

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **26th APRIL 2023**

REPORT BY: **CHIEF OFFICER (PLANNING, ENVIRONMENT AND ECONOMY)**

SUBJECT: **FULL APPLICATION- RETENTION OF GENERAL PURPOSE STORAGE BUILDING, STABLES AND MANEGE INCLUDING THE CHANGE OF USE OF LAND FOR EQUINE**

APPLICATION NUMBER: **FUL/000779/22**

APPLICANT: **L THOMPSON**

SITE: **LAND SOUTH OF DRURY FARM, DRURY LANE, BUCKLEY, FLINTSHIRE, CH7 3DX**

APPLICATION VALID DATE: **16TH DECEMBER 2022**

LOCAL MEMBERS: **COUNCILLOR M PEERS**
COUNCILLOR D HUTCHINSON

TOWN/COMMUNITY COUNCIL: **BUCKLEY TOWN COUNCIL**

REASON FOR COMMITTEE: **RETROSPECTIVE NATURE OF DEVELOPMENT IN OPEN COUNTRYSIDE AND GREEN WEDGE**

SITE VISIT: **YES- TO SEE THE IMPACT ON THE COUNTRYSIDE AND GREEN WEDGE**

1.00 SUMMARY

1.01 This is a full application for the retention of general purpose storage building, stables and manège including the change of use of land for equine at land South of Drury Farm, Drury Lane, Buckley, Flintshire, CH7 3DX

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-

2.01 1. In accordance with approved plans

2. The existing vehicular footway crossing proposed to serve the stables shall be resurfaced in accordance with the attached specification
3. The proposed access shall have a visibility splay of 2.4m x 30m in a northerly direction measured along the nearside edge of the adjoining carriageway and 2.4m x 43m in a southerly direction measured 1.0m out from the nearside channel. The sightlines shall be over land within the control of the Applicant and/or Highway Authority and within which there shall be no obstruction to visibility in excess of 1.0m above the nearside channel level of the adjoining highway
4. Facilities shall be provided and retained within the site for the loading, unloading, parking and turning of vehicles in accordance with a scheme to be submitted to and approved by the County Council prior to the commencement of any site works. Such facilities being completed prior to the proposed development being brought into use
5. Notwithstanding the details hereby approved details of the manner of disposal of manure and waste materials associated with the Equestrian use shall be submitted to the Local Planning Authority for approval within 3 months of the date of this permission, and henceforth adhered to following the written approval of the Local Planning Authority

3.00 CONSULTATIONS

3.01 **Local Member Councillor M Peers:** The buildings and stables are already constructed in an area of open countryside and green barrier. Previous enforcement action implied the removal of the buildings and stables.

Local Member Councillor D Hutchinson: No response at time of writing

Buckley Town Council: No observations

Highways DC: Raise no objection in principle, request conditions

Community and Business Protection: no objection to the proposed development

Natural Resources Wales: No objection to the proposed development

Airbus: no aerodrome safeguarding objection to the proposal

4.00 PUBLICITY

4.01 20 Neighbour Notifications were sent to adjoining/nearby properties. The application was also publicised by way of Site Notice. At the time of writing, no responses have been received following publicity of this application.

5.00 SITE HISTORY

5.01 None relevant

6.00 PLANNING POLICIES

6.01 Flintshire Local Development Plan
Policy STR2: The Location of Development
Policy STR4: Principles of Sustainable Development Design and Placemaking
Policy STR5: Transport and Accessibility
Policy STR13 Natural and Built Environment, Green Networks and Infrastructure
Policy PC1: The Relationship of Development to Settlement Boundaries
Policy PC2: General Requirements for Development
Policy PC3 Design
Policy EN11 Green Wedges

National Planning Policies
Planning Policy Wales Edition 11 (February 2021)
Future Wales 2020 – 2040

It is noted and acknowledged that the national planning framework as set out within Planning Policy Wales Edition 11 and Future Wales: The National Plan 2040 sets out the most up to date planning principles against which to consider development proposals. The Development Plan and associated supplementary planning guidance remain broadly consistent with these changes to legislation

7.00 PLANNING APPRAISAL

7.01 Proposal
This is a full application for the retrospective development of no. 2 stable blocks comprising of no. 10 stables, a general purpose barn and the formation of a manège. The stables are constructed in timber with profile metal sheeting roof over. The 6no. bay stable block is positioned behind existing hedgerow and existing buildings adjacent to the site with the 4no. bay stable block in a perpendicular position. The equestrian use is operated on a commercial basis.

7.02 Site

The site is located south of the existing farm shop at Drury Farm on the edge of the settlement of Drury outside of the settlement boundary. The application site is in an area of open countryside and was formerly agricultural land. There is residential development to the north and east. The application site and the land further to the west is rural in character with hedgerows lining both sides of the site and open fields to the west. The site is located within a designated green wedge in the Flintshire Local Development Plan.

7.03 Principle of Development

Flintshire Local Development Plan policy PC1 advises that “Appropriate development in the open countryside will include those types of development which by virtue of their scale and nature, can sit comfortably in an open countryside location without harming its character and appearance.” Equestrian development, whilst not falling within the definition of agriculture in the Town and Country Planning Act, is a form of development commonly seen in open countryside locations.

7.04 The proposal is located outside of the well-defined settlement boundary which clearly demarcates this land as being open countryside. Whilst the proposed use is not a traditional agricultural one, it is still a common use found in open countryside locations such as this and given the scale and nature of what is proposed, does not represent inappropriate development or an unnecessary incursion into open countryside. This view is supported by the utilitarian style and design of the proposed structures which to all intents and purposes are very similar in appearance to agricultural structures that are prevalent in locations such as this. For this reason what is proposed is not considered to be out of character with the location.

7.05 The site lies within a designated green wedge, identified in the Local Development Plan as EN11 (16). This designation has been made in recognition of the need to preserve the relatively narrow gap between the settlements of Buckley and Drury in this location.

7.06 One of the main thrusts of the policy is the need to ensure that any development maintains the openness of the green wedge and does not conflict with the purposes of including the land within the designation.

7.07 Given the proposed use and the form and layout of the proposal it is considered that there is no detrimental impact on the openness of the green wedge in this location. This is due to the design of the structures which are appropriate in an open countryside location, and also the fact that their footprint and mass is minimised to that necessary to facilitate the proposed use. As has already been referenced, the structures are of a simple, utilitarian design and construction, akin to agricultural style buildings found in many similar

locations to this one. Their low ridge height and degree of separation also assist in mitigating any impact on the general openness of the green wedge. The buildings are to be used to support a horse related use, which is a use which is in itself open and appropriate in a green wedge location. The appropriateness of an equestrian use in an open countryside location was acknowledged in a recent appeal at Pen Y Ball Hill, Holywell (Planning Ref. 058299 Appeal Ref APP/A6835/A/18/3215475). The green wedge in this location is already interspersed with and washes over other existing buildings and structures, which was a point raised with the Inspector at the LDP Examination, but this has not resulted in a change to the principle or the extent of the green wedge designation.

- 7.08 PPW11 states, in paragraph 3.73, that: “*When considering applications for planning permission in Green Belts or green wedges, a presumption against inappropriate development will apply.*” It goes on to clarify that:

“The construction of new buildings in a Green Belt or green wedge is inappropriate development unless it is for the following purposes:

- *justified rural enterprise needs;*
- *essential facilities for outdoor sport and outdoor recreation, cemeteries, and other uses of land which maintain the openness of the Green Belt or green wedge and which do not conflict with the purpose of including land within it;*
- *limited extension, alteration or replacement of existing dwellings;*
or
- *small scale diversification within farm complexes where this is run as part of the farm business.”*

- 7.09 These points are replicated in the criteria to Policy EN11 and the proposal is considered to be compliant with those, and specifically the first two which are criteria a. and b. of Policy EN11. It is considered that an equestrian business is an acceptable rural enterprise that requires an open countryside location given the requirements of land for grazing, stabling and exercising of horses. As such it is considered that it is an appropriate form of development to be located within a green wedge.

- 7.10 Impact upon neighbouring amenity

The area of the application site within the red line extends to 0.34ha but the majority of this is undeveloped open land for the grazing of horses. The built element of the application, the stables, barn and manège, are located on the northern portion of the site adjacent to the Farm shop and close to the edge of the built form of the adjoining settlement. The agricultural appearance of the buildings helps to integrate the development into the Farm shop complex. The stables building is approximately 35 metres away from the rear of dwellings on Newton Drive, the closest residential properties.

- 7.11 The application is in retrospect and there does not appear to have been any substantiated complaints regarding nuisance received by the Council. It is noted that Business and Community Protection has raised no objection to the proposal. It is noted that the manège has no lighting element, which may otherwise have an impact upon the adjacent residential development.
- 7.12 In order to ensure that neighbouring amenity is protected a condition is proposed ensuring that waste deriving from the use shall be appropriately disposed of, including restricting the location of the storage of manure to areas away from adjacent residential properties.
- 7.13 Access
There is a field gate leading to the grazing area of the application site from Drury New Road, the access to the buildings, however, comes through Drury Farm.
- 7.14 Highways have not raised any objections to the proposal but have requested a number of conditions be imposed on any permission, which are listed in the report.
- 7.15 The site is located on the edge of the settlement of Drury, which is linked to adjacent settlements by public transport, is easily accessible and represents a sustainable location for this form of development whilst offering the amount of open land necessary for this form of enterprise.
- 7.16 Ecology
The development has the potential to affect the Deeside and Buckley Newt Sites Special Area of Conservation (SAC), and Buckley Claypits and Commons Site of Special Scientific Interest (SSSI) given its location in proximity to these designations . The application is located within 10 metres of the southern extent of the SAC and SSSI boundary.
- 7.17 The nature conservation designations are located to the west of Drury New Road, and the highway bisects the application site from the SSSI/SAC boundary. Also of significance is the former agricultural use of the land that forms this application site. It is noted that the development does not involve the loss of hedgerows or trees, there are also no bodies of water or waterways within the site boundary. After taking all these matters into consideration it is considered that the impact of the development on likely habitats and protected species and in terms of on the designated area are likely not to be significant.

8.00 CONCLUSION

Notwithstanding the retrospective nature of the development it is considered that the development is an appropriate form of

development in the open countryside and designated green wedge and the development does not harm the openness of the designation or its function in maintaining the gap between Buckley and Drury. There are no concerns with regard to its impact upon neighbouring amenity or upon the general character of the locality. As such it is recommended that the application is approved subject to the recommended conditions.

8.01 Other Considerations

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no significant or unacceptable increase in crime and disorder as a result of the recommended decision.

The Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

The Council has had due regard to its public sector equality duty under the Equality Act 2010.

The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

LIST OF BACKGROUND DOCUMENTS

Planning Application & Supporting Documents
National & Local Planning Policy
Responses to Consultation
Responses to Publicity

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