

Report of the Chief Executive

APPLICATION NUMBER:	21/00785/FUL
LOCATION:	Land To The Rear Of 6 Smithfield Avenue Trowell Nottinghamshire
PROPOSAL:	Change of use for equestrian use, construct new stable block with associated works and track

1 Executive Summary

- 1.1 This application was first brought before Planning Committee on 30 March 2022 with a recommendation to grant conditional planning consent. Members deferred making a decision on the application to allow for consideration to reduce the impact on neighbours in terms of potential noise and odour pollution from the stable block.
- 1.2 In response to the decision at the previous planning committee the agent has amended the plans to relocate the stable block away to the south-east from neighbouring residential properties.
- 1.3 The Committee is asked to resolve that planning permission be granted subject to the conditions outlined in appendix 1 and the original report is included at appendix 2.

APPENDIX 1

1 Details of the Application

- 1.1 The application seeks full planning consent for the erection of a stable block, hardstanding fencing/gates and a new track.

2 Site and surroundings

- 2.1 The site includes a number of outbuildings/sheds in a poor state of repair which have been in this location for a number of years. The site consists of a grassland area north-east of properties off Smithfield Avenue. To the west the includes Nottingham Road, to the north No. 36 Nottingham Road a detached residential property, to the east further fields and to the south residential properties off Smithfield Avenue.

3 Consultations

- 3.1 No further consultation has been undertaken in respect of the amended plans GD/LG/21/020/01 Rev. D.

4 Assessment4.1 **Appraisal**

- 4.1.1 It remains the consideration that the proposed stables are considered not to result in an unacceptable loss of amenity for any neighbouring residents. The location of the proposed stable block has been amended and would be sited within open grassland north-east of Smithfield Avenue. The site will remain to be accessed by an existing vehicular access between 2 and 3 Smithfield Avenue. The proposed stable block will be sited to the north-east of properties off Smithfield Avenue approximately 56m from neighbouring property 34 Nottingham Road. The stable block will be approximately 15m from neighbouring property 36 Nottingham Road. Given the fact that the proposal would be accessed by an existing access and the proposed equestrian use is private for personal use only, it is considered that any potential increase in comings and comings would not be detrimental to the amenity of neighbouring properties.

- 4.1.2 The location of the proposed stables has been amended to lessen any potential noise or odour impact on any neighbouring properties.

5 Conclusion

- 5.1 The proposed stable block has been designed to be sympathetic to the agricultural character in this location. The location of the stables has been amended and would be set away from any neighbouring properties which will reduce any potential impact on the living conditions of neighbouring properties.

- 5.2 To conclude, it is considered that any potential concerns have been addressed, which is considered to be in accordance with the policies contained within the

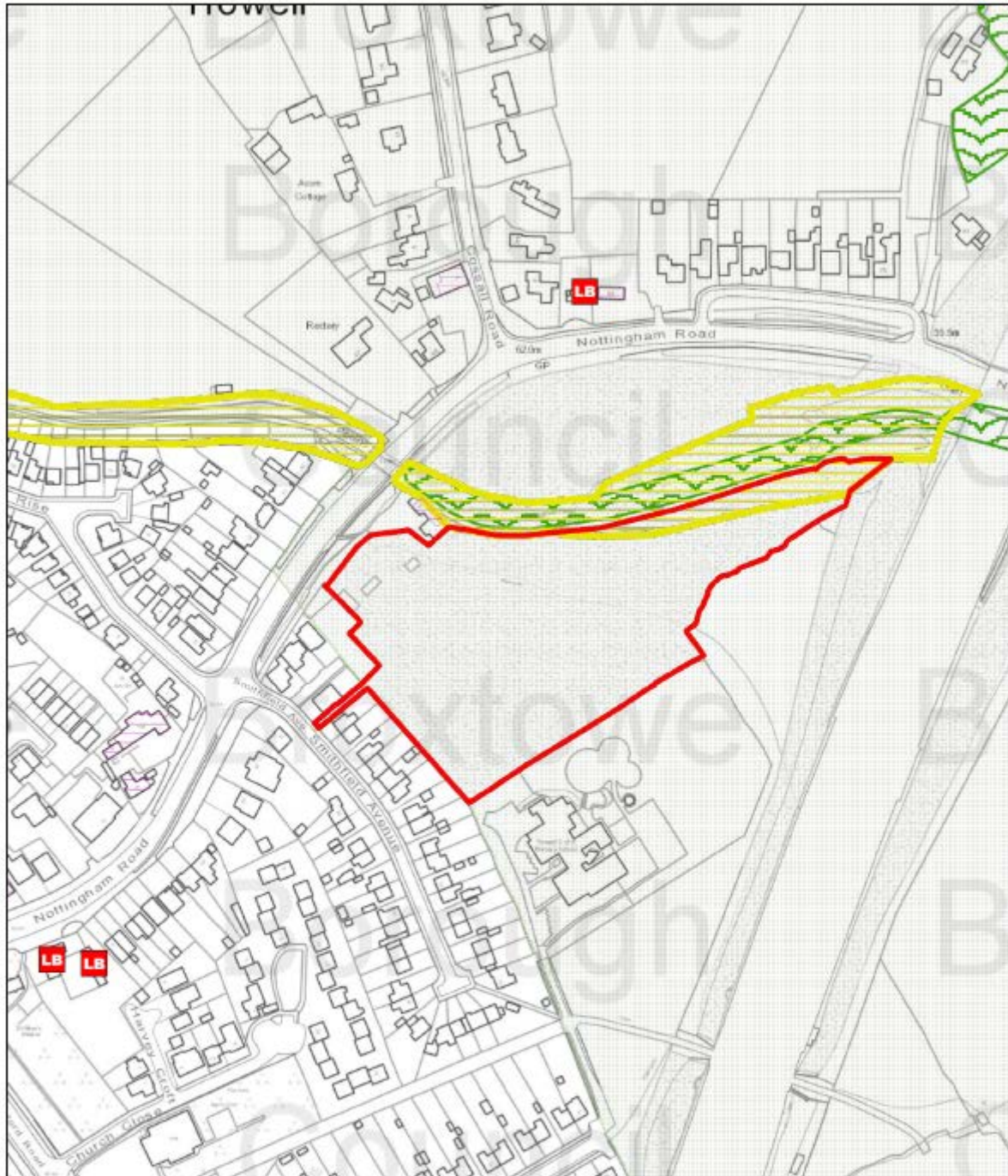
development plan. It is recommended that planning permission is granted, subject to the conditions set out below.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>This permission shall be read in accordance with the following plans: site location plan 1:1250 (received by the Local Planning Authority 21.09.21), amended proposed layout, elevations and site plan GD/LG/21/020/01 Rev. D. (received by the Local Planning Authority 05.04.22).</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The hereby permitted development shall be used for private/domestic purposes only and no business shall be carried out therefrom.</p> <p><i>Reason: The application has been determined on the basis that the development does not relate to the provision of a business.</i></p>
NOTES TO APPLICANT	
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
3.	Due to the proximity of the site to residential properties it is recommended that contractors limit noisy works to between 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays and Bank Holidays.
4.	Any manure heaps should be positioned such that neighbouring properties are not affected by nuisances e.g. odour or flies. Any complaints will be investigated to determine whether a statutory nuisance is being caused in accordance with the Environmental Protection Act 1990.

5.	<ul style="list-style-type: none">• The footpath should remain open, unobstructed and be kept on its legal alignment at all times. Vehicles should not be parked on the RoW or materials unloaded or stored on the RoW so as to obstruct the path.• There should be no disturbance to the surface of the footpath without prior authorisation the Rights of Way team.• If the route is to be fenced, ensure that the appropriate width is given to the path and that the fence is low level and open aspect to meet good design principles.• If a structure is to be built adjacent to the public footpath, the width of the right of way is not to be encroached upon.• Structures cannot be constructed on the line of the right of way without the prior authorisation of the Rights of way team. It should be noted that structures can only be authorised under certain criteria and such permission is not guaranteed• The existing boundary hedge/tree line directly bordering the development/boundary etc is the responsibility of the current owner/occupier of the land. On the assumption that this boundary is to be retained it should be made clear to all new property owners that they are responsible for the maintenance of that boundary, including the hedge/tree line ensuing that it is cut back so as not to interfere with right of way.• Should scaffold be required on or over the RoW then the applicant should apply for a license and ensure that the scaffold is constructed so as to allow the public use without interruption. http://www.nottinghamshire.gov.uk/transport/licences-and-permits/scaffolding-hoarding-and-advertising-boards. <p>If this is not possible then an application to temporarily close the path for the duration should also be applied for (6 weeks' notice is required), email countryside.access@nottscc.gov.uk</p> <ul style="list-style-type: none">• If a skip is required and is sited on a highway, which includes RoW then the company supplying the skip must apply for a permit. http://www.nottinghamshire.gov.uk/transport/licences-and-permits/skip-permit and also ensure that the RoW can still be accessed appropriately by the users permitted by its status i.e. equestrians if a on bridleway, motorised vehicles if on a byway open to all traffic.
----	--

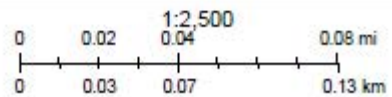
Site Location Plan (not to scale)

21/00785/FUL - Land To The Rear Of 6 Smithfield Avenue Trowell



3/10/2022, 1:38:40 PM

- | | |
|---|---|
|  Local Interest Building |  Green Belt |
|  Local Wildlife Site |  Listed Building |
|  Local Nature Reserves |  Site |



© Crown copyright and database rights 2021. Ordnance Survey 100019463. You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form.

Photographs

View of existing access between No. 2 and 3 Smithfield Avenue



View of the rear of 3 Smithfield Avenue



View of the rear of 2 Smithfield Avenue



View of the side of 34 Nottingham Road



View of the side of 36 Nottingham Road



View of the site from access towards proposed stables location



Plans (not to scale)

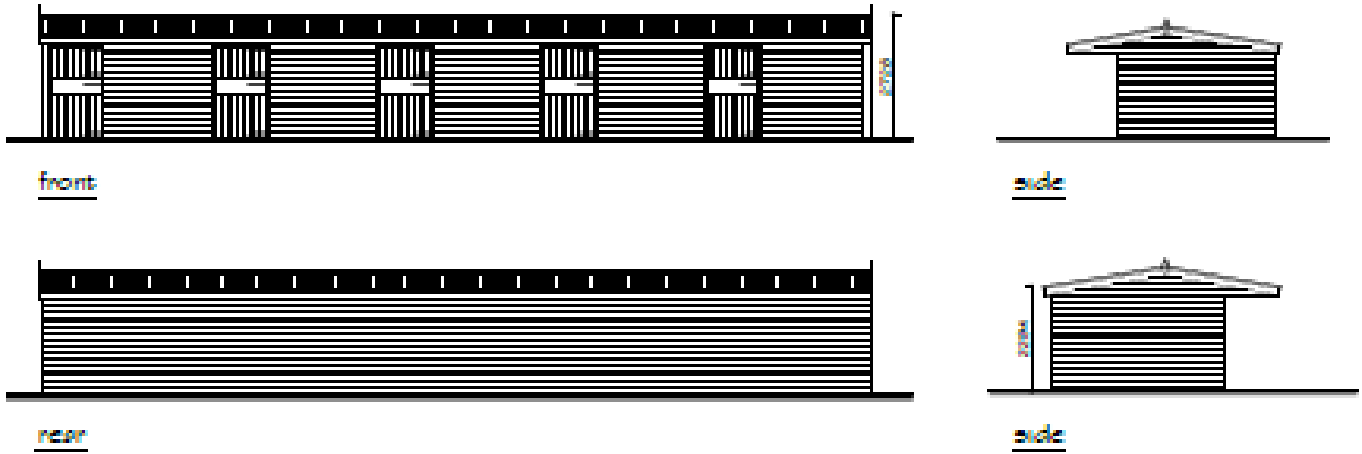
Existing Layout Plan



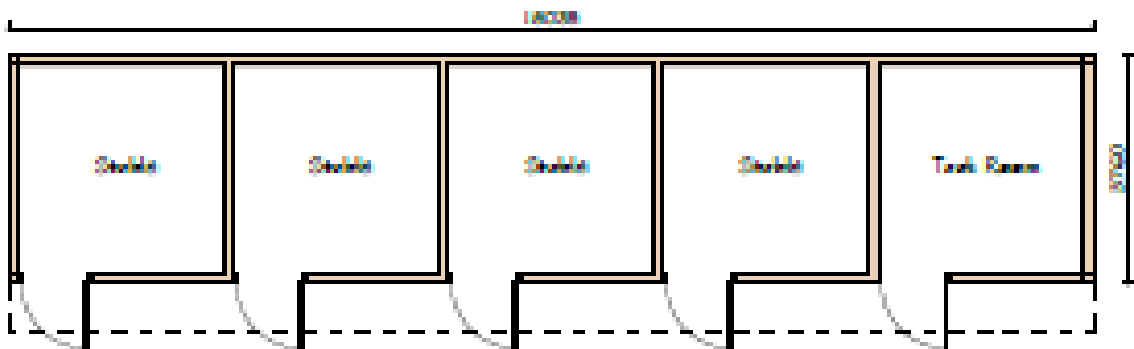
Proposed Layout Plan



Proposed Stable Block Elevations



Proposed Stable Block Floor Plans



Proposed Fencing/Gate Elevations

