DELEGATED DECISION REPORT

SMD/2017/0357	**1 CRESSWELL OLD LANE**	**PROVISION OF MANEGE**
Valid 25/05/2017	**CRESSWELL**	
		(FULL - MINOR)

MAIN ISSUES

- Impact upon Open Countryside & Landscape Character
- Design
- Amenity

DESCRIPTION OF SITE

The application site comprises a parcel of agricultural land to the north of Cresswell Old Lane; immediately east of No.1 Cresswell Old Lane, a two storey residential dwelling which has a cluster of agricultural buildings within its curtilage to the north west. The site sits within close proximity to the A50 dual carriageway which runs in an east to west direction to the north of the site.

The site is currently occupied by a horse riding manege area and is well screened to the north and west by a line of thick natural vegetation. The border with Cresswell Old Road to the east is also defined by natural vegetation which limits views into and out of the site.

The existing horse riding manege area covers an area of approximately 20m x 30m and is bordered by a wooden fence which stands approximately 1.8m high and is accessed via a standard metal gate. A review of the sites planning history has revealed no record of any planning application for this use.

PROPOSAL

The application seeks consent for a horse riding manege area which would cover a slightly larger footprint; some 50m x 20m taking up the whole field, and which would be bordered by perimeter fencing similar to what currently exists on site.

The proposed manege is shown on the submitted plan (Drawing Ref: 1611/08/02) shows that the perimeter fencing made up of posts and rails in a similar appearance to what currently exists and would stand at 1.8m high. The new manege is shown to incorporate a number of 400W Sodium Floodlights at intervals along the fence attached to the top rail of fencing.

The riding area itself is stated as having a surface of 255mm thickness of top quality conifer bark and wood fibre on Polyfelt membrane on a minimum of 100mm thickness of crushed stone also on Polyfelt membrane.

It has been confirmed via an email sent by the applicant's agent that one of the applicant's competes in British Eventing which involves Dressage, Show Jumping & Cross Country. The current area is said to be too small and does not replicate the size of arena used in competition. It is stated by the applicant's agent that the arena will be used solely for private use; the floodlights will enable her to train in dark winter evenings.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Section 38(6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application.

The local development plan for this site comprises the Staffordshire Moorlands Core Strategy (adopted 26th March 2014) and any relevant Supplementary Planning Documents (SPD's).

The National Planning Policy Framework (NPPF) published in March 2012 sets out the Governments planning policies for England and how these are expected to be applied. As stated in paragraph 2 of the NPPF, the document is a material consideration which must be taken into account in planning decisions.

Core Strategy Development Plan Document (Adopted 2014)

SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
SS6c Other Rural Areas Strategy
SD4 Pollution and Flood Risk
DC1 Design Considerations
DC3 Landscape and Settlement Setting
NE1 Biodiversity and Geological Resources

National Planning Policy Framework

Achieving Sustainable Development	Paragraphs 1-17
Requiring Good Design	Chapter 7
Conserving and enhancing the natural environment	Chapter 11

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

No previous planning history

CONSULTATIONS

Publicity

Site Notice expiry date: 11th July 2017
Neighbour consultation period ends: No neighbours consulted due to rural location
Press Advert: N/A

Public Comments

No comments received

Town / Parish Comments

Draycott in the Moors Parish Council – No comments received

Environmental Health

Potential Areas Of Environmental Concern.

1. Noise during demolition and construction
2. Manure Storage/ Odours
3. Waste disposal
4. Amplified music / voice
5. Lighting

*Manur*e: There is no information provided in regard to the disposal of horse manure. It may be advisable to apply the condition set out below in order to protect the local environment, soil and water.

Noise: The primary cause of noise from equestrian training centres/units can be the use of amplified sound and voice, it may be advisable to apply a condition ensuring that use of amplification is controlled such that the amenity of the area and nearby residents is not compromised.

Light: The nearest properties appear to be remote to this site but it maybe advised to apply the following condition to any permission granted. The lights should be appropriately directed in order to avoid light spillage and glare.

Recommendation

The Environmental Health Department have no objection in principle subject to the following or similar conditions being applied to any permission granted.

1. Construction & Demolition works: Time of operations

Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy activities shall be restricted to the following times of operations.

- 08:00 - 18:00 hours (Monday to Friday);
- 08:00 - 13:00 hours (Saturday)
- No working is permitted on Sundays or Bank Holidays.

In this instance a noisy activity is defined as any activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.

Reason: To avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours.

2. Manure

Manure generated from the approved use should be collected and stored in a dedicated storage area, with sufficient capacity to store 6 months worth of manure. The manure storage area should have an impermeable surface capable of containing, or facilitating the collection of, all manure generated leachate and sited at least 50m from all neighbouring residential properties. The burning of manure as a means of disposal is not permitted.

Reason: *To protect the amenity of neighbours and pollution of the environment.*

3. Waste

Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment.

Reason: *To protect the amenities of the area.*

4. Lighting

The artificial lighting incorporated into this site in connection to this application shall not increase the pre-existing illuminance at the adjoining light sensitive locations when the light (s) is (are) in operation. Details of all artificial lighting to be installed under this permission should be submitted to and approved by the Local Planning Authority prior to development commencing.

Reason: *To protect the local amenities of the local residents by reason of excess of illuminance*

5. Noise :PA Sytems

No amplified sound shall be audible within or at the boundary of any noise sensitive (occupied) premises either attached to or in the vicinity of the premises to which this application refers.

Reason: *To ensure that the reasonable residential amenities of adjoining properties are adequately protected from noise pollution.*

OFFICER COMMENTS

Principle of Development

Policy SS1a of the adopted core strategy reflects the presumption in favour of sustainable development set out within the National Planning Policy Framework (NPPF).

Paragraph 14 of the NPPF sets out the presumption in favour of sustainable development. For decision taking this means approving development proposals that accord with the development plan without delay unless any adverse impacts of doing

so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies indicate development should be restricted.

The site is situated outside of the development boundary within the Open Countryside. Whilst the residential dwelling (No.1 Cresswell Old Road, and its associated curtilage) is situated within the Green Belt, the agricultural land which is the subject of this application is not.

As such the application is subject to policy SS6c of the adopted core strategy which states that these areas (outside of the settlement boundaries) will only provide for development which meets an essential local need, supports the rural diversification and sustainability of the rural areas, or enhances the countryside.

The policy aims to enhance and conserve the quality of the countryside by giving priority to the need to protect the quality and character of the area and requiring all development proposals to respect and respond sensitively to the distinctive qualities of the surrounding landscape.

In light of the above, the principle of development is considered to be acceptable subject to the application demonstrating compliance with policy SS6c of the adopted core strategy and all relevant national and local planning policies relating to Landscape Character; Design; and Amenity.

Impact upon the Open Countryside & Landscape Character

Policy SS6c relates to proposed development outside of settlement boundaries within the countryside. Proposals which support the rural diversification and sustainability of the rural areas will be supported. Particular priority will be given to the need to protect the quality and character of the area.

Policy DC3 of the adopted core strategy stresses the importance of protecting the local landscape. The policy supports development which respects and enhances local landscape character and opportunities to use sustainable materials which are sympathetic to the landscape.

Policy NE1 of the adopted core strategy aims to protect the biodiversity and geological resources of the district. It states that these resources will be strictly controlled by recognising the value of the natural environment for sport and leisure activities and the need to manage such activities to ensure there is no conflict.

The site is an agricultural field which has an existing use as a horse riding manege. This use is typical of the open countryside and given that it is well screened by a large amount of natural vegetation and is within close proximity to the A50 dual carriageway. This man made landscape feature is not thought to significantly reduce the sensitivity of the landscape.

The natural vegetation which surrounds the site ensures that the proposal will be absorbed into the landscape without causing any adverse harm to landscape character.

It is considered that whilst the footprint of the manege would increase, the development is proposed to be constructed of materials which are sympathetic to the characteristics of the open countryside, will relate well to the nearby residential dwelling and ancillary agricultural buildings, and will not result in any additional adverse harm to the characteristics of the Open Countryside, the wider rural landscape or biodiversity asset. As such it is considered that this application accords with policies SS6c, DC3, and NE1 of the adopted core strategy.

Design

Policy SS1 of the adopted core strategy sets out a number of development principles which new development should adhere to in order to contribute positively to the social, economic, and environmental improvement of the Staffordshire Moorlands.

Policy DC1 of the adopted core strategy sets out a list of design considerations that new development should incorporate into any new scheme. It states that all development shall be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area. In particular new development should be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, density, layout, siting, landscaping, character and appearance

Chapter 7 of the NPPF highlights the importance of good design, that good design is indivisible from planning and should contribute positively to making places better for people.

The application is effectively seeking consent for an extension to an existing horse riding manege for which there is no previous planning history. The layout and proposed construction materials are considered to be sympathetic to its rural setting and surroundings. The increase in scale would result in the total area of the field being used as a manege. It is considered that this increase in area would not result in any adverse harm with regards to design.

Overall, it is considered that this proposal is appropriate for its location and would accord with the design principles set out within policies SS1 and DC1 of the adopted core strategy and Chapter 7 of the NPPF.

Amenity

Policy SD4 of the adopted core strategy states that the council will ensure that the effects of pollution (air, land, noise, water, light) are avoided or mitigated by refusing schemes that are deemed to be unacceptable.

Policy DC1 requires all new development to protect the amenity of the area, which includes aspects of residential amenity which includes outlook and privacy.

Paragraph 17 of the NPPF highlights twelve principles that should underpin both plan-making and decision taking. One such principle is that planning should always

seek to secure high quality design and good standard of amenity for all existing and future occupants of land and buildings.

Given the nature of development and isolated location far from any neighbouring residential properties, it is considered that the proposed development would not result in any adverse harm with regards to residential amenity.

Comments received from Environmental Health have confirmed that there are no objections to the proposal subject to a number of conditions which should be attached to a decision. Given that the development would be for personal use, some of the conditions proposed by the Environmental Health Officer were considered to be slightly excessive.

Subsequent discussions with the Environmental Health Officer have led to the agreement that conditions 1, 3 and 5 put forward in the consultation comments are not required, given that the proposal involves no demolition and is for personal, not commercial use; a PA System would not be used. Condition 2 is considered to be appropriate. It has been agreed that Condition 4 which relating to lighting should only refer to amenity with regards to time (i.e. not polluting the countryside beyond unacceptable hours). It has been agreed that a limit of 10pm should be placed on the floodlights to ensure that amenity of the countryside is protected and that cowling should be installed to the lights to ensure that there is no light spillage beyond the confines of the manege.

Subject to these appropriate conditions, It is considered that the proposed manege will not have any adverse impacts with regards to noise and light pollution thereby according with policy SD4 and DC1 of the core strategy and paragraph 17 of the NPPF.

CONCLUSION / PLANNING BALANCE

The application is seeking consent for a horse riding manege on a parcel of agricultural land adjacent to Old Cresswell Lane, east of No.1 Old Cresswell Lane, south of the A50 dual carriageway. The site currently contains an existing manege which is surrounded by wooden fencing and is well screened by natural vegetation.

The site is situated within the Open Countryside (outside of the Green Belt) and is not subject to any restrictive policy areas set out at footnote 9 to paragraph14 of the NPPF. The presumption in favour of sustainable development is therefore engaged.

An assessment of the application and concluded that the proposed increase in the area of development and floodlights is in keeping with the immediate characteristics of the area and would not result in any additional adverse harm to landscape character or the open countryside in accordance with policies SS6c and DC3 of the adopted core strategy.

The proposed development is considered to reflect the design principles set out within policy DC1 of the adopted core strategy.

Comments received from Environmental Health have confirmed that subject to appropriate conditions being attached to the decision notice, there are no objections, and therefore the application complies with policy SD4 and DC1 of the core strategy.

Overall, it is considered that the proposed development accords with all relevant local development plan policies and other material considerations which include the NPPF. The application has been deemed to represent sustainable development and is therefore recommended for approval subject to appropriate conditions being attached.

OFFICER RECOMMENDATION: Approve with Conditions

Case Officer: James Stannard
Recommendation Date: 28th July 2017

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council