, its impact on the landscape can be kept to an acceptable minimum.

The recommendation below is subject to Lanquestrian Ltd being able to provide evidence that they have attempted unsuccessfully to acquire the Woodburn Farm site in Middleton. It is also subject to appropriate conditions; it is particularly important, with a building of this type, that the external finish is a dark colour to minimise its impact on the landscape.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to two sections of the Human Rights Act: Article 8 (privacy/family life), and Article 1 of the First Protocol (protection of property). 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 **PERMISSION BE GRANTED** provided that the applicants can produce evidence to show that they have attempted to acquire the Woodburn Farm site for their use, subject to conditions as follows:

1. Standard three year condition.
2. Development to be carried out in accordance with the approved plans.
3. External finishes to be agreed.
4. Vehicular access to be completed before the building is brought into use.
5. Off-street car park to be hard surfaced in accordance with details to be agreed before the building is brought into use.
6. Cycle parking to be provided.
7. 2.4 x 90 metre visibility splays either side of access to be provided.
8. Foul and surface water drainage details to be agreed.
9. Permission does not grant or imply permission for the siting of a caravan on any part of the land.
10. Tree planting to be provided around car park.