

The application seeks planning permission for an equestrian farm ride 5km long and 5m wide that extends around the perimeter of existing fields. An area of land measuring approximately 4 hectares would also be used for equestrian cross country training.

The application site is located within the open countryside on land designated as being within the North Staffordshire Green Belt and an Area of Landscape Enhancement (policy N20), as indicated on the Local Development Framework Proposals Map.

**The statutory 8 week determination period for the application expired on 12<sup>th</sup> December 2017 however the applicant has agreed to extend the determination period until 2<sup>nd</sup> February 2018.**

### **RECOMMENDATION**

**PERMIT subject to the following conditions;**

- 1. Time limit**
- 2. Approved plans**
- 3. Before the proposed development is brought into use, the existing access on Peel Hollow shall be reconstructed and completed to a standard that provides a minimum width of 8 metres for the first 12 metres rear of the carriageway edge and shall be surfaced in a hard bound material.**
- 4. Before the proposed development is brought into use, the access drive shall be constructed with surface water drainage interceptors which shall be sited across the access immediately to the rear of the highway boundary.**
- 5. Prior to first use of the development the parking and turning area indicated on the submitted Site Plan, shall be completed and surfaced in a bound material with the individual parking bays clearly delineated which shall thereafter be retained for parking only for the life of the development.**
- 6. Prior to first use of the development a booking management plan shall be submitted to and approved in writing by the local planning authority to ensure that a maximum of 3 horse boxes/trailers per hour are present at the site at any given time. The approved plan shall thereafter be adhered to throughout the life of the development.**
- 7. Before the proposed development is brought into use the two passing bays on the access road shall be completed and available for use.**
- 8. Any gates shall be located a minimum of 10 m metres rear of the carriageway edge and shall open away from the highway**
- 9. Warning signs erected on the Public Right of Way to avoid conflict between users of the footpath and horses/riders and the post and rail fence shall not obstruct access along the route of the public footpath**

### **Reason for recommendation**

The proposed development, whilst involving inappropriate development within the Green Belt - the change of use of land for the purposes of trekking 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 would go hand in hand with the existing livery use on site, including stables and menage. The development would not harm the character of the rural area and would not adversely affect residential amenity or the local highway.

Further, the development would not harm the character of the rural area, and there would be no adverse impact to highway safety or residential amenity. The development is considered to accord with Policy N20 of the Local Plan, Policies, Policy CSP4 of the Core Spatial Strategy and the aims and objectives of the National Planning Policy Framework.

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

This is considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

### **KEY ISSUES**

The application is for full planning permission for the use of land as an equestrian farm ride. The farm ride extends about 4.5m-5km in length and 5m wide around the perimeter of existing fields and is to be fenced off from the remainder of the field by a post and rail fence. Up to 100 different portable jumping elements are proposed to be sited along the route.

An additional parcel of land measuring approximately 4 hectares is proposed to be used as a training area for cross country training facilities also including the use of portable horse jumps.

The farm ride and cross country training facilities are to be used from April to September and for the remainder of the year the land will be used for agricultural purposes.

The existing site was granted planning permission in 2013 for equestrian use as a livery yard, including a ménage and installation of lighting units. The facilities are operated as a livery business.

The application site is located within the Green Belt and an Area of Landscape Enhancement as indicated on the Local Development Framework Proposals Map. The nearest residential property is some distance away from the application site and it is not considered that residential amenity will be adversely affected. As such the main considerations in the determination of this application are as follows: -

- Whether or not the proposal would constitute appropriate development
- The impact of the proposals on the character and appearance of the landscape
- Whether there would be any impact on highway safety
- If inappropriate development in the Green Belt whether the required very special circumstances exist

### **Is the development appropriate or inappropriate development within the Green Belt?**

Paragraph 79 of the NPPF sets out 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.”

The NPPF further indicates in paragraphs 89 and 90 that local planning authorities should regard new buildings and certain other forms of development within the Green Belt as inappropriate. A change of use of land is not, however, listed as appropriate development and as such should not be approved except in very special circumstances. Whether there are very special circumstances to justify the granting of planning permission in this case will be addressed below.

### **Impact on the character of the area**

It is not proposed that the farm ride area is surfaced but would be surrounded by a post and rail fence which is considered to be in keeping with the rural character within the area. The cross country training area and the farm ride would include a number of moveable jumps that are temporary in nature and could be put away when not in use. The most permanent element of the proposal would be the hardstanding for parking and access. These are located in close proximity to existing farm buildings and hard surfaced areas. The introduction of such additional areas of hard surfacing would not, in this context, have an adverse visual impact.

### Highway Safety and car parking

The proposals will result in additional vehicular movements onto the site however it is considered that the access is suitable for such additional vehicular movements, subject to its reconstruction to ensure that it is of an appropriate width.

The Highway Authority has raised no objections to the proposal, subject to conditions. Subject to the imposition of such conditions the proposal would not adversely affect highway safety and would comply with paragraph 32 of the NPPF.

### Do the required very special circumstances exist (to justify inappropriate development)?

As indicated above, the element of the proposal involving a change of use of the land is considered to be inappropriate development, and the Authority has to now go on to weigh up and balance any elements of harm associated with the proposal against any other material considerations.

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.

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 - that for the purposes of trekking and training horse in cross country jumping - is directly connected with the outdoor sport and recreation which are activities that are appropriate and acceptable in the Green Belt.

In conclusion the required very special circumstances can be considered to exist in this case.

### Other Material Considerations

Footpath No.13 runs to the west of the application site. The proposal does not include any application for the diversion of the footpath, and it is noted that the applicant is not entitled to fence off the Public Right of Way where access must be granted at all times.

The County Council note that to the north of the farm ride area that sight lines are poor, and given the potential conflict between both users that warning signs should be erected at the point where it enters Mill Dale. This is considered reasonable and necessary, and can be addressed via condition.

## **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

Strategic Aim 16: To eliminate poor quality development;  
Policy SP1: Spatial Principles of Targeted Regeneration  
Policy ASP6: Rural Area Spatial Policy  
Policy CSP1: Design Quality  
Policy CSP3: Sustainability and Climate Change

#### Newcastle-under-Lyme Local Plan (NLP) 2011

Policy S3: Development in the Green Belt  
Policy T16: Development – General Parking Requirements  
Policy N20: Areas of Landscape Restoration

### **Other material considerations include:**

#### National Planning Policy Framework (NPPF) (2012)

#### Planning Practice Guidance (PPG) (2014)

#### Relevant Planning History

17/00554/FUL	Equestrian Farm Ride	Withdrawn
16/00525/FUL	Erection of an extension to existing stables to form 5 new stables, tack room, feed store and formation of hard standing area	Permitted 2016
13/00269/FUL	Change of use of land to livery yard, agricultural building to stable block, formation of ménage and installation of lighting units.	Permitted 2013

#### Views of Consultees

**Audley Parish Council:** Support the application

**Highway Authority:** No objections to the development subject to conditions relating to, the reconstruction of the access in bound materials; surface water drainage interceptors; provision of parking and turning prior to first use; booking management plan to be approved; construction of two passing bays; and any gates to be a minimum of 10m from the carriageway of the highway.

**Public Rights of Way:** public footpath no.13 crosses the ride and the expectation is that the applicant should leave gaps in the fencing or install pedestrian gates. Sight lines should be considered to limit possibility of conflict between the users of the footpath and horses/riders using the proposed farm ride and it is suggested that warning signs are put up for the benefit of all parties.

#### Representations

One letter of objection has been received raising concerns that there are already too many vehicles entering and leaving this site on a bad part of the road junction and bad bend.

Applicant/agent's submission

The application is supported by a Planning Application, Plans and Protected Species Survey.

All of the application documents can be viewed at the Guildhall or using the following link.

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/17/00842/FUL>

Background Papers

Planning File  
Development Plan

Date report prepared

16<sup>th</sup> January 2018