



Jennie Townsend
Bury Metropolitan Borough Council
Development Control
The Planning Service
3 Knowsley Place
Bury
BL9 0EJ

Planning Reference: 70265

Our Ref: 70116587

9 February 2024

Dear Jennie,

CHANGE OF USE OF FIELD FROM AGRICULTURAL LAND TO DOMESTIC KEEPING OF HORSES (SUI GENERIS); ERECTION OF A NEW STABLE BLOCK, FENCED EXERCISE AREA AND ASSOCIATED ACCESS TRACK (REFERENCE: 70265) – FEBRUARY 2024 UPDATE

On behalf of our client, Mrs Anne Shepherd, we submit revised plans and documents under application ref: 70265 for the following:

“Change of use of field from agricultural land to domestic keeping of horses (Sui Generis); Erection of a new stable block, fenced exercise area and associated access track”

Alongside this revised planning justification letter, the following documents have also been submitted in support of this application:

- Location Plan (ref: BHF_TR/B-ERC-LP01 Rev A)
- Existing Site Plan (ref: BHF_TR/B-ERC-ESP01)
- Existing Outbuildings – Floor Plan and Elevations (BHF_TR/B-ERC-OUTFE01 Rev A)
- Proposed Floor Plan and Elevations (ref: BHF_TR/B-ERC-PFE01 Rev B)
- Proposed Site Plan (ref: BHF_TR/B-ERC-PSP01 Rev D)
- Topological Surveys and Site Sections, prepared by Seddon Surveys (ref: 5695_26.01.2023)

Due to the minor nature of the proposal, a Design and Access Statement is not required as part of the application, relevant matters are instead considered within this planning justification letter.

The site is location in Flood Zone 1 and given that the Site area falls below 1 hectare, a Flood Risk Assessment is not provided as part of this planning application.

The application fee of £2,374.00 + £64.00 administration fee has been paid to Bury Metropolitan Borough Council via the Planning Portal in November.

SITE AND SURROUNDINGS

The new site boundary extends to approximately 0.40 hectares (or 0.99 acres) and is comprised of a grass field adjacent to Birch Hey Farm, Turton Road Bury, BL8 3QG. Birch Hey Farm is a large residential dwelling, with gardens, outbuildings, and an area of hardstanding for parking and manoeuvring. The dwelling features a barn conversion extension to the south (ref: 89/22194) and a

Dalton Place
29 John Dalton Street
Manchester
M2 6FW
Tel: +44 191 272 6100
wsp.com

conservatory to the east (ref: 35486) that were constructed in 1990 and 2000 respectively. The buildings are set within a fenced area lined with hedges and it is accessed from a private drive off Turton Road, Tottingham, Bury, BL8 3QQ.

The surrounding area is rural in character and consists of farming/agricultural land and associated dwellings. The site and its local context are shown at Figure 1 below.

The closest property is Greystones to the west of the site, which was converted in 2015 from a former piggery and is accessed from the same private drive. The neighbouring property is approximately 63m to the north-west of the proposed stables, with a tennis court and an outbuilding for storage separating the neighbouring property from the application Site.

The site lies approximately 2.1km northwest of the town of Tottington, and approximately 5.9km north-west of Bury. There are a number of essential services in Tottingham such as supermarkets, bus stops, schools and medical centres.

The site is designated as Green Belt within the adopted Unitary Development Plan for Bury (1997). It is also designated a Special Landscape Area under Policy EN9/1 and Pennine Moors Open Land under Policy OL7/2.



Figure 1 - Site Location (red) and ownership (blue) (Google Maps, 2023)

THE PROPOSAL

The application seeks approval for the erection of a stable block, the creation of an outdoor exercise area with timber post and rail fencing, an associated grasscrete track that will provide access to the new facilities. The application also seeks a change of use of the area of the field within which the stable and outdoor arena are proposed from an agricultural use to a Sui Generis use for the domestic keeping of horses. The purchaser of Birch Hey Farm (the applicant) is relocating with her twelve horses and three shetland ponies that she is retiring from her current riding school, of which the life expectancies could be 10 years. The proposed development is necessary to accommodate the horses and provide them a place to live and play until their eventual passing. The keeping of the horses is for personal use and would not be for any sort of business activity nor is there any intention for the site to become commercial in any sense. It is likely that the applicant will take on further retired horses in the future, essentially as pets.

The details of the proposed stable block are shown on the 'Proposed Floorplan and Elevations' Plan (ref: BHF_TR/B-ERC-PFE01 Rev B) and at Figure 2 below. For ease, the stable block is to measure 11m x 24m with a total height to ridge of the pitched roof of 5.4m. The block is to accommodate 12 stables to house the horses.

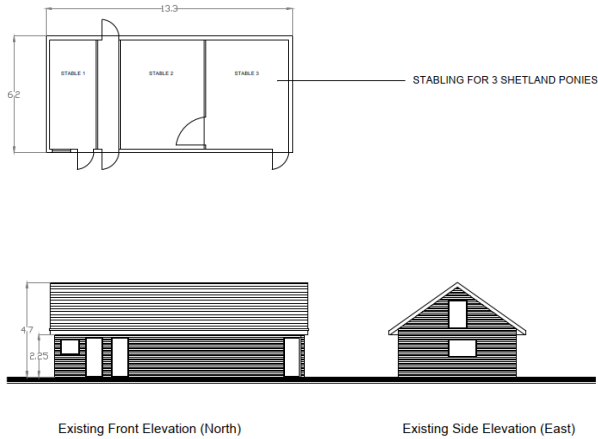
Rational of Proposed Stable Block

The existing outbuildings and former piggery barn were considered for conversion and extension to house all twelve retired horses and the three ponies however due to their size (specifically the height) they were deemed inappropriate as they were designed for pigs and not fully grown horses. The ridge height of the existing outbuildings measure 4.7m with an eaves height of 2.25m, as shown on the Existing Outbuildings – Floor Plan and Elevations Plan (ref: BHF_TR/B-ERC-OUTFE01 Rev A) (See figure 1 below). The equestrian development SPD states that stable boxes should be large enough for a horse to stand up with at least 0.9m clearance above its head. The average racehorse measures between 15 and 17 hands (1.52-1.73m). For the larger of the racehorses, which the applicant owns several, the upper end of the horse height 1.73m would require a stable box eaves height at a minimum of 2.63m which exceeds the eaves height of the existing buildings. The new proposed stable block proposes an eaves height of 3.5m.

Therefore, the existing outbuildings would not be tall enough for the retired racehorses. Rather, they would be suitable only for the three Shetland ponies for which the average height is 102cm. Therefore, the existing outbuildings with an eaves height of 2.25m is appropriate only for the three Shetland ponies and conversion and extension of these to accommodate all 15 horses and ponies would not be appropriate. It follows that a bespoke scheme with re-use of the existing buildings and construction of a new stable is the appropriate option in this case.

The other existing workshop will be utilised for food, bedding and other equine equipment.

OUTBUILDING 1 - STABLE



OUTBUILDING 2 - WORKSHOP

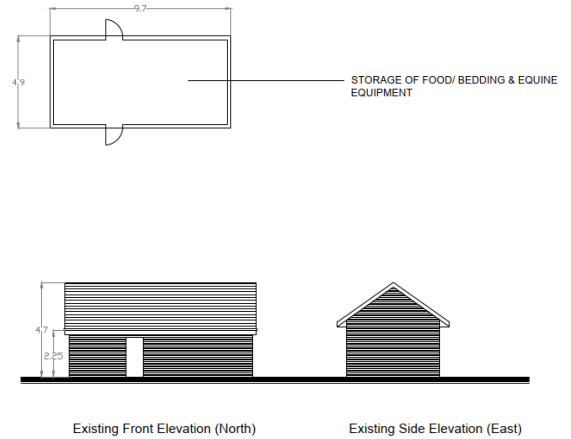


Figure 1 – Proposed Use of Existing Outbuildings

Proposed Stable Block Design Evolution

Initially the stable was proposed for 16 stable nos. (30.2mx11m) but following your feedback this has been reduced to 12 (24x11m). The height to ridge has also been reduced from 6.8m to 5.4m. The original intention was to create space for any surplus storage requirements, or to provide space for any additional retired racehorses that the applicant may adopt in the future, but this has now been reduced to the minimum that would be feasible to accommodate the horses currently owned by the applicant. A small area has been included at the entrance for food to comply with the requirements of the equestrian development SPD to store food within the stable building, and to allow easy transport of food to the stable (see Figure 2 below).

Initially a brick stable building was proposed with slate roof, however following officer feedback this has been amended to timber with a corrugated metal roof to offer a less permanent appearance as it was felt this would better accord with the character and appearance of the rural area.

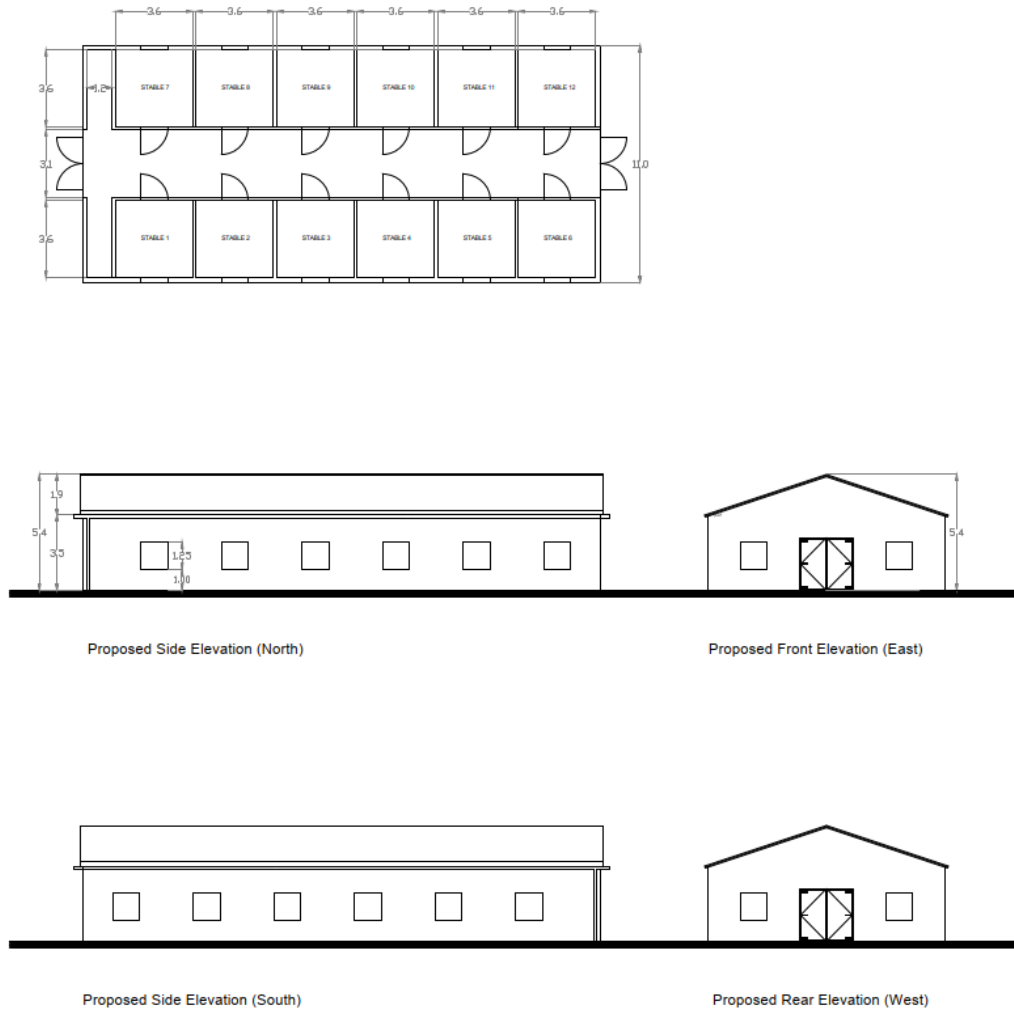


Figure 2 – Proposed Stable Block Plan and Elevations

Access Track

The existing access is shared with the adjacent property, Greystones. Using the existing access was considered in the first instance, however there is a tight bend which would cause major difficulty of access and safety concerns for access for horse box or tractor. Therefore, a separate access track is proposed into the open field along the boundary of the dwelling's curtilage to facilitate access to the new stable. This option would also minimise any potential disruption to the neighbouring property.

The track was originally proposed to be 4m wide in gravel however following feedback from Bury Planning Officers, this has been revised to a grasscrete track and the width reduced to 3m which will be appropriate for the weekly deliveries of haylage feed and shavings and for the occasional movement of horses for their arrival, for veterinary treatment, and for transport when they eventually pass. The track will be demarcated by a 1.2m post and wire fence. Two parking spaces are required for the horse box and any vehicles required to assist the horses. Vehicular trips to the site will be minimal. Further, the grasscrete material will mean that the track is barely perceptible in the landscape.

Outdoor Arena

The proposed outdoor exercise area is shown on the Proposed Site Plan (ref: BHF_TR/B-ERC-PSP01 Rev D). This is to measure 20m x 40m which accords with the stipulations of the adopted Planning for Equestrian Development SPD (2007) for outdoor arenas. We understand the outdoor arena is acceptable in principle, but further clarity was required on the proposed materials. It will comprise of all-weather flooring (Andrew Bowens sand and fibre surface) and will be secured by a timber 1.35m post and rail fence enclosure. The purpose of the outdoor exercise area is to provide an outdoor amenity space for the horses in the winter months (October – April) as the fields cannot recover from grazing during the wetter months. The material of the flooring is required to provide a safe and stable surface for the horses to exercise and the sand and fibre material will blend in with the landscape. Over summer the horses would graze in the field. The area proposed is appropriate for the retired horses which will have a slower pace of life than a younger horse.

The Topological Survey and Site Sections submitted with this revision at your request demonstrates that there is a slight slope from the south west of the site to the north east. The outdoor arena will be made flat by a retained structure which will be agreed with an engineer to ensure a level surface. It is suggested that the details of such can be secured by condition.

Landscaping

Following comments from the GMEU requesting compensatory landscaping, new hawthorn hedge planting is proposed along the southern and western boundaries of the field, shown on the Proposed Site Plan (ref: BHF_TR/B-ERC-PSP01 Rev D). It is considered that this will fortify the sparse existing hedgerow and provide screening and ecological benefits in accordance with Policy EN9 of the Local Plan.

Drainage

The application proposes to provide a midden which would be located directly adjacent to the stables to deal with foul drainage. The location of the midden is shown on the Site Plan and has been carefully considered so that it is easily accessible from the stable and the access track and does not affect the Public Right of Way which runs along the northern boundary of the site. For the treatment of surface water, it is proposed to connect to a field drain. It is suggested that the details of the above can be secured by condition.

PLANNING POLICY

National Planning Policy Framework (2023)

The National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable development which runs through the document (paragraph 11). It is stated that development proposals which accord with the Development Plan should be approved without delay.

Paragraph 149 sets out that the construction of new buildings in the Green Belt should be considered inappropriate, with the exception of the following types of development (emphasis added):

- a) buildings for agriculture and forestry;

- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;**
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings).

Local Planning Policy – Bury Unitary Development Plan (1997)

OL1/1 'Designation of Green Belt' establishes the Green Belt boundaries in the borough.

OL1/2 'New Buildings in the Green Belt' sets out the purposes for which new buildings in the Green Belt would be appropriate development.

OL4/7 'Development Involving Horses' states that the keeping of horses for recreational purposes will be considered acceptable where it would not have an adverse effect on the appearance of the rural areas.

OL7/2 'West Pennine Moors' seeks to reduce any possible detrimental effects development may have on the important character of the land designated within the policy area.

EN1 'Built Environment' aims to protect, preserve and enhance the character appearance and amenity of the Borough's built environment.

EN6 'Conservation of the Built Environment' states that the Council will retain, protect and enhance the natural environment of the Borough, in relation to areas of ecological, wildlife and geological importance.

EN8 'Woodland and Trees' supports the retention of trees in the Borough and encourage new tree planting.

EN9 'Landscape' seeks to protect, conserve and improve the landscape quality of the Borough, and encourages the enhancement of landscapes, where appropriate.

SPD 10: Planning for Equestrian Development provides guidance on equine development in the Borough.

PRINCIPLE OF DEVELOPMENT

The development proposes the erection of stable block, creation of outdoor fenced exercise area for the horses and an associated track that will provide access to the new facilities. The use fully accords with the Local Plan and proposes an impermanent style building with materials that have been

carefully chosen to maintain its relationship with the surroundings and the neighbouring farm complex. The design of the stable and outdoor area responds to the present form and character of the site.

Due to the minor nature of the proposal, there is no material effect on the local environment. There would be no impact on local species, trees, flood risk, or the local highway as trips will be limited, such as veterinarian trips and deliveries. There are no noise or air quality risks associated with the implementation of the proposed scheme. As such, the proposal fully accords with policies OL4, OL7, EN1, E5, EN6, EN8, and EN9.

Green Belt

The site is designated as Green Belt land within the Bury Unitary Development Plan (1997). In accordance with national Green Belt policy, the proposed building is appropriate by virtue of its accordance with paragraph 149, part B of the NPPF. The policy dictates that while the construction of new buildings in the Green Belt should be seen as inappropriate development, the provision of appropriate facilities in connection with the existing use of land for outdoor recreation is seen as an exception, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

It should be noted that the Bury UDP Policy OL1/2 goes further to require 'essential facilities' for outdoor recreation in order for development to be considered appropriate in the Green Belt. It is considered that the facilities proposed (the barn, outdoor exercise area and grasscrete access track) are essential facilities to house the applicant's horses for the reasons set out within this note.

The stables will be located adjacent to the existing storage buildings and outdoor arena in a location that is discrete and not highly visible in the landscape. The orientation of the stable and outdoor area has been carefully thought out so that the long elevation faces Birch Hey Farm who would be the owner and operator of the proposed stables, and that the shorter elevation is orientated towards the neighbours to mitigate visual impact and preserve the openness of the Green Belt.

The views looking north, towards the site, are currently of the ancillary buildings which are of stone construction with slate roofs. The proposed development will replace the view of the existing structures with the new stables which propose similar materials and a sensitive design. With the existing landscaping, trees and hedges will be retained within the wider land ownership which will provide screening. The outdoor exercise area and low timber post and rail fence will not be visually intrusive.

The Green Belt in this location does not check the unrestricted sprawl of large built-up areas, prevent neighbouring towns merging, safeguard the countryside from encroachment, preserve the setting and special character of a historic town or assist in urban regeneration. The use of land for horse's stables and an exercise area therefore does not conflict with the five purposes of the Green Belt as defined by NPPF paragraph 138. The proposal is therefore in full accordance with national guidance and can be deemed as appropriate development in the Green Belt with no harm to openness.

Development Involving Horses

The Adopted Bury UDP (1997) demonstrates clear support for equine development with Policy OL4/7:

“The keeping of horses for recreational purposes or as part of commercially based equestrian activities will be considered acceptable where it would not have an adverse effect on the appearance of the rural areas. In particular, high standards of design, construction and maintenance will be expected as part of any development proposals”.

As demonstrated above, the proposals are sensitively designed for the location and will be constructed to a high quality and maintained appropriately.

The policy justification goes on to state that the safety and comfort of horses will be a further factor taken into consideration in development control decisions.

The proposal accords with Policy OL4/7 and carries clear benefits in that it proposes to provide safe and comfortable accommodation for retired horses.

Preserving Amenity

The proposed stable maintains a 38m buffer from the buildings at the neighbouring property, Greystones. This follows guidance within Adopted APD-10 ‘Planning for Equestrian Development’ adopted in 2007 to avoid impacting on nearby residential amenity. It should be noted that the applicant would be the owner of Birch Hey Farm should the proposals go ahead.

The boundaries of the site include fencing and hedging and several trees within the site. These will be retained with the hedgerow enhanced as part of the proposals to improve the amenity value of the site and will carry screening benefits to the development.

The access track is proposed on the eastern side of Birch Hey Farm to avoid any impacts on Greystones of noise from transport of the horses and equipment.

Accordingly, the proposals would not cause any detrimental impact on amenity for the surrounding residential properties in accordance with Policies OL4/7, EN1/2 and SPD10.

CONCLUSION

This letter seeks planning permission for the erection of a stable block, the creation of an outdoor exercise area with timber post and rail fencing, and an associated grasscrete access track to the new facilities. The application also seeks a change of use of the area of the field within which the stable and outdoor arena are proposed from an agricultural use to a Sui Generis use for the domestic keeping of horses. The proposal is minor in nature. It will create a new stable and outdoor exercise area for retired horses, to provide a comfortable home for them in their later years. Activity at the site will be limited to exercising and keeping the horses for personal use. The proposal is appropriate in this location and will preserve the openness of the Green Belt.

This application fully accords with the Development Plan and represents sustainable development of an existing site in accordance with the planning principles in the NPPF; therefore, should be encouraged and supported and be approved without delay.



We trust that the submitted information is sufficient for the application to be validated and look forward to confirmation in due course. Should you have any queries, please do not hesitate to make contact in the meantime.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Alex Wylie', with a long horizontal flourish extending to the right.

Alex Wylie
Planner