

APPLICATION NO	PA/2015/1285
APPLICANT	Miss A Oliver
DEVELOPMENT	Planning permission for proposed indoor equestrian area
LOCATION	Riding School, Skyers Farm, Carrside, Epworth, DN9 1DX
PARISH	Epworth
WARD	Axholme Central
CASE OFFICER	Tanya Coggon
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Request by Epworth Town Council that the application be determined by committee and a site visit made

POLICIES

National Planning Policy Framework: Paragraphs 7, 11, 14 and 28.

North Lincolnshire Local Plan: Policy DS1 (General Requirements) applies to all developments.

Policy T2 (Access to Development) requires all development to be provided with satisfactory access.

Policy RD2 (Development in the Open Countryside) sets out clear guidance on the control of development in the open countryside.

Policy LC14 (Area of Special Historic Landscape Interest) does not permit development that would destroy, damage or adversely affect the character, appearance or setting of the historic landscape and its features.

North Lincolnshire Core Strategy: Policy CS3 (Development Limits) applies.

CONSULTATIONS

Highways: Some concerns regarding the potential impact of construction traffic on the lane. Some form of construction phase traffic management plan and improvements to the existing lane are required.

In response to the comments made by Humberside Police, there is no disagreement in relation to the points raised regarding the junction layout or the condition of the lane. A certificate of lawful use was granted for the site and in highway terms nothing can influence the existing operation and associated traffic flows. However, any subsequent planning application needs to be considered on its merits. The opinion of the Highway Authority is that the end use will not generate any significant increase in traffic movements and therefore a recommendation to refuse on highway grounds could not be defended at

appeal. Highway conditions should be applied to any permission which include the provision of a construction phase traffic management plan. This will require the applicant to demonstrate that all construction traffic is managed and the impact of any works are mitigated post-construction.

Environmental Protection: No comments.

Severn Trent Water Ltd: No objection subject to an informative in relation to sewers.

Environment Agency: No objection.

PROW: No objection.

Humberside Police: Concern in relation to road safety issues. Entrance is close to a bend with less than ideal visibility resulting in a delay in vehicles turning into the lane which may result in collisions. The width of the lane does not allow two way traffic and there are no passing places. The lane should be widened. The road surface is very poor and not suitable for vehicular traffic. Traffic calming humps on the outer edges of the lane do not conform to current standards and are a hazard for vehicles and pedestrians. The lane is unlit causing safety issues for road users. Streetlights should be installed. Trees and bushes encroach into the lane obscuring vision. Vegetation should be cut back. Any business which increases the use of this lane will significantly increase the risks to drivers, pedestrians and horse and riders. The lane for the proposed purpose is unsafe and improvements should be made or another access into the riding school found.

TOWN COUNCIL

Request the application be determined by committee and a site visit made.

PUBLICITY

A site notice has been posted and neighbours notified. Two letters of objection have been received from the same objector raising the following issues:

- the existing ménage could be converted to an indoor/outdoor school by placing a roof over it, reducing construction vehicles
- increased traffic on footpath 70 creating hazards to pedestrians
- large HGVs will use footpath during construction works
- no passing places along footpath 70 causing dangerous vehicular movements
- increase in traffic not appropriate for its location
- the original access onto Sandy Lane should be used
- no details requiring how waste from horses and excavation works will be discharged from the site
- 50 lorries required to remove soil
- no parking details for construction vehicles

- the development will be visible from adjacent footpaths
- objection from Humberside Police
- previous conditions on PA/2012/0960 relating to operation hours and riding horses outside the site were approved.

In addition, since the application was deferred at the last meeting of the planning committee, three letters of support have been received raising the following issues:

- there is a need for an indoor riding arena due to weather conditions
- an indoor facility would be an asset to the business and for clients
- the access track is safe if the signed speed limit is observed
- little traffic on the access track and no pedestrians on the track when clients have been accessing the riding school.

ASSESSMENT

This application was deferred at the last meeting of the planning committee to enable members to visit the site prior to making a decision. Since the application was deferred there has been significant rainfall in Epworth. The applicant has requested that members' attention is drawn to the fact that this resulted in the outdoor riding arena being flooded and riding lessons being cancelled. The applicant states that an indoor arena on the site would be able to operate during periods of 'bad weather' avoiding the cancellation of lessons.

The proposal is for the erection of an indoor equestrian area. The indoor arena will be located immediately adjacent to the existing outdoor ménage on a field. The indoor area will be 25 metres wide, 40 metres long and a maximum height of 6.3 metres. The riding arena will be constructed from Yorkshire boarding stained golden brown with fibre cement profile sheeting with rooflights. The riding arena is required to school horses inside and the applicant wants to use the indoor arena for disabled riders. No competitions are to be carried out inside the riding arena.

The site is located outside the development boundary of Epworth within the open countryside. The site is a riding school and livery with a dwelling, various stables, tack rooms etc and an outdoor arena located on the site. The site is accessed from Carrside via a public footpath which is shared with other properties in the vicinity.

The main issues associated with this proposal are whether, in planning policy terms, the indoor riding arena is acceptable, and if so, whether the design and access arrangements, and impact on the amenity of neighbours and the locality, are also acceptable.

The proposed riding arena is an acceptable use in the open countryside and is affiliated with the existing riding school on the site. The indoor riding arena will provide a purpose-built indoor area for horse riders to school horses whilst being protected from the elements. The applicant wishes to allow disabled riders to use the building as they also need to be located inside a building for health and safety reasons. There is, therefore, a justified need for this development on the site as at present there is only an outdoor riding arena. Advice

given in the National Planning Policy Framework (NPPF) supports the economic growth in rural areas in order to create jobs and prosperity. The NPPF supports the sustainable growth and expansion of all types of businesses and enterprises in rural areas. The proposal therefore accords with policy CS3 of the Core Strategy, policy RD2 of the North Lincolnshire Local Plan and advice given in the NPPF.

In terms of design, the proposal resembles an agricultural building and is acceptable in this rural location. The site is well screened by bushes and trees. The nearest neighbours are some distance away from the site. As a result, in terms of impact of the building itself on neighbouring properties, no loss of residential amenity will be caused. Whilst the building may be visible from adjoining and adjacent public footpaths, this type of building is an acceptable design in the rural area that is found in other areas of the open countryside. The height of the building has been kept as low as possible and it will be viewed in context with the existing riding school and associated buildings located on the site. As a result, the impact on the Area of Special Historic Landscape Interest will be minimal and the proposal will not result in any demonstrable harm to the amenity of the locality. It therefore accords with policy CS5 of the Core Strategy and policies RD2, DS1 and LC14 of the North Lincolnshire Local Plan.

Access to the site is along a public footpath known as Footpath 70. Other residential properties also use this footpath to access their properties. The use of Footpath 70 by the riding school has been subject to much controversy over the years. Both residents and users of Skyers Farm do access the site via Footpath 70 by vehicle. Skyers Farm have submitted Land Registry documents to the council that specify they have a right of way over Footpath 70. This is a legal matter. The PROW have raised no objections to the proposal. The comments made by the objector and Humberside Police in relation to Skyers Farm using an alternative access were thoroughly explored in the previous application (PA/2012/0960). It was concluded at that time that there was no alternative access available to Skyers Farm as Footpath 72 is within another landowner's control. This is still the case today.

The concerns from the neighbour and Humberside Police in relation to the access are noted. The council also has some safety concerns in relation to the use of this access. The applicant is willing to improve the lane by providing passing places along it and improving its surface which is in poor repair in some places. Control of construction traffic along the lane can be dealt with by a planning condition. This will seek to ensure construction traffic is controlled and regulated to ensure the safety of vehicles and pedestrians using the track. The council will require the applicant to submit precise details of the number and type of construction vehicles to be used for the development on a daily basis to ensure safety along the access. The proposal, subject to conditions, will accord with policies T2 and DS1 of the North Lincolnshire Local Plan.

RECOMMENDATION Grant permission subject to the following conditions:

1.
The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: PL-04 Rev A, PL-05 Rev A, PL-07 Rev A, PL-09 Rev A, PL-10 Rev A, PL-12 Rev A, PL-08 Rev A, PL-06 Rev A, PL-01, PL-11 and PL-03, PL-04.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

The indoor equestrian building hereby permitted shall only be used with horses owned by Skyers Farm and the horses that are liveried at Skyers Farm at any time.

Reason

In order to ensure that there will be no increase in traffic along the access track to the site in accordance with policies T2 and DS1 of the North Lincolnshire Local Plan.

4.

No open/external competitions shall be held in the indoor equestrian building at any time without the prior approval in writing of the local planning authority.

Reason

In order to ensure that there will be no increase in traffic along the access track to the site in accordance with policies T2 and DS1 of the North Lincolnshire Local Plan.

5.

No development shall take place until a construction phase traffic management plan covering:

- (i) the level and anticipated timing of vehicular movements associated with the works;
- (ii) the control and martialling of construction vehicles using the access track;
- (iii) adequate storage area on site for materials;
- (iv) adequate vehicle parking facilities for contractor vehicles;
- (v) a suitable programme of post-construction remediation works to the access track;

has been submitted to and approved in writing by the local planning authority. Once approved the plan shall be implemented, reviewed and amended as necessary during the construction period. Compliance with this condition is required before development commences in order to ensure that highway safety is maintained during the construction process.

Reason

In the interests of highway safety.

Informative 1

The applicant's attention is drawn to the attached comments by Severn Trent Water in relation to the sewers.

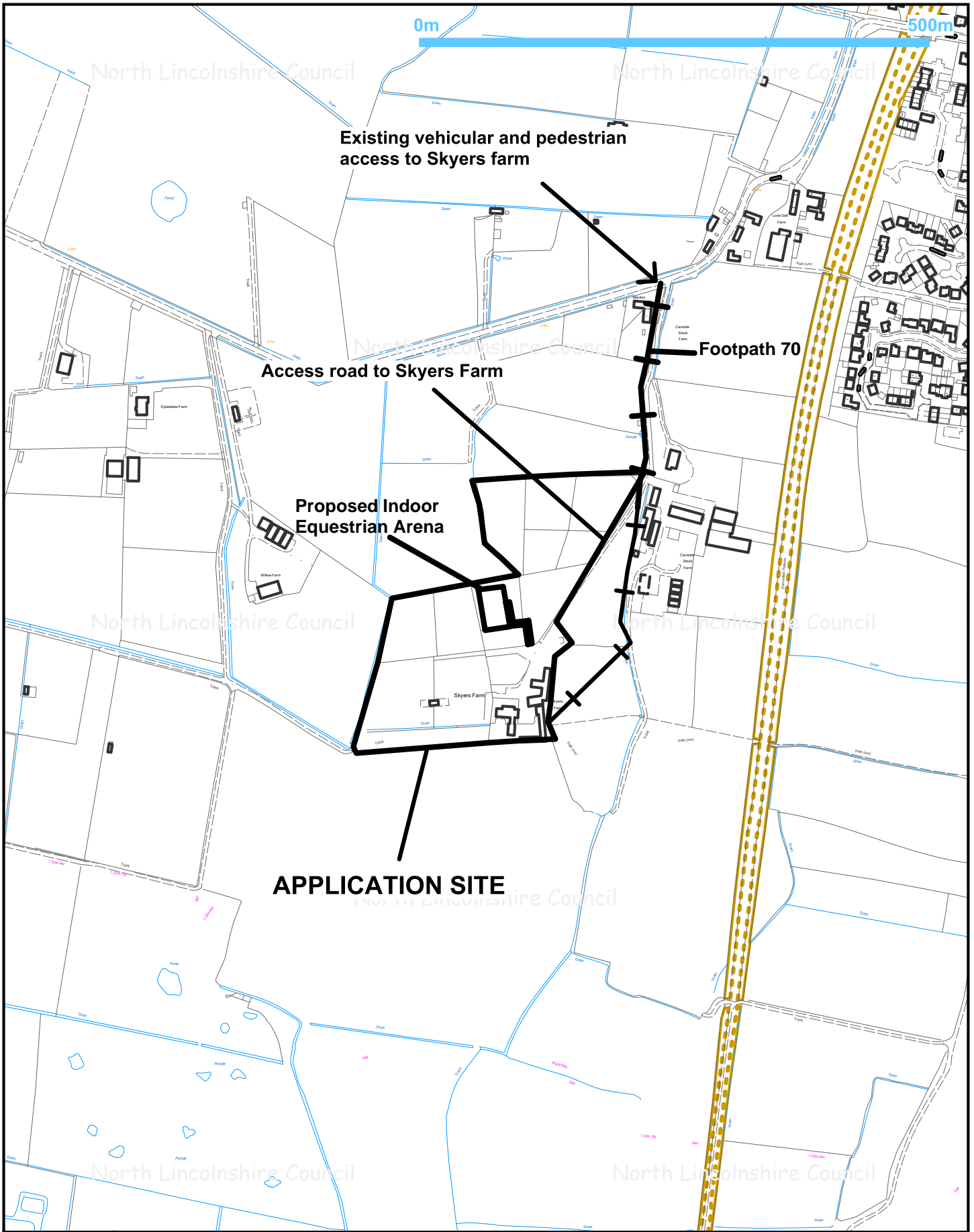
Informative 2



The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

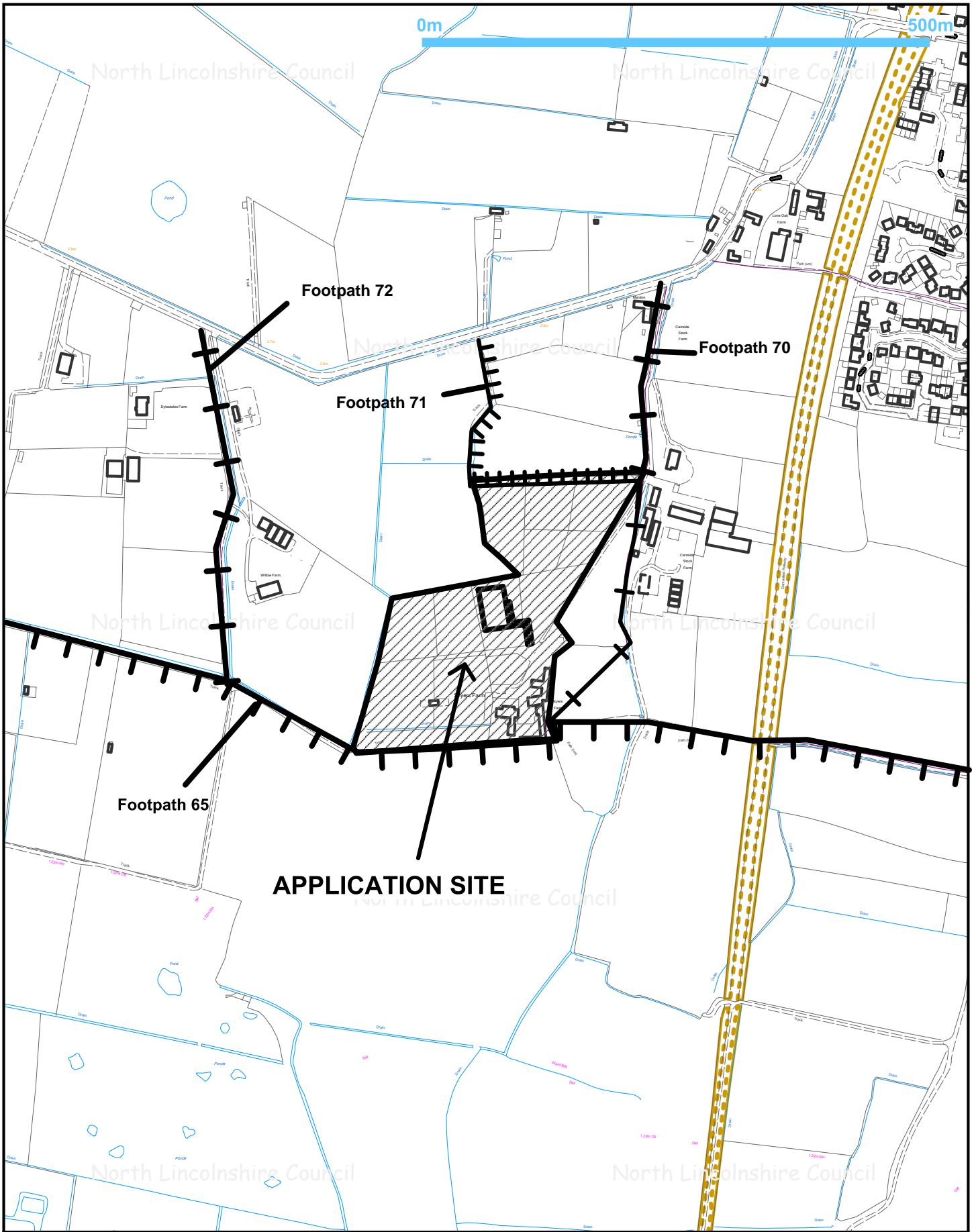
- before ANY construction works take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297319 to arrange for the relevant permissions/licenses to be issued.

Informative 3

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



Title: PA/2015/1285		
Drawn by: Sue Barden	Date: 23/02/2016	Scale @A4 1:5000
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	Director of Places Peter Williams BSc,DMS,CEng,MEI,MCMI,AMIMechE	



APPLICATION SITE

Title: PA/2015/1285		
Drawn by: Sue Barden	Date: 23/02/2016	Scale @A4 1:5040

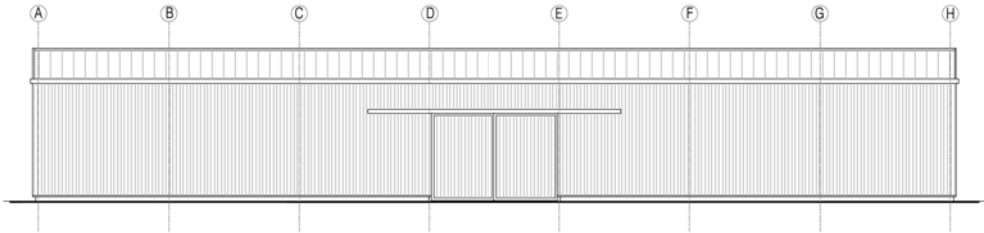


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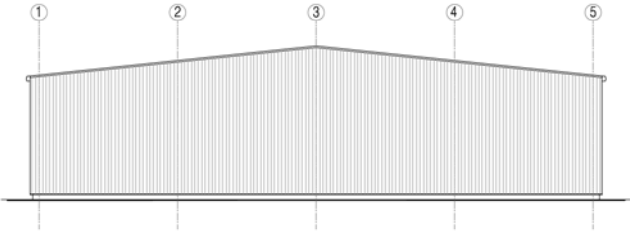


Director of Places
Peter Williams
BSc,DMS,CEng,MEI,MCMI,AMIMechE

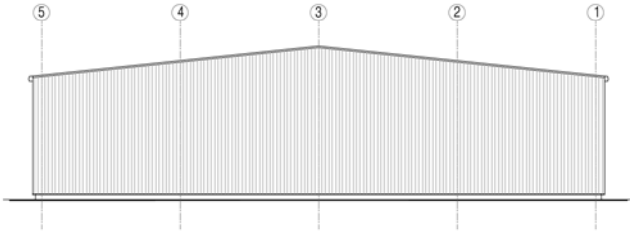
PA/2015/1285 Proposed Elevations - Not to scale



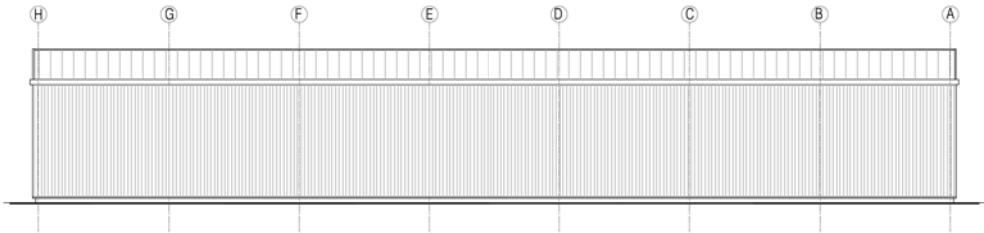
Proposed Front (East) Elevation



Proposed Side (South) Elevation



Proposed Side (North) Elevation



Proposed Rear (West) Elevation