

Application Number:	2024/0087	Application Type:	FUL - Full Application
Proposal:	Full: A livery stable building, manure enclosure, menage and alterations to land levels.	Location:	North Point Burnley Road Bacup
Report of:	Head of Planning and Building Control	Status:	For publication
Report to:	Development Control Committee	Date:	02/09/2025
Applicant:	Mr F Owen	Determination Expiry Date:	30/05/2024 E.o.T until 30/09/2025
Agent:	Mr Steven Hartley		

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REASON FOR REPORTING	
Outside Officer Scheme of Delegation	No
Member Call-In Name of Member: Reason for Call-In:	No
3 or more objections received	Yes
Other (please state):	No

HUMAN RIGHTS

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:

Article 8

The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

1. RECOMMENDATION

Grant permission subject to conditions

2. **SITE**

The application site is a roughly oblong shaped plot of approximately 0.37 hectares in area which is currently vacant but which was previously used as a farm. It 'sits' slightly below the level of Burnley Road (the A671) just over one kilometre southeast of the junction of Burnley Road (the B6238) and Burnley Road (the A671) on land that is identified as forming part of a Countryside Area. The southeastern end of the plot is currently occupied by a vacant detached dormer bungalow and disused outbuildings. The north western end is occupied by another outbuilding but is otherwise open and surfaced using a mixture of tarmac, hardcore and rough grass.

3. **RELEVANT PLANNING HISTORY**

X/1991/085 – Temporary Office Accommodation – Refused 22/03/91 (Inappropriate use in the open countryside; Development would be harmful to the character and appearance of an area of Special Landscape Value; Approval would set an unwelcome precedent for future development of this nature).

2023/0392 - Change of use to an Ofsted registered children's home for up to 3 children with additional needs – Refused 08/02/24 (Unsustainable form of development; Proposal would harm highway safety). Appeal allowed 12/08/24. (This proposal relates to the dormer bungalow at the southeastern end of the site).

4. **PROPOSAL**

Planning permission is sought to construct a single storey freestanding stable building designed to house 11 horses, a freestanding manure heap enclosure and a menage at the northwestern end of the site. The agent has indicated that these are collectively to be used for livery, namely the boarding and care of horses.

The proposals also involve:-

- a) the construction of associated stone hardcore parking and turning areas,
- b) the widening of the site access from Burnley Road, and
- c) alterations to the land levels at the northwestern end of the site.

By way of background the application originally also proposed the erection of another freestanding building on the site with an open exercise area to the rear. This was designed to accommodate 20 dogs. This element of the scheme has since been deleted.

NB:- The intention is to use the southeastern end of this site, including the former bungalow, separately as a children's home. As indicated in the 'Relevant Planning History' section above, this was approved on appeal last year (planning approval no. 2023/0392)

5. **POLICY CONTEXT**

National

National Planning Policy Framework (2024)

- Section 2 Achieving Sustainable Development
- Section 6 Building a Strong Competitive Economy
- Section 9 Promoting Sustainable Transport
- Section 11 Making Effective Use of Land
- Section 12 Achieving Well Designed Places
- Section 14 Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Section 15 Conserving and Enhancing the Natural Environment

Development Plan Policies

Rossendale Local Plan 2019 to 2036

- Policy SD1 Presumption in Favour of Sustainable Development
- Policy SD2 Urban Boundary and Green Belt
- Policy ENV1 High Quality Development in the Borough
- Policy ENV3 Landscape Character and Quality
- Policy ENV4 Biodiversity, Geo-diversity and Ecological Networks
- Policy ENV6 Environmental Protection
- Policy ENV9 Surface Water Run-Off, Flood Risk, Sustainable Drainage and Water Quality
- Policy ENV10 Tree and Hedgerows
- Policy TR4 Parking
- Policy LT5 Equestrian Development
- Appendix 1 Parking Standards

Other Material Planning Considerations

National Planning Practice Guidance
National Design Guide

6. **CONSULTATION RESPONSES**

Consultee	Summary of Comments received
LCC Highways	No objections subject to conditions and an informative.
RBC Environmental Health	Have no comments to make on the application.
LCC Rights of Way	Require a two-metre wide strip to be clearly defined on the ground at the access point to denote the route of public right of way FP1404130.
Coal Authority	No objections subject to conditions
United Utilities	Require the site to be drained by way of a sustainable drainage system. Do not want surface water to be

	discharged into the foul sewer.
Greater Manchester Ecology Unit	No objections subject to conditions and an informative designed to protect bats and nesting birds, and a condition requiring the provision of 10% Biodiversity Net Gain.
Land Contamination Officer	Site and buildings may be contaminated. Consequently, they need to be assessed for this and remediated if needs be. Consider that this can be reasonably be dealt with by way of conditions in this instance.
British Horse Society	No observations received.

7. **REPRESENTATIONS**

The application was advertised in this instance by sending a letter to the adjoining property (Quebec Farm) and by posting a site notice next to the site. These were sent/posted on 23rd and 17th April 2024 respectively giving 21 days to comment. The publicity period has now expired and eight letters of objection have since been received. The objections are:-

- a) that the proposals make inadequate provision for enclosing the land and there is therefore a risk that animals may escape. Escaped dogs could pose a risk to livestock (especially sheep) and any escaped animal could cause a significant traffic hazard if it got onto the adjoining Burnley Road (a busy 'A' road with no speed restrictions).
- b) that an approval of the proposals would not be in the best interests of highway safety. Commercial lighting forming part of the development could dazzle drivers using Burnley Road at night as this stretch of road is unlit; the scheme fails to make satisfactory provision for the associated parking and turning of vehicles within the site; and the lack of an adequate access to the development could lead to vehicles stopping on Burnley Road which would be hazardous to the safe and free flow of other vehicular users of that highway.
- c) that the proposals would lead to an unacceptable increase in noise and light pollution in the area generated by vehicles visiting the premises, commercial lighting, and horses and dogs residing on the premises. Whilst it may be possible to limit vehicles entering the premises to the hours specified by the agent (7am to 10pm) it would not be possible to prevent dogs and horses residing there from making noise 24 hours a day seven days a week.
- d) that the access road to the development from Burnley Road is not owned by the applicant. It is also not reasonably capable of satisfactorily accommodating the level and nature of vehicular use that this development is likely to generate. Additionally, since it is also a public right of way, its increased use by vehicles is likely to lead to conflict with other users of that footway.
- e) that if the recently refused planning application for a childrens home is granted on appeal, and both this and the proposed kennels/livery developments are implemented, this would further compound highway safety, noise and light issues here.

- f) that the applicant may not own the site.

For clarity the objections outlined above relate to the scheme in its original form which also included the kennels. Further publicity was not considered necessary, and has not therefore been carried out, following the deletion of the kennel element as this was the only significant change to the submitted scheme.

In support of their proposals the agent has submitted a Planning Statement, a Highway Statement, a Traffic Survey and an extract from 'A Landscape Strategy for Lancashire'. These collectively state:-

- a) that this would represent an appropriate form of development to locate within this Countryside Area. The Council has recently approved similar forms of development elsewhere in the Borough.
- b) that the new buildings and structures are typical of the type that would normally be found in a rural landscape of this nature. They would therefore reasonably safeguard the character and appearance of the area.
- c) that the development would not harm the amenities of nearby residential properties by reason of noise because of the relatively isolated countryside position of the site.
- d) that the proposals would not give rise to any highway safety concerns. The existing access onto Burnley Road would be re-used and widened, and suitable visibility for vehicles entering that highway from the site would be made available. Furthermore, the premises are likely to receive no more than 11 visits per day assuming that all of the stables are 'let'.
- e) that the development would not be at risk from unstable land.
- f) that the development would enhance biodiversity in the area in so far as it is proposed to attach three new swallow cups to the livery building.
- g) that the development would not impinge upon any public footpath.

8. ASSESSMENT

The main issues for consideration in this instance are:-

- a) Principle
- b) Visual Amenity
- c) Neighbour Amenity
- d) Highway Safety
- e) Ecological Issues
- f) Drainage Issues
- g) Land Stability Issues

- h) Land Contamination Issues
- i) Other Issues

Principle

The application site lies wholly within an identified Countryside Area. The proposals therefore need to be considered initially against the provisions of Policy SD2 of the adopted Local Plan. This seeks to primarily locate development within the defined Urban Boundary but does allow for limited works outside of it where it specifically needs to be located within a countryside location and it enhances the rural character of the area. This site is located some way outside the nearest Urban Boundary and a specific need to locate the development here has not, at this stage, been established.

The relevant provisions of Policy SD2 are however very limited. In order to fully determine whether or not it would be acceptable in principle to locate the proposed development here it is also considered necessary to assess it against the provisions of Policy LT5 of the Local Plan. This sets out more detailed criteria against which equestrian proposals will normally need to be judged. It is considered that these proposals will meet this criteria for the following reasons:-

- a) equestrian development is often found, and seen as appropriate, within identified rural Countryside Areas such as this. Furthermore, it can contribute towards the provision of recreation opportunities and the diversification of the rural economy.
- b) whilst the premises are no longer used as a farm, and the proposals do not involve the conversion of existing buildings, it is considered that they will not cause significant harm to the openness or character of the area (for reasons set out in the 'Visual Amenity' Section below).
- c) the stables, manure heap enclosure and menage will all stand more than 40 metres away from the proposed children's home at the southeastern end of the site, and over 100 metres away from the next nearest separately owned dwelling (Quebec Farm).
- d) the stable building will be quite traditional in its design in so far as it will be clad in stained timber with a corrugated mineral fibre dual pitched roof. It will also incorporate an ancillary tack and feed room, and in itself will stand only 0.25 metres higher than the 3.5 metre building height limit normally imposed by the policy.
- e) a livery business accommodating 11 horses is considered to be appropriate in scale for this site and rural setting. The new building, menage and other ancillary development are also considered to be collectively of a scale deemed reasonably necessary to serve that business.
- f) no part of the development will encroach outside of the identified application site into the open countryside.
- g) the menage will not stand significantly above existing ground level.

- h) the new fencing to be erected around the menage is considered to be appropriate for a rural area. It will be 1.2 metre high stained post and rail timber fencing.
- i) floodlighting is not proposed as part of the scheme and a condition can reasonably be imposed to prevent its subsequent use.
- j) the proposals will not give rise to any undue highway safety concerns (for reasons outlined later in the report).
- k) tree and shrub planting is proposed in order to screen the new parking area and menage, and screen tree planting is also proposed on the southwestern side of the new stable building.
- l) it is considered that the site could reasonably be satisfactorily restored to its former condition once it is no longer required for use as a livery business.

In view of the above the proposals are considered to be acceptable in planning policy terms.

Visual Amenity

It is not envisaged that the new stable building will significantly impinge upon the openness of the area if located in the position proposed. Whilst it will occupy quite a large 'footprint' (an area of 25 metres x 12 metres), and the land levels are to be slightly raised to provide a level platform for it, it will not be an unduly high structure with an overall maximum height, taking into consideration the raised land levels, of just 5.25 metres. Additionally:-

- a) it will stand within a site that has previously been occupied by a number of other buildings which have since been removed. This will offset the impact that it will have upon its surroundings to some extent.
- b) it will be visible from Burnley Road but will be set some 50 metres back from that highway. This will also help to reduce its prominence in the street scene.
- c) tree planting is to be carried out to the southwest of the building in order to provide some screening of it when viewed from the open land to the south.

The building is considered to be of an appropriate design for its rural location and proposed use and will be constructed of what are considered to be appropriate materials. It will incorporate a dual pitched roof and will be constructed of vertical stained timber boarding under a corrugated mineral fibre roof.

It is not envisaged that the proposed menage will significantly impinge upon the openness of the area either if located in the position proposed. Whilst it will also occupy quite a large 'footprint' (40 metres x 20 metres) it will not be constructed significantly above existing ground level and the agent has agreed to provide new tree and shrub planting along its northeastern side to help to reduce its prominence when viewed from Burnley Road. It will be

of fairly typical menage design surfaced using a combination of rubber and bark and enclosed by 1.2 metre high stained timber post and rail fencing. In this respect it is also considered acceptable.

The new manure heap enclosure will be a quite modest 'open' structure covering a ground area of approximately 4.2 x 4.2 metres and standing just 1.2 metres high. The proposal to construct the external walls using breeze blocks is not ideal but the agent has since agreed to a condition requiring it to be clad in timber. Subject to the imposition of such a condition it is considered that this element of the proposal will also be acceptable in both design and scale terms.

The new stone hardcore parking/turning areas will be quite extensive but as they are to be located at ground level they will not feature especially prominently in the surrounding area either. In view of this, since there are already some tarmac and hardcore surfaced areas on the site, and as it is proposed to undertake tree and shrub planting to the northeast and southeast of the parking spaces to provide some screening of them as well it is considered that no reasonable objection could be raised to this element of the proposal on visual amenity grounds either.

Land levels are to be raised within the site in order to provide level platforms on which to construct the menage and stable building. However, this will be by a maximum of 1.5 metres and, as indicated above, these works will be at least partly screened by new tree planting to be carried out to the immediate southwest.

In view of the above, subject to appropriate conditions, it is considered that the respective developments will not harm or significantly impinge upon the openness of this countryside area either individually or collectively. On this basis it is considered, on balance, that they will reasonably satisfy the requirements of Policies SD2, LT5, ENV1 and ENV3 of the Local Plan and Sections 12 and 15 of the NPPF in visual amenity terms.

Neighbour Amenity

a) Light

The site occupies a relatively isolated position in the countryside with the nearest separately owned dwelling (Quebec Farm) located over 100 metres away to the southeast. Consequently, the development will not affect the level of light that this, or any other property, currently receives.

b) Noise/Odour

A use of this nature has the potential to cause undue disturbance both by reason of noise and odour and this has led to objections to the scheme. The hours of operation proposed are quite extensive being between 7am and 10pm seven days a week. However, the site occupies a relatively isolated rural position so, on the balance of probability, it is unlikely that any noise or odour generated would unduly disturb local residents. In coming to this view consideration has been given to the fact:-

- a) that the development will stand over 100 metres from the nearest separately owned residential property,
- b) that the development is to be located within the countryside where residents could reasonably expect to experience a degree of equine noise and odour, and
- c) that the Council's Environmental Health Service have not raised any objections to the proposals.

In view of the above it is considered that, despite concerns to the contrary, the proposals will reasonably safeguard the residential amenities currently enjoyed by the occupiers of nearby properties. It is therefore considered that they will satisfy the requirements of Policies ENV1, ENV6 and LT5 of the Local Plan and Section 15 of the NPPF in neighbour amenity terms.

Highway Safety

Vehicular access to this site is currently gained via an access from Burnley Road and the intention is to continue using this albeit after widening it to five metres for the first nine metres and ensuring that it is suitably bound, surfaced and drained. Eight associated 'off-street' car parking spaces (including one disabled space) are also proposed for use in conjunction with the development along with associated 'on-site' turning space.

These arrangements have been considered by County Highways who consider that they will be acceptable provided that conditions and an informative are imposed with a view to achieving (a) to (c) below. They accept:-

- a) that the visibility splays of 2.4 x 160 metres proposed at the site access would allow vehicles to safely enter Burnley Road from the site based on the current identified volume and speed of traffic using that highway (approximately 6000 vehicles a day travelling at an average speed of 56 mph).
- b) that widening the site access to five metres for the first nine metres measured from Burnley Road, and ensuring that it is constructed using a paved, bound and suitably drained surface, would also render the access suitable to serve both the proposed livery business and the children's home. It would prevent vehicles from having to stop on the adjoining highway before entering the site and would allow two vehicles to safely pass each other when entering and exiting it.
- c) that the level of parking proposed will be adequate to serve a development of this scale and nature provided that the use is limited by condition to prevent the hosting of competitions, events or the operation of a riding school. This should ensure that the development does not attract significant numbers of large horse transport vehicles.

County Highways have also requested that a two-metre wide strip is marked on the site access road to provide a clearly defined and separate route for users of public right of way no. FP1404130 (which also forms part of that road). However, the access is not wide enough

to accommodate both this and the necessary road widening works and, on balance, it is not considered necessary. Whilst there could potentially be conflict between vehicles and footpath users this is only likely to be for a very short distance of some 40 metres between the site access and site entrance. Furthermore, the vehicles using the access at this point will be primarily those visiting the new livery business and children's home, and it is considered that neither of these uses are likely to attract substantial numbers of vehicles.

Subject therefore to the imposition of conditions and an informative to achieve the above it is considered that, despite concerns to the contrary, the proposals will be acceptable in highway safety terms reasonably satisfying the requirements of Policies LT5 and TR4 of the Local Plan in this regard.

Ecological Issues

The proposals may require the demolition of one building. However, given the condition of this, and the exposed nature of the site, it is unlikely that it will be providing a suitable habitat for bats. It is therefore considered that the issue of how to proceed should bats be encountered can reasonably be addressed by way of an informative in this instance. The demolition of the building, and the loss of some grassland, could however potentially affect nesting birds. As a safeguard therefore it is recommended that a condition is imposed on any approval preventing any demolition/site clearance works from taking place during the bird nesting season unless either:-

- a) it has first been satisfactorily demonstrated that nesting birds are not present, or
- b) it has first been agreed with the Local Planning Authority that appropriate measures will be put in place to protect them during the works.

Finally, although this application was submitted prior to the current requirement to provide 10% Biodiversity Net Gain it is considered that this should still be sought in order to ecologically enhance the site. The proposals will lead to the loss of a small area of moderate to poor grassland but significant replacement tree and shrub planting is proposed to compensate. Three new swallow boxes are also proposed. Subject therefore to conditions requiring that these are provided as part of the development it is considered that the requirement to provide 10% BNG will be deemed to have reasonably been met.

The proposals have been considered by the Greater Manchester Ecological Unit who raise no objections to them subject to conditions and an informative designed to cover the above. Subject to the imposition of these it is considered that in pure ecological terms the development will be acceptable reasonably meeting the requirements of Policies ENV1 and ENV4 of the Local Plan and Section 15 of the National Planning Policy Framework in this regard.

Drainage Issues

The agent has indicated that foul and surface water from the developed site are to be respectively discharged into a septic tank and by means of a soakaway. These proposals have been assessed by United Utilities but they are not willing to agree to them

until all other options have first been explored. This aside they consider that the site is capable of being satisfactorily drained by way of a suitably managed sustainable drainage system designed having regard to the drainage hierarchy set out in the National Standards for Drainage Systems (2025). This issue can reasonably be addressed in this case by way of planning condition and a condition to this end is therefore recommended. Subject to such a condition being imposed it is considered that the scheme will be acceptable in drainage terms reasonably satisfying the requirements of Policies ENV1 and ENV9 of the Local Plan and Section 14 of the National Planning Policy Framework in this regard.

Land Stability (Coal Mining) Issues

The site lies within an area where there is a High Risk of former coal mining activity having taken place. The agent has therefore submitted a Coal Mining Risk Assessment with this application which concludes that there is a potential risk to the development from unrecorded shallow mine workings and mine gas. The Assessment recommends that further investigations/monitoring is carried out to determine whether such workings/gas are present and The Coal Authority agrees with this. Since the assessment recommends that further investigation is carried out they recommend:-

- a) that a condition is imposed to this end which also includes for the carrying out of suitable remediation measures should these be deemed necessary, and
- b) that a further condition is imposed requiring formal confirmation from a suitably competent person of the methods and findings of the intrusive site investigations and, if relevant, that remediation works have been satisfactorily completed thus rendering the site safe for occupation.

Subject to the imposition of such conditions it is considered that the proposals will reasonably satisfy the requirements of Section 15 of the NPPF in pure land stability terms.

Land Contamination Issues

The proposals have been assessed by the Land Contamination Officer who is concerned that the site and building may be contaminated. They have therefore recommended conditions requiring that both are assessed for contaminants, that suitable remediation works are subsequently carried out if deemed necessary, and that a report verifying that such works have been carried out is subsequently submitted where remediation is proven necessary. Subject to the imposition of conditions to this end it is considered that there would be no reasonable land contamination reasons for opposing this development as in those circumstances it would reasonably meet the requirements of Policy ENV6 of the Local Plan and Section 15 of the National Planning Policy Framework in this regard.

Other Issues

The concerns raised by the objectors to the application, as set out in the 'Representations' section above, have been assessed. Those identified as (b) and (c) have already been

addressed earlier in the report. However, the remainder are also not considered to represent justifiable reasons for refusing the scheme for reasons given below:-

- i) The agent has advised that no floodlighting is proposed as part of the development. Consequently, the concerns about light pollution and about drivers using Burnley Road being dazzled by light at night are considered to be unfounded.
- ii) No overnight accommodation is proposed as part of this scheme so the site should not be occupied outside of the specified hours of operation other than by horses. The security of the site is to be secured by using security cameras linked to the internet.
- iii) Whilst there is always the possibility that a horse could escape from the site and enter the adjoining highway it seems unlikely, on the balance of probability, that this would happen very often and certainly not to the extent that a refusal could reasonably be justified on such grounds.
- iv) Concerns about land ownership and legal rights of access cannot currently be taken into consideration when determining a planning application as they are not recognised 'planning matters'. However, if it subsequently transpires that the applicant does not own the land, and is unable to secure the right to develop it or secure access to/over it, then they may not be able to implement their planning permission should approval be given.

9. SUMMARY REASON FOR APPROVAL

The development is considered appropriate in principle for this rural open countryside location. It is also considered that, subject to the imposition of suitable conditions, it will reasonably safeguard the character, appearance and openness of the area, highway safety, local ecology and the amenities of neighbouring properties. Finally, it is considered that the site can be made stable for future development and safe for future users. The proposals are therefore considered to be in accordance with the requirements of Policies SD1, SD2, ENV1, ENV3, ENV4, ENV6, ENV9, ENV10, LT5 and TR4 of the Local Plan and Sections 2, 6, 9, 11, 12, 14 and 15 of the National Planning Policy Framework.

10. RECOMMENDATION

Grant permission subject to conditions

11. CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following drawings, unless otherwise required by the conditions below:

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<u>Drawing Title</u>	<u>Drwg No</u>	<u>Date Rec'd</u>
Location Plan	FO.050324.A	05/03/24
Existing Site Plan	NP-14-11-23-A2	15/07/25
Proposed Site Layout Plan	NP-14-11-23-B5	15/07/25
Site Layout Plan showing proposed visibility splays at junction with Burnley Road and proposed widening of access	NP-14-11-23-E3	15/07/25
Proposed Floor Plans and Elevations of Stables	NP-14-11-23-D	15/07/25
Coal Mining Risk Assessment by Worms Eye		27/08/24

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development, in accordance with the requirements of Policies SD1, SD2, ENV1, ENV3, ENV4, ENV6, ENV9, ENV10, LT5 and TR4 of the Council's adopted Rossendale Local Plan 2019 to 2036, and Sections 2, 6, 9, 11, 12, 13, 14 and 15 of the National Planning Policy Framework.

3. Notwithstanding the details given within the submitted application form and on the approved plans the manure enclosure shall be clad using timber. These works shall be completed before the enclosure is first brought into use and the enclosure shall thereafter be satisfactorily retained as such at all times thereafter.

Reason: In the interests of visual amenity, in accordance with the requirements of Policies ENV1, ENV3 and LT5 of the Council's adopted Rossendale Local Plan 2019 to 2036 and Sections 12 and 15 of the National Planning Policy Framework.

4. Details of the proposed treatment of the site boundaries shall be submitted to, and approved in writing by, the Local Planning Authority before any works to those boundaries are carried out. These works shall include for the retention and repair of all existing drystone walls. The approved boundary treatment shall be completed before the stable building and menage hereby approved are first brought into use and shall thereafter be satisfactorily retained at all times.

Reason: In the interests of visual amenity, in accordance with the requirements of Policies ENV1, ENV3 and LT5 of the Council's adopted Rossendale Local Plan 2019 to 2036 and Sections 12 and 15 of the National Planning Policy Framework.

5. The stables, manure enclosure and menage hereby approved, and the site in general, shall be used solely for livery purposes and not, at any time, for the hosting of competitions or events or for the operation of a riding school.

Reason: In the interests of highway safety, in accordance with the requirements of Policy LT5 and TR4 of the Council's adopted Rossendale Local Plan 2019 to 2036.

6. At no time shall any form of external illumination or sound amplification be erected or used in association with the development hereby permitted.

Reason: To safeguard the rural character of the countryside and in the interests of visual and neighbour amenity in accordance with the requirements of Policies ENV1, ENV3 and LT5 of the Council's adopted Rossendale Local Plan 2019 to 2036 and Sections 12 and 15 of the National Planning Policy Framework.

7. No-one, other than people employed in the livery business, shall visit the site outside of the hours of 7am and 10pm on any day of the week.

Reason:- To safeguard the amenities of the occupiers of nearby residential properties in accordance with the requirements of Policies ENV1 and ENV6 of the Council's adopted Rossendale Local Plan 2019 to 2036 and Section 15 of the National Planning Policy Framework.

8. Full details of the proposed tree and shrub planting shown on approved drawing number NP-14-11-23-B5 shall be submitted to, and approved in writing by, the Local Planning Authority before the stable building and menage hereby approved are first brought into use. These details shall also include for planting along the northeastern boundary of the menage. The approved planting scheme shall be implemented in full within the first planting season following the substantial completion of the development. Any planting forming part of that scheme which, within a period of 5 years from the completion of those works, dies, is removed or become seriously damaged or diseased shall be replaced in the next planting season with replacement planting of similar size and species.

Reason:- In the interests of visual amenity and the ecology of the area, in accordance with the requirements of Policies ENV1, ENV3, ENV4 and LT5 of the Council's adopted Rossendale Local Plan 2019 to 2036 and Sections 12 and 15 of the National Planning Policy Framework.

9. No buildings shall be demolished or vegetation cleared from the site between 1st March and 31st August inclusive unless a competent ecologist has first undertaken a detailed check of both for active birds' nests. This shall be carried out immediately before the demolition/site clearance works are carried out and shall demonstrate either that no birds will be harmed by those works or that appropriate measures will be put in place to protect them during the works. The results of this survey shall subsequently be forwarded in writing to the Local Planning Authority for its written approval.

Reason: To safeguard nesting birds, in accordance with the requirements of Policy ENV4 of the adopted Rossendale Local Plan 2019 to 2036 and Section 15 of the National Planning Policy Framework.

10. Three swallow boxes shall be attached to the approved livery building within one month of its substantial completion. These shall thereafter be satisfactorily retained at all times.

Reason: To enhance the ecological value of the site, in accordance with the requirements of Policy ENV4 of the adopted Rossendale Local Plan 2019 to 2036 and Section 15 of the National Planning Policy Framework.

11. The site access road shall be widened to a minimum width of 5 metres for the first 9 metres of its length measured from the carriageway edge of Burnley Road. It shall also be hard surfaced and measures shall be included to ensure that surface water does not drain onto the adjoining highway. These works shall be completed before the stable building and menage hereby approved are first brought into use, and the access road so improved shall thereafter be satisfactorily retained at all times.

Reason: In the interests of highway safety, in accordance with the requirements of Policy LT5 and TR4 of the Council's adopted Rossendale Local Plan 2019 to 2036.

12. All areas to be used by vehicles shall be constructed and laid out in accordance with the details shown on approved drawing number NP-14-11-23-B5 before the stable building and menage are first brought into use. These areas shall thereafter be retained at all times for the parking and circulation of vehicles in conjunction with the approved development, and to allow vehicular access to and from the site

Reason: In the interests of visual amenity and highway safety, in accordance with the requirements of Policies ENV1, ENV3, LT5, TR4 and Appendix 1 of the Council's adopted Rossendale Local Plan 2019 to 2036 and Sections 12 and 15 of the National Planning Policy Framework.

13. Notwithstanding any details given on the approved plans or application form, details of the proposed means of draining foul and surface water from the development, and of the proposals for managing and maintaining the latter, shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. The drainage scheme:-

- a) shall be designed having regard to the drainage options set out in the National Standards for Sustainable Drainage (2025) or any subsequently adopted drainage standards,
- b) shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water,
- c) shall include for a restricted rate of discharge of surface water if it is agreed, with the Local Authority, that infiltration is discounted by the investigations,
- d) shall include levels of the proposed drainage systems including proposed ground and finished floor levels in AOD,

- e) shall incorporate mitigation measures to manage the risk of sewer surcharge where applicable, and
- f) shall show foul and surface water drained via separate systems.

The approved drainage scheme shall be completed before the stables and menage are first brought into use and shall thereafter be satisfactorily retained in accordance with the approved maintenance measures at all times.

Reason: To secure sustainable drainage and to manage the risk of pollution, in accordance with the requirements of Policies ENV1 and ENV9 of the Council's adopted Rossendale Local Plan 2019 to 2036 and Section 14 of the National Planning Policy Framework.

14. Notwithstanding any information submitted with this application, no development shall take place until an investigation and risk assessment has been submitted to and approved in writing by the Local Planning Authority. The submitted report shall include:-
- i) A Preliminary Risk Assessment report (Phase 1) including a conceptual model and a site walk over survey and mine gas assessment;
 - ii) Where potential risks are identified by the Preliminary Risk Assessment, a Phase 2 Site Investigation report shall also be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The investigation shall address the nature, degree and distribution of land contamination on site and shall include an identification and assessment of the risk to receptors focusing primarily on risks to human health, groundwater and the wider environment; and
 - iii) Should unacceptable risks be identified the applicant shall also submit and agree with the Local Planning Authority in writing a contaminated land remediation strategy (including verification plan) prior to commencement of development. The development shall thereafter be carried out in full accordance with the duly approved remediation strategy or such varied remediation strategy as may be agreed in writing with the Local Planning Authority.

Reason: In the interests of mitigating hazards associated with land contamination and to prevent pollution, in accordance with the requirements of Policy ENV6 of the Council's adopted Rossendale Local Plan 2019 to 2036 and Section 15 of the National Planning Policy Framework.

15. Pursuant to condition 14 and prior to the first occupation of the development hereby approved, a verification report, which validates that all remedial works undertaken on site were completed in accordance with those agreed with the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of mitigating hazards associated with land contamination and to prevent pollution, in accordance with the requirements of Policy ENV6 of the

Council's adopted Rossendale Local Plan 2019 to 2036 and Section 15 of the National Planning Policy Framework.

16. No development shall commence (excluding the demolition of any existing structures) until a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity. Should these demonstrate that remediation works/mitigation measures are required in order to address issues of land instability those works shall be implemented in full before any other part of the development hereby approved is commenced. The intrusive investigations and remediation works shall be carried out in accordance with authoritative UK guidance.

Reason: To ensure the safe occupation of the site by ensuring it is stable for development, in accordance with the requirements of Policy ENV1 of the Council's adopted Rossendale Local Plan 2019 to 2036 and Chapter 15 of the National Planning Policy Framework.

17. A signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for its written approval. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity. The development hereby approved shall not be brought into use until the submitted statement/declaration has been formally agreed by the Local Planning Authority.

Reason: To ensure the safe occupation of the site by ensuring it is stable for development, in accordance with the requirements of Policy ENV1 of the Council's adopted Rossendale Local Plan 2019 to 2036 and Chapter 15 of the National Planning Policy Framework.

INFORMATIVES

1. The proposals comply with the development plan and would improve the economic, social and environmental conditions of the area. They therefore comprise appropriate development and the Local Planning Authority has worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement as set out in Paragraph 38 of the National Planning Policy Framework.
2. Access to this site it is also via a public footpath. Please note that it is an offence to obstruct this in any way either before, during or after the completion of the development. For your information any proposal to stop-up or divert a right of way would need to be the subject of an Order under the appropriate Act. If this is proposed the applicant would need to contact Lancashire County Council's Public Rights of Way section by email on PROW@lancashire.gov.uk, quoting the location, district and any

relevant planning application number, to discuss their proposal before any development works begin.

3. During the period of construction, should contamination be found on site that has not been previously identified, no further works shall be undertaken in the affected area. Prior to further works being carried out in the affected area, the contamination shall be reported to the Local Planning Authority within a maximum of five days from the discovery, a further contaminated land assessment shall be carried out, appropriate mitigation identified and agreed in writing by the Local Planning Authority. The development shall be undertaken in accordance with the agreed mitigation scheme.

The applicant is advised that they have a duty to adhere to Part 2A of the Environmental Protection Act 1990, the National Planning Policy Framework and the current Building Control Regulations with regards to contaminated land. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.

4. There is a possibility that bats may be encountered during the development. Under the Habitat Regulations it is an offence to disturb, harm or kill bats. If a bat is found during the development all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.
5. The grant of planning permission may require the applicant to enter into a Section 278 agreement with the County Council as Highway Authority. The applicant should contact Lancashire County Council for further information by e-mailing the Highway Development Control Section directly at section278applications@lancashire.gov.uk
6. Your attention is drawn to the comments received from United Utilities. These can be viewed on the Council's website.

CASE OFFICER: Ian Lunn

DATE: 18/08/25

SENIOR PLANNING OFFICER: Storm Grimshaw

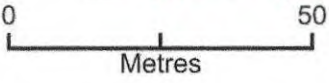
DATE: 20/08/25

North Point

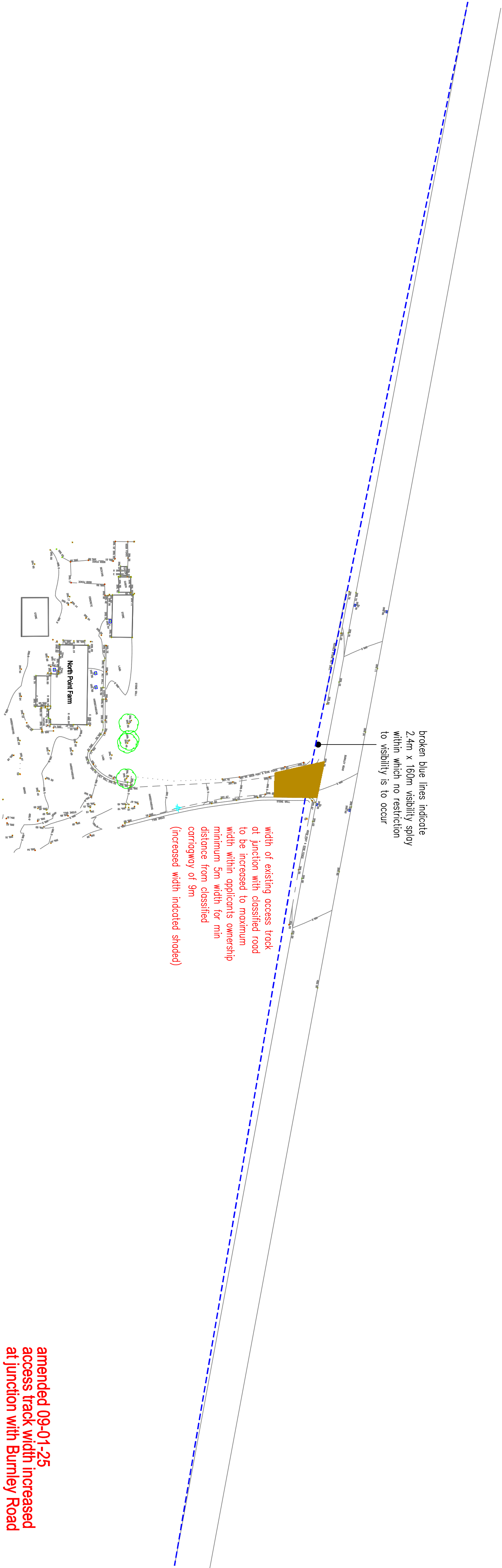


LOCATION PLAN

REF: FO.050324.A.



Plan Produced for: North Point
Date Produced: 04 Mar 2024
Plan Reference Number: TQRQM24064230003976
Scale: 1:1250 @ A4



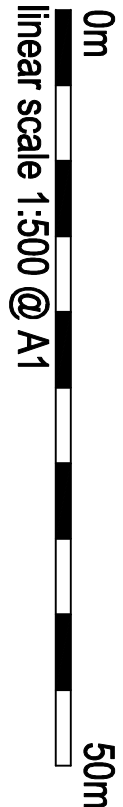
amended 09-01-25
access track width increased
at junction with Burnley Road

this plan should be read in conjunction with
plan number NP-14-23-B

access detail

proposed
equestrian livery with manege at
North Point Farm
Burnley Road
Bacup

scale 1:500 @ A1



drawing number NP-14-11-23-E3



1200 high post and
rail fence with stain finish

2 no railway sleepers
with steel connectors
to provide secure perimeter
to contain rubber / bark
training surface

100mm rubber / bark
on terran membrane

200mm consolidated
stone on terran membrane

detail of manege
construction
not to scale

[illegible]

cro

1

Backup

SCS

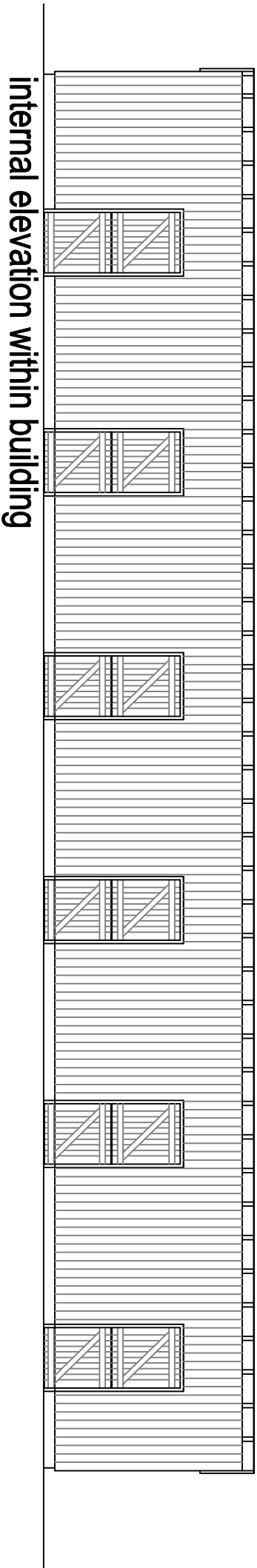
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line

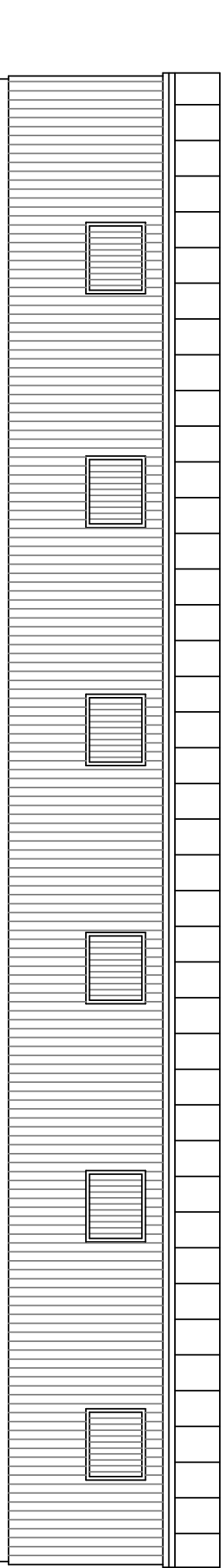
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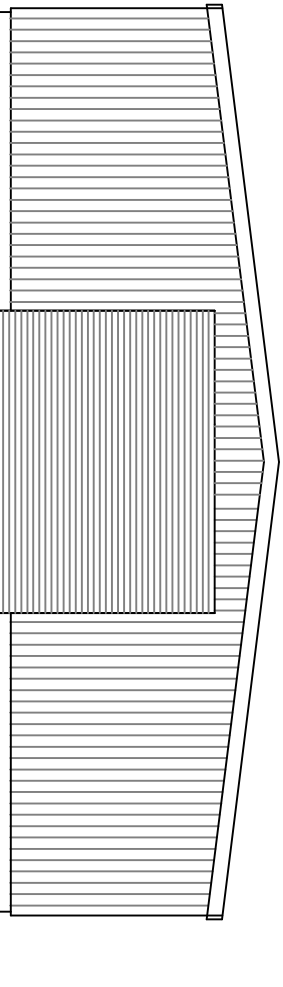
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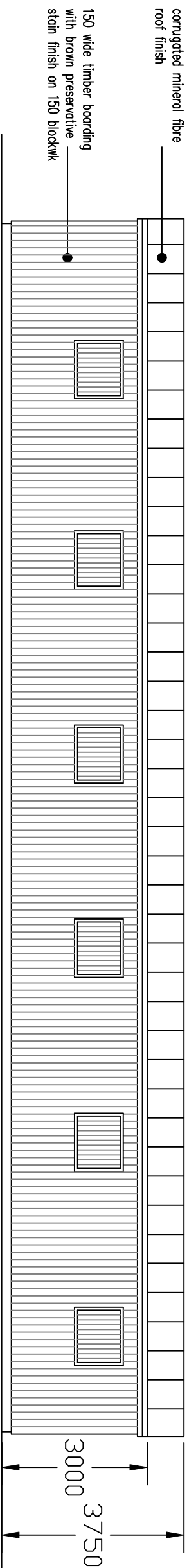
internal elevation within building



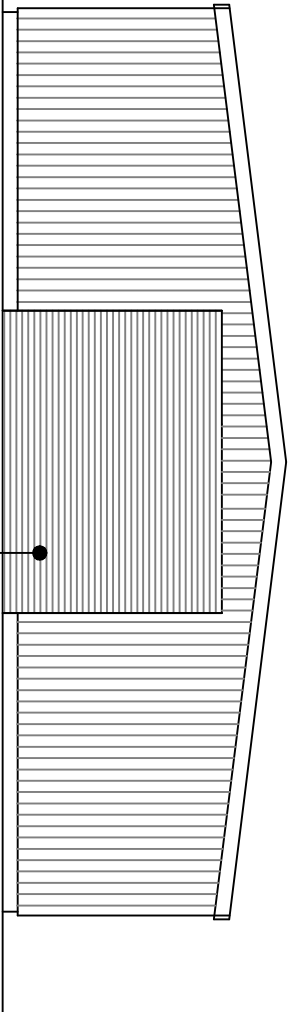
elevation facing south



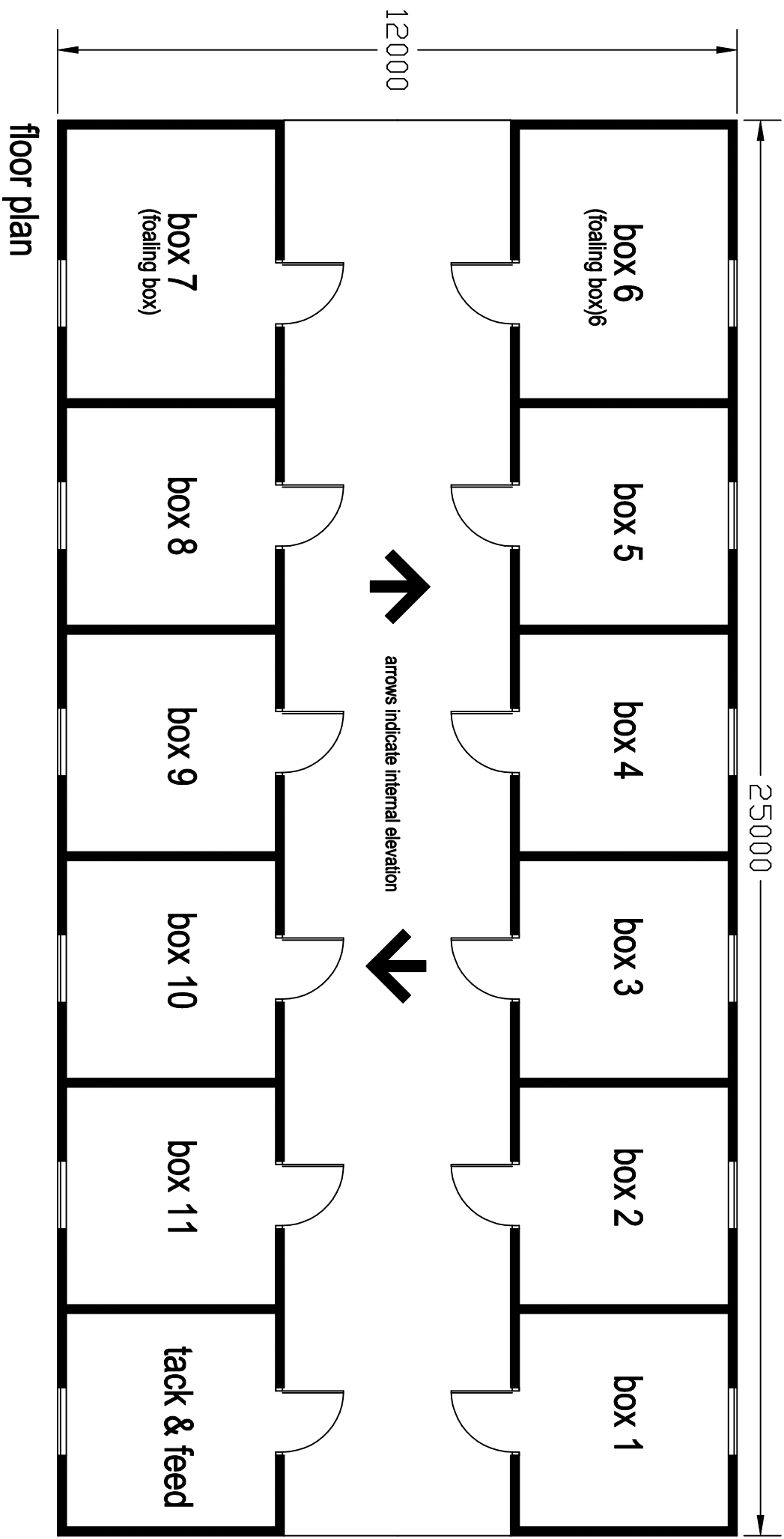
elevation facing east



elevation facing north



elevation facing west

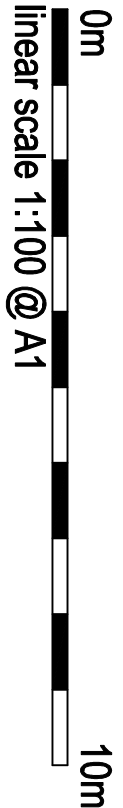


floor plan

detail of livery building

proposed commercial kennels and
equestrian livery with manege at
North Point Farm
Burnley Road
Bacup

scale 1:100 @ A1



linear scale 1:100 @ A1

drawing number NP-14-11-23-D











