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ITEM APP/2007/6444 WARD Greasby Frankby and Irby

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**Location:** Fenwall 151 Mill Lane Greasby Wirral CH49 3NT

**Proposal:** Construction of an all-weather horse arena

**Applicant:** Mr & Mrs Paul Snowden  
Fenwall  
151 Mill Lane  
Greasby  
Wirral  
CH49 3NT

**Agent:** Mr Trevor Irvin  
2 The Kirklands  
West Kirby  
Wirral  
CH48 7HW

**Development Plan allocation and policies:** Greenbelt  
Policy GB2: Guidelines for Development in the Greenbelt  
PPG2 Greenbelt

**Planning History:** None.

**Representations and consultations received:** A total of 10 letters of notification have been sent to properties in the area. At the time of writing this report comments have been received from the occupiers 141 Mill Lane, 162 Mill Lane, 151 Mill Lane, Iona Arrowebrook Lane, and Cooleen, Hillbark Road.

These comments summarised are:

Possibility of future commercial operations

The horse arena would have a intrusive presence which would be detrimental to the openness of the greenbelt.

Floodlighting would be inappropriate and it would detract from residential amenity.

The site is in close proximity to an Area of Special Landscape Value

Councillor Gill Gardiner has requested that the application be taken out of delegation. Her constituents are concerned about the over - development of land in the GreenBelt.

A qualifying petition listing 34 individual was hand delivered by the occupier of Iona, Arrowebrook Road.

#### CONSULTATIONS

Director of Regeneration - Housing & Environmental Protection Division has no objection to the proposal subject to the following conditions.

Any artificial lighting for the proposed exercise arena must be installed and maintained in such a way as to prevent a light nuisance to neighbours

If a public address system is to be used in the arena precautions must be put in place so that amplified voices or music are inaudible at the nearest houses.

Director of Technical Services - Traffic Management Division no objection to the proposal.

**Directors comments:** PROPOSAL

This planning application seeks approval for the construction of an all weather horse arena. On the day of site visit work had already begun with the excavation of a layer of top soil. The horse arena would lie due south of the existing bungalow and it would appear that it was previously used as open land for grazing. The area would be rectangular in shape measuring 40.0m by 20.0m. It would be bordered by a 1.5metre high fence with kick board.

#### SITE AND SURROUNDINGS

The site is a large open area located wholly within Wirral Greenbelt. It is bordered by a run of established hedges.

## POLICY CONTEXT

PPG2 (Greenbelt) and Policy GB2 set out the national and local policy. PPG2 states that planning permission will not be granted unless it is for a limited number of closely defined purposes. These include agriculture and forestry, and essential facilities for outdoor sport and outdoor recreation or other uses of land which preserve the openness of the green belt and do not conflict with the purposes of including land within it. Such appropriate development should not damage the visual amenities of the Greenbelt by virtue of its siting, design and materials. The policy highlights that development in the green belt is generally inappropriate and will only be approved in very special circumstances.

In terms of local policy the same principles are applied and there is the presumption against inappropriate development in the greenbelt and such development will not be approved except in very special circumstances. However, the council does not consider that the proposal constitutes inappropriate development due to the reasons discussed below.

It has been acknowledged in the objections that some feel that the proposal would be contrary to LA5 - Criteria for Horse Shelters and Stables, however the application is purely seeking approval for a horse arena and not stables or shelters. This policy can not be applied to this proposal.

## PRINCIPLE OF DEVELOPMENT

Policy GB2 of the Unitary Development Plan lists the types of development that are considered to be appropriate in the Green Belt. This policy follows the guidance given in paragraphs 3.4 and 3.5 of PPG2. One of the categories of appropriate development is "essential facilities for outdoor sport/recreation". This can include sympathetic equestrian development. This form of development can safeguard the openness of the green belt land (a ménage/horse arena is by definition an open area) and have limited visual impact; the only obvious changes being surfacing and fencing.

Typically ménages/horse arenas are built with a three bar fence around the perimeter. The proposed three bar fence would be timber, would be open and similar to other fencing existing within the locality. It is not considered to be a visually obtrusive form of development within the Green Belt, ménages are often found in rural locations.

The land has a gradual slope. Whilst some excavation has taken place to achieve a level surface the result is not severe and has a minimal harm to the Greenbelt.

As the development would follow the lie of the land in majority, include timber ranch style fencing typical to the area and there would be no artificial lighting, it is considered that the proposal would preserve the openness of the land. It is for these reasons that the arena is considered to comply with both PPG2 and Policy GB2 of the Wirral Unitary Development Plan.

## RESIDENTIAL AMENITY AND APPEARANCE

The nearest residential property is Iona, which is sited approximately 45m to the south east of the proposed development. Given this reasonable distance along with the vegetation on all boundaries, it is not considered that the proposed development would have a detrimental impact upon the amenity of the surrounding residential dwellings.

The proposed arena would be sited adjacent to the newly erected stables, which are permitted development. It would be used solely for personal enjoyment so no additional access arrangements are required. The arena would be erected on land which could be used for grazing and exercising of horses. Thus there would be no further disturbance to neighbouring amenity. If planning permission is granted it is recommended that conditions should be attached to prevent it from becoming a commercial operation and to prevent external lighting being erected. The absence of lighting would also prevent significant levels of use of the arena, and particularly for no longer hours than the surrounding paddocks. It is not considered reasonable to attach a condition limiting the hours of use of the proposed arena as the surrounding grazing

fields can be utilised for horse riding and jumping. A condition would be attached to any permission granted stating that no external lighting should be erected.

The siting of the arena is in a paddock which could be used for similar activities. Thus the proposal would have no further impact on the existing land. The surface of the arena would be light brown in colour. It will be consistent in appearance throughout all seasons unlike the current surface which could get quite muddy and churned up in wet weather conditions.

#### HIGHWAY IMPLICATIONS

The Director of Technical Services - Traffic management Division has no objection to the proposal.

#### ENVIRONMENTAL AND SUSTAINABILITY ISSUES

There are no Environmental or Sustainability Issues that arise with this application.

**Summary of Decision:** The application is approved for the reason that the proposal having a minimal adverse impact on the openness of the greenbelt, the acceptance of the very special circumstances. It is considered that there would be no significant conflict with the objectives of Policy GB2 of the Wirral UDP or national planning policy guidance set out in PPG2 and the application therefore is approved.

**Recommendation:** **Approve**

#### Condition(s):

- 1 Full planning permission: standard commencement date. (C03A)
- 2 samples of the materials to be submitted and approved prior to commencement (C59B)
- 3 The horse arena hereby permitted shall be used only for horses and ponies belonging to the owners of 151 Mill Lane and under no circumstances be used for commercial purposes, nor shall the site be used as a riding school (whether incidental or otherwise).
- 4 No external lighting shall be installed on the site or affixed to any buildings on the site at any time without the expressed consent of the local planning authority.

#### Reason for conditions

- 1 Standard (CR86)
- 2 In the interests of visual amenity. Policy HS11 of the UDP (CR65)
- 3 Any such further use would require a full evaluation of the impact upon this rural locality, the Green Belt and the amenities of nearby residential properties in accordance with Policy GB2 of the Wirral Unitary Development.
- 4 In the interests of visual amenity and to meet the requirements of Policy GB2 of the Wirral Unitary Development Plan.

**Last Comments By:** 16 August 2007

**56 Day Expires On:** 31 August 2007