

DELEGATED DECISION REPORT

HPK/2023/0267 VALID 19/07/2023	14 HIGH ASH HOUSE, SANDY LANE, CHISWORTH, DERBYSHIRE, SK13 5RZ	CREATION OF MENAGE FOR PERSONAL USE (FULL - MINOR)
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MAIN ISSUES

- Principle of Development (Green Belt)
- Design Considerations
- Impact upon Residential Amenity
- Impact on Highway Safety

DESCRIPTION OF SITE

The application relates to a field which is located within the open countryside and Green Belt as defined by the Local Plan policies map. The site lies to the north of a group of buildings located on a track off Sandy Lane, and to the north of an existing stable building and paddock. The land slopes down northwards towards the A626. Public Right of Way HP9/18/1 crosses close to the site which links the A626 and the track off Sandy Lane.

PROPOSAL

This application proposes the construction of a riding manege. The manege would be for personal use in association with the applicants which is located to the south. The applicants have a stables and paddock for two horses. The manege was originally proposed to measure 32m x 25m. However following concerns raised by the Council, the size of the manege has been reduced to 30m x 20m. The manege would be finished with sand and rubber if required. The manege would be surrounded by post and rail fencing. Due to the sloping topography of the site, the scheme would require cut and fill engineering to facilitate a level surface. The plans show that land levels, along the north facing elevation would be raised by approximately 2.8m.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan (Adopted 2016)

- S1 Sustainable Development Principles
- S1a Presumption in Favour of Sustainable Development
- S5 Glossopdale Sub-area Strategy
- EQ2 Landscape Character
- EQ3 Rural Development
- EQ4 Green Belt Development
- EQ6 Design and Place Making
- CF6 Accessibility and Transport

Supplementary Planning Guidance/Documents

Residential Design (2005)
High Peak Design Guide (2018)

National Planning Policy Framework

Section 12: Achieving Well-designed Places
Section 13: Protecting Green Belt land
Section 15: Conserving and enhancing the natural environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2021/0552 - Retrospective application for a new safer access on to the A626 and a new track comprising two tyre widths of road planings with grass down the centre across the fields to the yard – Refused – 21/04/22.

CONSULTATIONS

Publicity

Site Notice expiry date: 15/08/23
Neighbour consultation period ends: 14/08/23
Press Advert:

Public Comments

None

Town / Parish Comments

Chisworth Parish Council do not object to the development of a menage, provided the access route to the menage is from the property and not the track which has created an access from Marple Road. The track has had retrospective planning approval refused. See HPK/2021/0552

DCC Highways

There are no highway safety comments to make to the application. You may wish to include the following condition in any consent granted:

The manege shall remain ancillary to the main dwelling and shall be for personal use only with no business operations associated with the facility being carried without written prior approval from the local planning authority.

OFFICER COMMENTS

Principle of Development

The application proposes the construction of an equestrian manage within a field which lies within the Green Belt as defined by the Local Plan policies map.

Policy E3 relates to rural development which states that the Council will seek to strictly controlled new development to protect the landscape's intrinsic character and distinctiveness, including the character, appearance and integrity of the historic and cultural environment and the setting of the Peak District National Park, whilst also facilitating sustainable rural community needs, tourism and economic development. Policy E3 states that support will be given to equestrian development where it does not have an adverse impact upon the character and appearance of the area.

Policy E4, which relates to Green Belt development, states that development in these locations will not be permitted unless it is in accordance with national planning policy.

The NPPF identifies that new development within the Green Belt will be considered to be inappropriate development and will only be allowed where it meets one of the exceptions identified within paragraph 149 or 150.

Paragraph 150(b) allows for engineering operations again, providing that such operations preserve openness and do not conflict with the purposes of including the land in the Green Belt.

The application relates to the construction of an equestrian riding manege which would be for personal use and not connected to any existing commercial business or enterprise. The applicants have stables and a paddock for two horses which are located immediately to the south of the application site.

Impact on Openness

154(b) and 155(b) (which relates to engineering operations) require development to preserve the openness of the Green Belt. There is no definition of openness within the NPPF although it is accepted that the openness has both visual and spatial components.

The proposed development would be located in the field immediately to the north of the existing paddock and stables. Further to the south are other buildings which form a small grouping located on a track off Sandy Lane. The manege would be located close to and enclosed by the existing southern, eastern and western field boundaries.

In Green Belt terms, the manège would have an appropriate physical and functional relationship with existing built and features ensuring that spatially, the proposals would preserve openness.

A degree of visual change is deemed to be inevitable by the very nature of exceptionally allowing for development in the Green Belt. In terms of the visual aspect of openness, main views of the manège would be from the A626 and the adjacent public footpath. From these locations, the manège would be seen against the backdrop of the existing buildings which would remain taller and more visually prominent. It is acknowledged that the scheme includes a degree of cut and fill, thereby changing land levels to provide a level surface. However, this degree of change is not considered to result in an unacceptable erosion of the openness of the Green Belt, particularly in the context and relationship with existing built form. However, as explored later, there is concern with regard to the overall effect of the development on the landscape.

For the above reasons, it is considered that the proposals would preserve the openness of the Green Belt as required by 154(b) and 155(b) of the Framework.

Impact on the purposes of including the land in the Green Belt

The NPPF, at paragraph 144, highlights that the Green Belt serves 5 purposes which includes, inter alia, safeguarding the countryside from encroachment which is considered to be the most pertinent purpose in this instance.

As identified above, the application site is appropriately related to existing built form and site features. The proposals would not result in an unacceptable encroachment into the countryside. The proposed use is generally considered to be an acceptable and expected use which common to the rural area, and it should be acknowledged that the Framework encourages local planning authorities to plan positively to enhance the beneficial use of the Green Belt, such as looking to provide opportunities for outdoor sport and recreation (paragraph 145).

No conflict with the purposes of including the land in the Green Belt would arise.

Green Belt Conclusions

The proposals preserve the openness of the Green Belt and would not conflict with the purposes of including the land in the Green Belt. The proposals therefore represent appropriate development within the Green Belt.

Design Considerations/Impact on Landscape

The application site is located within a rural area where policy EQ3 requires equestrian development to not have an adverse impact on the character and appearance of the area. Policy S5 requires that development protects and/or enhances landscape character. Policy S1 seeks that new development makes a positive contribution towards the sustainability of communities and to protect, and where possible enhance, the environment, which would be achieved by, inter alia, taking account of the distinct Peak District character and landscape.

Policy EQ2 states that decisions will seek to protect, enhance and restore the landscape character of the area for its own intrinsic beauty and for its benefit to the economic, environmental and social well-being of the area. EQ2 states that development should be informed by, and be sympathetic to the distinctive landscape character area, and requiring that development proposals protect and/or enhance the character, appearance and local distinctiveness of the landscape and landscape setting of the Peak District National Park. EQ2 confirms that development which would harm or be detrimental to the character of the local and wider landscape should be resisted.

EQ6 seeks to achieve high quality design in all development by requiring development to be well designed to respect the character, identity and context of High Peak's townscapes and landscapes and that development contributes positively to an area's character, history and identity in terms of scale, height, density, layout, appearance, materials, and the relationship to adjacent buildings and landscape features.

Due to the sites location, views of the development from the public highway would be available from the A626 to the north. A public right of way, passes the site from which the proposals would also be visible. The sloping topography of the application site means there would be a need to cut and fill the development into the landscape, which requires raising the land levels at the northern end of the site to ensure a level surface.

The engineering works necessary to facilitate the development would result in an unnatural levelling of the land form. The proposals show that land levels would be raised by approximately 2.8m along its northern elevation. The land levels of the proposed fill would rise steeply resulting in a pronounced protrusion above the natural land levels appearing overengineered against the natural landform. This would not be sympathetic to its natural sloping surroundings. While parts of the development would be viewed in the context of existing buildings, the erosion of the natural land form would mean that the development would appear alien and contrast markedly with the countryside topography.

While a manege is not an uncommon feature in the rural landscape in this instance, the sloping topography and open nature of the site, along with its visibility from a main road and PROW, would mean that the change in landform would appear incongruous.

Existing landscaping is generally quite sparse which is characteristic of this open landscape. While landscaping could be provided, as detailed on the amended plans, this in itself would also appear out of context with the area. In any event it would not be sufficient to screen the engineered character of the development.

Therefore the proposals would result in a harmful change to the character and appearance of the countryside/landscape which would be contrary to S1, S5, EQ2, EQ3, and EQ6 of the Local Plan, and guidance contained within the NPPF.

Amenity

Policy EQ6 requires that development achieves a satisfactory relationship to adjacent development and does not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

The application site is relatively isolated from nearby sensitive properties. It is not anticipated that any amenity issues would arise through loss of light, overbearing, overlooking or loss of privacy.

While there is some distance between the site and residential properties the impact from noise and light would be relevant considerations. Given the personal use of the site the impact from noise and disturbance would be relatively limited. Lighting is not identified within the submission and any subsequent installation would require planning permission.

Highway Safety

The application site would be accessed via the existing paddock and stables to the north. No new points of access are proposed or indeed required to deliver the development. The personal use the proposed manege would not result in any adverse vehicular movements to cause harm to highway safety. Any commercial use is likely to be more problematic, although this is not proposed and could be prevented by condition.

The comments of the Parish Council are noted. The proposed track which was refused, does not form part of this application and would require planning permission. There is appropriate and direct access to the site from the stable and paddock to the north and there would be no justification for a new access or additional track.

There would be no impact on the route of the PROW, however it would be necessary to attach an informative on any permission, that the PROW should be kept free from obstruction during construction.

CONCLUSION

The proposal represents appropriate development in the Green Belt. However the development would have an adverse effect on the landscape by reason of the extent of cut and fill proposed, resulting in an unnatural land form in the countryside. Therefore, the proposals would conflict with the Development Plan and with the policies of the Development Plan.

OFFICER RECOMMENDATION: REFUSE

Case Officer: Declan Cleary

Recommendation Date: 29/02/2024

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council