

The application is for the construction of a 49.8m by 19.6m manege with associated stables for private use on land adjacent to Stone Quarry Barn, High Street, Alsagers Bank.

The application site is located within the Green Belt and an Area of Landscape Restoration as indicated on the Local Development Framework Proposals Map.

The 8 week period for the determination of this application expired on 1st November 2017 but the applicant has agreed an extension of time to the statutory determination period to the 2nd February 2018.

RECOMMENDATION

PERMIT subject to conditions relating to the following matters:

- 1. Time limit relating to the commencement of development**
- 2. Approved Plans**
- 3. Prior approval of any external lighting**
- 4. Prior approval of jumps or similar features**
- 5. Prior approval of details for the storage and disposal of waste**
- 6. Non-commercial use only**
- 7. Prior Approval of Tree Protection Plan**
- 8. Prior Approval of an Arboricultural Method Statement**
- 9. Prior Approval of Landscaping Scheme to include tree and hedgerow planting and replacement trees**

Reason for Recommendation

The proposed development, whilst involving an element of inappropriate development within the Green Belt – the change of use of land to the keeping of horses – is considered acceptable as it would not harm the openness of the Green Belt, or the purposes of including land within it. Very special circumstances are considered to exist, as the change of use is associated with the proposed ménage and stables which are appropriate development within the Green Belt. In addition, the development by virtue of its design, scale and materials, would not harm the character of the rural area or the Area of Landscape Restoration, and there would be no adverse impact to highway safety or trees. The development is considered to accord with Policies N12, N17, T16 and N21 of the Local Plan, Policy CSP1 of the Core Spatial Strategy and the aims and objections of the National Planning Policy Framework.

Statement as to how the Local Planning Authority has worked with the applicant in a positive and proactive manner in dealing with this application

The proposal is considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework. As such, no amendments were considered necessary to the application.

KEY ISSUES

Full planning permission is sought for the change of use from agricultural land to a use for the keeping and exercising of horses, including the erection of a manege and new stables at Stone Quarry Barn, High Street, Alsagers Bank. The application site is located within the Green Belt, and an area of Landscape Restoration within the rural area, as indicated by the Local Development Framework Proposals Map.

The proposed manege would measure 50 metres by 20 metres and would be situated in a field to the south east of Stone Quarry Barn. Immediately to the South of the manege there would be a new stable block constructed comprising four stables and a separate hay and tack store. The stables would have the maximum dimensions; 22.8 metres width by 6.3 meters depth by 3.6 metre height.

The key issues for consideration in the determination of this application are considered to be:-

- Is the development considered appropriate development in the Green Belt?
- Is there any conflict with policies on development in the countryside?
- Is the design of the proposed development acceptable?
- Is the impact to trees and hedges acceptable?
- Are there any highway safety issues?
- Is the impact on residential amenity and the environment acceptable, and finally,
- If inappropriate development, are there any very special circumstances to justify approval?

Is the development considered appropriate development in the Green Belt?

Paragraph 79 of the NPPF indicates that “the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.”

Paragraph 87 of the National Planning Policy Framework (NPPF) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 89 states that the construction of new buildings is inappropriate development but advises that there are exceptions. Such exceptions include the provision of appropriate facilities for outdoor sport and outdoor recreation as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

Paragraph 90 of the NPPF identifies other forms of development, not involving the construction of new buildings, which are not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. Engineering operations are identified as one such exception.

The provision of the stables for the keeping of horses as proposed in this application is considered appropriate development in the Green Belt, as it would fall within the scope of appropriate facilities for outdoor and sport recreation which is listed as one of the exceptions in paragraph 89 of the NPPF.

The creation of the manege is considered an engineering operation that preserves the openness of the Green Belt and does not conflict with the purposes of including land within it and as such is appropriate development.

Changes of use of land are not listed within the NPPF as appropriate development. Therefore the starting point for the consideration of the change of use of the land must be that it would be inappropriate development in this Green Belt location.

Is there any conflict with policies on development in the countryside?

Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

The site lies within an Area of Landscape Restoration. Policy N21 of the Local Plan states that in these areas development that would help to restore the character and improve the quality of the landscape will be supported. Within these areas it is necessary to demonstrate that development will not further erode the character or quality of the landscape.

The appearance of the development will be largely open in nature and would not intrude visually into the wider landscape. The use of the land for the exercising and keeping of horses is considered appropriate in this rural location and the materials and scale of the development would not further erode the character of the landscape and so would accord with Policy N21.

Is the design of the proposed development acceptable?

The NPPF states that the government attaches great importance to the design of the built environment, and that good design is a key aspect of sustainable development is indivisible from good planning and should contribute positively to making places better for people.

The application site comprises an area of land approximately 35 metres South East of the dwelling of Stone Quarry Barn. The proposed stables would be sited in the far southern corner of the site, with the manege extending north east from the southern boundary. The manege would measure 49.8 metres by 19.6 metres and would be surfaced in a stable track and rubber fibre pre mix with the area enclosed by 1.2m high post and rail fencing. The design and surfacing treatments for the proposed manege are standard for this type of development, and there are no concerns identified with regards to any potential harm to the visual amenity of the wider landscape. Also given the existing dense screening to the East of the site and the topography of the land the proposal would not be readily visible from within the High Street street scene.

The land level gradually increases from the west of the proposed manege at 185.52 to 187.53 to the East. The land then increases in height more sharply towards the boundary with High Street. Given the topography of the land some excavation will be required to provide an even land level for the proposed manege which would see this area sit at 185.48 for the entirety of the manege area as well as the land on which the proposed stables would be sited. Whilst this would be a rather significant alteration to the appearance of this part of the site, it is not considered that this would be to the detriment of the area. The increase in land level to the east and existing dense tree/hedgerow coverage would mean that the alterations would not be readily visible from the High Street. The alterations would be visible from the Audley no. 64 public footpath to the west of the site, however the use of the land as a manege would not been seen as out of context in this rural setting and the manege has been designed to have minimal visual impact on the wider landscape.

With regards to the stables, these would be sited to the south of the manege and would be constructed using a brickwork plinth and timber cladding on the external elevations with profile roof sheeting; each stable would also have a timber door and glazed panel. The scale and design of the stables is considered commensurate with the size of the plot and the open rural character of the locality and so would not harm the visual amenities of the area.

Gabion baskets would be constructed around the proposed stable building and also to the south west of T6 (Sycamore) to assist with the change of levels in these areas of the site. Whilst the baskets would appear a stark addition to the site initially, over time these structures will weather and begin to host varying types of vegetation, softening their visual appearance in the landscape. A traditional brickwork retaining wall could be considered too domestic in its appearance given the open rural setting and so the gabion baskets offer a suitable alternative in assisting with the changes in land levels required and the impact of this on the visual amenity of the surrounding area.

The design of the manege is therefore considered to comply with Policy N21 of the Local Plan, Policy CSP1 of the Core Strategy and the aims and objectives of the NPPF.

Is the impact to trees and hedges acceptable?

Policy N12 of the Local Plan states that the Council will resist development that would involve the removal of any visually significant tree, shrub or hedge, whether mature or not, unless the need for the development is sufficient to warrant the tree loss and the loss cannot be avoided by appropriate siting or design. Where appropriate developers will be expected to set out what measures will be taken during the development to protect trees from damage.

An existing group of trees have been removed during the consideration of this application. Whilst this is disappointing given the visual screening that these trees would have afforded the development, they did not benefit from a Tree Preservation Order and so permission to remove was not required. In light of this, the Landscape Development Section now have no objections to the application. They do, however, recommend a number of conditions including the requirement for tree protection plans to address the remaining trees on the site and an Arboricultural Method Statement, with particular reference to T6. It had been requested to condition the re-planting of trees to the South of the site on

the bankside where G7 has been removed. To secure this a standard landscaping condition requesting tree and/or hedgerow planting to soften the visual appearance of the development and to replace trees that were removed is considered sufficient and will be attached to any permission granted.

Therefore on balance, and subject to appropriately worded conditions, it is not considered that the proposed development would have a significantly detrimental impact on the surrounding natural landscape to such an extent that would warrant the refusal of the application.

Is the impact on residential amenity and the environment acceptable?

Paragraph 17 of the NPPF states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Stone Quarry Barn shares residential amenity space with Stone Quarry Farm, however the siting of the manege falls outside of the designated curtilage for these properties. Neighbouring residential dwellings are located to the East of the proposed manege, therefore it is important to ensure that the development would not detract from the residential amenity enjoyed by these properties.

These neighbouring properties are sited at a much higher level than that of the proposed manege and together with existing screening, it is not considered that the development would have significant adverse impacts on the residential amenity afforded to these dwellings. Furthermore the Environmental Health Division raises no objections to the development subject to conditions relating to approval of any external lighting and that details of the storage and disposal of the stables waste are submitted to the Local Planning Authority before the proposed development is first brought into use.

Therefore subject to appropriate conditions the development is considered acceptable with regards to residential amenity.

If inappropriate development, are there any very special circumstances to justify approval?

The NPPF states in paragraph 88 that when considering planning applications, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other circumstances. Inappropriate development by definition is harmful to the interests of the Green Belt. However, beyond that no element of 'other harm' has been identified associated with the change of use of land.

There is no suggestion that the use of the land as a manege involves the provision of other permanent equestrian paraphernalia (jumps etc) and so no harm to the Green Belt's openness or to any of the purposes of including land within the Green Belt arises from the use in question, and the use is one that is directly connected with the provision of appropriate facilities for outdoor sport and recreation which are activities that are appropriate and acceptable in the Green Belt. The land would remain open with the only alterations being to the surfacing of the land and new means of enclosure/retaining walls.

Given the lack of substantial harm to the openness of the Green Belt the change of use of the land it is considered that the required very special circumstances can be considered to exist in this case.

APPENDIX

Policies and Proposals in the approved Development Plan relevant to this decision:-

[Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy \(CSS\) 2006 – 2026](#)

Policy ASP6: Rural Area Spatial Policy
Policy CSP1: Design Quality
Policy CSP4: Natural Assets

[Newcastle-under-Lyme Local Plan \(NLP\) 2011](#)

Policy S3 Development in the Green Belt
Policy N12 Development and the protection of trees
Policy N17 Landscape Character – General Considerations
Policy N21 Area of Landscape Restoration

Other Material Considerations

National Planning Policy

[National Planning Policy Framework \(NPPF\) \(2012\)](#)

[Planning Practice Guidance \(PPG\) \(2014\)](#)

Other Guidance

[Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document \(2010\)](#)

Relevant Planning History

98/00879/COU	Conversion of redundant farm building to form two holiday accommodation units	Permitted 1999
15/00880/COU	Change of use of existing 2 holiday lets (C1) to 1 dwelling (C3)	Permitted 2015

Views of Consultees

Audley Parish Council resolved to support the application on the basis that this is for personal use only.

Having requested the submission of a Tree survey and Arboricultural impact assessment the comments from the **Landscape Development Section** (LDS) were initially received requesting that the applicant consider retaining group G7 as these could provide a visually useful backdrop to this development and that further detail should be provided in relation to the proposed retaining structure.

Having received additional plans and information that confirmed group G7 had been removed further comments were provided from the LDS which expressed disappointment in the removal of G7 prior to the application being determined, but raised no objections to the proposal subject to a number of conditions including the submission of an appropriate landscaping scheme to include replacement trees as well as the provision of the Tree Protection Plan and Arboricultural Method Statement prior to the commencement of development.

The **Environmental Health** raises no objections subject to condition to a secure external lighting details and information for the storage and disposal of stable waste.

The **Highway Authority** raises no objections to the development subject to a condition limiting the use of the manege for private use only.

Representations

None received

Applicant/agent's submission

The requisite plans and application forms were submitted together with a Design and Access Statement, Tree Survey and Arboricultural Impact Report. These documents can be viewed on the Council's website;

<https://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/17/00750/FUL>

Background Papers

Planning File
Development Plan

Date report prepared

10th January 2017