

## Planning Services

# COMMITTEE REPORT

**AGENDA ITEM NUMBER: 3(c)**

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### APPLICATION DETAILS

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<b>APPLICATION NO:</b>	<b>PL/5/2010/0301</b>
<b>FULL APPLICATION DESCRIPTION</b>	<b>ERECTION OF STABLE BLOCK AND OFFICE/SECURITY BUILDING, CREATION OF OUTDOOR TRAINING AREA, FORMATION OF NEW PARKING AREA, DOG POUND, AND RELOCATION OF EXISTING SECURITY CONTAINERS</b>
<b>NAME OF APPLICANT</b>	<b>MR G HANCOCK</b>
<b>SITE ADDRESS</b>	<b>BRACKENHILL STABLES, SHOTTON LANE, SHOTTON COLLIERY DH6 2RA</b>
<b>ELECTORAL DIVISION</b>	<b>SHOTTON</b>
<b>CASE OFFICER</b>	<b>Grant Folley 0191 5274322 grant.folley@durham.gov.uk</b>

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### DESCRIPTION OF THE SITE AND PROPOSAL

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#### SITE:

- 1 This application site is part of an area of some 18ha on the west side of Shotton Lane, outside the Shotton village boundary as identified in the former Local Plan. The overall landholding comprises two distinct parts:
  - a compound area of some 0.4ha, containing three agricultural sheds, a toilet block, three security containers and an open parking/manoeuvring area, all of which form the basis for a livery stables operation; and
  - an area of grassland extending to some 17.6ha located to the south and west of the application site.
- 2 The frontage to Shotton Lane has a 1.8m high metal palisade fence behind a good cover of hedging in the highway. Until recently, that fence had been supplemented by 2.4m high metal sheeting on the inside but most of that has been removed with the result that the appearance of the site is much improved and glimpses into the site are available.

## PROPOSAL:

- 3 The application proposes an expansion of the presently small-scale horse livery operation by the construction of two new stable buildings comprising an additional 14 individual stables bringing the total number of stables on the premises up to 23. Also proposed is a purpose-built office/security building and the application additionally seeks a retrospective formal approval of an outdoor training area which has been located in a different position to that already approved elsewhere on the site, although this latter has been agreed as a minor amendment to the earlier planning permission authorising the livery use on the site.
- 4 Improved on-site vehicle parking facilities are included in the application.
- 5 The application has been reported to the planning committee following a request by Shotton Parish Council.

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## PLANNING HISTORY

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AGD/04/877:	Agricultural determination application for 2 agricultural buildings – Not permitted development; planning application required, 11/04.
AGD/04/1102:	Agricultural determination application for 2 agricultural buildings – Not permitted development; planning permission required, 01/05.
05/96:	2 farm buildings – Approved 05/05.
07/79:	Change of use from private stables to livery, erection of toilet building and 4 steel containers – Invalid application 05/07.
08/168:	Change of use to livery stables (retrospective) with grazing, erection of toilet block, provision of parking area and formation of outdoor arena – Approved 09/08.
09/170:	Siting of two steel security containers (retrospective application) – Approved 06/09.
09/337:	Siting of caravan for use as security accommodation and erection of dog kennel (retrospective application) – Refused 10/09.

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## PLANNING POLICY

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### 6 NATIONAL POLICY:

PPS4: Planning for Sustainable Economic Development proposes a responsive and flexible approach to planning which provides sufficient employment land and makes better use of market information. The PPS is designed to establish a national planning policy framework for economic development at regional, sub-regional and local levels for both urban and rural areas.

Planning Policy Statement 7 (PPS7) sets out the Government's planning policies for rural areas, including country towns and villages and the wider, largely undeveloped countryside up to the fringes of larger urban areas.

Planning Policy Statement 23 (PPS23) is intended to complement the new pollution control framework under the Pollution Prevention and Control Act 1999 and the PPC Regulations 2000.

*The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements>*

## **7 LOCAL PLAN POLICY:**

### District of Easington Local Plan

Policy 1- Due regard will be had to the development plan when determining planning applications. Account will be taken as to whether the proposed development accords with sustainable development principles while benefiting the community and local economy. The location, design and layout will also need to accord with saved policies 3, 7, 14-18, 22 and 35-38.

Policy 3 - Development limits are defined on the proposal and the inset maps. Development outside 'settlement limits' will be regarded as development within the countryside. Such development will therefore not be approved unless allowed by other policies.

Policy 7 - Development which adversely affects the character, quality or appearance of Areas of High Landscape Value (AHLV) will only be allowed if the need outweighs the value of the landscape and there is no alternative location within the County.

Policy 16 - Development which adversely affects a designated Site of Nature Conservation Importance/Local Nature Reserve/ancient woodland will only be approved where there is no alternative solution and it is in the national interest.

Policy 17 - Development which adversely affects a wildlife corridor/link will only be approved where compensatory features are provided.

Policy 19 - Areas of nature conservation interest, particularly those of national importance will be protected and enhanced.

Policy 35 - The design and layout of development should consider energy conservation and efficient use of energy, reflect the scale and character of adjacent buildings, provide adequate open space and have no serious adverse effect on the amenity of neighbouring residents or occupiers.

Policy 36 - The design and layout of development should ensure good access and encourage alternative means of travel to the private car.

Policy 74 - Public Rights of Way will be improved, maintained and protected from development. Where development is considered acceptable, an appropriate landscaped alternative shall be provided.

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*The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at <http://www.easingtonlocalplan.org.uk/>*

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## **CONSULTATION AND PUBLICITY RESPONSES**

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### **8 STATUTORY RESPONSES:**

#### Parish Council:

Shotton Parish Council do not formally object to the proposed development of a stable block, office building, outdoor training area, and associated development at Brackenhill Stables, Shotton Lane. However, the Parish Council are concerned that the proposed development will set a precedent for future residential development on the site. Over recent years the Parish Council has become increasingly concerned by the proliferation of similar developments around the village which have in time led to planning permission being granted for new dwellings in inappropriate locations. Therefore although no objections are

raised to the current scheme, the Parish Council request that their concerns in relation to residential development on the site are acknowledged by the planning committee.

Northumbria Water:

No objections subject to a condition to ensure that building works do not affect Northumbrian Water apparatus.

Sport England:

Support the planning application which will enhance provision of sports facilities.

**9 INTERNAL CONSULTEE RESPONSES:**

Highways:

Requests repeat of visibility splays condition attached to previous permissions on this site.

Ecology:

No objections.

Tree Officer:

No objections – recommend filling in gaps in Hawthorn hedge on east, north and south boundaries.

**10 PUBLIC RESPONSES:**

The application has been advertised by a site notice and neighbour consultation letters have been sent. No letters of representation have been received in relation to this application.

**11 APPLICANTS STATEMENT:**

The proposed development will allow the expansion of the business in an efficient and very reliable way and importantly will not unreasonably harm the amenity of the occupants of adjoining sites.

The previous application was made with the truest intention to create a more secure facility following attacks on livestock which was well advertised and highlighted in the local news. The owners reacted to the need of his clients and located the simplest form of temporary accommodation, a caravan. Following long discussions the clients decided to implement their long term goals of creating an Equestrian Centre, which could then accommodate 24 hour care and a larger workforce. Even at significant increase in initial cost.

The proposed development is considered complies with the development plan for the area and it is therefore requested that a decision is made accordingly.

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*The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <http://planning.easington.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=109706>. Officer analysis of the issues raised and discussion as to their relevance to the proposal and recommendation made is contained below*

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**PLANNING CONSIDERATION AND ASSESSMENT**

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The main planning issues to be considered in determining this application are:

- countryside policy;
- environmental effects;
- highway safety; and

- objections.

## 12 Countryside Policy

The site is located to the south-east of Shotton Colliery, on the west side of Shotton Lane, north of Brackenhill Farm No.1. The site is outside the development limits for the settlement as defined in the former District of Easington Local Plan.

Saved policy 3 of the Easington Local Plan identifies that development outside the settlement limits will be regarded as development within the countryside. Other than specifically allowed by other policies, development in the countryside will not be approved.

Planning Policy Statement 4 states that appropriate rural enterprises are acceptable in sustainable rural locations. Due to the application site lying on the edge of the village of Shotton, this application is deemed to accord with the general aims of national guidance.

This site is operating with the benefit of a valid permission for a livery business which is an appropriate use in the countryside, so, in principle, the proposal accords with national and local planning policies.

## 13 Environmental Effects

The application site relates to an existing group of buildings within a semi-rural location. There is only one immediately adjacent property, Brackenhill Farm, which operates a kennels and cattery business and so also has a number structures within its curtilage.

The Council's Trees and Ecology Officers have raised no objections to the proposed scheme subject to a Landscaping Scheme being conditional on any grant of planning permission. In particular the required landscaping scheme will need to improve the existing hedge which runs along the site road frontage.

Consequently, it is not considered that the proposal could be said to be detrimental to either the visual amenity of the area or to the general amenities of nearby occupiers. The proposed buildings are considered to be in keeping with the location of the site and the character of the area.

## 14 Highway Safety

The proposed access arrangements are considered to be acceptable. The Highways Authority have raised no objections to the scheme subject to a condition being attached to any grant of planning permission to ensure the required visibility splays are provided at the site entrance.

## 15 Objections

Shotton Parish Council have not formally objected to the current application, however concerns are raised that the proposed development will set a precedent for future residential development on the site. Therefore although no objections are raised to the current scheme, the Parish Council request that their concerns in relation to residential development on the site are acknowledged by the planning committee.

The Parish Council's concerns should be noted by the committee members, however it is not considered that they represent a reason to refuse the current application. The current proposal does not propose a residential use on this site, furthermore if the applicant wished to develop a dwelling on the site formal planning permission would be required. Such an application would need to be assessed against the relevant planning policies at the time.

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## CONCLUSION

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- 16 The proposed development is considered to accord with all relevant development plan policies. The proposed buildings and use are considered to be in keeping with the application site location on the edge of the village of Shotton.
- 17 Proposed landscaping works will improve the planting on the site frontage to the benefit of the street scene.
- 18 It is not considered that the proposed development will have any detrimental effects on the occupants of neighbouring properties sufficient to warrant refusal of the application.
- 19 Concerns raised by Shotton Parish Council have been noted, although they are not considered relevant to the determination of the current application.

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## RECOMMENDATION

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- 20 That the application be **APPROVED** subject to the following conditions;

### Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby approved shall be carried out in strict accordance with the following approved plans. Plan Reference Nos. 021/09/EX001, 023/09/PR001, 023/09/OFF001, 023/09/STB001 and 023/09/STB002 received 29/04/2010 and Site location plan received 16/06/2010.
3. Notwithstanding any details of materials submitted with the application no development shall commence until samples of the external walling and roofing materials have been submitted to and approved in writing by the Local planning authority. The development shall be constructed in accordance with the approved details.
4. Before the development hereby permitted is commenced, visibility splays of 2.4 metres x 120 metres shall be provided at the junction of the site access road with the highway in accordance with details which shall have been first submitted to and agreed in writing by the Local Planning Authority and any obstructions to visibility at any height greater than 600 mm shall be removed. Thereafter, the visibility splays shall be maintained for the lifetime of the development.
5. The development hereby permitted shall not be commenced until a detailed landscaping scheme for the infilling of gaps in the hedges along the east, north and south boundaries of the site has been submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall include full details of the planting species, sizes, densities and numbers, details of planting procedures or specification, the establishment maintenance regime, including watering, rabbit protection, tree stakes, guards etc. Trees, hedges and shrubs shall not be removed without the written agreement of the said Authority within five years of planting.

6. All planting works included in the approved landscaping scheme shall be carried out in the first available planting season following the practical completion of the new stable block or the office/security building, whichever is the earlier. Any approved replacement tree or hedge planting shall be carried out within 12 months of felling and removals of existing trees and hedges. Any trees or plants which die, fail to flourish or are removed within a period of 5 years of planting shall be replaced in the next planting season with others of similar size and species. Replacements will be subject to the same conditions.
7. The car park shown on the plan hereby approved shall be constructed, marked out and made available for use prior to the development hereby approved being brought into operation, in accordance with details to be first agreed in writing with the Local Planning Authority. Thereafter the car parking spaces shall be used and maintained in such a manner as to ensure their availability at all times for the parking of vehicles associated with the approved use.
8. Prior to being discharged into any watercourse, surface water sewer or soakaway system, surface water drainage from parking areas and hardstandings shall be passed through trapped gullies installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority.
9. Before the development hereby permitted is commenced, full details of a scheme for the storage and disposal of manure and soiled materials from the stables shall be submitted to and approved in writing by the Local Planning authority and, thereafter, the said storage and disposal methods shall be adhered to at all times during the lifetime of the stabling operation on the site.
10. Development shall not commence until a detailed scheme for the accurate location, protection of and access to its apparatus during construction and afterwards of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details.

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## REASONS FOR THE RECOMMENDATION

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1. The development was considered acceptable having regard to the following development plan policies:

DISTRICT OF EASINGTON LOCAL PLAN  
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PLANNING POLICY STATEMENT/GUIDANCE  
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DISTRICT OF EASINGTON LOCAL PLAN

ENV03 - Protection of the Countryside  
ENV07 - Protection of Areas of High Landscape Value (AHLV)  
Env16 - Protection of sites of Nature Conservation Importance.  
Local Nature Reserves and Ancient Woodlands  
ENV17 - Identification and Protection of Wildlife Corridors  
ENV19 - Management of Areas of Nature Conservation Interest  
ENV35 - Environmental Design: Impact of Development  
ENV36 - Design for Access and the Means of Travel  
GEN01 - General Principles of Development  
PPS23 - Planning and Pollution Control  
PPS4 - Planning for Sustainable Economic Growth  
PPS7 - Sustainable Development in Rural Areas  
TAC47 - Footpaths and other public rights of way

2. In particular the development was considered acceptable having regard to consideration of issues of countryside policy, environmental effects and highway safety.

## BACKGROUND PAPERS

- Submitted Application Forms and Plans.
- Design and Access Statement
- District of Easington Local Plan 2001
- Planning Policy Statements / Guidance, PPS1, PPS4, PPS7, PPS9, PPG13,
- Consultation Responses





