

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **24th NOVEMBER 2021**

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

SUBJECT: **FULL APPLICATION FOR THE CHANGE OF USE OF LAND FROM AGRICULTURE TO EQUESTRIAN, INCLUDING OUTDOOR RIDING ARENA, LUNGING PEN, STABLES, TACK ROOMS AND HORSE WALKER IN RETROSPECT, AND THE PROPOSED ADDITION OF A ROOF COVER OVER THE EXISTING OUTDOOR ARENA AND THE ESTABLISHMENT OF AN EQUINE THERAPY AND RIDING CENTRE AT GREENHILL FARM, BRYN CELYN, HOLYWELL**

APPLICATION NUMBER: **060824**

APPLICANT: **MS DIANE ROBERTS**

SITE: **GREENHILL FARM, BRYN CELYN, HOLYWELL, CH8 7QF**

APPLICATION VALID DATE: **19TH MAY 2021**

LOCAL MEMBERS: **MRS R DOLPHIN**

TOWN/COMMUNITY COUNCIL: **HOLYWELL TOWN COUNCIL**

REASON FOR COMMITTEE: **SCALE OF DEVELOPMENT - SITE AREA OVER 1HA**

SITE VISIT: **NONE REQUIRED**

1.00 SUMMARY

1.01 This is a full planning application made partly in retrospect to regularise the change of use of land from agriculture to equestrian, and facilities which include an outdoor riding area, lunge (ground work) pen, 25 stables, tack rooms and horse walker. The application

also proposes new facilities comprising of a roof cover over the existing outdoor arena and the establishment of an equine therapy and riding centre at Green Hill Farm, Bryn Celyn, Holywell.

The application is considered acceptable in policy terms and will have no detrimental impact on the living conditions of neighbours within the locality, the highway or on the character and appearance of the area.

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

Conditions

- 2.01
1. In accordance with approved details
 2. Operational hours
 3. Scheme for external lighting
 4. Parking and turning of vehicles
 5. Burning of waste prohibited

3.00 CONSULTATIONS

3.01 Local Member Mrs R Dolphin

I agree to determination under delegated powers but would like to point out the road to this farm, either through Tan y Felin, or Bryn Celyn Lane is unsuitable. So I would ask highways to look seriously at the application.

Holywell Town Council

The Council had no objection to this application, but requested consideration be given to signage to be erected in the immediate vicinity.

Highways Development Control

No objection to the proposal.

Community and Business Protection

No adverse comments to make regarding this proposal.

4.00 PUBLICITY

4.01 PAC, Site Notice & Neighbour Notification

PAC

No responses received during Pre-Application Consultation.

Neighbours

No responses received at the time of writing.

5.00 SITE HISTORY

5.01 041049 - Provision of sole vehicular access – Allowed on appeal
25/05/07

037220 – Retention of access – refused 07/10/04

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan
STR1 New Development
STR2 Transport and Communications
STR3 Employment
STR7 Natural Environment
STR8 Built Environment
STR10 Resources
STR11 Sport, Leisure and Recreation
GEN1 General Requirements for Development
GEN3 Development in the Open Countryside
D1 Design Quality, Location and Layout
D2 Design
L1 Landscape Character
AC1 Facilities for the Disabled
AC2 Pedestrian Provision and Public Rights of Way
AC3 Cycling Provision
AC13 Access and Traffic Impact
AC18 Parking Provision and New Development
RE1 Protection of Agricultural Land
RE4 Small Scale Rural Enterprises
SR1 Sports, Recreation or Cultural Facilities
SR2 Outdoor Activities
EWP12 Pollution
EWP13 Nuisance

National Planning Policies

Future Wales Plan 2020-2040
PPW11 (February 2021)
TAN6 Planning for Sustainable Rural Communities

7.00 PLANNING APPRAISAL

7.01 Introduction

This is a full planning application made partly in retrospect to regularise the change of use of land from agriculture to equestrian, and facilities which include an outdoor riding area, lunge (ground work) pen, stables, tack rooms and horse walker. The application also proposes new facilities comprising of a roof cover over the existing outdoor arena, and the establishment of an equine therapy and riding centre at Green Hill Farm, Bryn Celyn, Holywell.

7.02 Site Description

The application seeks retrospective consent to change the use of Greenhill Farm from agricultural to equestrian along with facilities comprising outdoor riding arena, lunge pen, stables, tack rooms and horse walker and the proposed roof cover over the existing riding arena and the establishment of an equine therapy and riding centre.

7.03 The site has been used for equestrian use in the form of livery services for a number of years and structures have been erected over the course of that time. The applicant wishes to regularise the unauthorised use and structures and seek consent to further develop the site into a sustainable business to provide riding lessons and equine therapy for adults with learning difficulties and individuals with mental health.

7.04 The application site is situated within an open countryside location, just outside of the Greenfield settlement boundary as defined in the Flintshire Unitary Development Plan. The site is located near to a number of residential properties and is accessible by various modes of transport, situated just off the main transport routes and is located a relatively short distance from Holywell Town Centre.

7.05 The application site consists of a farm house, stables, horse walker, small exercise arena, large outdoor riding arena, tack rooms and land in excess of 2.5Ha, all in equestrian use.

7.06 Proposed Development

The existing development on site comprises a large outdoor riding arena with shredded carpet fibre surface enclosed with kick board and post and rail fencing, measuring an area of 30 x 30 metres, a post and rail enclosed lunging pen, 25no. stables with associated tack rooms and a covered horse walker.

7.07 The new elements proposed within this application comprise a steel frame and profile sheet roof cover over the existing large outdoor arena, providing an indoor riding facility. It is noted on site that the outdoor arena is lit by floodlight, however the proposed roof covering will necessitate artificial lighting especially during winter months, therefore indoor lighting in replace of the existing flood lights will be installed. The new element together with the existing facilities on site will support the establishment of the site as an equine therapy and riding centre. The total number of horses to be stabled on site is 25, however the applicant does also have 2 donkeys which graze the land, all of which have access to sufficient grazing included as part of the change of use of land.

7.08 Furthermore, it is understood that the site has been operating as a small scale livery business during this period, which has provided employment opportunities to locals including students. The livery service is restricted to Part and Full livery, as such full care and

welfare of the horse(s) is the responsibility of the business owner, with horse owners only visiting to exercise their horse at certain times.

7.09 Main Issues

The main issues are considered to be the impact of the development upon the character and appearance of the open countryside location, impact on the living conditions of neighbouring residents and impact on the highway.

7.10 Principle of Development

The site is located outside of the settlement boundary and the proposals relate to equestrian use which is generally acceptable in rural locations. Policy GEN3, Criterion J permits development where it is essential to have an open countryside location, rather than being sited elsewhere and Policy RE4 states that it is accepted that the re-use of brownfield land or buildings may not always be possible and in such circumstances new small scale development on greenfield sites adjacent to the settlement boundary may be permitted, provided that the proposed use is one which by its very nature is dependent upon a rural location.

7.11 The site is shown on the Welsh Government Predictive Agricultural Land Classification Map as grade 3b which is considered to have moderate yields of cereals, grass and lower yields of other crops. In accordance with Policy RE1 and national guidance in PPW11, a relatively small amount of development on Grade 3b agricultural land is considered acceptable as this does not represent the best and most versatile agricultural land. Notwithstanding this, given the nature of the use, and as the land will continue to be grazed and managed accordingly, should the use cease, the land would be capable of being put back into agricultural use. As such, the loss of this small area of land, 2.5 ha is not considered to cause detriment to the agricultural industry

7.12 In principle, equestrian uses are recognised as a countryside activity and by virtue require a rural location. Horse riding and other equestrian activities are popular forms of recreation in the countryside that can fit in well with farming practices and the rural ethos, and in recent years have become successful farm diversification enterprises. Whilst the FUDP does not have a specific policy relating to equestrian development, policy SR1 and SR2 are considered to be of most relevance. The proposal also reflects the positive approach PPW11 places upon rural diversification.

7.13 Policy SR1 criterion C states that proposals for sports, recreation or cultural facilities will be permitted provided that in the open countryside they involve small scale buildings and/or ancillary development necessary to carry out the recreational or sporting activity and criterion D states that in all cases, the facility is accessible

to the local population by a variety of means of travel other than the private car.

7.14 Policy SR2 confirms that outdoor activities will be permitted where in the case of riding centres the County Council is satisfied that there are suitable and convenient bridleways for riding in the vicinity; and the site is accessible by a choice of modes of travel other than the private car.

7.15 The principle of the proposal is therefore acceptable as the site is located just outside of the Greenfield settlement boundary and is located a short distance from Holywell Town Centre, where access to the site is available by various modes of transport other than by private car, and the use is suitable for the open countryside location with riding facilities available on the applicants own land in accordance with policy GEN3, RE1, RE4, SR1 and SR2 of the FUDP.

7.16 Character and Appearance

The application site is located in an open countryside location. The site does however have existing built development nearby in the form of housing on three sides, to the north, east and south. It is therefore not entirely rural in character and the appearance of the site assimilates well with the built environment on three sides.

7.17 The majority of the structures proposed in the application are already present on the land, which form the retrospective elements. Only the roof cover over the existing riding arena is proposed to be built, along with the use of the site as a commercial equine therapy and riding centre. The existing and proposed structures are located near to each other, in a complex to the west of the main farm house. Their scale, appearance and materials are fairly typical for an equestrian use and appear suitable in the open countryside location. Policy SR2 criterion 1 states that outdoor activities will only be permitted where the activity proposed is of a type, scale and intensity that would not unacceptably harm the character and appearance of the site and its surroundings. The proposed use of the site and the structures that are already in place are not considered to have an adverse effect on the character and appearance of the open countryside location. The proposed roof cover over the existing riding arena will be constructed using a steel portal frame, profile sheet roof with roof lights and Yorkshire board above a brick plinth. Solar PV panels are proposed on the roof, and can be seen on a number of agricultural type buildings within the local and wider area. The structure is similar in scale, style and materials to an agricultural building and is therefore considered appropriate to the locality.

7.18 Living Conditions of Neighbouring Residents

No objections or concerns have been raised by local residents, and the highway authority has not raised any objections to the proposed

access to the site from the existing access off Tan Y Felin, a residential estate road to the north of the site.

7.19 There are a small number of properties within close proximity to the land comprising the application, though noted the main yard and focus of the equestrian activity is detached from any such properties. Bryn Glas and Dee View is the closest and most immediate neighbour to Greenhill Farm, however both the applicant's pre-application consultation and the Local Planning Authority's formal consultation has received no representation from the occupants. In addition, the formal consultation also included the advertisement of a site notice as the area has a number of well used public footpaths, again, the LPA has not received representations in response to this application.

7.20 No adverse comments have been noted by pollution control and no complaints have been received by planning enforcement for the retrospective elements of the application or for the existing use of the site. Due to the existing use and no previous complaints received, no objections from highways or from pollution control it is considered that there will be no adverse impact on the living conditions of neighbouring occupiers.

7.21 Highway

Additional information was requested by the Highway Authority in order to assess the highway implications for the proposed use. It has been confirmed that the Tan Y Felin estate road will be used as the primary access and a total of 12 vehicles are estimated to travel to and from the site daily, which incorporates both the retrospective and newly proposed elements of the application. This number is however likely to be lower. Users of the stables and livery will not attend the site each day due to some horses being on part or full livery and some being turned out between April to November rather than stabled. Daily sessions will be held onsite concurrently, with 3-4 staff members attending per day who will usually travel in via minibus with some users of the site. The mini bus will be stored off site when not in use. The equivalent of 6.5 full time staff will be employed on site.

7.22 The site is also located not too far from Holywell Town Centre and is located near to main public transport routes, making it accessible by various modes of travel. Highways have confirmed that they raise no objections to the proposals.

8.00 CONCLUSION

It is considered that the proposal is in accordance with the relevant development plan policies and no objections have been received. I therefore recommend that the application is approved.

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

Contact Officer: Alison Dean

Telephone: 01352 702012

Email: alison.dean@flintshire.gov.uk