DELEGATED DECISION REPORT

SMD/2018/0433 **Valid 06/07/2018**	**62 MILL HAYES ROAD** **KNYPERSLEY**	**PROPOSED MANEGE FOR PRIVATE DOMESTIC USE ON EXISTING EQUESTRIAN LAND** **(FULL - MINOR)**

MAIN ISSUES

- Principle of development (Inc green belt issues)
- Design/impact on the character and appearance of the area
- Neighbour amenity
- Minerals and coal authority risk
- Highway safety
- Sustainability

DESCRIPTION OF SITE

The application site is a field located to the west of Mill Hayes Road. It is noted in the application submission that the land is currently used for equestrian purposes. There are existing stables on the land. There is an existing access from Mill Hayes Road into the field, located at the south-eastern boundary.

The site lies within the Green Belt, special landscape character area, Minerals Safeguarding Area and Low Risk Coal Authority Area, as defined in the Core Strategy (CS).

PROPOSAL

The application seeks full planning permission for *"proposed manege for domestic use on existing equestrian land."*

PLANNING POLICIES, GUIDANCE AND OTHER MATERIAL CONSIDERATIONS

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
S2 Future Provision of Development
SS3 Distribution of Development
SS6 Rural Areas
SS6c Other Rural Areas Area Strategy
SD1 Sustainable Use of Resources

SD3 Carbon-saving Measures in Development
DC1 Design Considerations
DC3 Landscape and Settlement Setting
C2 Sport, Recreation and Open Space
NE1 Biodiversity and Geological Resources
T1 Development and Sustainable Transport

National Planning Policy Framework

- 1 - Introduction
- 2 - Achieving sustainable development,
- 6 - Building a strong, competitive economy
- 9 - Promoting sustainable transport
- 12 – Achieving well designed places
- 13 – Protecting Green Belt Land
- 14 - Meeting the challenge of climate change, flooding and coastal change
- 15 – Conserving and enhancing the natural environment
- 17 – Facilitating the sustainable use of materials

National Planning Practice Guidance

Emerging Staffordshire Moorlands Local Plan

National Policy Guidance

Paragraph 48 of the newly adopted NPPF states that

> *"…decision-takers may also give weight to relevant policies in emerging plans according to:*
>
> - *the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
> - *the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
> - *the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

Local Plan process

The Council agreed to publish the Local Plan Submission Version for representations in February 2018. At this point, the Council agreed that the Local Plan was "sound". Formal representations were then invited from residents, businesses and other stakeholders to provide them with the opportunity to support or challenge the soundness or legal compliance of the Local Plan. This stage in the process followed three previous public consultations since 2015 which had informed the preparation of the Local Plan alongside a comprehensive evidence base.

In June 2018, the Council subsequently agreed to submit the Local Plan Submission Version to the Secretary of State for examination. An examination in public will now be held this Autumn in order to determine whether the Local Plan is sound and legally compliant. Subject to the findings of the appointed inspector, the Local Plan is expected to be adopted in the Spring of 2019. At his point, it will supersede the adopted Core Strategy and become part of the statutory development plan for the District.

In this context, the Council's position on the weight to be given to the policies contained in the Local Plan Submission Version in terms of the three criteria set out in Paragraph 48 of the NPPF is as follows:

- The stage of preparation – the Local Plan is now at an advanced stage of preparation as the Council has submitted it to the SoS for examination
- The extent to which there are unresolved objections to relevant policies – this varies depending on the policy in question. The Officer Comments section of this report identifies the level of outstanding objections to each policy and recommends the amount of weight to be given to them at this stage in the process
- The degree of consistency of policies with the NPPF – given that the Council has submitted a Local Plan that it considers to be sound, all policies are deemed to be consistent with the NPPF.

Emerging Policies

The following policies are considered to be relevant to this application:

- SS1 - Development Principles
- SS1a - Presumption in favour of Sustainable Development
- SS2 - Settlement Hierarchy
- SS3 – Future Provision and Distribution of Development
- SS10 – Other Rural Areas Area Strategy
- SD1 – Sustainable Use of Resources
- SD3 – Sustainability Measures in Development
- DC1 - Design Considerations
- DC3 – Landscape and Settlement Setting
- C1 – Creating Sustainable Communities
- C2 – Sport, Recreation and Open Space
- NE1 – Biodiversity and Geological Resources
- T1 - Development and Sustainable Transport

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None.

CONSULTATIONS

Publicity

Site Notice expiry date: 14.08.2018
Neighbour consultation period ends: 07.08.2018
Press Advert: No

Public Comments

No comments received.

Biddulph Town Council

One of the Councillors was unhappy about the use of plastics in this development; it was agreed a condition should be added that man-made materials must be removed from the land if the use as a manege ceases.

Coal Authority

The application site is not in a high risk area. If planning approval granted the Coal Authority's Standing Advice should be issued with the decision notice as an informative, in the interests of public health and safety.

SCC Minerals and Waste

The County Council as the Mineral and Waste Planning Authority has no comments on this application as the site is:

- Not within or near to any permitted waste management facility; and
- Exempt from the requirements of Policy 3 Mineral Safeguarding in the Minerals Local Plan for Staffordshire 2015 2030

Highways Authority

No objection received.

ADDITIONAL INFORMATION

The applicant has submitted the following additional information, details of which can be read on file:-

'Design and Access Statement'

OFFICER COMMENTS

Principle of Development in Green Belt

CS policy SS6c covers 'other rural areas' in the countryside and the green belt outside of the development and infill boundaries of towns and villages. The policy states that

Strict control will continue to be exercised over inappropriate development within the Green Belt allowing only for exceptions as defined by Government policy.

Para 145 of the NPPF states that LPAs should regard the construction of new buildings in the Green Belt as inappropriate development (and inappropriate development is harmful by definition – para 143 - which should be refused unless there are very special circumstances). Exceptions to this include:

…the provision of appropriate facilities… for outdoor sport, outdoor recreation…as long as the facilities preserve the openness of the Green Belt do not conflict with the purposes of including land within it.

Certain other forms of development are also not inappropriate (para 146), again providing it preserves the openness of the Green Belt does not conflict with the purposes of including land within it. These include:

- *Engineering operations*

- *Material changes in the use of land (such as changes of use for outdoor sport or recreation…)…*

Bearing the above in mind, the principle of the proposed development in the Green Belt is acceptable. The granting of permission will require the proposal to accord with all other relevant Development Plan policies.

Design/impact on the character and appearance of the area (/green belt/countryside/special landscape character area)

The proposed manege measures 40m x 2mm and is located approx. 25m from Mill Hayes Road at its nearest point. Within the field the land generally slopes upwards from south-east to north-west.

The surface of the manege is to be a mix of silica sand and pasada pvc granules (at a mix of 2:1). A timber post and rail fence at 1.2m high is proposed to enclose the manege.

Access to the manege is to be taken from the existing access which serves the stables with the addition of extending the track a little (crushed stone to match existing). Drainage is to be provided under the manege connected to existing land drains.

It is considered that the size, scale, siting, design and materials of the proposed operational development will have an acceptable relationship with, and an acceptable impact on, the landscape/character and appearance of the area. As such, the proposed development is considered to comply with CS policies DC1 and DC3 and sections 12 and 13 of the NPPF.

Neighbour amenity

The proposed manege is approx. 80m, at the nearest point, from the nearest dwelling (number 6 Mill Hayes Road). Sited in between number 60 and the proposed manege are a) a small cluster of trees and b) some small scale buildings/structure (eg. garage and stables). It is noted that no floodlights are proposed. Given these circumstances it is considered that the proposed development does not harm the amenities of occupants of neighbouring properties and as such accords with CS policy DC1 and bullet point 'f' of para 127 of the NPPF.

Minerals and coal authority risk

As noted above (consultation responses), there are no objections from a) SCC Minerals Authority or b) Coal Authority (subject to an informative re Standing Advice). The proposal accords with CS policy NE1 and section 17 of the NPPF.

Highway safety

There is an existing access to the site (used to access the existing stables). The proposed manege is for private use, which can be secured via a condition. Gates are shown on the submitted plans near the access, though these are site approx. 7m from the edge of the highway (which can also be conditioned). Subject to conditions it is considered that the proposed development accords with CS policy T1 and section 9 of the NPPF.

Sustainability

SUMMARY/SUSTAINABILITY/PLANNING BALANCE/CONCLUSION

Bearing the above matters in mind it is considered that the proposed development is a sustainable form of development that accords with CS policies SS1 and SS1a (sustainability) and all other relevant Development Plan policies. Therefore it is recommended the application be approved, in accordance with the NPPF.

OFFICER RECOMMENDATION: APPROVE

Case Officer: John Williamson
Recommendation Date: 28/09/2018

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council