

**Cramlington, Bedlington and Seaton Valley Local Area  
Council  
19 July 2017**

<b>Application No:</b>	17/01535/FUL		
<b>Proposal:</b>	Proposed erection of a timber stable block and construction of outdoor riding arena.		
<b>Applicant:</b>	Mr Darren Smith 1 Manor House Cottages, Moor Lane, Kenton, Newcastle Upon Tyne NE3 3EF	<b>Agent:</b>	None
<b>Site Address:</b>	Mare Close, Seghill, Northumberland		
<b>Ward</b>	Seghill With Seaton Delaval	<b>Parish</b>	Seaton Valley
<b>Valid Date:</b>	9 May 2017	<b>Expiry Date:</b>	28 July 2017
<b>Case Officer Details:</b>	Name: Mr Richard Laughton Job Title: Planning Officer Tel No: 01670 622628 Email: richard.laughton@northumberland.gov.uk		



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## 1. Introduction

1.1 Under the provisions of the Council's current Scheme of Delegation, where applications raise significant planning issues and objection from a Town or Parish Council, they are referred to the Head of Planning Services and Planning Committee Chairs for consideration to be given as to whether the application should be referred to a Planning Committee for determination. The matter has been duly considered

under these provisions at which time it was confirmed that the application should be determined by committee as the proposal raises matters in respect of potential impacts upon the Green Belt and given complex history of the site.

## **2. Description of the Site and Proposals**

2.1 The application proposes the erection of timber stable block and outdoor riding arena at land south of Mares Close, Seghill.

2.2 The proposed stable block would be of wooden construction and contain 8 stables measuring 14m x 7m and it would have a pitched roof ridge with a height of 3.7m. The all-weather equestrian arena would cover an area measuring 20m x 40m and be enclosed with a 1.5m high timber post and rail fence.

2.3 The plot has a generally rectangular plan form and covers approximately 5.4 hectares. The proposals would be positioned together towards the south east corner of the land parcel with Mares Close and Seaton Delaval to the North, the A190 to the east and Seghill to the south. To the immediate vicinity is a electricity pylon and agricultural buildings at Wooden Willys to the west and the built up area of Seghill approximately 60m to the south east. The nearest properties to the north on Mares Close lie approximately 240m away from the application site.

2.4 The land is currently used for hay production and the grazing of horses. The site has an extant permission for an agricultural barn (14/03038/AGRGO) through prior notification for the storage of produce and equipment. The submitted plans demonstrate that the proposed stables and arena would be positioned adjacent to the barn in the south west corner of the field. The land slopes from the north to the Seaton Burn and the buildings would be located within the lowest section of terrain on the site.

2.5 Previous applications for an agricultural barn (14/01550/AGRGO) and an agricultural barn, equestrian riding arena stables (10/S/00101/FUL) were refused due to the excessive scale and location within the green belt. These proposals were positioned in a more central and northerly location with the land parcel.

2.6 The site currently holds three separate mobile field shelters that do not require planning permission as it is not considered 'development' if the structures are moved at regular intervals. The planning application states that the permanent location of the stables would negate the need for the mobile shelters and provide a fixed location in a less intrusive position in the Green Belt and Open Countryside.

2.7 The proposed equestrian arena is for personal use for casual riding and recreational activity and it would be ancillary to the new stables that are necessary to provide shelter for the animals.

2.8 The application site is located within the open countryside and in an area of Green Belt land between Seaton Delaval and Seghill.

## **3. Planning History**

**Reference Number:** 10/S/00101/FUL

**Description:** Proposed agricultural building for storage of hay, farm machinery, animal feed with workshop area, changing area, pens and stable to

replace an equestrian menage with adjacent large storage/stable barn.

**Status:** Refused

**Reference Number:** 14/01550/AGRGDO

**Description:** Application for prior notification of agricultural or forestry development: proposed steel portal framed building complete with all associated building and cladding works.

**Status:** Refused

**Reference Number:** 14/03038/AGRGDO

**Description:** Prior notification for a steel portal framed building complete with all associated building and cladding works

**Status:** Permitted

#### 4. Consultee Responses

Highways	No objections subject to conditions
Public Protection	No objections
Seaton Valley Parish Council	<p>Objection. The Parish Council initially had no objections but raised concerns with the proposals being located next to the agricultural barn that has yet to be constructed but accepted that the applicant has made significant effort to be located the stables and arena in the most appropriate location on the field, where it will be least visible from the A190. There were also comments raised that there should be no floodlighting, how waste would be handled and the proposal should remain for personal use.</p> <p>It has been clarified that the agricultural barn has planning permission and cannot be withdrawn. Seaton Valley Parish Council therefore wish to Object for the following reasons:</p> <p><i>'For the avoidance of doubt the Council objects to this application if the proposal is to build the permanent stables and riding arena in addition to an Agricultural Shed, which the applicant already has planning approval for.</i></p> <p><i>The Council takes this position because recent local precedent suggests that the applicant will move towards developing a Commercial Livery/Equestrian operation, should both applications are approved'.</i></p>

#### 5. Public Responses

##### Neighbour Notification

Number of Neighbours Notified	0
Number of Objections	5
Number of Support	11

Copies of all representations received are available in the Member's Lounge and will also be made available at the meeting of the Committee

### Notices

General site notice - 18<sup>th</sup> May 2017  
No Press Notice Required.

### Summary of Responses:

There have been 5 letters of objection from local residents: See below;

- Concerns over the possible new building on Green Belt land and the precedent this may set for the future in this locality;
- The amount of existing stables and agricultural developments already at Mares Close;
- Some development is unauthorised and concerns that approved application would not be carried out in accordance with the permission or conditions imposed;
- Proposal should not be for commercial use;
- Waste disposal;
- Accumulation of buildings with current extant permission for agricultural barn on site;
- Ecology concerns with site adjacent to the Seaton Burn;
- Flood Risk;
- Impact to Green Belt
- Equestrian is not agriculture
- Site Notices removed

There have been 11 letters of representation that offer support to the application. In summary, the proposals would improve the open aspect of the field with the position of the permanent structures and the removal of the existing mobile field shelters. There are also comments that highlight that the applicant has also enhanced the overall condition and appearance of the site.

The above is a summary of the comments. The full written text is available on our website at: <http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=OPBCVVQSGMB00>

## **6. Planning Policy**

### 6.1 Development Plan Policy

#### Blyth Valley District Local Plan 1999

G7 Green Belt Definition

G10 Development in the Countryside Generally

#### Blyth Valley District Local Development Framework : Core Strategy 2007

ENV1 – Natural Environment & Resources

ENV2 – Historic and Built Environment

SS3- Sustainability Criteria

Blyth Valley District Local Development Framework : Development Control Policies  
Development Plan Document 2007

DC1 – General Development

DC3 – Development in Green Belt and Country

DC11 – Sustainable Travel

DC16 - Biodiversity

DC19 Drainage and Flood Risk

DC27 – Design of new Development

6.2 Emerging Policy

In accordance with paragraph 216 of the NPPF it is considered weight can be given to emerging policy giving consideration to the stage of preparation of the emerging plan, the level of unresolved objections to these policies and consistency with NPPF;

Northumberland Local Plan Core Strategy Pre-Submission Draft (October 2015) as amended by:

Proposed Major Modifications (June 2016)

Proposed Further Major Modifications (November 2016)

Proposed Additional Major Modifications (February 2017)

Proposed Minor Modifications (February 2017)

Policy 1 Sustainable Development

Policy 2 High Quality Sustainable Design

Policy 3 Spatial Distribution

Policy 26 Green Belt

Policy 29 Biodiversity

Policy 37 Flooding

6.3 National Planning Policy

National Planning Policy Framework (2012)

National Planning Practice Guidance (2014, as updated)

**7. Appraisal**

7.1 In determining this application, the main planning issues are considered to be the principle of the development in this location along with any impacts the development would have on the character and appearance of the area, residential amenity and highway safety.

7.2 The provisions of the Planning and Compulsory Purchase Act 2004, at Paragraph 38(6), advise that regard should be had to the development plan for the purpose of any determination unless material considerations indicate otherwise. The National Planning Policy Framework (Framework) forms a material consideration.

7.3 The NPPF, at Paragraph 12, advises that the development plan remains the starting point for decision making. The Framework does, however, continue by advising that due weight should only be given to relevant policies within existing

plans according to their degree of consistency with the Framework; the closer the policies in the plan align with the Framework, the greater the weight they can be given (paragraph 215). The Blyth Core Strategy (2007), Blyth Development Control Policies (2007) and the Blyth Local Plan (1999) form the relevant development plans and considerations needs to be given to their consistency with the Framework.

### **Principle of development**

7.4 The application site is located within the Green Belt and out with the defined settlement limits.

#### Open Countryside

7.5 The site in question is located within the open countryside and defined Green Belt as shown in the proposals map of the Blyth Valley Local Plan.

7.6 Policy DC1 of the Blyth Valley Development Control Policies DPD states that development proposals will be expected to be situated within settlement boundaries except in the circumstances set out in policy DC3 and DC4 (policy DC3 will be considered below; policy DC4 relates to replacement buildings in the countryside and therefore is not of relevance to this particular case).

7.7 Policy DC3 of the Blyth Valley Development Control Policy DPD relates to development in the Green Belt and in the Countryside. In relation to development in the Countryside it states:

'New development in the countryside will not be permitted unless it is for:

- A) Agricultural or forestry dwellings which will be assessed against guidance contained in Annexe A of PPS7;
- B) Countryside based enterprises and activities which contribute to the rural economy and/or promote recreation in and the sustainable management of the countryside.
- C) The improvement of public access and facilitating the provision of appropriate sport and recreation facilities.
- D) The re-use of existing buildings where the criteria set out in paragraph 17 of PPS7 are met.

Where new developments are to be permitted they will be expected to demonstrate that a sequential search has been undertaken and that there are no more suitable sites available'. (in this case as the proposed use requires a countryside location and that it is located close to the settlement of Seghil, it is not considered necessary to carry out a sequential search)

7.8 Draft Core Strategy Policy 3 'Spatial Distribution' is also relevant and this allows development next to settlements where it does not adversely impact on its character.

7.9 Local Plan Policy G10 relates to development criteria in the countryside generally. It states that the determination of all planning applications, whether for new development or change of use, will have regard to the existing settlement pattern and permission will only be granted where the location of the proposal in relation to other buildings and uses and the scale of proposed activities or any physical alterations are such that there will be no significant adverse effect on:

- Existing buildings and structures;
- Existing neighbouring uses;
- Nature conservation interests, including protected species;
- The management of any surrounding farm land, forestry or other countryside activity

7.10 There are other criteria that the Local Plan Policy G10 stipulates should not apply if an application is to be considered favourably. The new use should not be adversely affected by any surrounding uses, nor should it impact on the environment in terms of drainage, visual amenity, noise, other pollution, traffic generation or parking needs.

7.11 In terms of the above, it is considered that both the stables and arena would form a countryside based activity which promotes recreation. The proposed stable block and arena would also be located to the south eastern corner of the site close to the built up area of Seghill and as such is not regarded to be an isolated location. Given the scale of the development it is also considered the proposal would not impact upon the character of the settlement Seghill. As such, it is considered that the principle of the proposed development within the countryside would accord with Policies DC1 and DC3 of the Blyth Valley Local Development Framework: Development Control Policies, Local Plan Policy G10 and draft Core Strategy Policy 3.

### Green Belt

7.12 Policy DC3 of the Blyth Valley Development Control Policy DPD relates to development in the Green Belt and in the Countryside. It states that 'there is a presumption against inappropriate development in the Green Belt and applications for new development in the Green Belt will be considered against the guidance set out in Planning Policy Guidance 2 (PPG2).' PPG2 has since been superseded and replaced by the National Planning Policy Framework (NPPF) and therefore it is appropriate to consider the application against the NPPF.

7.13 Chapter 9 of the NPPF deals with development in the Green Belt. Paragraph 87 states that, "inappropriate development...should not be approved except in very special circumstances." The NPPF (paragraph 89) goes on to state that the construction of new buildings within the Green Belt will be inappropriate unless it is for one of a number of stated exceptions. The nature of the proposed development is such that it may be considered against the following exception, "provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it."

7.14 Draft Core Strategy Policy 26 further support the principles of the NPPF stating that in the Green Belt new buildings will only be acceptable for certain purposes including 'Agriculture and forestry and Essential Appropriate facilities for outdoor sport, outdoor recreation, cemeteries or other open land uses', among other acceptable uses.

7.15 In response to the above, the application proposes the erection of a stable building and riding arena. In terms of the above policies the development may

reasonably be considered as constituting an "appropriate facilities for outdoor sport, outdoor recreation" however it remains to be considered as to whether the development preserves the openness of the Green Belt and does not conflict with the purposes of including land within the Green Belt.

7.16 The proposed stable block would be located to the south eastern corner of the site towards the built up area of Seghill. Whilst there may be some visibility from the A190, it would be positioned amongst existing agricultural buildings near Wooden Willys, a sub-station and an electricity pylon. The site is also screened by trees and hedgerow along the southern and eastern boundaries and is approximately 400m to the properties on Mare Close beyond the northern boundary to retain the open aspect of the land parcel. The structures would therefore, be appropriately positioned, rather than being visually intrusive in a more prominent location on the site and the Green Belt overall. In addition, the sloping topography would further mitigate the physical presence of the stables and arena. Policy G10 promotes buildings within the open countryside to be positioned near existing buildings and whilst works to the barn with extant planning permission has not commenced, the plans within the application states that this will be undertaken to the east of the proposed stables. It has therefore, been acknowledged that consideration has been given to retain the openness of the green belt by positioning development in one confined area of the site to minimise the overall impact.

7.17 The proposed riding area consists of a fibre/sand surface at ground level and the area is to be enclosed with a post and rail fence with a height of 1.5m. The characteristics of this part of the development would therefore ensure that this element of the scheme would help to preserve the openness of the Green Belt. Any works required to provide the access would take place at ground level and therefore would not impact on the openness of the Green Belt also. There is also no flood lighting proposed. Therefore, the accumulation of a stable block and an outdoor riding arena (near an agricultural barn) would not have a significant impact on the openness of the Green Belt due to their overall scale and position within the site and surrounding area.

7.18 In light of the above assessment, it is concluded that the proposed development would not constitute inappropriate development within the Green Belt either and is therefore acceptable in principle in this respect as it would be in accordance with the NPPF, Blyth Valley Development Control Policy DC3, Blyth Valley Core Strategy Policy ENV1 and Policy 26 of the emerging Core Strategy.

#### Character and appearance of the area

7.19 Any impacts the development may have on the Green Belt have been assessed above however the design of the proposal and any impacts it may have on the character and appearance of the wider area need to be considered. There are a number of planning policies at both a national and local level that seeks to ensure new development is designed to an appropriate standard. At a local level, policies DC1, DC27 (Blyth Valley Development Control Policies DPD) and ENV2 (Blyth Valley Core Strategy) are the key policy consideration on these matters. Paragraph 64 of the NPPF is also of relevance. In summary, the aforementioned policies seek to ensure that new developments do not adversely affect the appearance of the host environment. Policy 2 of the Emerging Core Strategy also seeks to ensure high quality, sustainable and inclusive design. The application will be considered within the above planning policy context.



7.20 In terms of the stable the design approach adopted is typical for this type of stable building, as it would be of timber construction and appropriate for its intended use. This will also help it to blend in its semi rural surroundings . Whilst there may be some form of visibility from the A190, the overall scale and design would not form an overall prominent feature in the landscape. In addition the arena would only have a boundary fence which would project above ground level which would significantly limit its appearance on its setting.

7.21 Having regard to the detailed design and siting of the proposed development, it is concluded that it would not result in an overly prominent or visually intrusive addition to the landscape and as such the development accords with the relevant design policies set out above.

#### Residential and general amenity

7.22 The application site is located within an area of Green belt an open countryside and located approximately 150m from the closest residential property. Given the levels of separation involved, the proposal would not have an unacceptable impact on the level of amenity experienced within the closest residential properties. In terms of general amenity, there is a potential for the development to give rise to odour however, it is considered that any potential impacts can be mitigated against through appropriate conditioning and Public Protection has also been consulted that raised no concerns on this issue. As such in this respect the proposal would accord with Blyth Valley Development Control Policy DC1 and emerging Core Strategy Policy 2.

#### Highway safety

7.23 Vehicular access to the development is to be taken from the A190. There is no objection to the proposed access in principle and the Councils' Highways Authority have not objected to the development, subject to a condition to ensure there would be no commercial activity that would result in Highway Safety concerns. A condition is also recommended to ensure the site access is constructed in accordance with the approved plans. The application is therefore in accordance with Policy DC11 of the Blyth Valley DPD and Policy 43 of the emerging Core Strategy.

#### Public Protection

7.24 Public Protection has been consulted and offer no objections to the proposal. There was additional information required to confirm manure handling and a lighting scheme. It has been confirmed by the applicant that a manure handling management plan is currently in place which follows DEFRA guidance of "*Good agricultural practice for farmers and landowners*". The proposals should also reduce levels of manure as the proposed stables will have a bespoke rubber matting system where the need for bedding material is minimised. There is also no lighting scheme proposed but a planning condition will be attached to any permission granted to ensure any such scheme has to be submitted and agreed by the Local Planning Authority. The application is therefore in accordance with Policy E10 of the Blyth Valley District Local Plan, DC1 of the Blyth Valley DPD and emerging Core Strategy Policy 2.

## Flood Risk

7.25 Part of the application site is within Flood Zone 2 & 3. Amendments are being sought to slightly reposition the stables outside of the flood zones and alter the red line boundary on the location plan. Subject to this, the proposal would not increase flood risk elsewhere and therefore be in accordance with Policy DC19 of the Blyth Valley DPD and Policy 37 of the emerging Core Strategy. Members will be updated on this issue.

## Ecology

7.26 The proposal is located on open grassland and does not include the loss of trees or vegetation. The proposals would be approximately 40m away from a pond and the Seaton Burn to the south east. The Councils' County Ecologist was informally consulted and had no concerns were raised with the siting of both structures. No ecology surveys are required as the development is wholly within the field and would not have floodlighting. It has been noted that otters are present on the Seaton Burn but the wooded corridor through which it flows will not be disturbed, and there is no reasonable likelihood of great crested newts being present in the pond beside because it is regularly inundated by the burn. The application is in accordance with Policy DC16 of the Blyth Valley Development Control Policies DPD, ENV1 of the Blyth Valley Core Strategy and Policy 29 of the emerging Northumberland Core Strategy.

## Other matters

7.27 The main source of the objections don't appear to be with the design and specific siting of the proposal but rather concerns with overdevelopment of agricultural and recreational use in the area and by setting a precedent that would invite further development into the area. Whilst the Parish Council objected to the proposals, they have accepted that the applicant has made significant effort to locate the development in an appropriate area of the site to reduce the impact to the Green Belt. Understandably, previous development and existing enforcement cases on neighbouring land owners at Mares Close has generated some concern to additional permissions leading to further structures and/or unlawful use.

7.28 Each planning application must however be considered on its individual merits and enforcement cases in the area are still being investigated. Future developments will also have to be assessed against relevant planning policy and consider the existing built structures to avoid an accumulation of buildings that may impact on the openness of the Green Belt. It would also be unreasonable to refuse an application based on an assumption that the applicant may not carry out the works in accordance with the approved plans or conditions.

7.29 It is made clear within the application that the proposed development is for personal use, the application has been assessed on this basis. Operating a commercial facility on this site may lead to a more intensive operation and any impacts arising from this would need to be considered. In light of this, it is recommended that the application be conditioned to ensure that the development will be for personal use only. This will also be strictly worded to ensure that no form of commercial use can be undertaken unless otherwise agreed by the Local Planning Authority.

7.30 It must also be noted that the Council has replaced missing site notices on site and has carried out our statutory duty to notify immediate neighbours and the surrounding area.

7.31 With regard to the potential re-siting of the stables beyond the flood zones, it is considered that this amendment would only be a slight adjustment to the position of the stables within the site. The alteration should not be significant enough to have a greater impact to the openness of the Green Belt or Open Countryside. It is therefore, considered that the current appraisal would still be applicable and relevant in order to assess the principle and overall impact of the application in line with national and local plan policies.

## **8. Conclusion**

8.1 Having considered the application against the relevant planning policies, it is concluded that the application presents appropriate development within the Green Belt, it is acceptable in terms of its design impact on the highway and amenity. It is recommended that the application be granted planning permission, subject to the conditions set out below.

## **9. Recommendation**

That this application be GRANTED permission subject to the following:

### Conditions/Reason

01. The development hereby permitted shall 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 (as amended)

02. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans. The approved plans for this development are:-

1. Proposed Section Dated 25/4/17
2. Arena "X" Section Dated 21/4/17
3. Low Barn Stables Block Floor Plan Dated 21/4/17
4. Low Barn Stales Proposed East and West Sides Dated 21/4/17
5. Low Barn Stables Proposed View North and South Sides Dated 21/4/17
6. Location Plan received 02/05/17
7. Site Plan received 02/05/17

Reason: To ensure that the approved development is carried out in complete accordance with the approved plans.

03. The building shall not be used other than for private recreational use, and shall not be used for livery letting, leasing or any other commercial activity including breeding.

Reason: To minimise the effects of such development on the surrounding area and on highway safety. In accordance with Blyth Valley District Local Plan, DC1 of the Blyth Valley DPD.

04. Waste manure that is not removed from the site shall be stored in a suitable location that does not give rise to odour which is detectable at or beyond the application site boundary.

Reason: To protect residential amenity and to ensure a commensurate level of protection against odour. In accordance with Policy E10 of the Blyth Valley District Local Plan, DC1 of the Blyth Valley DPD.

05. No permanent or temporary lighting shall be installed of the hereby approved riding area.

Reason: In the interest of residential and visual amenity having regards to the National Planning Policy Framework 2012 and the Blyth Valley Development Control Policies DPD.

06. The development shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plans referenced 'Site Layout'

Reason: In the interests of Highway Safety, in accordance with the National Planning Policy Framework.

### **Informatives**

01. The effectiveness of the development's design in ensuring that a nuisance is not created, is the responsibility of the applicant / developer and their professional advisors / consultants. Developers should, therefore, fully appreciate the importance of obtaining competent professional advice. In all cases, the Council retains its rights under the Section 79 of the Environment Protection Act 1990, in respect of the enforcement of Statutory Nuisance.
02. The application does not give permission for the equestrian use of the entire land parcel within the location plan but only to the proposed stables and outdoor equestrian arena.
03. You should note that under the Highways Act 1980 a vehicle crossing point is required. These works should be carried out before first use of the development. To arrange the installation of a vehicle crossing point (and to make good any damage or other works to the existing footpath or verge) you should contact Highways Development Management at [Highwaysplanning@northumberland.gov.uk](mailto:Highwaysplanning@northumberland.gov.uk)

**Date of Report: 03.07.2017**

**Authorised by:**

**Date:**

**Background Papers:** Planning application file(s) 17/01535/FUL