

The application is for the retention of a stable block, tack room, manege and change of use of land to equestrian use.

The application site is 2.75 hectares in area. The manege measures approximately 33 metres by 15.5 metres. The stable block measures around 24 metres by 11 metres in footprint by 2.5 metres in roof height. The tack room measures approximately 2 metres squared with a roof height of around 2.5 metres in roof height.

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 13 week period for the determination of this application expired on 21st December but the applicant has agreed an extension of time to the statutory determination period to the 1st March 2019.

RECOMMENDATION

PERMIT subject to the following conditions:-

- 1. Plans.**
- 2. No installation of external lighting without express consent of the Planning Authority.**
- 3. Details of the means of storing and disposing of wastes to be submitted within 6 weeks and implementation of the details once approved.**
- 4. No commercial use of the stables.**

Reason for Recommendation

The proposal is an appropriate form of development within the Green Belt. The appearance of the scheme, the impact to highway safety and to neighbouring amenity would all be acceptable subject to planning conditions. The potential safety risk hazards posed by historical coal mining activity in proximity to the development site are also considered to be acceptable.

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 applicant's agent has been in discussion with Officers in order to address the initial historical coal mining risk hazard concerns to the scheme raised by the Coal Authority. Such concerns have now been overcome.

KEY ISSUES

The proposal is for the retention of a stable block, tack room, manege and change of use of land to equestrian use. The development applied for has been erected/ in operation from around 2012 onwards and was identified as unauthorised by Council Officers in 2018.

The manege measures approximately 33 metres by 15.5 metres. The stable block measures around 24 metres by 11 metres in footprint by 2.5 metres in roof height. The tack room measures approximately 2 metres squared with a roof height of around 2.5 metres.

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

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

1. Is the development considered appropriate development in the Green Belt?
2. Is the design of the proposed development and its impact on the wider landscape acceptable?
3. Is the impact on residential living conditions acceptable?
4. Is the development acceptable in highway safety terms?
5. Given the site is within a high risk coal mining area is it safe for the development to proceed?

1. Is the development considered appropriate development in the Green Belt?

Paragraph 143 of the National Planning Policy Framework (the Framework) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 145 of the Framework states that the construction of new buildings is inappropriate development but advises that there are exceptions. Such exceptions at point (b) 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 146 of the current Framework 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 an exception as are material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds).

The application site prior to the unauthorised development being erected in 2012 was an undeveloped agricultural field. The stable and tack room building is used in connection with outdoor sport and recreational purposes, and can be considered to be of an appropriate scale. Taking into account Paragraph 145 of the Framework it is considered that the construction of these buildings is appropriate development within the Green Belt.

In addition the creation of the manege, an engineering operation, and the use of land for equestrian purposes 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. Very special circumstances therefore are not required to justify the granting of planning permission and do not need to be considered.

2. Is the design of the proposed development and its impact on the wider landscape acceptable?

The site lies within an Area of Landscape Restoration. Saved 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 position of the proposed manege is close to other farm buildings, slightly set back from the highway in a field which is lined by mature hedgerow. The design and surfacing treatments for the proposed manege are standard for this type of development, and no harm to the visual amenity of the wider landscape arises from the development owing to its relatively secluded position relative to more open areas of the adjoining landscape and nearby residential development flanking the site. The appearance of the manege is largely open in nature and does not appear intrusive.

With regards to the stables and tack room, these are positioned towards the south-west corner of the overall site. The stable building and tack room is closely grouped with existing farmstead buildings and the manege. The scale of the stable block is commensurate with the size of the overall plot and the open rural character of the locality. The development does not harm the visual amenities of the area.

Overall the siting and design of the manege and stables complies with Policy N21 of the Local Plan, Policy CSP1 of the Core Strategy and the aims and objectives of the current and draft Framework.

3. Is the impact on residential living conditions acceptable?

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 inclusive of the use of outdoor lighting.

The Environmental Health Division have no objections to the scheme subject to planning conditions relating to the lighting, an agreed scheme for stable waste removal and storage, and restricting the development to non-commercial use. Therefore subject to appropriate conditions the development is considered acceptable with regards to residential amenity.

4. Is the impact to highway safety acceptable?

Paragraph 109 of the current Framework advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Access to the site is obtained off Leycett Lane and is acceptable for non-commercial use of the site. The Highway Authority has assessed the safety impacts of the proposal and have no objections.

5. Given the site is within a high risk coal mining area is it safe for the development to proceed?

The manege and tack room are located outside the Development High Risk Area, however, the stable block erected on site is sited within the potential zone of influence of recorded mine entry which is located beyond the application site boundary.

The Coal Authority initially objected to the application in the absence of an adequate Coal Mining Risk Assessment. However, following the consideration of a further Coal Mining Risk Assessment Report submitted by the applicant the Coal Authority no longer have any objections to the scheme.

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 \(NPPF\) \(July 2018\)](#)

[Planning Practice Guidance \(PPG\) \(July 2018\)](#)

[Draft revised National Planning Policy Framework](#)

Supplementary Planning Guidance/Documents

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

Relevant Planning History

18/00168/FUL	Erection of detached bungalow and demolition of existing B8 commercial building	Withdrawn 2018
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Views of Consultees

The **Coal Authority** following initial concerns considers that the content and conclusions of the submitted Mining Risk Assessment Report are sufficient for the purposes of the planning system and meet the requirements of the NPPF in demonstrating that the application site is safe and stable for the built development for which retrospective planning permission is being sought. As such they withdraw their objection to the application.

The **Environmental Health Division** no objections subject to conditions requiring:-

1. Approval of external lighting.
2. Approval of animal waste storage details.
3. No commercial use of stables.

Audley Rural Parish Council does not support the scheme due to overdevelopment of the Green Belt which is incrementally being changed by the development.

The **Landscape Development Section** and **Highway Authority** have no objections.

The **Environment Agency** has no comment.

Cadent (National Grid) advise that the proposed works are in the vicinity of Cadent Gas Intermediate Pressure Gas Pipelines and require an agreed safe method of work to ensure safety and the integrity of the pipeline.

Representations

None received.

Applicant/agent's submission

The requisite plans and application forms have been submitted, the documents can be viewed on the Councils website;

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/18/00733/FUL>

Background Papers

Planning File
Development Plan

Date report prepared

8th February 2019