

The application is for the construction of a 40m by 20m manege with associated stables for private use on land adjacent to Stone Quarry Barn, High Street, Alsagers Bank. The application is a resubmission of application 17/00750/FUL for a similar development.

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 21<sup>st</sup> June 2018 but the applicant has agreed an extension of time to the statutory determination period to the 23<sup>rd</sup> July 2017**

### **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. Implementation of approved landscaping scheme**

### **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**

The application comprises a re-submission of application 17/00750/FUL which was granted planning consent on 2<sup>nd</sup> February 2018.

As in the case of 17/00750/FUL, 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.

This application includes amendments to the size of the manege area, as well as the inclusion of a footpath adjacent to the manege and also includes enhanced detail in relation to landscaping and tree protection.

The manege as now proposed would measure 40m by 19.6m, smaller than the already permitted manege (which measures 49.8m by 19.6m) and would be situated in a field to the south east of Stone Quarry Barn. The new stable block, as now proposed, is identical to that approved. It is to be sited immediately to the South of the manege and as approved would accommodate, four stables and a separate hay and tack store with the maximum dimensions; 22.8m width by 6.3m depth by 3.6m height.

The principle of the development within the Green Belt was considered acceptable under the previous application however the publication of the Draft National Planning Policy Framework (NPPF) in March 2018 forms a further material planning consideration and so the principle of the development shall be re-visited in this report. It is not considered necessary to explore issues relating to highway safety and residential amenity as the arrangements remain as previously proposed and approved. Both the Highway Authority and Environmental Health Division have raised no objection to the revised application subject to conditions.

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

- Is the development considered appropriate development in the Green Belt? If inappropriate development, are there any very special circumstances to justify approval?
- Is the design of the proposed development acceptable?
- Is the impact on residential amenity and the environment acceptable?
- Is the impact to trees and hedges acceptable?

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Paragraph 79 of the current 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 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 89 goes on to detail 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 current framework identifies other forms of development, not involving the construction of new buildings, which are also 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. These exceptions are also included in the draft NPPF.

When planning permission was granted for the previous proposals it was concluded that the stables and the manege constituted appropriate development within the Green Belt. The associated change of use of land for the keeping of horses was not considered to be appropriate, however, as changes of use of land is not a listed exception within the NPPF. Notwithstanding this in granting permission it was concluded that given the lack of substantial harm to the openness of the Green Belt the required very special circumstances were considered to exist.

This conclusion, that there are very special circumstances that justify the development, remains valid for the current proposal and there is no basis upon which it would be reasonable to reach a different conclusion at this time. It is, however, relevant to note, that the publication of the Draft NPPF includes a further exception, at paragraph 145, not included in the current NPPF. This relates to the introduction of material changes in the use of land that would preserve the openness of the Green

Belt and would not conflict with the purposes of including land within it. The examples that are set out in the draft are changes of use for outdoor sport or recreation, or for cemeteries and burial grounds.

As this remains a draft document and can't be given the same weight as the existing NPPF the only conclusion that can be reached is that the change of use of land within the Green Belt is, still, inappropriate development. It does, however, offer support to the conclusion that was reached when planning permission was granted previously and for the recommendation set out above.

#### 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 proposals for the stables remain unaltered from the previously approved permission and so are considered to be acceptable.

The area of the manege has been reduced from that approved under this revised scheme and now measures 19.6 meters wide by 40 meters long, and so there is a reduction of 9 meters in the length of the arena which removes the need for the gabion basket retaining structure previously approved adjacent to retained tree T6. The arena would still be bounded by 1.2 m high post and rail fencing and surfaced in materials considered appropriate for the use of the development and the rural locality.

The addition of a footpath to run alongside the length of the eastern side of the manege is not considered an unacceptable addition and given the siting of the development and screening of the site would not be an alteration that would be readily visible from wider public vantage points. Similarly the addition of concrete surfacing adjacent to the stables is considered a reasonable addition to the site.

The alterations in levels would remain as previously approved, other than less material being removed from the north/north east of the site given the reduction in the length of the manege. 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 be seen as out of context in this rural setting and the manege has been designed to have minimal visual impact on the wider landscape.

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 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.

The alterations to the scale of the manege are not considered to have any further impact on the residential amenity of surrounding properties as the siting of the scheme remains similar to that approved by the previous application.

Whilst the Design and Access statement details that the applicant has an agreement with a local farmer for the collection of the manure, this level of detail is not considered to be sufficient at this stage and so it is considered reasonable to attach a condition requesting details of the storage and the disposal of waste associated with that use to be submitted prior to the occupation of the development.

#### 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.

In line with comments provided by the Councils Landscape Officer during the previous application, consent was granted subject to a number of conditions including the requirement for a landscaping scheme to be provided including trees to mitigate the loss of those removed previously and the provision of a Tree Protection Plan and Arboricultural Method Statement.

Under this application the applicant has provided additional details in relation to the above mentioned conditions. The submitted tree protection plan details an area of landscaping and lists the species and density to be planted. Having consulted with the Landscape Officer it was considered that the scheme as initially proposed did not contain sufficient detail in relation to species, density and layout and also would not successfully screen the proposed development. As such a revised scheme has now been received to detail a more varied and substantial scheme which includes the planting of a new hedgerow to the west of the manege as well as the planting of four new trees and a mixed planting area to the south of the site. The revised scheme is considered acceptable and the Landscape Officer raises no objections to the proposals. Therefore it is not considered that the proposed development would have a detrimental impact on the surrounding natural landscape and so would be in accordance with Policies N12 and N17 of the Newcastle-under-Lyme Local Plan.

## **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 \(PPG\) \(2014\)](#)  
[Draft revised National Planning Policy Framework](#)

#### 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
17/00750/FUL	Proposed stables and menage	Permitted February 2018

#### Views of Consultees

**Audley Parish Council** indicates that they previously supported the proposal subject to personal use only.

The **Landscape Development Section** initially commented that they had no objections to this proposal subject to conditions to securing appropriate tree protection and landscaping proposals including replacement tree planting and planting to soften the visual impact of the development from the adjacent public footpath. Following the receipt of revised landscaping plans, submitted to avoid the need for pre-commencement conditions, the Landscape Officer now raises no objections.

The **Environmental Health** raises no objections subject to conditions to a secure the future use of the development, 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 Councils website;

<https://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/18/00330/FUL>

## Background Papers

Planning File  
Development Plan

## Date report prepared

29<sup>th</sup> June 2018