

DELEGATED DECISION REPORT

HPK/2021/0012
Valid 08/02/2021

HOW GREEN BARN
HOW GREEN FARM SHILOH
ROAD
NEW MILLS

RETROSPECTIVE PLANNING
PERMISSION FOR THE
EXTENSION OF EQUESTRIAN
MÉNAGE AND ASSOCIATED
ACCESS
TRACK/LANDSCAPING

(FULL - MINOR)

MAIN ISSUES

- Principle of Development
- Impact on Green Belt
- Design and Landscape Character
- Amenity

DESCRIPTION OF SITE

The application site comprises a modest area of open agricultural land that is situated immediately adjacent to an existing equestrian manege that is ancillary to How Green Barn, a short distance to the north-west, which measuring 20m x 40m, constructed following planning permission granted under HPK/2009/0145. A stable block lies adjacent to the manege which was approved in 2007.

For the purposes of the Local Development Plan, the site lies in the open countryside and in the Green Belt.

PROPOSAL

Following an enforcement complaint and subsequent investigation, the applicant seeks retrospective planning application for an extension to the existing manege together with access track and associated landscaping.

The proposed extension would maintain the existing width of the current manege (20m) extending the length of the manege by 20m (an increase from 40m to 60m).

The manege would be defined by a boundary fence similar to the existing and be constructed in materials consistent with the existing surface and typical of this nature of development. The access track is to be constructed in a porous stone.

The Design and Access Statement that accompanies the application notes that the extension to the manege is required to support the occupiers of the associated residential dwelling, who compete in show jumping and dressage at a high level.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Section 38(6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application.

The Local Development Plan for this site comprises the High Peak Local Plan (2016). Adopted Supplementary Planning Guidance documents and the National Planning Policy Framework (NPPF) are also material considerations in determining applications.

High Peak Local Plan 2016

- S1 Sustainable Development Principles
- S1a Presumption in Favour of Sustainable Development
- EQ3 Rural Development
- EQ4 Green Belt Development
- EQ6 Design and Place Making

National Planning Policy Framework 2023

Achieving Sustainable Development	Chapter 2
Promoting Sustainable Transport	Chapter 9
Achieving Well Designed Places	Chapter 12
Protecting Green Belt Land	Chapter 13

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2007/0518	New Stable Block and Storage Shed (Approved 06/09/2007)
HPK/2009/0145	20m x 40m Manege (Approved 18/05/2009)
HPK/2016/0164	Proposed extension to existing stable block for horses, construction of canopy over open air existing manege for schooling horses and extension of manege with extended canopy (Refused 26/05/2016)

CONSULTATIONS

Publicity

Site Notice expiry date: 15th August 2023
Neighbour consultation period ends: 22nd March 2021
Press Advert: N/A

Public Comments

3no. neutral comments have been received in connection with the application that confirm that the respondents have no objection to the proposal.

1no. objection has been received from a resident in New Mills, which raises the following concerns:

- Creation of manege results in large expanse of dead ground providing no positive contribution to wildlife biodiversity
- Detrimental visual appearance in sensitive rural location
- Application should be required to provide equivalent land area of high biodiversity to offset negative impacts of development

Town / Parish Comments

No comments received

Derbyshire County Council Highways

No objections

OFFICER COMMENTS

Principle of Development

The site lies within the open countryside and Green Belt and is thus subject to LP Policies EQ3 and EQ4 (which relate to Rural Development and Green Belt Development respectively), and relevant restrictive policies under Chapter 13 of the NPPF.

LP Policy EQ3 refers to rural development proposals which lie outside of the defined built-up area boundaries and seeks to ensure that new development is strictly controlled in order to protect the landscape's intrinsic character and distinctiveness, and supports equestrian development where it does not have an adverse impact upon the character and appearance of the area.

LP Policy EQ4 requires development in the Green Belt to comply with relevant national policy.

As such, the principle of development can only be supported where the application demonstrates compliance with LP Policies EQ3 and EQ4 and relevant paragraphs under Chapter 13 of the NPPF.

Impact on Green Belt

Paragraph 137 of the NPPF highlights that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Paragraph 138 goes on to set out the five purposes of the Green Belt:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;

- c) to assist in safeguarding the countryside from encroachment;
- d) to prevent the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land

Paragraph 147 of the NPPF states that Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 150 sets out the exceptions to this which include engineering operations provided that they maintain the openness of the Green Belt and don't conflict with the purposes of including land within it.

The application amounts to the extension of an existing manege which is used in ancillary function to How Green Barn (i.e. not as a separate planning unit and/or for commercial purposes). As such, given that the manege has existed for in excess of 10 years, the principle of this type of facility in this location has been accepted. The judgement relating to this application is to what extent does the proposed extension to the manege preserve or harm the openness of the Green Belt and purposes of including land within it.

Given the open and transient nature of the proposed manege extension and access track, that would replicate what is already on this parcel of agricultural land, that the proposal amounts to a very modest increase in footprint, it is considered that both the visual and spatial openness of the Green Belt would be preserved, and that there would be no conflict with any of the purposes of including this land within it.

As such, the application is found not to be inappropriate development in the Green Belt and therefore complies with LP Policy EQ4 and relevant paragraphs under Chapter 13 of the NPPF.

Design and Landscape Impacts

LP Policy S1 sets out a number of sustainability principles which all new development proposals should incorporate in order to make a positive contribution towards the sustainability of communities and to protect, and where possible enhance the environment.

LP Policy EQ3 refers to rural development proposals which lie outside of the defined built-up area boundaries and seeks to ensure that new development is strictly controlled in order to protect the landscape's intrinsic character and distinctiveness.

LP Policy EQ6 states that all development should be well designed to respect and contribute positively to the character, identity and context of High Peak's townscapes, having regard to matters of scale, height, density, layout, appearance and materials.

Paragraph 130 of the NPPF states amongst other things that decisions should ensure that developments will add to the overall quality of the area; are visually

attractive as a result of good architecture; and are sympathetic to the surrounding built environment.

The proposed development comprises what is considered to be a modest logical extension to the existing well established manege by maintaining its current width and being constructed and finished in consistent materials, being contained within the existing parcel of land that does not encroach into a neighbouring field/parcel of land.

The extension and associated access track would be read as such from the nearby public footpath situated a short distance to the west running in a north-south direction and would continue to be read in connection with the associated stable block.

In light of the above, it is considered that the proposed development preserves the existing character of the rural landscape in accordance with LP Policies S1, EQ3 and EQ6, and relevant paragraphs under Chapter 12 of the NPPF.

Amenity

LP Policy EQ6 requires all new development to have a satisfactory relationship with existing land and buildings and protects the amenity of the area, which includes residential amenity of neighbouring properties.

LP Policy EQ10 seeks to ensure that people and the environment are protected from adverse impacts relating to issues including air pollution, noise, light pollution or any other nuisance or harm to amenity, by securing appropriate mitigation by way of planning conditions and obligations.

The proposed manege extension would, like the well established adjacent manege, be used by occupiers of the main dwellinghouse How Green Barn for personal use (training) and would not be used for commercial purposes. In order to ensure the amenity of neighbouring properties and the wider public including users of the nearby footpath are preserved, conditions are recommended that confirm this ancillary use and restrict any external lighting.

Subject to these conditions, it is considered that matters relating to amenity have been satisfactorily addressed having regard to LP Policies EQ6 and EQ10.

Other Matters

The objection received in connection with the application suggest that the application should mitigate the loss of habitat and biodiversity by replacing such habitat on a different parcel of land.

Whilst this concern is acknowledged and noted, it is the case that the site – whilst in open countryside – amounts to a small parcel of standard agricultural grassland, with little ecological value, that is not constrained by any statutory ecological designation. Prior to the construction of the manege the land could have been mowed or grazed which would have eliminated any ecological value.

As such, it is not considered either reasonable or indeed appropriate to seek mitigation for the small loss of grassland taken up by the proposed manege extension.

CONCLUSION / PLANNING BALANCE

LP Policy S1a reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework.

Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. For decision taking, this means approving development proposals that accord with an up-to-date development plan without delay; or, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission, unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Further to an enforcement complaint and subsequent investigation, the application seeks retrospective planning permission for the extension of an existing equestrian manege and associated access track and landscaping.

The application has been judged to preserve the openness of the Green Belt and not conflict with any of the purposes of including land within it, thereby complying with LP Policy EQ4 and relevant restrictive policies contained under Chapter 13 of the NPPF.

Given the modest footprint of the extension that would maintain a consistent width, and respect the materials and appearance used in the existing well established manege, it is concluded that the proposed manege extension would preserve the rural landscape character of the area, in line with LP Policies S1, EQ3 and EQ6 and relevant paragraphs under Chapter 12 of the NPPF.

For these reasons, the application is considered to constitute a sustainable form of development and in line with LP Policy S1a and paragraph 11 of the NPPF the application is recommended for approval subject to appropriate conditions.

OFFICER RECOMMENDATION : Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 19th September 2023

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council