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Dear Sir

Proposed Stable Building and Access Trackway at Millstone Willows, Beet Lane, New Smithy
Application Reference: HPK/2017/0695

We have been instructed by Mr P Speakman to make representations in relation to the above planning application. Our client is the owner occupier of Lowburn, the neighbouring residential property to the application site.

In summary, our client wishes to raise an objection to the application on the grounds of inappropriate development in the Green Belt, impact on the openness of the Green Belt, and impact on his residential amenity. We expand on each of these issues below.

Inappropriate Development

The appeal site is an agricultural field previously used for sheep grazing, situated in the open countryside and within designated Green Belt. According to the NPPF, the essential characteristics of Green Belts are their openness and permanence (para 79 refers). In order to protect these characteristics, paragraph 89 of the NPPF advises that the construction of new buildings in the Green Belt should be regarded as inappropriate, unless falling within one of the exceptions set out within the paragraph. Additional forms of development which are not inappropriate are listed in paragraph 90 but none are relevant in this case.

Of the six stated exceptions in paragraph 89, the only potentially applicable exception is for the construction of new buildings for the *'provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it'*.



The application proposes the construction of an L shaped building measuring 8m by 14.2m, and with a total floor area (as stated on the application form) of 93 sq.m. In floorspace terms the stable building is the size of a three-bedroom house and it can be readily seen that in plan form, the building is actually larger than Millstone Willows, where the applicant lives, and a number of other residential properties on Beet Lane.

Given such a substantial building to be located in a field in the open countryside, it is clear that it will not preserve the openness of the Green Belt, which is the fundamental test set out in paragraph 89 of the NPPF. As such, it is our view that the proposed building constitutes inappropriate development.

Paragraph 87 of the NPPF advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'. Paragraph 88 goes on to state that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

In this case, we are not aware that any 'very special circumstances' have been put forward by the applicant or indeed any justification for the proposal whatsoever. We are aware, however that the applicant's property, Millstone Willows, already benefits from a stable building within their residential curtilage (see below), and there is no reason why this could not be re-used or adapted for stabling of their horses.



It is also noteworthy that the building is excessive in size for its stated purpose. It has been designed to accommodate three horses, together with a tack room and a large hay / feed store. The size of the individual stables exceed the British Horse Society guidelines for the keeping of horses, which include details on minimum stable size for horses. According to the BHS guidelines (enclosed) the recommended stable size should be between 3.6m x 3.6m to 3.6m x 4.3m depending upon the size of



the horse. With the application proposals proposing stables of 4.3m x 4.3m, they clearly exceed the minimum size. No justification has been put forward for why the proposed stables need to exceed the BHS guidelines, or why the applicant requires such a large hay / feed store for the keeping of 3 horses, and a separate tack room.

High Peak Local Plan Policy EQ4 relates to development in the Green Belt and advises that the provisions of the NPPF at paragraph 89 will be applied to development proposals. As the application constitutes inappropriate development to which no very special circumstances have been put forward, accordingly the development is contrary to the development plan and should be refused.

Impact on the Openness of the Green Belt

By introducing a substantial building into the open countryside, in an area where there are currently no buildings, the proposals will diminish the openness of the Green Belt. As such, the proposals will lead to encroachment into the countryside, which is one of the five stated purposes of the Green Belt (see para 80 of NPPF). The harm that this causes must be afforded substantial weight in the determination of the planning application.

While attempts have been made to screen the stable building, these will not hide it from either public view (from the public footpath which runs very close to the building, or from Beet Lane), or from our client's property. The application drawings are deficient in that they fail to provide a height for the proposed building, but it has a pitched roof with a ridge height of at least 3.2m. and eaves that extend beyond the building itself in order to provide a covered area outside of the stable block.

There is no doubt that the building, together with the introduction of the hard-surfaced access trackway which runs through the applicant's residential curtilage to the stable block, will significantly change the character of the immediate area and erode the openness of the Green Belt.

High Peak Local Plan Policy EQ3 only supports equestrian development where it does not have an adverse impact on the character and appearance of the area. Accordingly, the application is contrary to Policy EQ3 of the Local Plan.

Impact on Residential Amenity

Policy EQ6 of the Local Plan requires development proposals to achieve a satisfactory relationship to adjacent development and not cause unacceptable effects by reason of visual intrusion, noise, light pollution or other adverse impacts on local character and amenity. We consider that the application proposals breach this policy in a number of respects.

Aside from introducing a substantial building into the agricultural field behind our client's house, the proposals have the potential to adversely impact our client's residential amenity. The stable building is proposed to be located 25 metres from the rear façade of our client's house, and only a few metres from their rear garden boundary.



The construction of an access trackway on raised ground, and immediately adjacent to our client's property, will mean vehicles accessing the stable building on a regular basis and raises the potential for vehicles to slip into their garden.

Furthermore there is likely to be nuisance caused by noise from the stabling of horses together with issues in relation to external storage of manure, with associated issues of odour and flies.

No proposals have been put forward for the drainage of the stable building, which due to the slope of the land is likely to result in surface water, potentially contaminated by horse waste, running into our client's garden.

No indication has been provided in relation to external lighting, but it is assumed that this will be required for safety reasons. The lighting of an otherwise dark sky will further erode the Green Belt and impact on our client's quiet enjoyment of their property.

Other Technical Issues

It should be noted that the elevational drawings submitted with the planning application are deficient in two respects. Firstly, no dimensions have been provided to indicate the height of the proposed stable building. Secondly, on the floor plan submitted there are windows shown indicated on the rear elevation of the stable building, but these are not shown on the external (western) elevation of the building.

Conclusion

The application proposes inappropriate development within the Green Belt for which no very special circumstances have been put forward to overcome the harm caused. Moreover, the proposals will erode the open character of this part of the Green Belt and conflict with the purposes of the important planning designation. The application is therefore contrary to Policies EQ3 and EQ4 of the High Peak Local Plan, and the NPPF.

The size and position of the stable building, together with the access trackway, is likely to result in adverse impact to our client's residential amenity, contrary to Policy EQ6 of the High Peak Local Plan.

Finally, no justification has been put forward for the size or location of the stable building, which we suspect is ultimately aimed at creating a building which can be replaced with a house at some stage in the future.



Accordingly, our client requests that this application is refused.

Yours faithfully



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Director

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Encl: BHS Guidelines





Welfare Department

GUIDELINES FOR THE KEEPING OF HORSES: STABLE SIZES, PASTURE ACREAGES AND FENCING

These recommendations are for guidance only and are common with those of numerous other equine and welfare organisations.

It should be remembered that all horses and ponies require adequate, appropriate living conditions, feed and exercise. It is generally considered that most, if not all, horses and ponies benefit from spending at least some of their time at grass (on a regular basis) and from socialising with others.

Stable Size

The main criteria in considering the size of any stabling are that the animal should be able to stand up and turn around without difficulty, and lie down and roll easily and without risk of injury.

Adequate consideration needs to be given to the type of horse (height, length and build) as well as factors such as the individual's temperament and disposition, the duration of confinement, and other internal environmental factors (such as air flow, drainage/frequency of waste clearance).

According to the size of the horse, the British Horse Society recommends a minimum stable size of 12ft x 12ft for horses, and preferably 12ft x 14ft for larger individuals. For ponies the recommended minimum dimensions should be 10ft x 10ft and 10ft x 12ft for larger ponies. The height of the stable should be between 9 and 11 feet, with a minimum of 3ft clearance of the roof.

The Provision of Pasture and Grazing for Horses

Average pasture will maintain approximately two horses per hectare as permanent grazing (1-1.5 acres per individual), provided that good pasture

management is employed: This is generally considered a minimum acreage requirement for the average horse, but there are numerous variables that must also be taken into consideration. The acreage required per horse or pony will depend, to a large extent, on the type of and general management of the animal and also on the grazing quality and pasture management capabilities of the keeper. Possible stock densities may increase with a larger acreage: for example, ten acres could support more than ten horses (provided the acreage is sub-divided, and effective management and husbandry is employed)

There is a distinct difference between acreage requirements for horses where the grassland is to provide total grazing keep for the animal and where it is only to provide supplementary grazing or turnout exercise. In the combined system of management, where the horses is stabled for part of the time, 1 acre per horse may be more than adequate. Even where adequate pasture is available, stabling the horse helps reduce the effects of long term grazing, giving the grass and ground a chance to recover.

Certain animals, such as those suffering from obesity, may require grazing to be restricted considerably to avoid serious health problems, such as laminitis. In such circumstances, a quarter to half an acre of mediocre grazing may be appropriate in order to manage such a case.

In all circumstances, stock densities must take individual animals spatial requirements into consideration, in order to reduce the chances of fighting or bullying where several animals are turned out together.

Fencing for Horse and Pony Paddocks

The major consideration, when selecting fencing, is that it must be safe and suitable for the stock in question. Fencing should be high enough to deter stock from jumping out or fighting over it and low enough at the bottom to prevent foals and small ponies from rolling or crawling underneath it.

The fence should be sufficiently strong and well-maintained to prevent horses from breaking through it and should also discourage animals from leaning through to graze, which could lead to injury to the horse or damage the fence boundary.

As a general guide, in order to adequately fence horse paddocks, it is recommended that fences are approximately 1.25m(4feet) in height. Horses generally require fences between 1.08m - 1.38m (3ft6" - 4ft6") high; 1m-1.3m (3ft3" - 4ft3") generally being a suitable height for ponies. Lower rails should be placed at approximately 0.5m (1ft6") above ground level.

If the paddock is sub-divided, in order to allow for rotational grazing, internal/sub-divided fences can be of less substantial construction. However, the suitability and construction of the fence must relate to the stock to be contained and the potential risk should the horse escape.

It is therefore recommended that stallion paddocks will generally require a higher fencing 1.25m-2m (4ft-6ft) particularly in the vicinity of other stallions or in season mare. A double fence line is also advisable and it may be necessary to run an electric fence line along the top of the stallion paddock fence in order to reduce aggressive or amorous behaviour over the fence, particularly if the fencing is only the minimum height requirement. Preventing stallion nuisance and/or straying is particularly important where boundaries are between neighbouring horse owners.

As a guide the following types of fencing are suitable for horses and ponies, though some are more desirable than others: post and rail wooden fencing, post and rail impact resistant plastic, post and rail- solid uprights, flexi-rails (PVC or rubber-coated webbing), post electric-either wooden posts or plastic stays with either electric tape or wire. Wire fencing (both plain or barbed) and single strand electric wire are less desirable and potentially injurious.

Uprights must be sturdy and set sufficiently deep to prevent them from falling or leaning over. Rails should be strong and well maintained. Tape or wire should be sufficiently taught and well maintained. Generally, uprights should be placed every 1.5m to 3m (5ft to 10ft) apart, depending on the type of fencing, with at least two rails running between them.

Banks and ditches are not generally sufficient barriers/paddock boundaries, unless reinforced by additional suitable fencing.

Shelter

All horses and ponies kept at grass require the provision of an adequate effective field shelter. They not only require protection from the cold and wet and windy winter weather, but they also require shelter during the summer to provide shade and protection from flies.

The size of the shelter will depend on the number of horses and ponies that will use it, at any one time, and on its shape. For a straight shelter (the standard depth normally being 12ft) allow a width of 10ft-12ft for one horse, with an extra 5ft for each additional animal. Windbreaks should be a minimum height of 6ft and covered shelter a minimum of 9ft high.