DELEGATED DECISION REPORT

SMD/2018/0462 **Valid 26/07/2018**	**RAKEWAY HOUSE FARM** **RAKEWAY ROAD** **CHEADLE**	**CONSTRUCTION OF MENAGE ON EXISTING AGRICULTURAL LAND (GRAZING)** **(FULL - MINOR)**

MAIN ISSUES

- Countryside;
- Design, character and appearance;
- Residential amenity;
- Highway safety.

DESCRIPTION OF SITE

Rakeway House Farm is located on the south western side of Rakeway Road and comprises a cluster of agricultural buildings and stables. The site falls within the Countryside and is bound by agricultural land to north, east, south and west.

PROPOSAL

Approval is sought for the construction of a horse riding manege that is to be used for private use by the applicant. The manege is to be positioned to the south of the cluster of agricultural and equestrian buildings present on the site. Access to the manege is gained via the existing vehicular access and extends through the existing farmstead.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

S01 Spatial Objectives
SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
SS6 Rural Areas
SS6c Other Rural Areas Area Strategy
DC1 Design Considerations
DC3 Landscape and Settlement Setting
R1 Rural Diversification
T1 Development and Sustainable Transport

National Planning Policy Framework

Paragraph(s) 1 - 14

Section(s)12

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 is ongoing in order to determine whether the Local Plan is sound and legally compliant. Hearing sessions were conducted in October 2018 and the Inspector issued his initial post-hearing advice in January 2019 which set out some actions for the Council and a range of modifications that would be necessary to make the plan sound. The full schedule of modifications is to be determined and will be subject to consultation in due course. The Inspector will then be in position to write his final report. Subject to the findings of the appointed Inspector, the Local Plan can then be adopted by the Council. This will be towards the end of 2019 at the earliest. At this point, Upon adoption, it the Local Plan 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
1a Presumption in Favour of Sustainable Development
SS2 Settlement Hierarchy
SS10 Other Rural Areas Strategy
DC1 Design Considerations
DC3 Landscape and Settlement Setting

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None.

CONSULTATIONS

Publicity

Site Notice expiry date: 20.09.2018
Neighbour consultation period ends: N/A
Press Advert: N/A

Public Comments

No comments received.

Town / Parish Comments

No objections.

Severn Trent Water

No objections.

Coal Authority

No objection.

Staffordshire County Council Highways

No comments received.

OFFICER COMMENTS

Principle of Development

Paragraph 11 of the National Planning Policy Framework (NPPF) promotes a 'presumption in favour of sustainable development'. For decision takers this means (c) approving development proposals that accord with an up-to-date development plan without delay; or (d) where there are no relevant development plan policies, or the policies which are more important for determining the application are out-of-date, granting permission, unless: i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Paragraph 8 of the NPPF identifies three dimensions to sustainable development as being economic, social and environmental.

The presumption in favour of sustainable development is reflected at Core Strategy (CS) policy SS1, where it outlines the Council's expectation for all new development to make a positive contribution towards the sustainability of the Staffordshire Moorlands. CS policy SS1a states that the Council will work proactively with applicants in order to secure development that improves the economic, social and environmental circumstances of the area.

The application site is located with the Countryside and does not fall within a defined infill boundary of the towns and villages. Policy SS6c relates to development within the 'Other Rural Areas' and provides only for development which meets an essential local need, supports the rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside.

Policy R2 relates to rural diversification and states that all development in the rural areas outside the development boundaries of the towns and villages will be assessed according to the extent to which it enhances the character, appearance and biodiversity of the countryside, promotes the sustainable diversification of the rural economy, facilitates economic activity, meets a rural community need and sustains the historic environment.

This application proposes the construction of a manege that is to be positioned to the south of the existing farmstead and within the north eastern corner of the field. The manege is to measure 20m by 40m, which meets the dimensions of a 'typical' riding arena. The manege is to be enclosed by a timber post and rail fence. The development is not regarded as being unduly excessive in scale or unreasonable for the purposes in which it is to serve.

The site is well screened by existing farm / stable buildings to the north and enclosed by mature field hedgerows to other sides. The site is sloping and a degree of cut and fill will be required in order to construct the manege. The "cut" which will be up to 2m, will help the manege to sit lower within the landscape which will serve to reduce visual impact. The "fill" will be up to 1.48m. Whilst this is substantial, given that this will be in the part of the manege adjacent to the farm buildings, and in view of the degree of screening and limited views from public vantage points, which would be

restricted to the public right of way over 50m to the north, the degree of engineering works, in this instance are judged to be acceptable.

By their very nature horse riding arenas are predominantly located within rural locations. The proposed works would not present an uncharacteristic form of development that would detract from the rural landscape setting. As such this application is considered to be acceptable in principle.

Design

Core Strategy policy DC1 seeks to secure development that reinforces local distinctiveness and adds value to the local area. New development is expected to be designed to respect the site and its surroundings and promote a positive sense of place and identity through scale, siting, density, layout, siting, landscaping, character and appearance.

The proposed development has been appropriately designed to respect its functional requirement and the character and appearance of the site. The manege has been located in the least visible position within the field and is closely related to the existing structures on the site. It is considered that this application accords with the design objectives of policy DC1 and of the National Planning Policy Framework.

Amenity

In accordance with policy DC1 development should achieve a satisfactory relationship to adjacent development. The nearest residential property is The Rakeway, which is located circa 170m to the north east of the proposed manege. The manege is proposed for private use only. Taking account of the distances involved it is not considered that the proposed development would result in injury to the amenity of nearby properties.

Coal

The application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. Specifically, The Coal Authority records indicate likely unrecorded coal mining at shallow depth beneath the application site.

In response to an initial objection raised by The Coal Authority, a Coal Mining Risk Assessment Report (Sladen Associates November 2018) has been submitted.

The submitted report states that here is possibility of unrecorded shallow workings beneath the application site. However, The Coal Authority notes the assurance of the competent person who has prepared the Coal Mining Risk Assessment; that in their professional judgement given there are no structures proposed the associated risk from coal mining is very low.

On the basis of the information submitted and the professional opinion of the author of the Coal Mining Risk Assessment Report, The Coal Authority has not objection to this application.

CONCLUSION / PLANNING BALANCE

This application is considered to accord with the policies contained in the Staffordshire Moorlands Core Strategy and the National Planning Policy Framework.

OFFICER RECOMMENDATION : Approve

Case Officer: Lisa Howard
Recommendation Date: 20.06.2019

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council