

DELEGATED DECISION REPORT

SMD/2021/0756
Valid 19/11/2021

**LAND WEST OF POST
LANE
STANLEY BANK
STANLEY**

**ERECTION OF STABLE
BLOCK AND FORMATION OF
MANEGE, CHANGE OF USE
OF THE LAND FOR
EQUESTRIAN PURPOSES**

(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, including the Conservation Area
- Impact on neighbouring amenity
- Impact on highway safety
- Impact on ecology and whether the development achieves a net gain in biodiversity

DESCRIPTION OF SITE

The application site comprises a field to the west of Stanley Bank/Post Lane which is accessed via an entrance in the northeastern corner. The majority of the field is grass however, a section closest to the access has been surfaced in what appears to be road planings/MOT and crushed construction materials. This area is sectioned off from the remainder of the field by a timber post and wire fence. A metal shipping container is placed on this section of the application site that does not benefit from planning permission. Mature trees are located on parts of the field, to the west and south of the area of hardcore.

The application site is located in the North Staffordshire Green Belt and the Stanley Conservation Area. Open fields surround the application site, with the adjacent field to the north also used for equestrian purposes and Endon Cricket Club located beyond. No residential properties are located in close proximity of the application site, but the village of Stanley is located further to the south.

PROPOSAL

Full planning permission is sought for the construction of a 40m x 20m manege for the training and exercising of horses by the applicant, and 3no. stables and a tack room.

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 Geodiversity

National Planning Policy Framework

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

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2013/1021 Creation of new vehicular access to agricultural field
Approved 30/10/2013

CONSULTATIONS

Publicity

Site Notice expiry date: 04/01/2022
Neighbour consultation period ends: N/A
Press Advert: 22/12/2021

Public Comments: One comment was received from the neighbouring property who objected to the proposed development. They state that ever since the existing grass was replaced with a large area of hardcore, their property next door has constantly been flooded after heavy rainfall. They have been in contact with the applicant for the past 12 months in respect of the issue, but unfortunately the matter still causes issues.

Town / Parish Comments: Endon with Stanley Parish Council recommend approval of the application subject to conditions. The site sits wholly in the green Belt however it meets the criteria set which allows for small scale Outdoor Sports and Recreation. We approved a similar scheme in the adjacent field a few years back, however not dissimilar to what we recommended then it is felt the following conditions should be applied to protect against the short and long term impact:

1. Improved landscaping to screen the development from the road with particular attention paid to the view when coming down Stanley Bank towards the site.
2. Lighting needs to be controlled by condition to ensure it is positioned on and local to the stable building only and directed away from the road side.
3. No parking overnight of horse boxes or other moveable structure

Severn Trent Water: As the proposal has minimal impact on the public sewerage system I can advise we have no objections to the proposals and do not require a drainage condition to be applied.

SCC Highways:

First Response: Recommend refusal

Planning application SMD/2013/1021 covered the access to this field. A number of highway conditions were included on the decision notice. However, the 'new hedgerow' will be in the visibility splay, the access has not been surfaced in accordance with the condition and the gates may need to be relocated further into the site.

Of greatest concern is the hedge proposed to be planted in the visibility splay. Visibility splay of 2.4m x 120m to the south was conditioned under SMD/2013/1021 (Condition 5). There is a note on submitted drawings referring to 'new hedgerow'. It is not clear if this is proposed or has been planted. There were several thin bushes in this area at the time of my site visit, which may or may not be a 'hedgerow'. Either way, a hedgerow cannot be planted in this area, unless it is kept very low. If the purpose is to screen the stables and manege, it will need to be replanted behind the line of visibility splay. A hedgerow within the visibility splay would obstruct visibility and be unsafe. Reasonable visibility will need to be shown on the drawing.

Condition 4 of SMD/2013/1021 requires the access to be surfaced in a bound and porous material for 10m rear of the carriageway edge. The access is currently loosely surfaced which has scoured adjacent to the carriageway edge and provides no support to the carriageway edge, which with the intensification of use of the access will likely lead to damage to the edge of the carriageway. Access needs to be surfaced in a bound material to support edge of carriageway.

Condition 6 of SMD/2013/1021 requires gates to be set back 10m from the edge of carriageway. Reason for this is to allow an agricultural vehicle to stand clear of the highway while the gates are opened/closed. As the stables and manege will be small scale and for use of owner and family, it may be that 10m is not required and the gates can be located as the submitted drawing. However, clarification of likely use of the access will be required.

Second Response, following the submission of a revised drawing: Recommend approval subject to conditions

Visibility is as conditioned under SMD/2013/1021. Provision of splay excludes existing trees.

Access is currently loosely surfaced which has scoured adjacent to the carriageway edge and provides no support to the carriageway edge which with the intensification of use of the access will likely lead to damage to the edge of the carriageway.

Condition recommends surfacing in a bound material to support edge of carriageway for a distance of 10m which is consistent with SMD/2013/1021 and SMD/2016/0223.

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 and associated stables and a tack room are developments that are typically found in the countryside and require a rural location. The principle of the development is therefore considered to comply with policy SS10 of the Local Plan.

Green Belt

The application site is located in 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.

The proposal is for the construction of a manege, stables and a tack room for equestrian purposes. Paragraph 149 of the NPPF (2021) outlines that the construction of new buildings should be regarded as inappropriate in the Green Belt unless it meets an exception. One such exception is:

'(b) the provision of appropriate facilities (in connection with the existing use of the land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the

openness of the Green Belt and do not conflict with the purposes of including land within it.'

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.

A stables are associated with the exercise, riding and training of horses and therefore comprise facilities that are appropriate for outdoor sport and recreation and the manege comprises engineering operations. The application also seeks planning permission to change the use of the field in which the manege and stables will be located from agriculture to equestrian use. The proposed development will therefore be used in connection with a change of use.

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 proposed stable building will comprise 3no. stables and a tack room. The stables will be of a typical design with stable doors within the southern elevation and an overhang above the stable doors. Each stable and the tack room will measure 4.5m x 4m internally, which marginally exceeds the minimum stable size for large horses, as detailed within DEFRA's 'Code of Practice for the Welfare of Horses, Ponies, Donkeys and their Hybrids'. The building will be constructed of timber cladding to the walls and metal cladding to the roof. The building will be sited adjacent to an existing mature field boundary hedge.

The size of the proposed manege (40m x 20m) is consistent with the relative size that a manege is required to be to function correctly. The manege will require some engineering works to install the necessary drainage system. However, the land is relatively flat and therefore no cut and fill will be required. Nevertheless it is considered prudent to impose a condition requiring levels details to be confirmed. A post and rail fence of 1.4 metres in height will surround the perimeter of the manege.

The design of the manege and stable building will be consistent with their intended purpose and small in scale. The manege will maintain the openness of the Green Belt, whilst the proposed stable building will cause limited harm to openness. In addition, it is considered that the proposed development 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 and stable building will comprise an exception to inappropriate development in the Green Belt and will comply with policy SS10 of the Local Plan (2020) and chapter 13 of the NPPF (2021).

It is unclear from the submitted 'Proposed Block Plan' what will happen to the land surrounding the manege and the stable building that is currently covered in road planings/MOT and crushed rubble/construction waste. This area should not be hard

surfaced as that will result in harm to the openness of the Green Belt. Therefore a landscaping scheme should be required by condition to ensure the impact of any surfacing materials are appropriate.

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 and stable building are consistent with their intended use and the land on which they will be sited will require some engineering works to remove the existing rubble to install the necessary drainage beneath the manege, but no cut and fill will be required as the existing land is relatively flat.

The manege and stables will be screened by an existing mature field boundary hedge to the north, whilst the development will be quite prominent in views from the south, east and west as the land is quite exposed and highly visible from Stanley Bank to the south and east. The boundaries immediately surrounding the siting of the proposed manege and stables (currently comprising a post and wire fence) would benefit from some hedge planting, which could be conditioned. No Public Rights of Way (PRoW) traverse the application site or the adjacent fields, with the closest PRoW (Endon and Stanley 71) located 300 metres to the southwest, within the river valley. The proposed development will therefore not be prominent from this PRoW.

A manege and stable building are common features within the rural landscape, with both featuring within the adjacent field to the north of the application site. The visual appearance of the proposed development, with the suggested additional planting, will ensure that the development has an acceptable impact on the character and appearance of the surrounding area.

To reduce the visual impact of the development, a condition requiring no external lighting to be erected/used in association with the manege should be attached, and for lighting details to be submitted and approved in respect of the stable building, should permission be granted.

It is for these reasons that the proposed development 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 is surrounded on all sides by open fields. The nearest residential properties are located over 110 metres to the south of the proposed development, or over 120 metres to the northeast. The separation distances will ensure there are no amenity issues associated with the proposed development.

The proposed development will therefore comply with policy DC1 of the Local Plan (2020) and the NPPF (2021), in respect of 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 grade II 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 within the northernmost part of the Stanley Conservation Area. A Heritage Statement has been submitted to support the planning application.

The proposed development will be small in scale, with the manege comprising a level surface contained by a post and rail fence of 1.4 metres in height. The stables will be sited adjacent to the existing hedgerow field boundary which will screen it in

views from the north. Both the stables and the manege are developments that are common within rural areas, with the adjacent field being occupied by both a manege and a timber stable building.

The development will be visible from the road when travelling from south to north. Existing mature trees are located within the southern and eastern part of the field, however, these trees will not effectively screen the proposed development. The proposed development will therefore benefit from some additional hedge planting along the southern, western and eastern boundaries (which would not protrude into the visibility splay). The stable building will be constructed of timber with a corrugated metal roof and will be viewed together with the existing stables located in the field to the north of the application site.

There is currently a shipping container located within the application site that does not have planning permission. In order to improve the appearance of the Conservation Area, a condition should be attached that requires its removal prior to the use of the stable building.

On this basis, the proposed development will not result in any harm to significance of the Stanley Conservation Area. Subject to conditions in respect of the submission of a landscaping scheme and the removal of the shipping container, 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.

There is an existing access onto Post Lane to the east of the application site. This access was approved under application SMD/2013/1021. The access was constructed, however the condition attached to the permission in respect of the surfacing of the access in a bound material has not been complied with. The Highway Engineer has assessed the application and, following receipt of a revised drawing, raises no objection to the proposed development subject to conditions in respect of:

- The provision of the visibility splay shown on the revised drawing;
- The surfacing of the access in a bound material for a minimum of 5 metres from the back edge of the carriageway; and
- The gates to be set back no closer to the highway than their existing position 8 metres from the back edge of the highway and shall open inwards into the site.

Subject to the imposition of these conditions, the proposed development will not have a detrimental effect on highway safety and it will 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 location of the proposed manege and stable building will be in an area that has been laid with what appears to be road planings/MOT and crushed bricks/construction materials. The land is therefore of limited ecological value and unlikely to adversely affect protected species or their habitats.

The original 'Proposed Block Plan' included the provision of a new hedgerow to the south of the existing access. However, the Highway Engineer outlined that the siting of the hedge would impede the required visibility splay. The hedge was therefore omitted from the revised 'Proposed Block Plan'. Policy NE1 of the Local Plan (2020) requires all developments to produce a net gain in biodiversity. No landscaping has been proposed following the omission of the hedge, nor any features for species or the creation of new habitats. It is therefore considered that a condition should be attached should permission be granted that requires the applicant to submit details for approval to achieve a net gain in biodiversity.

Subject to the imposition of such a condition, the proposed development will comply with policy NE1 of the Local Plan (2020) and the NPPF (2021).

Other Considerations

The owner of the adjacent field has stated that the removal of the grass and the laying of the hardcore within the northeastern corner of the application site has resulted in problems with flooding during heavy rainfall. The proposed manege will require the installation of drainage beneath its surfacing; additional planting is required by condition; and the remaining areas of hardcore will be subject to a landscaping condition. All of these measures will help reduce surface water run-off and hopefully alleviate any flooding issues. In addition, Severn Trent Water has reviewed the planning application and raised no objection and does not require a drainage condition to be attached.

The Parish Council has requested that certain conditions are attached should planning permission be granted in respect of lighting, landscaping and no storage of horse boxes. All of these conditions are considered reasonable and necessary, with no storage of horse boxes ensuring the protection of the openness of the Green Belt.

CONCLUSION / PLANNING BALANCE

For the reasons outlined above, the proposed development (as shown on the revised drawing) 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: 17/02/2022

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council