



## Report of the Chief Planning Officer

### PLANS PANEL EAST

Date: 14/01/10

Subject: APPLICATION 09/04313/FU –Detached stable block/hay store and ménage to rear of dwelling. Holly Croft, Sandhills, Thorner, Leeds, LS14.

#### APPLICANT

J Shaw

#### DATE VALID

05.10.2009

#### TARGET DATE

30.11.2009

#### Electoral Wards Affected: Harewood

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

### RECOMMENDATION: GRANT PERMISSION subject to the following conditions:

1. Standard Time limit.
2. All areas associated with the equestrian use hereby approved shall be used solely for the enjoyment of the occupants of Holly Croft only, and shall not be used for or by any commercial venture or for the purposes of livery, riding schools or commercial breeding.
3. Materials to match existing house.
4. Use of the ménage hereby approved shall not commence until details of the proposed construction, which shall include all details of boundary treatments, levels and surfacing materials, as well as details of how surface water discharges will be dealt with such that there is no increase in Greenfield rates of run-off, are submitted to and approved in writing by the Local Planning Authority.
5. Details of extent of residential curtilage to be agreed.

**Reasons for approval:** The proposed use is considered to be appropriate to the Green Belt and the scale, size and form of the proposed buildings is considered to be acceptable for the level of use being proposed. The design and appearance are rural in nature and given the limited views into the site, the proposed development is not considered to be detrimental to the character and appearance of the Conservation Area or Special Landscape Area. The proposal is considered to comply with policies GP5, N19, N33, N37, T2, BD5 and GB13 of

the UDPR and to guidance contained within the Thorne Conservation Area Appraisal and Management Plan and to government guidance contained within PPG2, PPS7 and PPG15.

## **1 INTRODUCTION:**

- 1.1 This application is reported to Plans Panel following a request from Councillor Alec Shelbrooke in his capacity as a Ward Councillor for the area and on the grounds that the development will encroach into the Green Belt.

## **2 PROPOSAL:**

- 2.1 The application is made in full, and seeks permission for the erection of a stabling block with attached hay store and tack room and the laying out of a ménage for the exercising of ponies/horses.
- 2.2 The stable block measures 7.8m wide x 9.9m deep x 4.2m to the ridge. It will be constructed from brick in the front half, with the rear half being fully open to form the hay store. A pitched roof will be supported at the rear by steel columns. Two stables are provided.
- 2.3 The proposed ménage measures 20.4m x 34.5m and will be constructed from a typical rubberised surface made from recycled tyres and overlaid on sand and hardcore to provide a permeable surface.
- 2.4 An area of the hardstanding will be laid for the creation of a turning area for vehicle and horsebox.
- 2.5 The proposal will also involve change of use of a strip of land which is currently in lawful agricultural use. This will change to equestrian use.

## **3 SITE AND SURROUNDINGS:**

- 3.1 Sandhills is a linear settlement extending from the south end of Thorne, stretching out towards Bramley Grange close to the A64 York Rd. The settlement consists of a number of large houses set in large plots on either side of the road interspersed with farm buildings. This is a rural area with agricultural fields surrounding residential plots.
- 3.2 Holly Croft is a detached house on the eastern side of Sandhills. The property is two-storey with hipped roof and gardens laid out to the south and eastern sides. A driveway access runs along the northern boundary giving access to the house, garages and a small, private use office building. To the rear of the site is a grassed paddock, separated from the residential unit by a post and wire fence. A large area of hardstanding adjacent to outbuildings to the rear has been constructed, which crosses the boundary between the garden and the agricultural land. The site is relatively well screened on all sides by hedging.
- 3.3 To the north and east of the site are agricultural fields. To the south is another residential plot, although the house is sited some 70m plus away from Holly Croft and the two sites are separated by mature hedging. To the east is another dwelling, but this is set well back from the road and again is heavily screened by mature trees and hedging.
- 3.4 The site lies within designated Green Belt, an area of special landscape and is within the Conservation Area of Thorne.

## **4 RELEVANT PLANNING HISTORY:**

- 4.1 Aside from a number of household extensions there has been one previous planning application on the site (reference 33/639/04/FU) for a change of use of paddock/agricultural land to domestic hardstanding to the rear of Holly Croft. This was refused on 21/01/05 on the grounds that it conflicted with Green Belt policy and that it had a detrimental impact on the Special Landscape Area. *It should be noted that in*

*this application the change of use was to domestic uses which is inappropriate within the Green Belt. The current application is for an equestrian use.*

- 4.2 In 2006 enforcement action was commenced (reference 06/01359/UOPS2) for the excavation to land to rear of dwelling, this case has been closed with no further action being taken as a planning application was submitted.
- 4.3 Further enforcement action commenced in 2007 (reference 07/01543/UCU3) for the extension of domestic curtilage into paddock and the extension of existing hardstanding area within the paddock area which has acted as a turning circle for residents vehicles. This case is still open, and this planning application is the result of negotiations that have taken place on this matter.

## **5 HISTORY OF NEGOTIATIONS:**

- 5.1 Enforcement officers have undertaken extensive dialogue with the applicant in recent years, which has culminated in the submission of this application to regularise the use of the land and seek permission for the unauthorised hardstanding and erection of the stable buildings.
- 5.2 During the course of the planning application the applicant has been asked to provide details of the proposed ménage including levels and surfacing materials and to consider slightly increasing the size of the stables and ménage in order to better accommodate larger animals. The applicant has indicated that the ménage is not currently needed for use, but that the area will be fenced off with a view to installing it in a few years. The stables have been marginally increased in size to provide more suitable accommodation for larger animals, they are still within the recommended sizes for horse provision.

## **6 PUBLIC/LOCAL RESPONSE:**

- 6.1 A site notice of an application for planning permission, which is a departure and which affects the character of the Conservation Area was posted on the 4<sup>th</sup> November 2009. Deadline for comments expired on the 25<sup>th</sup> of November 2009.
- 6.2 Ward Councillor Alec Shelbrooke objects to application on the grounds that the proposals encroach into the green belt. *Please see the appraisal below.*
- 6.3 Thorner Parish Council commented that they query whether the development is appropriate for the green belt location. *Please see the appraisal below.*
- 6.4 One letter of support from a neighbour has been received.

## **7 CONSULTATIONS RESPONSES:**

- 7.1 Highways Officers have advised that due to limited sightlines at the access point the proposal can only be supported if it is for the personal use of the occupants of the dwelling house.
- 7.2 Response: the size of the stables proposed and of the ménage are such that it would be unsuitable for any form of commercial activity. The applicant has also further advised that the stables are for the housing of his daughter's ponies, and that he accepts any condition requiring a restriction to family use only.
- 7.3 The Group Surveyor advises that the proposed stables are if anything slightly on the small side but that the size of both stables and the paddock is acceptable for two small ponies. The proposed hay store is acceptable and the proposed ménage is again on the small side.
- 7.4 Response: the applicant fractionally increased the size of stable so that it could accommodate a horse in future years.

## **8 PLANNING POLICIES:**

## 8.1 **Development Plan** – Regional Spatial Strategy (RSS) and adopted Unitary Development Plan ( Review) (UDPR)

- 8.1.1 There are no policies of specific relevance within the RSS.
- 8.1.2 Within the UDPR, the following policies apply.
- 8.1.3 GP5 - general planning considerations
- 8.1.4 N13 - design for the building should be of high quality and have regard to the character and appearance of surroundings.
- 8.1.5 N19 - all new buildings or extensions within or adjacent to a Conservation Area should preserve or enhance the character or appearance of the area.
- 8.1.6 N24 - development proposals that abut the green belt should achieve assimilation into the landscape.
- 8.1.7 N32 - Green Belt designation.
- 8.1.8 N33 - approval in the Green Belt will only be given for “.... essential facilities for outdoor sports and outdoor recreation”.
- 8.1.9 N37 -development in Special Landscape Areas will be acceptable, provided it does not seriously harm the character and appearance of the landscape.
- 8.1.10 N37A - all new development or change of land use within the countryside should have regard to the character of the landscape in which it is set and contribute positively to restoration objectives where appropriate.
- 8.1.11 T2 -highway and access issues
- 8.1.12 GB13 - stables and other equestrian development will only be permitted where:
  - That element is essential to outdoor equestrian activity and is subservient to that activity; and
  - Serious harm does not arise to the highway and bridleway network, visual amenity, the operation of neighbouring land uses or the living conditions of adjacent occupiers.

## 8.2 **Relevant supplementary guidance**

- 8.2.1 Thorner Conservation Area Appraisal and Management Plan approved 12/01/09. This document notes that Sandhills acts as wooded and rural corridor into the main settlement of Thorner and that predominant building materials are local sandstone, slates, pan-tiles, and stone slates.

## 8.3 **Government Planning Policy Guidance/Statements**

- 8.3.1 **PPG2 – Green Belt** – one of the objectives of designating Green Belt is to provide opportunity for outdoor sport and recreation, there is no differentiation between public and private provision of recreational facilities. The construction of new buildings in the green belt is inappropriate unless they are for e.g. essential facilities for sport and recreation. Essential facilities should be genuinely required for the use of land which preserves the character of the Green Belt and which do not preclude the purpose of including land in it. Possible examples of such facilities include small stables for outdoor sport and recreation.
- 8.3.2 **PPG15 – Historic Environment**
- 8.3.3 **PPS7 - Sustainable Development in Rural Areas** – Horse riding and other equestrian activities are popular forms of recreation in the countryside and can fit in well with farming activities and help to diversify rural economies.

## 9 **MAIN ISSUES**

- 9.1 Principle of use.
- 9.2 Appropriateness in the Green Belt.
- 9.3 Impact on Special Landscape Area.
- 9.4 Impact on Conservation Area.
- 9.5 Highway and access issues.
- 9.6 Other issues.

## **10 APPRAISAL**

### **10.1 Principle of Use**

- 10.1.1 The red line boundary encompasses two long standing existing uses - an agricultural use to the eastern end and on the western side (and the majority of the site) the residential use associated with the house and its curtilage. It should be noted that the paddock area has not been used for agricultural purposes for some years and is clearly separated from surrounding fields by mature hedging.
- 10.1.2 The construction of the stables and the ménage, although it will be used by the family only, is best described as an equestrian use. The paddock is to be retained in its current use as grazing for the ponies. This application if approved will therefore create an area to the eastern edge of the residential curtilage that has a lawful equestrian use. A condition is proposed to control the extent of the residential curtilage and to prevent the inclusion of the proposed stables and menage into the curtilage.
- 10.1.3 Given the current lack of agricultural activity on the site and the fact that an equestrian use is an appropriate rural use then this change of use is not objected to.

### **10.2 Appropriateness in the Green Belt**

- 10.2.1 One of the objectives of designating land as Green Belt is the use for outdoor sport and recreation purposes, into which an equestrian use falls. There is no differentiation between whether the recreation use is a purely private facility or open to the public. The use of the land for equestrian purposes is therefore considered to be appropriate in the Green Belt and complies with policy N33 of the UDPR and guidance in PPG2.
- 10.2.2 When considering development associated with appropriate uses it is necessary to consider whether the facilities are needed and whether the structures are of a scale that is commensurate with the use. The aim should be to achieve minimal impact on the openness of the green belt.
- 10.2.3 The proposed stables, attached hay store and the ménage will provide for two small ponies, which is consistent with the use purely for family purposes. The stable block has been designed within the specifications for such animals and is not considered to be excessive in scale or form.
- 10.2.4 An area of hardstanding is also created which provides a turning circle for a vehicle and horsebox. This is considered necessary as the existing access has poor visibility and any reversing of vehicles out of this access would endanger highway safety.
- 10.2.5 Given that the limited size, form and design of the facilities being provided is commensurate with the small-scale domestic use proposed, then it is considered that the proposal complies with guidance in PPG2 and with policy GB13 of the UDPR.

### **10.3 Impact on Special Landscape Area**

- 10.3.1 The proposed building is a small single storey structure, the front half of the building is divided into two stables with traditional doors recessed to provide a porch area. The rear half of the building is designed as an open haystore with pitched roof supported on steel columns. The building is proposed to be built from bricks to match the house and the garage with a concrete tiled roof, again to match the existing house and garage.
- 10.3.2 The proposed stable will be seen in conjunction with existing low-level buildings on the site and will largely be screened by the existing mature hedging on the northern boundary. Long distance views into the site are very limited due to the hedging as well. The building is of a design that is quite typical for the intended use and would not look out of place in this rural area.
- 10.3.3 Given the small-scale nature of the proposal along with the design and use of matching materials it is not considered that the proposal is detrimental to the character or appearance of the Special Landscape Area and that it does comply with policy N37.
- 10.3.4 The proposed ménage will be surfaced with recycled rubber chips which are likely to be in a grey/black colour. Such surfaces can be relatively intrusive in open areas, however in this instance it is considered that the site is largely hidden from views and further hedging along the eastern boundary could help to further reduce impact. Subject to appropriate landscaping the scheme could be adequately screened with no detrimental impact on landscape.

#### **10.4 Impact on conservation area**

- 10.4.1 The Conservation Area Appraisal notes that this area is rural in character. The nature and appearance of the proposed stable and the ménage is not considered to be out of character and it is relatively well hidden and screened from general views. The proposal is therefore considered to comply with policy N19.

#### **10.5 Highway and Access Issues**

- 10.5.1 The proposed access into the site will be used for both the domestic vehicles and vehicles associated with the equestrian use. There is substandard visibility at this access point in both directions along Thorner Lane, and for this reason the use of the access for a general/commercial equestrian use is not accepted (as this would lead to an increase in use of the access point). However use of the access for equestrian purposes associated with the family only, is considered to be acceptable as it would not lead to any greater increase in use of the access than already exists. It is considered that a condition can be applied to any permission granted to ensure that the use of the land remains for the family's enjoyment only.
- 10.5.2 Parking for a horsebox plus turning is provided within the site and there will be no loss of existing parking provision for the domestic use. The proposal, subject to the above condition therefore complies with policy T2 of the UDPR.

#### **10.6 Other Issues**

- 10.6.1 Concern has been raised with regard to the potential for the extended hard surfacing to cause flooding issues due to the location of a natural spring in the rear paddock area. An area of hardstanding already exists and although unlawful it is not much larger than that which already exists for the domestic use in terms of vehicle circulation space and parking.
- 10.6.2 Details of the ménage have been provided and show use of a recycle rubber chip layer over sand and hardcore. This is designed to allow drainage through to the soils below so that surface water does not collect which could be dangerous. It is therefore not considered that the proposed development will detrimentally increase surface water run-off that will result in local flooding. Furthermore the

development is surrounded by open grassed areas which would absorb any such run-off.

## **11 CONCLUSION**

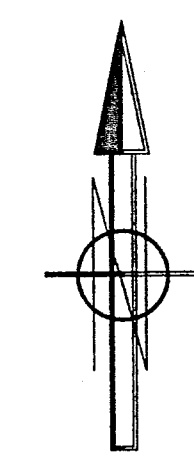
11.1 The proposed use is considered to be appropriate in the Green Belt and associated buildings can be considered as essential facilities for this appropriate use. The limited scale, size, form and the intended materials, along with restricted views into the site ensure that the proposal is not detrimental to character or appearance of the Special Landscape Area or of the Conservation Area. All relevant policies of the UDPR have been complied with and the application is therefore recommended to Members for approval subject to conditions.

### **Background Papers:**

Application and history files –

- Planning application - 33/639/04/FU
- Enforcement case - 07/01543/UCU3
- Enforcement case - 06/01359/UOPS2

Certificate of Ownership – signed as applicant.



AA

THORNER LANE

HOLLYCROFT

EXISTING HOUSE

EXISTING GARAGE

EXISTING OFFICE

PARKING SPACE FOR HORSE BOX

ROOF LAYOUT

PROPOSED STABLE BLOCK

For details refer to drg No 949/2A

TURNING CIRCLE FOR VEHICLE AND HORSE BOX

Domestic/Agricultural boundary

GARDEN

AA

AA

34.5 m

Menage

SITE LAYOUT

1:200

20.5 m

PROPOSED STABLE BLOCK

For details refer to drg No 949/2A

LEEDS CITY COUNCIL  
Please refer to Decision Notice  
11 DEC 2009  
**REVISED**

Existing timber post and rail fence 1100mm high.  
75 x 150 posts at 1800mm crs  
4 No 19 x 75 upper rails  
19 x 150mm kicker board

Stone Wall

20mm thk layer of rubber chips  
on 50 mm compacted silica sand  
on 150mm thk drainage layer of 40 to 75mm layer  
of crushed stone compacted imported hardcore.

EXISTING HOUSE

EXISTING GARAGE

EXISTING OFFICE

EXISTING FIELD SHELTER

SECTION A-A

1:200

Fence

Detail X

1:10

20mm thk layer of rubber chips  
on 50 mm compacted silica sand  
on 150mm thk drainage layer of 40 to 75mm layer  
of crushed stone compacted imported hardcore.

Existing timber post and rail fence 1100mm high.  
75 x 150 posts at 1800mm crs  
4 No 19 x 75 upper rails  
19 x 150mm kicker board

-0.39 m Fgl

-0.37 m ogl

SECTION B-B

1:50

REV	Date	Description	Int
A	26.11.09	Menage specification added and Stables enlarged	EH

All dimensions are to be checked On site prior to ordering of materials and commencement of work.  
Refer to figured dimensions only DO NOT SCALE.  
Edmund Haley Associates disclaims responsibility for any variations from this drawing without their express written consent.  
All work is to be carried out in accordance with the Building Regulations 2004 Water Authority Regulations and all relevant current British Standards.  
This drawing is copyright and may not be reproduced in whole or part without written authority.

Project  
**PROPOSED STABLES  
HOLLYCROFT, SANDHILLS, THORNER LANE,  
LEEDS, LS14 3DN**

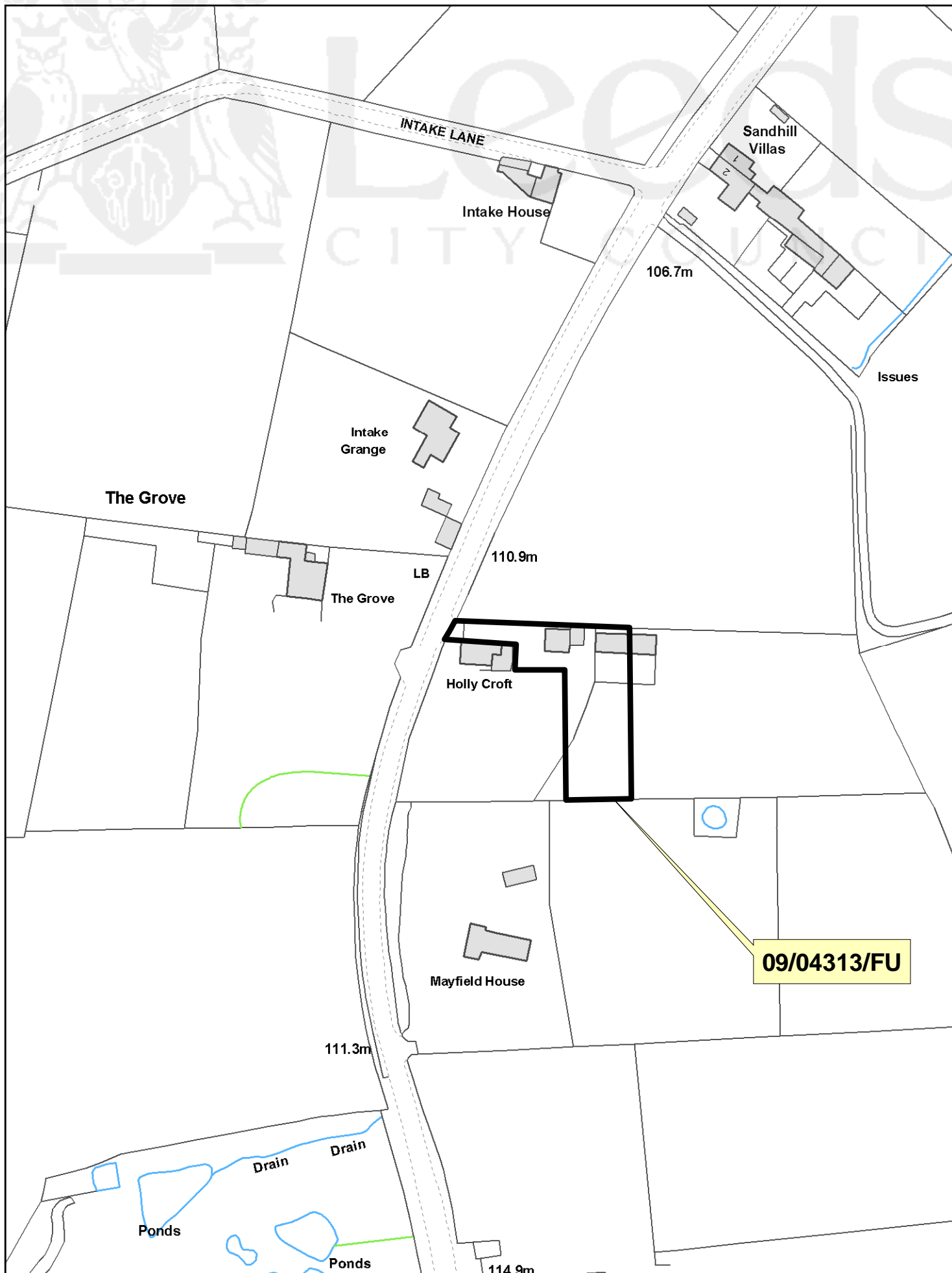
Title  
**SITE LAYOUT AND SECTIONS**

Scale	1:50	Drawn	EH	Checked	EH	Date	25.3.2009
-------	------	-------	----	---------	----	------	-----------

Job No	949	Drawing No	3	Revision	A
--------	-----	------------	---	----------	---

**Edmund Haley Associates**  
Building Design Consultants  
Edmund Haley Associates (Principal) Ltd. C Eng. NICEIC  
10 Glen Road, Westwood, Leeds, LS16 5NJ  
Tel: 0113 279998 Fax: 0113 267002 Mobile: 07740 704095 E-Mail: Mail@edmundhaleyassociates.warwick.co.uk





# EAST PLANS PANEL

Scale 1/1500

PRODUCED BY COMMUNICATIONS, GRAPHICS & MAPPING, LEEDS CITY COUNCIL  
 This map is based upon the Ordnance Survey's Digital data with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office.  
 (c) Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.  
 (c) Crown Copyright. All rights reserved. Leeds City Council O.S. Licence No. - 100019567

