



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

Planning Portal Reference: PP-
12574836

Our Ref: 70116587

28 November 2023

Dear Sir/Madam,

ERECTION OF A NEW STABLE BLOCK, FENCED EXERCISE AREA AND ASSOCIATED ACCESS TRACK ALONG WITH CHANGE OF USE TO SUI GENERIS

On behalf of our client, Mrs Anne Shepherd, a planning application has been submitted via the Planning Portal for the following:

“Erection of a new stable block, fenced exercise area and associated access track along with change of use to Sui Generis.”

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

- Application Form
- Location Plan (ref: BHF_TR/B-ERC-LP01)
- Existing Site Plan (ref: BHF_TR/B-ERC-ESP01)
- Proposed Floor Plan and Elevations (ref: BHF_TR/B-ERC-PFE01)
- Proposed Site Plan (ref: BHF_TR/B-ERC-PSP01)
- Horse Passports Documentation

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.

SITE AND SURROUNDINGS

The site extends to approximately 0.48 hectares (or 1.19 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 conservatory to the east (ref: 35486) that were constructed in 1990 and 2000 respectively. The buildings are set within fenced area lined with hedges and it is accessed from a private drive off Turton Road, Tottingham, Bury, BL8 3QQ.

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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, and an associated gravel 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 purchasers of Birch Hey Farm (the applicant) is relocating with her retired

horses. The proposed development is necessary to accommodate the retired 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.

The details of the proposed stable block are shown on the 'Proposed Floorplan and Elevations' Plan (ref: BHF_TR/B-ERC-PFE01) and at Figure 2 below. For ease, the stable block is to measure 10m x 22m with a total height to ridge of the pitched roof of 6.7m. The block is to accommodate 11 stables to house the horses. The existing outbuildings within the demise of Birch Hey Farm will be fully utilised for storage of equipment and are too small to stable the applicant's horses.

The proposed outdoor exercise area is shown on the 'Proposed Site Plan' (ref: BHF_TR/B-ERC-PSP01). This is to measure 20m x 40m which accords with the stipulations of the adopted Planning for Equestrian Development SPD (2007) for outdoor arenas. It will comprise of all weather flooring 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. Over summer the horses would graze in the field. The area proposed is appropriate for the retired horses that will have a slower pace of life than a younger horse.

A 4m wide access track is proposed to run from the stable and outdoor area along the east edge of the dwelling boundary to meet the track north of the dwelling. This would provide private access from Turton Road which will be required to transport horses (where occasionally required), for deliveries, equipment and veterinary supplies in a way that would not disturb the amenity of the adjacent property. It is proposed to be gravel to conform to the landscape character of the area. The existing mature trees and hedges on the site will be retained which will provide screening and mitigate any visual impact.

The materials used to construct the building will be brick walls and a slate roof, as per the attached plans. The proposed materials have been carefully chosen to ensure the building features materials typically used in instances of rural development and is in keeping with similar buildings in the surrounding area, sympathetic to the local landscape character.

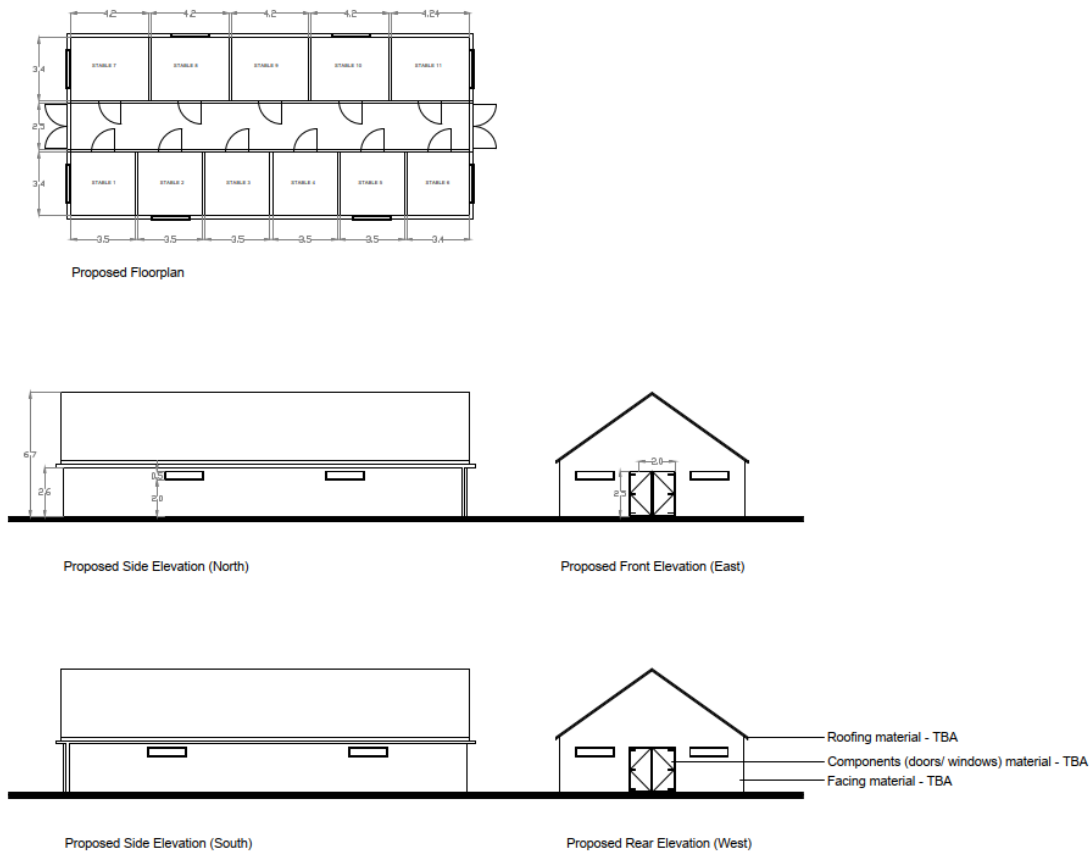


Figure 2 - Proposed Layout and Elevations

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 gravel track that will provide access to the new facilities. The use fully accords with the Local Plan and proposes an agricultural 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 gravel 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 31m buffer from the existing dwelling within the Birch Hey Farm Site and a 40m+ 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 as part of the proposals to maintain 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 gravel 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 of 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



Alex Wylie
Planner