

<u>APPLICATION NO:</u>	25/00409/FUL	<u>CASE OFFICER:</u>	Lee Osborne
<u>WARD:</u>	Northwood	<u>PARISH:</u>	
<u>LOCATION:</u>	Hill View Farm, Cut Lane, Kirkby		
<u>PROPOSAL:</u>	VARIATION OF CONDITION 9 ATTACHED TO PLANNING PERMISSION 15/00414/FUL TO INDICATE EXTENT OF EXISTING HARDSTANDING TOGETHER WITH INDICATION OF PROPOSED HARDSTANDING AREA PLUS RELOCATED CAR PARKING AREA.		

Site Description

The application relates to a site off Cut Lane, Kirkby and within designated Green Belt. Planning permission was granted for a barn building to be used as an indoor riding facility and extension to provide 7 stables, an office and W.C. in the north west part of the overall site. The framework of a building had been erected in the north west part of the site; this related to a previous permission granted for a livestock building on the site (01/00632/FUL) although in a different position and larger than the approved building. The approval was to finish the construction of the building with the roof and walls of green coloured cladding. A large opening on the east gable and smaller double doors on the south elevation were agreed. The use of the building was granted for an indoor riding area. A single storey extension on the rear (north elevation) of the riding area building comprising seven stables and an office with W.C was granted. A midden area adjacent the end stable was approved.

Access to the indoor riding area/stables, together with an approved fishing lake (not yet operational), is via the existing access leading from Cut Lane.

Proposal

The applicant seeks to update Condition 9. The update of the condition relates to updating of Condition 9 and Drawing 3A Proposed Site Plan to change the existing hardstanding to proposed hardstanding in the area to the north of the menage and stable building. In early 2025 hardcore was brought to the site to allow the construction of the internal floor of the riding facility, the menage, to maintain the existing hardstanding and to complete the hardstanding in line with the approved plans, namely Drawing 3A, Proposed Site Layout Plan. This showed hardstanding around the riding facility.

The applicant did not realise that Drawing 3A Proposed Site Plan showed, incorrectly, the area around the riding facility building and stables as existing hardstanding. This should have been partially existing hardstanding and partially proposed hardstanding. The applicant seeks to update Condition 9 to reflect the reality on site that the area of hardstanding to the north of the menage building and stables should have been labelled proposed hardstanding. This would allow the applicant to complete the development in line with the original proposal providing hardstanding around the building, and outside the stables on the northern side of the building. It is important that this area is hardstanding as this will be used by horses leaving and entering the stables and moving between the stables and the menage.

Drawing 3B Proposed Site Plan has been provided to show the area of proposed hardstanding and updated existing hardstanding. This is a layer of hardcore to provide the hardstanding area. The material for the hardstanding has already been imported to the site (as the applicant believed they were carrying out works in line with the existing permission), therefore there will be no further material required to complete the works.

The current application would move the parking area shown on Drawing 3A Proposed site plan to an area of existing hardstanding to the south of the menage and stable building. A current planning application relating to the overall site 25/00228/FUL - CONSTRUCTION OF A BATTERY ENERGY STORAGE SYSTEM (BESS) AND ASSOCIATED INFRASTRUCTURE INCLUDING CABLING shows part of the proposed development site incorporating the area of the car parking spaces. Therefore, the variation of the condition would move the car parking south of the equestrian building, outside of the new proposed development red line boundary but on existing hardstanding.

Within the Design and Access Statement of planning permission 15/00414/FUL 16 car parking spaces were described. On this basis, Drawing 3B – Proposed Site Plan shows 16 car parking spaces, including 2 disabled spaces, to the south of the menage and stable building, on existing hardstanding.

Consultations

Merseyside Fire And Rescue Authority - No objections in principle, informatives given.

Representations

This application has been publicised by letters sent to 7 neighbours. It has also been advertised by Site Notice.

One objection has been received on the following grounds:

1. The applicant has been tipping and stripping land for 20 years. We live on a small singular farm lane, and we've had wagons trying to pass each other constantly tipping in there from windmill services as well as CCC, Hurt Construction, Kealshores (sic), applicant's own wagons. We've already had all this about car parks; it's just an excuse for more wagons taking materials in and out. How many hardstanding areas does the applicant need? It's just an excuse to buy more time because he has to complete by the end of the year. Please do not give the applicant the green light to do what he wants, our lives have been made a misery by him.

Planning History

15/00344/FUL - CONSTRUCTION OF A FISHING LAKE FOR RECREATIONAL USE TOGETHER WITH ASSOCIATED WORKS. Granted: 03.08.2015.

15/00414/FUL - CONVERSION OF EXISTING AGRICULTURAL BARN FOR USE AS AN INDOOR RIDING FACILITY INCLUDING INSTALLATION OF EXTERNAL CLADDING, TOGETHER WITH ERECTION OF SINGLE STOREY EXTENSION TO PROVIDE 7NO STABLES, OFFICE AND WC. Granted: 04.09.2015.

15/00344/NMA - APPLICATION FOR A NON MATERIAL AMENDMENT

FOLLOWING A GRANT OF PLANNING PERMISSION 15/00344/FUL FOR CONSTRUCTION OF A FISHING LAKE FOR RECREATIONAL USE TOGETHER WITH ASSOCIATED WORKS: ADDITIONAL TWO CONDITIONS SOUGHT TO BE ADDED TO THE PLANNING PERMISSION WITH 1 CONDITION BEING TO REQUIRE ALL EARTHWORKS REQUIRED FOR THE COMPLETION OF THE FISHING LAKE AND REINSTATEMENT OF LAND LEVELS WHERE REQUIRED TO BE COMPLETED BY END OF 2025 AND 1 CONDITION RESTRICTING HGV MOVEMENTS RELATED TO THE DEVELOPMENT TO CEASE BY 4TH APRIL 2025 EXCEPT WHERE REQUIRED TO COMPLETE EARTHWORKS AND REQUIRED LANDSCAPING/ECOLOGY WORKS. Granted: 01.04.2025.

Relevant Policy

Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The development plan in Knowsley comprises the Saved Policies of the Replacement Unitary Development Plan, the Core Strategy Local Plan and the Joint Waste Local Plan. The following policies are relevant to the determination of this application.

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS5 - Green Belt

CS19 - Design Quality and Accessibility in New Development

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Assessment

The proposed parking would utilise existing hardstanding to the south of the equestrian building without requiring any further material needed to be brought in. and would not impact on the openness of the Green Belt. There would be no highways or access issues raised with the car parking being within the body of the

site and to the same level as the previously approved scheme. The proposed parking would ensure that the parking is not within the site area of the current planning application, should that be granted planning permission.

Planning permission 15/00344/NMA specifies by conditions that all earthworks relating to the lake shall cease by 31 December 2025, and there shall be no HGV or dumper truck movements after 4 April 2025 other than those required for the movement of plant and equipment to complete the earthworks and vehicle movements related to the approved landscaping and ecology scheme. Whilst these conditions relate to the lake (15/00344/FUL) the applicant is wishing to bring the works related to the overall site to a close. The agent has indicated verbally that the mounds regarding the equestrian building are to remain as existing (low level) and no further materials are to be brought on site with regard this. As such the mound condition could be amended to state that no outside materials are to brought into site with regards the mounds.

The amendment to the previously approved hardstanding and parking is considered acceptable and would comply with Policies CS2, CS5 and CS19 of the Core Strategy.

Conclusion

The proposed variation of condition, and parking to the south of the equestrian building, is considered acceptable and would not materially impact on the openness of the Green Belt. The application complies with planning policies and is

Recommendation

That planning permission is granted subject to the following conditions: -

- 1) The development hereby permitted shall be carried out in accordance with the approved Proposed Site Plan drawing referenced Drg. No 3 Rev B and the letter from Fellows Environmental referenced FE264/LET-002/NF dated 30 June 2025, plus drawings and documents in Schedule 1 of planning permission 15/00414/FUL other than the drawing referenced Drg. 3 Rev A, which is superseded by this planning permission.

Reason: For the avoidance of doubt.

- 2) Notwithstanding the current expanse of existing and proposed hardstanding within the overall site and prior to either the indoor riding centre or stables first coming into use for riding or stabling and/or educational purposes the car park area shall be laid out in accordance with the drawing Proposed Site Plan referenced Drg. No. 3 Revision B. The land outside of the access tracks and parking area shall be re-instated in accordance with a scheme previously submitted to and agreed in writing by the Local Planning Authority prior to the riding or stabling and/or education use of the site coming into use. The agreed parking and land re-instatement shall remain at all times that the lake is within the site unless otherwise agreed in writing by the Local Planning Authority.

Reason: Reason: In the interests of visual amenity and to comply with the National Planning Policy Framework and Policy CS2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 3) The indoor riding centre hereby permitted shall only operate between the hours of:
08.00 – 22.00 Monday to Saturday; and
09.00 – 21.00 Sundays and Public Holidays,

and visits to the stables shall only occur in those same hours.

Reason: In the interest of amenity and to comply with the National Planning Policy Framework and saved Policy DQ1 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 4) Prior to the stables hereby permitted coming into use details of the motion detection lighting system, alarm system and locking system shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be in place and operational prior to the stables first coming into use and shall be maintained in accordance with the agreed details at all times the stables are on site.

Reason: To ensure security of the stables and to comply with saved Policies G1, G8 and DQ1 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 5) Prior to the either the indoor riding centre or stables first coming into use for either riding or stabling and/or educational purposes a scheme for the collection and storage of waste, including separated recyclable materials, shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented at all times that any part of the site is in use for either indoor riding or stabling.

Reason: To ensure that waste created by the use of the development hereby permitted can be suitably stored in appropriate waste streams, and is collected from site at appropriate times by a suitable waste collection agency or firm in the interests of sustainability and to comply with the National Planning Policy Framework, Policy CS26 of the Knowsley Local Plan Core Strategy adopted January 2016 and WM8 of the Joint Merseyside and Halton Waste Local Plan 2013.

- 6) Notwithstanding the approved drawings submitted with planning application 15/00414/FUL within 1 month of the date of this planning permission details of the proposed grass bund to the west and north of the approved indoor riding centre shall be submitted to and approved in writing by the Local Planning Authority. Details shall include existing and proposed cross-sections and spot levels together with details of the materials to be used in the bund construction and the source of the materials together with landscape details. For the avoidance of doubt no further materials shall be imported to the site with regards the bunds, any further works are to be undertaken by site-won materials and the bund constructed only in accordance with the agreed details.

Reason: In the interests of visual amenity, the openness of the Green Belt, and to comply with Policies CS2 and CS5 of the Knowsley Local Plan Core Strategy adopted January 2016.

- 7) A long term management and maintenance plan for the site shall be submitted to and approved in writing by the Local Planning Authority prior to

the first commencement of either any equestrian use or stables use, or education use. The management plan should incorporate landscape, recreation, education and other objectives and include a booking system for riding and education use of the site. The site shall be managed and maintained in full accordance with the recommendations of the approved plan and the booking system shall be available for inspection by the Local Planning Authority with 24 hours' notice given of such inspection.

Reason: In the interests of visual amenity, to ensure that site does not suffer from too many visitors at any one time in the interests of amenity and highway safety, and to ensure the development complies with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016.

- 8) Prior to the commencement of any further works a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority for remaining works required. The Plan shall include measures for the control of dust from site operations and to prevent the transfer of mud out of the site, access routes for any HGV's; any on-site car parking for construction personnel; turning/servicing facilities for vehicles; site access warning signage; compound arrangements. All works which form part of the approved construction management plan shall be implemented in full at all times while works are in undergone.

Reason: In the interests of residential amenity and highway safety and to comply with the National Planning Policy Framework and Policy CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
03/07/2025	03	REV B	PROPOSED SITE PLAN
03/07/2025	FE264/LET-002/NF	-	APPLICATION COVERING LETTER

Signed Case Officer¹: Lee Osborne

Signed Authorising Officer²: Alan Kilroe

Date: 6 November 2025

Informatives

¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

² I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

1. Merseyside Fire and Rescue service.

Appendix 1 – Site Photographs