

DELEGATED DECISION REPORT

SMD/2021/0727
Valid 16/12/2021

LAND AT SIMFIELD FARM
GREENS LANE
WERRINGTON

FORMATION OF EQUESTRIAN
MANEGE

(FULL - MINOR)

MAIN ISSUES

- Whether the proposal comprises an exception to inappropriate development in the Green Belt
- Impact on the character and appearance of the surrounding area
- Impact on neighbouring amenity
- Impact on highway safety
- Impact on ecology
- Impact on the setting of an adjacent Scheduled Monument

DESCRIPTION OF SITE

The application site comprises the western part of an agricultural field that is located approximately 150 metres west of the farm buildings associated with Simfield Farm. The application site is located immediately to the east of an existing field boundary, demarcated with a hedgerow and is surrounded by agricultural fields. A wood-lined stream is located to the north, with the village of Werrington located approximately 80 metres further north.

A Scheduled Monument (a moated site) is located approximately 50 metres east of the application site, within the same agricultural field. Although no longer used as a moat, by its nature, it is damp and boggy to the western side.

The application site is located in the North Staffordshire Green Belt. The Council's administrative boundary ends beyond the hedge to the west of the application site.

PROPOSAL

Full planning permission is sought for the construction of a 30m x 59.4m manege for the training and exercising of horses by the applicant.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted Sept 2020)

SS1 Development Principles
1a Presumption in Favour of Sustainable Development
SS2 Settlement Hierarchy
SS10 Other Rural Areas Strategy

DC1 Design Considerations
DC2 The Historic Environment
DC3 Landscape and Settlement Setting
T1 Development and Sustainable Transport
NE1 Biodiversity and Geological Resources

National Planning Policy Framework

Paragraph(s) 1 - 14
Section(s) 4, 12, 13, 15, 16

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

CONSULTATIONS

Publicity

Site Notice expiry date: 03/02/2022
Neighbour consultation period ends: 11/01/2022
Press Advert: N/A

Public Comments: None

Town / Parish Comments: None

Severn Trent Water: No objection to the proposals and do not require a drainage condition to be applied.

Staffordshire Wildlife Trust: Holding objection - further information or amendments required to ensure a biodiversity net gain is achieved.

Required prior to determination:

1. Further habitat enhancements or Biodiversity Impact Assessment (BIA) metric.
2. Details of spoil disposal

Secure via condition should approval be granted:

1. Amphibian method statement, as per recommendations within section 5.3.5 of the PEA report.
2. Precautions for nesting birds if any potential nesting habitat is to be disturbed.
3. Precautions for mammals, in relation to material storage, holes, and pipes.
4. Details of pollution prevention during construction phase.
5. Root Protection Areas (RPAs) for existing hedgerow and trees.
6. If any lighting is proposed, a bat friendly lighting scheme will be required.
7. Drainage scheme details.

Officer Comment: Clarification was sought as to whether the biodiversity net gain and details of spoil could be conditioned.

Second Response of Staffordshire Wildlife Trust:

If there is enough land available and acceptable to the applicant for some more habitat enhancement then yes, we'd be happy for it to be conditioned, perhaps as part of a detailed landscaping scheme. I note from the Location Plan that the blue line boundary covers a wider area.

OFFICER COMMENTS

Principle of Development

Paragraph 11 of the National Planning Policy Framework (NPPF, 2021) 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 (2021) identifies three dimensions to sustainable development as being economic, social and environmental. In accordance with policies SS1 and 1a of the Staffordshire Moorlands Local Plan, the Council will expect all new development to make a positive contribution towards the sustainability of communities and to protecting, and where possible, enhancing the environment. When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF (2021).

The application site is located in the Open Countryside and the North Staffordshire Green Belt, whereby policy SS10 of the Local Plan is applicable. This policy states that *'these areas will only provide for development which has an essential need to be located in the countryside'* and lists different types of development. Equestrian development is not specifically listed within the policy, but it is considered that a manege for the riding, training and exercising of horses can only be located within the countryside due to their significant size. The principle of the development is therefore considered to comply with policy SS10 of the Local Plan.

Green Belt

The application site is located within the North Staffordshire Green Belt, whereby policy SS10 of the Local Plan (2020) and chapter 13 of the NPPF (2021) are applicable.

Policy SS10 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.

Paragraph 150 of the NPPF (2021) states that certain other types of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it, including: *b) engineering operations*.

The size of the proposed manege (30m x 59.4m) is consistent with the relative size that a manege is required to function correctly. The manege will require some engineering works to create a flat surface as the existing agricultural field is undulating.

Turning to the requirement that the facilities need to '*preserve the openness of the Green Belt*', it is noted that this does not mean that all new development within the Green Belt will automatically affect openness, instead it is an assessment of a development's harm.

The application site comprises an undulating agricultural field that is the flattest piece of land within the farm's ownership on which to site the proposed manege. The land will require some levelling/excavation works to create a flat surface however, these are not considered extensive, as detailed by the submitted cross-section and levels drawings.

The manege will be surrounded by a timber post and rail fence of 1.4 metres in height, with a double timber five-bar gate positioned within the northeastern corner. The manege will comprise an installed drainage system, a sub-base layer of limestone over geotextile membrane, with the surface comprising a layer of silica sand over geotextile membrane. No access track is proposed between the farm buildings and the manege. The design of the manege will be consistent with its intended purpose and will cause limited harm to the openness of the Green Belt. In addition, it is considered that the proposed manege will not conflict with the purposes of including land within the Green Belt, as identified at paragraph 139 of the NPPF (2021).

It is for these reasons that the proposed manege will comprise an exception to inappropriate development in the Green Belt and it will comply with policy SS10 of the Local Plan (2020) and chapter 13 of the NPPF (2021).

Design/Visual Impact

Policy DC1 refers to design and seeks to secure development of a high quality which is designed to add value to the area and to respect the site and its surroundings. New development should promote a positive sense of place and identity through its scale, density, layout, siting, landscaping, character and appearance.

Paragraph 130 of the NPPF (2021) requires the design of a development to add to the overall quality of an area, by being sympathetic to local character and by being visually attractive as a result of good architecture. The Council's Design SPD outlines the Council's expectations in respect of design.

As previously discussed, the design, materials and scale of the proposed manege is consistent with its intended use and the land on which the manege will be sited will require some excavation/levelling works, but these will not be extensive.

The manege will be screened by an existing mature field boundary hedge to the west and a woodland that surrounds a stream to the north. Additional planting of both trees and hedgerows is proposed to the northern and southern boundaries of the manege and these should be conditioned as part of a landscaping condition. The land to the south and east of the application site rises upwards and therefore no long distant views of the manege will be visible.

A Public Right of Way (PRoW), Werrington 6 is located 260 metres east of the proposed manege at its closest point and traverses in a north/south direction. The proposed manege will be visible from the PRoW, but given the separation distance, the minimal level of built development and the proposed additional tree and hedgerow planting, this is unlikely to result in an adverse visual impact, particularly as a manege is a common feature within the rural landscape.

It is therefore considered that the proposed manege will not be highly visible from public vantage points, nor will it have a detrimental visual impact on the surrounding rural landscape. To ensure the visual impact of the manege is maintained, a condition requiring no external lighting to be erected/used in association with the manege should be attached. It is for these reasons that the proposed manege is considered to comply with policy DC1 of the Local Plan (2020) and the NPPF (2021), in respect of design and visual impact.

Amenity

Local Plan policy DC1 and paragraph 130(f) of the NPPF (2021) seek to secure development that protects amenity, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

The application site forms part of a farmstead that is surrounded on all sides by open fields. The nearest residential property is located over 80 metres to the north of the proposed manege and any views are filtered by existing and proposed trees. The separation distance will ensure there are no amenity issues associated with the proposed development.

The Design & Access Statement outlines that the proposed manege is to be used for the exercising and training of horses by the applicant. Simfield Farm is accessed via a long single width access track (Green Lane) that exits onto the A52 to the north. The access track also serves 2no. dwellinghouses and travels in close proximity to these properties. Agricultural and domestic vehicles use the existing track to access Simfield Farm where cattle and horses are housed. The use of the manege by the applicant will therefore not result in any additional vehicle movements to or from Simfield Farm that could otherwise pose an impact on neighbouring amenity.

Subject to a condition requiring the manege to be used for equestrian purposes by the applicant and not for commercial purposes, it will comply with policy DC1 of the

Local Plan (2020) and the NPPF (2021), in respect of its impact on neighbouring amenity.

Heritage

Policy DC2 of the Local Plan (2020) states that the Council will safeguard and where possible, enhance the historic environment by resisting development which would harm or be detrimental to the special character and historic heritage of the District's towns and villages and those interests of acknowledged importance; promoting development which sustains, respects or enhances buildings and features which contribute to the character or heritage of an area; and preventing the loss of buildings and features which make a positive contribution to the character or heritage of an area through appropriate re-use and sensitive development.

Paragraph 199 of the NPPF (2021) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 200 of the NPPF (2021) states any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of listed buildings should be exceptional.

Paragraph 202 of the NPPF (2021) states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The application site is located approximately 50 metres west of a Scheduled Monument. A Heritage Statement has been submitted to support the planning application. The Scheduled Monument comprises a grassed moated site that is only apparent when viewed from above. The proposed development will not directly harm the designated heritage asset.

The proposed development will be low key, with the finished development requiring some cut and fill to create a level surface and the erection of a post and rail fence of 1.4 metres in height around the perimeter. The development is also common within rural areas. On this basis, and together with the separation distance between the application site and the Scheduled Monument, it is considered that it will not harm the Monument's setting.

The submitted Heritage Statement states at paragraph 6.15 that '*an archaeological watching brief can nevertheless be secured by way of planning condition so that if any matters of interest [are] identified during the construction phase they can be appropriately recorded*'. As some excavation of the ground will be undertaken to construct the proposed manege, it is considered that a watching brief condition would be of benefit.

Subject to a condition in respect of a watching brief, the proposed development will comply with policy DC2 of the Local Plan (2020) and the NPPF (2021).

Highway Safety

Policies DC1 and T1 seek to achieve a level of parking and an access that is appropriate to the development it serves.

No alterations are proposed to the existing access track that serves Simfield Farm, nor to the existing parking or turning area adjacent to the existing farm buildings. No footpath or access is proposed between the farm buildings and the proposed manege. The existing access is sufficient for the existing use of the farm and the proposal will be used by the applicant to ride their own horses that already reside at the farm. The proposed development will therefore not result in an increase in vehicle movements to and from the farm.

Subject to a condition requiring the manege to only be used for equestrian activities associated with the applicant's own horses, it is not considered that the proposed development will have a detrimental effect on highway safety. The development will therefore comply with policies DC1 and T1 of the Local Plan (2020) and the NPPF (2021).

Ecology

Policy NE1 outlines that the biodiversity of the District will be conserved and enhancement by positive management and the strict control of development by (1) protecting and enhancing habitats and species of principal importance for conservation; (2) ensuring development produces a net gain in biodiversity and; (3) any unavoidable impacts are mitigated.

The planning application is supported by a Preliminary Ecological Appraisal (PEA), produced by Elite Ecology and dated December 2021. Staffordshire Wildlife Trust assessed the application and made the following comments:

'No impacts to wildlife sites are anticipated due to the limited scale of the development.'

A PEA has been conducted which adequately covers the proposed development site.

No habitats of importance that could be impacted by the works were identified. However, the works will result in the loss of improved grassland. Albeit of species-poor diversity, the amount of grassland to be lost will have an impact on the wider ecological network.

Policy NE1 in the Staffordshire Moorlands Local Plan adopted September 2020, expects that 'all development where possible seeks to deliver a net gain in biodiversity proportionate to the size and scale of the development. In circumstances where adverse impacts are demonstrated to be unavoidable,

developers will be required to ensure that impacts are appropriately mitigated, with suitable compensation measures towards loss of habitat used only as a last resort where there is no alternative'

It is clear that a net gain in linear habitats will be achieved with the proposed hedgerow planting, this is welcomed. However, good practice states that a net gain must be achieved in habitat units also. The other enhancements are welcome, but it is not clear whether they are sufficient to achieve a net gain in habitat units due to the amount of grassland to be lost. We advise that a larger area of grassland enhancement is needed to ensure that a net gain in both units is achieved. This could include the strips of grassland between the existing/ proposed hedgerows and proposed manège, but may require another section elsewhere too. Enhancing these additional areas of grassland for increased wildflower diversity is likely to be enough along with the other proposed enhancements. Additional grassland enhancement is required prior to determination to secure a net gain, or alternatively a biodiversity impact assessment (BIA) using Defra metric 3.0 or above, or small sites metric, is to be submitted to evidence that the current proposals are sufficient.

The development does not appear to be within the flood plain.

The application form states that a soakaway is proposed for surface water discharge. Further details have been provided within drawing ref 1740-01. This states that the surface runoff from the manège will ultimately be discharged into the existing ditch on site. We advise that a surface channel to mimic a natural habitat is utilised to discharge the water into the existing ditch, rather than a pipe where possible.

Details of spoil disposal are required to ensure this does not impact on any habitats. Subsoil may be reused for habitat creation.

We would also like to see pollution prevention measures for the construction phase, to ensure silt does not pollute downstream habitats via surface runoff. Secure via condition.

To protect existing the existing hedgerow and trees on site, we recommend that root protection areas (RPAs) are in place prior to any works commencing, as set out in British Standard BS 5357 (2012) 'trees in relation to design, demolition and construction to construction'. This will also help to minimise disturbance to any species utilising this habitat during construction. Secure via condition.

If any lighting is proposed, this must avoid light spill onto bat foraging, commuting, and roosting habitat, including any proposed bat boxes. Secure via condition.

As per the ecology report, precautions should be in place if any works are to occur that may disturb the existing hedgerow or other dense vegetation on site. This will be in the form of timing constraints to avoid the nesting season

or an inspection by an ecologist no more than 48 hours prior to works commencing. Secure via condition.

The ecology report found there to be suitable habitat on site, including a ditch just outside the red line boundary. Precautions have been recommended within section 5.3.5, including a method statement. Secure via condition.

General precautions should be in place in relation to any holes dug into the ground or exposed pipework as per section 5.3.4 of the ecology report. Secure via condition.'

Further discussions took place in respect of achieving a net gain in biodiversity and it was agreed that this could be conditioned and form part of a landscaping scheme to be submitted and approved, rather than prior to determination.

Subject to those conditions specified by Staffordshire Wildlife Trust, the proposed development will not have a detrimental effect on protected species or their habitats and it will result in a net gain in biodiversity. This is compliant with policy NE1 of the Local Plan (2020) and the NPPF (2021).

CONCLUSION / PLANNING BALANCE

For the reasons outlined above, the proposed development is considered to accord with the relevant policies contained in the Staffordshire Moorlands Local Plan (2020) and the NPPF (2021). As such the application is recommended for approval.

OFFICER RECOMMENDATION: APPROVE subject to Conditions

Case Officer: Ailsa Berry

Recommendation Date: 10th February 2022

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council