

APPLICATION NO	PA/2018/1000
APPLICANT	Mr & Mrs Czerwionka
DEVELOPMENT	Planning permission to erect stables, menage and associated hardstanding
LOCATION	29 High Street, Owston Ferry, DN9 1RH
PARISH	Owston Ferry
WARD	Axholme South
CASE OFFICER	Scott Jackson
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Owston Ferry Parish Council
POLICY	

National Planning Policy Framework: Paragraph 124 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

Paragraph 155 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

Paragraph 156 states that strategic policies should be informed by a strategic flood risk assessment, and should manage flood risk from all sources. They should consider cumulative impacts in, or affecting, local areas susceptible to flooding, and take account of advice from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards.

Paragraph 189 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Paragraph 190 states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by

development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

North Lincolnshire Local Plan: DS1, DS16, RD2, LC14

North Lincolnshire Core Strategy: CS1, CS2, CS5, CS6, CS19

CONSULTATIONS

Highways: No objection.

Historic Environment Record: The application site lies within the Area of Special Historic Landscape Interest of the Isle of Axholme (local plan policy LC14). This area is designated for its unique historic landscape retaining the pattern of ancient open strip fields and enclosures surrounding the villages on the Isle.

The proposed menage and stable block would intrude into the historic landscape, changing the character of the site and affecting the setting of the adjoining historic landscape character which comprises the core character area of Riverside ancient open fields. To minimise the effect on the historic landscape character and its setting, the stable block should be re-sited within the existing building line to the rear of no. 29 and the menage further south, to accord with the requirements of LC14 and Core Strategy policy CS6, and the NPPF, otherwise the application should be refused as contrary to these policies.

Environment Agency: The site is shown to be within the flood plain as detailed on the flood maps. The proposed development site lies within Flood Zone 3a as described in Table 1 of the NPPG, Paragraph 65. The FRA submitted with the planning application is appropriate to the scale, nature and location of the proposed development. The advice has not considered the risk of flooding from ground water, drainage systems, reservoirs, canals or ordinary watercourses.

Environmental Health: No objection, but recommend conditions in respect of an assessment of light impact; a scheme for the collection, storage and disposal of manure and foul bedding; and that the facility is used for domestic purposes only.

PARISH COUNCIL

Object on the following grounds:

- The use should be restricted to non-commercial purposes.
- Any external lighting and its use should be restricted until 9pm only.
- All animal waste shall be removed from the site.
- The size of the stable block is too large for the proposed use.

PUBLICITY

A site notice has been displayed. No comments have been received.

ASSESSMENT

The application site forms part of the rear garden to the applicant's bungalow. The garden measures 80m in depth and is located outside the defined settlement boundary for Owston Ferry, on land designated as LC14 (Isle of Axholme area of Special Historic Landscape) and within flood zone 2/3a as defined in the North Lincolnshire Strategic Flood Risk Assessment (SFRA). Planning permission is being sought to erect a stable block and tack room measuring 12.8m x 6.002m with a ridge height of 4.4m. It is also proposed to change the use of the land to form a menage (measuring 45m x 25m) which will be bordered by a 1.5m high post and rail fence and an area of hardstanding between the proposed stable block and menage.

The main issues in the determination of this planning application are the principle of development (including impact on the character and appearance of the rural landscape), impact upon residential amenity and flood risk.

Principle

The proposal is for the installation of an equestrian arena and stables on land to the rear of the applicant's property, outside the defined settlement boundary for Owston Ferry, on land classed as Open Countryside. Policy RD2 of the North Lincolnshire Local Plan therefore applies and states that development in the open countryside will be strictly controlled and planning permission will only be allowed for development which is essential for the provision of outdoor sport, countryside recreation, or local community facilities, provided that the following criteria are met:

- (a) the open countryside is the only appropriate location and development cannot reasonably be accommodated within defined development boundaries;
- (b) the proposed development accords with the specific requirements set out in the relevant policies of this chapter and elsewhere in this Local Plan;
- (c) the development would not be detrimental to the character or appearance of the open countryside or a nearby settlement in terms of siting, scale, massing, design and use of materials; and
- (d) the development would not be detrimental to residential amenity or highway safety; and
- (e) account is taken of whether the site is capable of being served by public transport; and
- (f) the development is sited to make the best use of existing and new landscaping.

The proposal is considered to be in association with the provision of outdoor sport. Taking each of the above points in turn it is worth noting that the proposed arena and stables will be located approximately 25m to the north east from the rear elevation of the applicant's residential property, the land immediately to the rear of this property is located outside the defined settlement boundary for Owston Ferry. Subsequently the applicant has little or no land available to the rear of their property, within the defined settlement boundary for

Owston Ferry in which the proposed development (stable and riding arena) can be accommodated.

It is noted there is a public footpath in close proximity to this site, which runs in an east to west direction directly to the north of the proposed riding arena and is classed as public footpath OWST134. Therefore, views of the proposed riding arena and stable block will be available in close proximity to the site. In the wider context the proposed development (the arena and stable block) will be viewed against the built context of the dwellings located along the northern side of High Street and not as an isolated form of development on land classed as open countryside and the Isle of Axholme Area of Special Historic Landscape.

As stated in the paragraph above the proposed riding arena and stable block will be located on land which is designated as LC14 land; this is the Isle of Axholme Area of Special Historic Landscape. This land is designated for its significant areas of medieval open strip fields and Turbaries, both of which are of considerable national importance. It is worth noting that the proposed development (including the riding arena with a larger footprint) will not extend the northernmost garden boundary of the applicant's property and therefore not into the wider field network located beyond the line of the public right of way to the north. In addition, the built form of the proposed stable block will be visible against the existing outbuildings located in the rear garden of the applicant's property and the proposed riding arena (with the exception of the 1.5m high post and rail fence) will retain a sense of openness to the character and appearance of the rural landscape. Given the proximity of the proposal in relation to the applicant's property and that the development will be viewed against the built framework of Owston Ferry, the proposed development is not considered to destroy, damage or adversely affect the character, appearance or setting of the historic landscape or any of its features.

The proposed arena typically consists of a membrane with a rubber or loose planed surface on top, bordered by a 1.5m high post and rail fence. The proposed stable block and tack store will be constructed from brick with a concrete tiled roof. It is worth noting that both the riding arena and hay store are common features in rural locations on the Isle of Axholme; furthermore, the materials of construction are consistent with the appearance of the majority of these structures found in rural areas of North Lincolnshire and with the appearance of built development on the edge of Owston Ferry.

Residential amenity

The design and access statement submitted with the planning application states that the proposed stables and menage will be for the personal use of the applicant; a condition is recommended to ensure it is not used for any commercial equestrian enterprise. To protect residential amenity it is considered prudent to recommend conditions that the menage and stable block are for personal use only and for details of any external lighting and hours of operation of the lighting to be submitted for consideration. In addition, a condition is recommended requiring the method of storage and disposal of manure and foul bedding to be submitted for consideration; this will allow the local planning authority to ensure that this waste is disposed of in a timely manner from the site.

Flood risk

The site is located within Flood Zone 2/3a as defined in the North Lincolnshire Strategic Flood Risk Assessment (SFRA); this means the site is at the highest level of flood risk. A

flood risk assessment has been submitted with the planning application; no objection is raised by the Environment Agency on flood risk grounds. It is noted that the proposed use of the land (stable block and menage) is not clearly defined in the vulnerability classifications within the National Planning Practice Guidance; however, the use of the land is considered to be similar to that of outdoor sport and recreation (water compatible development) and thus, by applying the level of vulnerability against the level of flood risk, the development is appropriate.

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: Proposed stable block and menage.

Reason

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

3.
The proposed menage and stable block hereby permitted shall be solely for domestic use and the enjoyment of the owner of the site, and at no time shall this facility be used for commercial or business purposes.

Reason

To define the terms of the permission, to protect the residential amenity of neighbouring occupiers in accordance with policy DS1 of the North Lincolnshire Local Plan.

4.
Prior to the commencement of the use hereby permitted, a scheme for the collection, storage and disposal of manure and foul bedding shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented on commencement of the use and retained thereafter.

Reason

To define the terms of the permission to protect the residential amenity of neighbouring occupiers in accordance with policy DS1 of the North Lincolnshire Local Plan.

5.
No development shall take place until details have been submitted to and approved in writing by the local planning authority of the make, type and colour of all external facing materials for the development and only the approved materials shall be used.

Reason

To ensure that the building is in keeping with its surroundings in the interests of visual amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

6.

No external lighting of the site shall come into operation until details of this lighting and an assessment for potential light impact has been submitted to and agreed in writing by the local planning authority. The assessment shall include:

- identification of sensitive receptors likely to be impacted upon by light nuisance, with a determination of the proposed scheme's compliance with the design guidance in the Institution of Lighting Professionals Document: Guidance Notes for the Reduction of Obtrusive Light. <https://www.theilp.org.uk/documents/obtrusivelight/>;
- a lighting scheme which proposes methods of mitigation against potential light nuisance, including times of operation, beam orientation, schedule of equipment and to address potential glare and light spill on sensitive receptors.

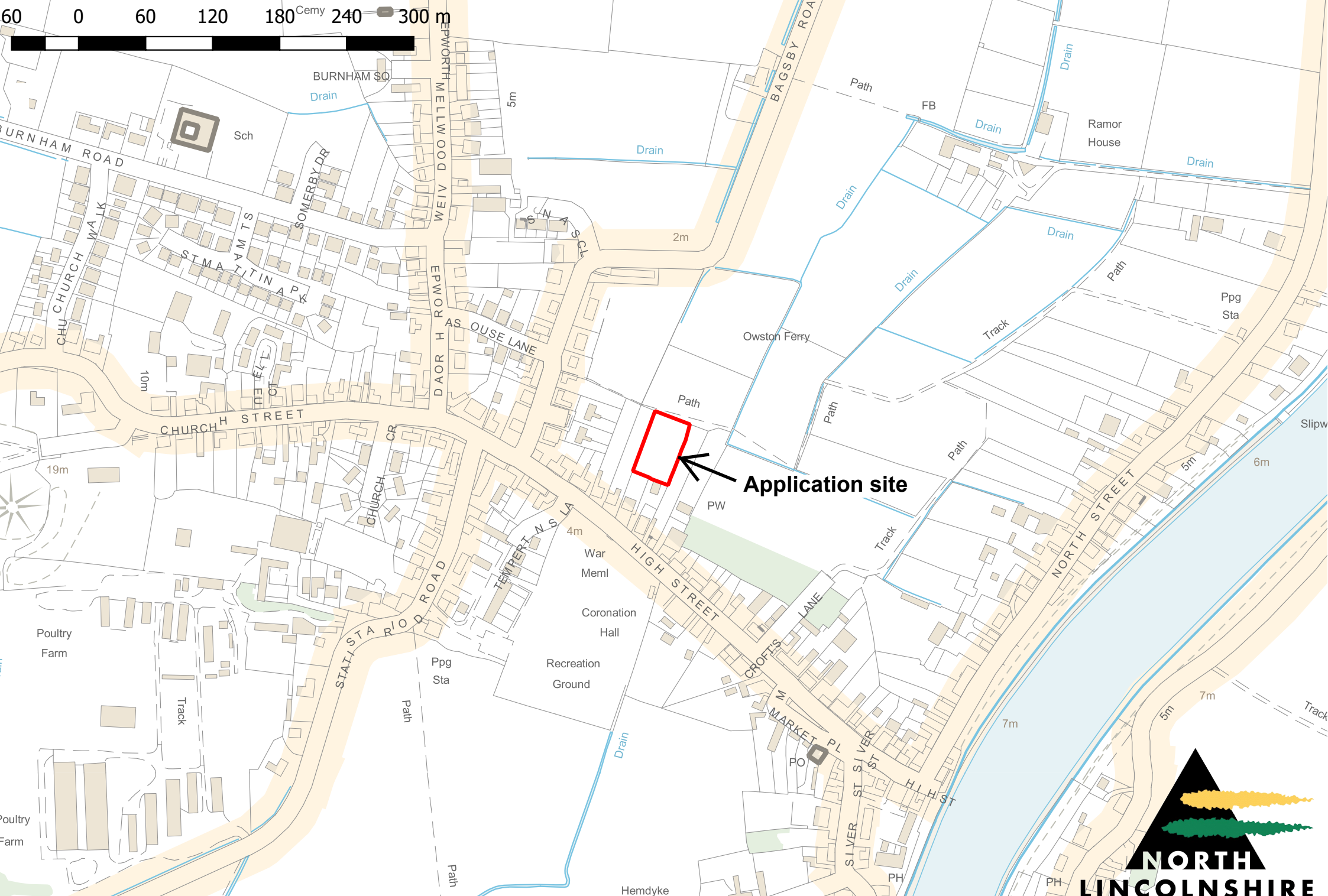
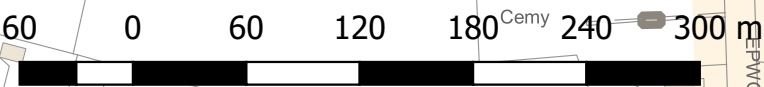
Once approved, the agreed lighting scheme shall be implemented and permanently retained. Any variation from the agreed lighting scheme shall require approval in writing by the local planning authority.

Reason

To define the terms of the permission to protect the residential amenity of neighbouring occupiers in accordance with policy DS1 of the North Lincolnshire Local Plan.

Informative

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 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.



Application site

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