

Application No: 25/2497/FUL
Application Type: Full Planning
Location: Colshaw Hall Farm Stocks Lane, Over Peover, Knutsford, Cheshire East, WA16 8BF
Proposal: Retrospective change of use of land and buildings from agriculture to equestrian use with associated ancillary development, including private livery, outdoor arena and equine-assisted learning.
Applicant: Higher Farm Equine

Expiry Date: 31 October 2025

Summary

The application seeks planning permission for the change of use of land and buildings from agriculture to equestrian use with associated ancillary development, including private livery, outdoor arena and equine-assisted learning. The proposals are primarily for the change of use of existing land and buildings, however as part of the development the applicant has sited additional buildings and structures within the site. The application has been submitted retrospectively.

The equestrian use includes a riding school and provides tuition to children, young people, and adults of all abilities, backgrounds, and experiences, whilst the equine-assisted learning is designed to support young people with Special Educational Needs and Disabilities (SEND). The use also includes a small-scale private livery service.

The application site is located at the former Colshaw Hall Farm, off Stock Lane in Over Peover. The site comprises a large yard area and various agricultural buildings and fields, set within the open countryside. The site is accessed via Stocks Lane, which leads onto a private track, also used as a bridleway (Bridleway No. 26).

The application site is located within the Green Belt and Open Countryside as identified in the Cheshire East Local Plan.

The development has involved the change of use of land and buildings to an equine enterprise which is an outdoor sport and recreational use. The development includes the reuse of agricultural buildings, with the siting of some additional ancillary buildings.

The development preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. Therefore, the application is consistent with paragraph 154 b) and h) v. and iv. of the NPPF and policy PG 3 (Green Belt) of the Local Plan.

The development is also consistent with policy PG 6 (Open Countryside) of the CELPS, which allows for development of outdoor sport and recreation in the Open Countryside, and for the re-use of existing rural buildings.

The proposal supports the rural economy through the relocation and retention of an established equestrian business, re-uses existing buildings, delivers local employment, provides education, outdoor sport and recreation and is consistent with the requirements of

Policies RUR 6 (Outdoor sport, leisure and recreation outside of settlement boundaries) and RUR 7 (Equestrian development outside of settlement boundaries) of the SADPD, and Policy EG 2 (Rural Economy) of the CELPS.

The site is accessed via a track shared with bridleway no 26, there are suitable existing passing places, and the applicant has provided details of a signage scheme to mitigate conflict between the various users.

The development provides economic benefits in terms of local employment opportunities; it also provides a facility for outdoor sport and recreation, equine learning including the provision of access of equine activities to a variety of group of people including SEND children.

Officers consider that the proposed development is appropriate development in the Green Belt and there are no other material considerations that would provide a strong reason for refusing or restricting development.

Summary recommendation

Approve subject to conditions

1. REASON FOR REFERRAL

1.1. The site area of the development exceeds the delegated and the southern planning committee thresholds.

2. DESCRIPTION OF SITE AND CONTEXT

2.1. The application site is located at the former Colshaw Hall Farm, off Stock Lane in Over Peover, and is approximately 17 hectares, and comprises a farmyard and various agricultural buildings and fields, set within the open countryside. The site is accessed via Stocks Lane, which leads onto a private track, also used as a bridleway (Bridleway No. 26), extending approximately 1.2km before reaching the main yard and associated buildings. The site benefits from a high degree of screening, from all public and private vantage points with mature woodland to the North, established bunds and planting to the South which provide effective visual containment.

3. DESCRIPTION OF PROPSAL

3.1. The application seeks planning permission for the change of use of land and buildings from agriculture to equestrian use with associated ancillary development, including private livery, outdoor arena and equine-assisted learning. The proposals are primarily for the change of use of existing land and buildings, however as part of the development the applicant has sited additional buildings and structures within the site. The application has been submitted retrospectively.

3.2. The equestrian business comprises of a riding school, private livery, and ancillary equine-assisted learning sessions. The supporting planning statement says the business has a capacity for 50 horses, and details the activities associated with each, these are summarised below.

3.3. The riding school provides equestrian tuition to children, young people, and adults of all abilities, backgrounds, and experiences. Sessions are delivered by qualified instructors across indoor and outdoor arenas, with a strong emphasis on accessibility and tailored support. Clients include complete beginners, disabled riders, those with learning or physical difficulties,

and individuals who benefit from the emotional and physical wellbeing that horse riding can provide.

- 3.4. The riding school operates within the hours 14:00 to 19:00 Tuesday to Friday, and 9.00 to 17:00 on Saturdays and Sundays. The applicant has carefully scheduled to avoid any conflict with equine assisted learning sessions and private livery use.
- 3.5. The applicant states that the second part of the business is a small-scale private livery service. The livery service is limited to a maximum of 15 horses, alongside horses owned by Mrs Clarke (The Applicant). The applicants states that unlike large-scale commercial liveries, the private nature of the livery service enables close management by Mrs Clarke and her team. The presence of experienced staff on-site ensures that each horse is monitored closely and that owners have peace of mind regarding welfare, feeding, and exercise regimes.
- 3.6. The equine-assisted learning provision at Higher Farm Equine is ancillary part of the applicant's business, designed to support young people who benefit from therapeutic and skills-based interaction with horses. These structured sessions are tailored for individuals with Special Educational Needs and Disabilities (SEND), including autism, social anxiety, and complex life experiences. This operates Monday to Friday 10:00 to 14:00 hours.
- 3.7. The applicant has also located a mobile home (lodge) adjacent to this site which they utilise as a rural worker dwelling that allows them to be on site 24 hours a day for the welfare of the animals. This does not form part of this proposal, it is subject to a separate planning application 25/2658/FUL. However, as the applicant's justification for the lodge relates to the equine enterprise, this application has also been brought to this Strategic Planning Board for determination.

4. RELEVANT PLANNING HISTORY

- 4.1. 22/2180M - Agricultural determination of a new grain store - approved - March 2023
- 4.2. 21/6279M - Agricultural determination for the removal of an existing 7.2m wide x 30.48m long lean to structure and in its place a twin span agricultural building to match the existing two currently on site – refused - January 2022
- 4.3. 21/3213M - Proposed farm manager's dwelling – refused - September 2024
- 4.4. 18/5693M - Prior notification for proposed agricultural building for the storage of farm machinery and animal fodder – approved - December 2018
- 4.5. 18/4774M - To construct a permanent dwelling to replace temporary farm workers accommodation granted previously at this location – withdrawn - November 2018
- 4.6. 17/5655M - Installation of storage containers and diesel storage tanks – approved - February 2020
- 4.7. 17/4709M - Variation of condition 2 (approved plans) to planning application 16/1204M - Calving shed and agricultural machinery shed and associated hardstanding's - refused - April 2020
- 4.8. 16/2457M - Temporary residential accommodation in association with a calving unit - approved - September 2016
- 4.9. 16/1204M - Calving shed and agricultural machinery shed and associated hardstanding's - approved - August 2016

4.10. 14/4842M - Prior notification for proposed agricultural building - approved - November 2014

5. NATIONAL PLANNING POLICY

5.1. The National Planning Policy Framework (NPPF) was first published by the Government in March 2012 and has since been through several revisions. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF is a material consideration which should be taken into account for the purposes of decision making.

6. DEVELOPMENT PLAN POLICY

6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions on planning applications to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Cheshire East Local Plan Strategy (2010 – 2030) was adopted in July 2017. The Site Allocations and Development Policies Documents was adopted in December 2022. The policies of the Development Plan relevant to this application are set out below, including relevant Neighbourhood Plan policies where applicable to the application site.

6.2. Relevant policies of the Cheshire East Local Plan Strategy (CELPS)

Policy MP 1: Presumption in favour of sustainable development

Policy PG 3: Green Belt

Policy PG 6: Open countryside

Policy SD 1: Sustainable development in Cheshire East

Policy SD 2: Sustainable development principles

Policy SE 1: Design

Policy SE 12: Pollution, land contamination and land instability

Policy SE 13: Flood risk and water management

Policy SE 3: Biodiversity and geodiversity

Policy SE 4: The landscape

Policy EG 2: The Rural Economy

Relevant policies of the Cheshire East Site Allocations and Development Plan Policies Document (SADPD)

Policy PG 11: Green Belt and safeguarded land boundaries

Policy GEN 1: Design principles

Policy ENV 1: Ecological network

Policy ENV 14: Light pollution

Policy ENV 16: Surface water management and flood risk

Policy ENV 2: Ecological implementation

Policy ENV 3: Landscape character

Policy ENV 5: Landscaping

Policy RUR 6: Outdoor sport, leisure and recreation outside of settlement boundaries

Policy RUR 7: Equestrian development outside of settlement boundaries

Policy HOU 12: Amenity

Policy INF 1: Cycleways, bridleways and footpaths

Policy INF 3: Highway safety and access

6.3. Neighbourhood Plan

Policies of the Peover Superior Neighbourhood Plan relevant to the consideration of this application are:

ENV3 – Access to the Countryside
INF5 – Sustainable Transport
ECON1 – Rural Economy

7. Relevant supplementary planning documents or guidance

7.1. Supplementary Planning Documents and Guidance do not form part of the Development Plan but may be a material consideration in decision making. The following documents are considered relevant to this application:

Cheshire East Design Guide May 2017
Environmental Protection Supplementary Planning Document March 2024
Over Peover Supplementary Planning Document July 2011

8. **CONSULTATIONS**

8.1. **Environmental Health** - No objection

8.2. **Highways** – No objection

8.3. **Public Rights of Way** - No objection, subject to a signage scheme.

8.4. **Nature Conservation** – No objections, comments summarised below.

8.5. **Forestry** – No objection.

8.6. **Contaminated Land** - No objection, a standard informative is recommended in relation to contaminated land.

8.7. **Conservation / Listed Buildings** - No comments received.

8.8. **Landscape** – No objections, condition are recommended for a landscaping scheme along the bund adjacent to the arena.

8.9. **Lead Local Flood Authority** - Have no comments to make on the application.

8.10. **Peover Superior and Snelson Parish Council** - Object to the application for the following reasons:

- disrespect of regulation and local community;
- misrepresentations on the application (presence of a café, operating out of hours in application, does not include residential chalet within the application);
- traffic and access;
- harm to local wildlife hospital and other riding facilities that also provide education to children and for SEND children;
- light pollution;
- noise pollution; and
- additional businesses on site not in application.

8.11. **Natural England** - No objection

9. REPRESENTATIONS

9.1. Representations have been received from 29 addresses, 25 objecting to the proposal and 4 supporting it. This includes submissions made on behalf of objectors, and those by CPRE, The Countryside Charity.

The objections are summarised as follows:

- Principle of the development contrary to section 13 of NPPF (green belt) and policy PG3 of local plan
- Contrary to local plan policy RUR7
- Detrimental impact on openness both visual and spatial, duration and remendability, degree of activity
- Conflicts with purpose (c) of including land within the green belt.
- No very special circumstances
- Impact on amenity
- Visual impact on landscape contrary to the Local plan, Cheshire East Design Guide (2017) and the Over Peover Design Guide (2018) or any updated versions, and Policy LCD1 of the NP
- Impact on bridleway contrary to Policies CO1 and INF1 of the LPS, the NP and the NPPF, and must be refused on highway safety grounds.
- Impact this will have on the local community and on the environment.
- The riding centre, arena and various other buildings have already been constructed and are in use without any necessary planning permission.
- Unauthorised residential occupation
- Impact on Lower Moss Wood Wildlife Hospital and Educational Nature Reserve,
- Impact on a badger set
- The use of floodlights, speakers, crowds and the increased volume of traffic and impact on the lives of local residents.
- Noise and light pollution
- Increased traffic in the area
- Access on from Stocks Lane is narrow/unsuitable.
- Safety concerns for users of the bridleway
- Concern that operators and visitors to the site may use school lane and increase the traffic, parking, especially if event on impact on walking, jogging, cycling and horse riding. It's also in a conservation area.
- Number of horses allowed to graze should be limited to those recommended by the British Horse Association recommend (1 horse per 1.5 acres, so should be no greater than 23 horses).
- Application should be determined in accordance with planning regulations and The Over Peover Parish Plan (2008), The Peover Superior Supplementary Planning Document (2011) and The Peover Superior Neighbourhood Development Plan (2019-2030).
- The application states there will be no residential occupation of the site. In fact, several people are already resident. In addition, the company is already advertising "residential" courses in the Knutsford Guardian.
- Access by School Lane or by a Bridle Path from Stocks Lane. Both of these routes are completely unsuited to take the substantial increase in traffic that will be involved in competitive events. The occurrence of 100 + traffic movements/day down these routes that are shared by horse riders, cyclists and walkers constitutes an unacceptable safety hazard.
- The hours proposed in the application are already being significantly exceeded as the activities take place.

- A 'fun run' commenced from the stables with no notice and caused disturbance to local residents.
- Concerns about traffic using the bridle path (BR26) on Stocks Lane to access the equestrian centre, and lack of suitable passing places.
- Impact on badger set
- No mention of lighting or public address system used when events are on
- Multiple businesses running from the site.
- Pony camps offering overnight camping during the summer.
- Operating beyond hours stated on the form.
- There are many of these types of facility already available locally, catering for all abilities.
- If approved conditions should be attached to control and restrict the operations
- Café on site
- Adverse impact to character and appearance of the area
- Disregard for planning laws
- No details of septic tank and package treatment plant
- Installation of cameras and lighting privacy, light pollution, intrusive features / urbanisation
- Applicant did not consult with local or parish council.
- Café, food hygiene and safety

The support is summarised as follows:

- A local resident has not seen no material impact on the bridle way and public right of ways.
- The proposed use is not out of keeping for the area.
- Not seen any incidents on this access road
- As a local resident I would be proud that this area of countryside is being put to such a valuable usage.
- The facilities at Colshaw Hall Farm have been valuable to users.
- Attendees' experiences have had a genuinely positive impact on their confidence, wellbeing, and connection with nature.
- The site is well-managed, safe, and welcoming, and it provides a unique opportunity for children to engage with animals and the countryside in a meaningful way.
- Many attendees to event on site had ridden their horses from surrounding farms.
- The proposal supports appropriate rural development, including equestrian use, which is explicitly recognised as suitable in countryside locations and complies with Policy PG 6 (Open Countryside).
- The site makes good use of existing buildings and infrastructure, and the scale of development is proportionate. It is sensitively integrated into the landscape and does not cause harm to the character of the area. and complies with Policy RUR 7 (Equestrian Development).
- The equestrian and educational activities contribute to the local rural economy and provide recreational and therapeutic benefits to the community and comply with Policy EG 2 (Rural Economy):
- In accordance with National Planning Policy Framework (NPPF) The development supports rural diversification and promotes health and wellbeing, particularly for children and vulnerable groups. It also makes effective use of existing land and buildings.
- The planning application will make the greenbelt and the surrounding area accessible for those not lucky enough to be in that position. These children will surely grow up to have respect for the greenbelt and all that it has to offer to our communities.

10. OFFICER APPRAISAL

Principle of the development

- 10.1. The application site is located within the Green Belt and Open Countryside as identified in the adopted polies map of the Cheshire East Local Plan. These matters are dealt with in turn below.
- 10.2. The applicant seeks retrospective change of use of land and buildings from agriculture to and equestrian use with associated ancillary development, including private livery, outdoor arena and equine-assisted learning. For the purpose of National and Local Planning Policy equestrian uses are considered to be a form of outdoor sport and recreation.
- 10.3. The applicant has provided a comprehensive planning statement and plans clearly setting out what the applicants business comprises, and the development that has occurred to facilitate this. This has included the change in use of the land, the reuse of existing buildings, as well as the provision of additional facilities and buildings associated with the change of use.
- 10.4. The application site is in the Green Belt. Paragraph 142 of the Framework attaches great importance to Green Belts. It states the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and identifies the essential characteristics of Green Belts are their openness and their permanence.
- 10.5. CELPS Policy PG3 of the Cheshire East Local Plan Strategy 2010-2030 (July 2017) supports the fundamental aim of keeping land permanently open and restricts inappropriate development which is, by definition, harmful to the Green Belt and should not be approved except where very special circumstances exist. Policy PG3 reflects the provisions of paragraph 153 of the Framework which resists inappropriate development in the Green Belt.
- 10.6. Paragraph 154 of the NPPF lists certain forms of development which are not regarded as inappropriate. The CELPS Policy PG3 of the Cheshire East Local Plan Strategy 2010-2030 (July 2017) replicates the Framework approach to development within the Green Belt, listing the same exceptions to inappropriate development.
- 10.7. The relevant parts of paragraph 154 are:
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, 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;
- and
- h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
 - iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;
 - v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- 10.8. Policy PG 3 of the Cheshire East Local Plan Strategy is consistent with the above and states:
- 3. *The construction of new buildings is inappropriate in Green Belt. Exceptions to this are*

- i. buildings for agriculture and forestry;*
- ii. 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;*
- iii. the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- iv. the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- v. limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or*
- vi. limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.*

4. Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:

- i. mineral extraction;*
- ii. engineering operations;*
- iii. local transport infrastructure that can demonstrate a requirement for a Green Belt location;*
- iv. the re-use of buildings provided that the buildings are of permanent and substantial construction; and*
- v. development brought forward under a Community Right to Build Order.*

10.9. With regards to the change of use of the land from agriculture, the uses outlined in the application constitute outdoor sport and recreation. Therefore, the application is consistent with paragraph h) v. of the NPPF in this regard, and policy PG 3 of the Local Plan.

10.10. The application includes the re-use of existing buildings that have benefited from various earlier approvals and were associated with the previous agricultural use. The buildings are of permanent and substantial construction, and no external alterations or extensions are including with the development. The reuse of the buildings is therefore considered to be consistent with paragraph h) iv. of the NPPF and policy PG 3 of the Local Plan.

10.11. The facilities and buildings that have been brought onto the site by the applicant are associated with the change of use and fall under paragraph 154 b), provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. The has been addressed in the following section.

10.12. Objections have been received stating that the operator's website highlights the Higher Farm Riding Club which offers birthday parties, summer camps and also a café, and consequently as a whole cannot be considered an exception under 154 b). However, most of these activities are still very much associated with the equestrian nature, and as a whole the development constitutes outdoor recreation.

10.13. With regards to the alleged café, it is understood that one of the demountable buildings (no. 6 on the site plan), which has been brought on to the site was used as a café on the applicant's previous site. However, it is not being used as a café on this site, the building has been re-purposed for equine learning.

10.14. The following section makes and assessment regarding openness.

Openness

10.15. When assessing the potential impact on the openness of the Green Belt, case law has established that both the spatial and visual aspects must be considered, alongside the duration of the development and the intensity of activity it generates. These matters have been addressed in turn below.

Spatial aspect

10.16. The re-use of the substantial existing agricultural buildings for equestrian purposes has limited the spatial footprint of development. The largest open land use elements such as horse paddocks and grazing areas remain undeveloped and consistent with open countryside uses.

10.17. The development has involved the siting of various structures including modular buildings, storage containers, stables, and welfare units these are identified in the submitted Site Plan and elevations. Except for equine learning buildings (nos. 5 and 6), the majority of the new buildings are positioned within or immediately adjacent to the existing cluster of buildings and infrastructure, thereby minimising the overall spatial intrusion into the wider Green Belt.

10.18. The main learning building (no. 6 on the Site Plan) was positioned on an area of existing hard standing, it provides a learning space and has large windows so that overlook the paddocks. Whilst it is further outside of the main yard, it was located on an area of existing hardstanding and did not cause further encroachment into the open fields in this respect.

10.19. With regards to the second learning building (no. 5 on the site plan) this is a very modest timber hut, the applicant has stated that it contains seating for spectators to view activities within the outdoor arena, so it is necessary to position it in this location, furthermore there is an established hedgerow providing a back drop and screening from the wider surroundings.

10.20. The applicants states that the layout of the external arena avoids exposed development due to existing earth bunds within the application site. A review of aerial photograph between 2017-2021 does indicate various earth works and bunded material in this area before the creation of the arena. However, there form was less uniform, and the current and aerial photographs indicate that bund around the edge of the arena was created earlier this year.

Visual aspect

10.21. The site benefits from strong existing screening, particularly to the north/west, where mature woodland of Lower Moss Wood screens much of the site from the northwest, and existing mature hedgerow and tree lines assist in screening the site from wider vantage points.

10.22. The external riding arena is sited outside of the central yard. However, this is visually enclosed the bund around the edge, which due to its height and the establishment of vegetation it provides a good screen of the much of activities within. Lower Moss Wood so also provides and screen from the north west, and a back drop to the arena when viewed from the south east.

10.23. The built form is located a significant distance from the public highway and public vantage points. The additional buildings and structures are generally low-profile, agricultural or modular in character, and finished natural colours.

Duration and permanence

10.24. The application seeks planning permission for the permanent use of the site, the re-use of the existing buildings, and siting of various buildings and structures. Most of the activities would be accommodated within the existing buildings including parts of the riding school and equine learning, washroom, equipment storage, indoor arena and stables. The applicant is not proposing any alterations to the existing buildings onsite. Most of the buildings and structures that have been brought onto the site, for which the applicant is seeking permission to retain, are demountable and modular units. Should the existing use cease, these additional buildings could therefore be easily removed and the land restored.

Activity and use

10.25. The use of the site is for equestrian purposes, including the private livery, a riding school and equine assisted learning. The riding school operates Monday – Friday between 14:00 to 19:00, Saturday 09:00 to 17:00 and Sunday 09:00 to 17:00, whilst the equine assisted learning operates Monday – Friday 10:00 to 14:00.

10.26. The transport statement identifies movements to and from the Saturdays as the busiest days with around 109 two-way vehicle movements, whilst on a Friday there are between 59 and 89 two-way vehicle movements.

10.27. The activities are physically well-contained within the site, and the hours that the site is open users of the riding school and equine learning is limited. Consequently, the nature and scale of activity is considered appropriate for a rural location and does not result in harm to the perceived openness of the Green Belt.

Openness Summary

10.28. Taking these factors together, the proposal is considered to preserve openness both spatially and visually. The scale of development, its design, and the associated land use patterns are all consistent with the rural and equestrian character of the area.

Purposes of the Green Belt

10.29. The proposal does not conflict with any of the five purposes of including land within the Green Belt as set out in paragraph 143 of the NPPF. The majority of structures have been sited on areas of existing hardstanding within the central yard and previously developed parts of the site.

10.30. There is no harmful spread of built form into the open fields that surround the core of the site. Surrounding fields have been retained and used for grazing and horse turnout, overall maintaining the openness and rural character of the wider site.

10.31. By concentrating development within the established yard area and preserving the undeveloped land for agricultural and equestrian use, the proposal avoids any harmful encroachment into the countryside. As such, the development does not undermine the purposes of the Green Belt and instead reflects a functional and spatially contained use of the site in keeping with its rural context.

Open Countryside

10.32. The application is also designated as 'Open Countryside', similarly policy PG 6 of the CELPS, allows for development of outdoor recreation in the Open Countryside, and for the re-use of existing rural buildings where the building is permanent, substantial and would not require extensive alteration, rebuilding or extension. The development is considered to be consistent with policy PG 6.

Equestrian Development and the Rural Economy

10.33. Policy RUR 6 (Outdoor sport, leisure and recreation outside of settlement boundaries) and RUR 7 (Equestrian development outside of settlement boundaries) of the SAPD support outdoor recreation and equestrian enterprises (including stables, training areas, riding centres and studs) where they accord with other policies in the development plan and criteria set out in both RUR 6 and RUR 7.

10.34. In this case the development primarily utilised existing agricultural buildings, existing access, parking and an existing bridleway. Whilst there are some additional structures and buildings these are very limited in the context of the existing, and they have been positioned so that they are clustered in and around the existing buildings and on hard surfaces so are not isolated, and do not unacceptably affect the amenity and character of the surrounding area or landscape. There is substantial mature woodland, hedgerows and tree lines and landscaping, and based and sufficient land for supplementary grazing and exercise.

10.35. The additional structures and buildings that have been provided relate well to each other and the existing buildings and do not form isolated or scattered development. The design of the structures and buildings and their materials appropriate to their equestrian function and rural setting.

10.36. With regards to lighting the application does not include any floodlighting or high-level illumination, if proposed in the future this would require separate planning permission. The applicant has referred to the need for limited small-scale, directional light fittings for safety and welfare purposes during operational hours in winter, should the application be approved the details of these could be secured by planning condition.

10.37. With regards to waste management the applicant has stated that *"the site includes a designated muck heap (identified in the site plan), sited away from sensitive receptors, and this will be emptied weekly. The relatively small volume of manure generated will be removed from the site and taken to a neighbouring farm where it can be appropriately spread on the land"*.

10.38. Furthermore, the proposal supports the rural economy through the relocation and retention of an established equestrian business, re-uses existing buildings, delivers local employment, and provides outdoor recreation in an appropriate open countryside location. The development is proportionate in scale, well-designed has suitable access and parking, with no adverse impact on landscape character or residential amenity.

10.39. For the reasons outlined above, the development is considered to be consistent with the requirements of Policies RUR 6 and RUR 7 of the SADPD, and Policy EG 2 (Rural Economy) of the CELPS.

Conclusion on Principle of Development

10.40. Policy PG 3 of the CELPS relates to development within the Green Belt and reflects the provisions of the National Planning Policy Framework (NPPF). It supports, in principle, the

provision of appropriate facilities for outdoor sport and recreation, as well as the reuse of buildings that are of permanent and substantial construction.

10.41. Similarly, Policy PG 6, which addresses development in the open countryside, permits proposals that relate to outdoor recreation and other uses deemed appropriate to a rural setting. This policy also supports the re-use of permanent and substantial rural buildings. On this basis, the proposed development accords with both the relevant provisions of the NPPF and the strategic policies set out in the CELPS.

10.42. It also accords with policies RUR 6 (Outdoor sport, leisure and recreation outside of settlement boundaries) and RUR 7 (Equestrian development outside of settlement boundaries) of the SADPD, and Policy EG 2 (Rural Economy) of the CELPS.

Landscape

10.43. The proposals see the inclusion of several smaller, some movable structures. The Council's Landscape Officer has considered the Landscape and Visual impacts and concluded that mostly the proposals don't represent any major adverse visual effects, partly due to the existing building and bunds. The proposal will not adversely affect the landscape character.

10.44. The Landscape Officer has noted that vehicle movements at peak times could have an effect on the tranquil character of the wider landscape character. However, this is not considered to be significant.

10.45. The Landscape Officer does have concerns regarding any future unregulated lighting and any impacts upon the wider landscape nighttime character. A condition has been recommended to address this.

10.46. Should the proposal be approved, the Landscape Officer has recommended a condition, for landscape plan which has a mixed deciduous native hedgerow with intersperse broadleaf trees along, located along the bund adjacent to the arena. This would soften the visual effects of the proposal.

Public Rights of Way

10.47. The application site shares an access track with the route of Peover Superior Bridleway 26 connecting from the road towards the driveway to the development site.

10.48. The Countryside and Rights of Way team has been consulted. Initial concerns were raised in relation to the submitted information not giving sufficient consideration for the passing of motorised traffic, horse riders, cyclists, wheelers (eg. wheelchair users) and pedestrians, and the provision of mitigation.

10.49. The applicant has since provided a technical note providing the results of a survey of pedestrian, cyclist and equine usage of the bridleway on Friday 8th and Saturday 9th August 2025, taken between 1600 hours on the Friday and 1600 on the Saturday.

10.50. The report states that peak period in terms of two-way movements occurred between 1000 and 1100 hours when there are 8 northbound and 7 southbound non-car users on the access road, therefore the flows along Bridleway are relatively low. If these are compared with the traffic levels for the proposed development (2 arrivals and 2 departures) the instances where cars and other users will meet on the bridleway will be infrequent.

10.51. Notwithstanding the observed usage detailed above, the applicant has provided a mitigation scheme in the form of enhanced signage so that motor vehicles are aware of the presence of the Bridleway.

10.52. A condition is recommended to secure the implementation of the signage scheme.

Highways

10.53. The Council's Highways Engineers has been consulted and is satisfied with the proposal making the following comments.

10.54. The application proposed up to 15 car parking spaces on site, it is indicated that 9 staff are on site each day. As this is a retrospective application, the level of trip generation can be assessed and so traffic surveys have been undertaken on Fridays and Saturdays as these were seen as the busiest days.

10.55. The peak hour trips are 15 and the daily trips is 109 on a Saturday, given these low figures the traffic impact is minimal and raises no concern. The access to the site is private and there are passing spaces available along the access road to allow vehicles to pass each other.

10.56. The existing standard of access in terms of width and visibility is good onto Stocks Lane and is acceptable to serve the proposed development.

10.57. In summary, the highway impact of the uses is minimal and there are no objections raised. The development is considered to be acceptable with regards to highway safety and accords with policy INF 3 (Highway safety and access) of the SADPD.

Ecology

10.58. The Council's ecologist has been consulted, whilst no objections are raised, a number of observations and recommendations have been made which are summarised below.

10.59. The application site is located within a Restoration Area of the CEC Ecological Network. SADPD Policy ENV2 therefore applies to this application. If retrospective consent is granted, a condition is recommended for an ecological enhancement strategy.

10.60. Lower Moss Wood Local Wildlife Site supports Lowland Raided Bog habitat that has become dominated by broadleaved woodland. The converted building and the arena are located immediately adjacent to the boundary of the LWS.

10.61. Based upon the site photographs there does not appear to have been any substantial damage to the Local Wildlife Site, but due to the close proximity of the retrospective works they are likely to have resulted in some effects on the margin of the site such as damage to tree roots and localised changes in hydrology. The retrospective nature of the works makes these effects difficult to fully assess.

10.62. Great Crested Newts may breed at ponds located in close proximity to the application site and if present could range across land within the red line of the application. The retrospective development appears to have resulted in the loss of habitat of limited value for this species. The submitted ecological assessment however advises that the arena was constructed on an area of existing rubble which I advise may have provided opportunities for shelter and protection for this species.

- 10.63. The buildings which have been subject to conversion may also have supported roosting bats and/or barn owls. Both of which are protected species.
- 10.64. No evidence of badgers was recorded as part of the submitted ecological assessment; the assessment does however report that the species is known to occur within the adjacent Local Wildlife Site. The Council ecologist notes there the works may have resulted in the disturbance of this species.
- 10.65. However, as this is a retrospective application it would be very difficult to assess whether the works resulted in an impact upon any of these protected species, and there is no evidence that it did.
- 10.66. The ecologist has raised concerns that external lighting associated with the arena and riding school, and machinery store building could have an adverse impact upon wildlife associated with the adjacent local wildlife site. If planning permission is granted, it is recommended that a planning condition be attached stating that there should be no flood lighting on the site, and that details of external security lighting be submitted and approved.
- 10.67. Based on the submitted information and the advice from the Council's ecologist there is no substantive reasons to refuse the application on ecology or habitat grounds. Conditions are recommended in relation to an ecological enhancement strategy and external lighting.
- 10.68. With regards to Biodiversity Net Gain (BNG), the legislation does not apply to applications made retrospectively, so it does not apply in this case.

Environmental Protection

- 10.69. The nearest residential properties are Newhall Farm and Blease Farm to the west, Colshaw Hall to the south, Merrydale Manor to the southeast, and properties along School Lane to the north. These are all located a significant distance from the main yard and external arena, various with fields, pastures, woodland, trees and hedgerows in between.
- 10.70. Due to the degree of separation and the type of equine activities involved, there is no demonstrable significant harm to nearby occupiers by way of noise and disturbance. Whilst there has been an increased use of the access track by visitors coming and going, this is not considered to cause significant harm by way of noise and disturbance to nearby residential occupiers. The environmental protection team have been consulted and has confirmed that they have no comments to make with regards to amenity or air quality.
- 10.71. Concerns have been raised by local residents in relation to flood lighting. The applicant's planning statement says, "The use is daytime only, with no floodlighting proposed, and lighting arrangements remain unchanged from the previous situation". Consequently, this application does not include the provision of any flood lighting. Should the applicant wish to provide floodlighting then a separate permission would be required. The applicant has noted the need for low level security lighting around the site; a condition is recommended that details of these are submitted for approval.
- 10.72. With regards to the provision of any low-level external lighting required for safety and security, if the application be supported it is considered reasonable to attach a condition for the submission and approval of any such details.

Forestry

- 10.73. This retrospective application is located in an area which benefits from established tree cover internal to the site and along field boundaries adjacent to Lower Moss Woodland to the northwestern boundary. No statutory protection in the form of a Tree Preservation Order or Conservation Area applies to the trees, although the woodland Priority Habitat Woodland.
- 10.74. No arboricultural impact assessment has been submitted with the application. However, the Council's Forestry Officer has reviewed the application, along with site images and compared these with aerial imagery, and it is unlikely that any tree losses have arisen to accommodate the proposal.
- 10.75. Notwithstanding this it appears that the outdoor arena is located to the southeast of the woodland and appears to be surrounded by a raised bund. In the absence of any detailed arboricultural information, and considering the retrospective nature of the application, it is not possible to assess the impact the works may have had on adjacent tree cover.
- 10.76. The Forestry Officer has concluded that there are no significant arboricultural implications arising and advised that if approved and informative is recommended advising the applicant that the impact of any development on trees located offsite is a civil matter, and that the applicant has a duty of care is required.

Other Matters

- 10.77. The application site falls within a flood zone 1. Lead Local Flood Authority have been consulted and have said that they have no comments to make with regards to flood risk/drainage.
- 10.78. Objectors have referred to The Code of practice for the welfare of horses, ponies, donkeys and their hybrids (2017, DEFRA) and policy RUR 7, raising concerns that at 17 hectares the site does not have the capacity for 50 horses. The applicant has provided the following response:

"We note the guidance in paragraph 1.2, which refers to 1.25–2.5 acres per horse if no supplementary feeding is being provided. However, in this case supplementary feed is routinely provided on-site, and therefore the horses are not reliant solely on pasture. The business operates with structured feeding regimes, which significantly reduces the requirement for large areas of grazing land.

In addition, paragraph 1.2 goes on to state that "a smaller area may be adequate where a horse is principally housed, and grazing areas are used only for occasional turnout." This more accurately reflects the operational model at this site, where stabling and supplementary feeding are central, and pasture is used primarily for exercise and turnout rather than as the sole feed source.

It is also important to stress that the figures cited in the DEFRA document are framed as general rules rather than prescriptive policy requirements. They are intended as a welfare safeguard rather than a fixed formula for land-use planning. In practice, the actual land requirement is variable and dependent on age and breed of horses, management systems, supplementary feeding, and the degree of stabling.

All the riding school horses are licensed individually by Cheshire East already which includes the Animal Welfare Office reviewing each passport, along with an individual vet inspection. The applicant was granted a 5 license on the basis of the health and condition of the facilities and horses. Please note the applicant's currently have around 30 horses on site".*

10.79. Based on the information provided there are no substantive evidence to refuse the application on these grounds.

11. PLANNING BALANCE/CONCLUSION

11.1. The application site is located within the Green Belt, it involves the change of use of land and buildings to an equine enterprise which is considered to be a form of outdoor sport and recreation, and well and the reuse of agricultural buildings. Therefore, the application is consistent with paragraph 154 b) and h) v. and iv. of the NPPF and policy PG 3 of the Local Plan.

11.2. The development is also consistent with policy PG 6 (Open Countryside) of the CELPS, which allows for development of outdoor sport and recreation in the Open Countryside, and for the re-use of existing rural buildings.

11.3. The proposal supports the rural economy through the relocation and retention of an established equestrian business, re-uses existing buildings, delivers local employment, provides education, outdoor sport and recreation and is consistent with the requirements of Policies RUR 6 (Outdoor sport, leisure and recreation outside of settlement boundaries) and RUR 7 (Equestrian development outside of settlement boundaries) of the SADPD, and Policy EG 2 (Rural Economy) of the CELPS.

11.4. The site is accessed via a track shared with bridleway no 26, there are suitable existing passing places, and the applicant has provided details of a signage scheme to mitigate conflict between the various users.

11.5. The development provides economic benefits in terms of local employment opportunities; it also provides a facility for outdoor sport and recreation, equine learning including the provision of access of equine activities to a variety of group of people including SEND children.

11.6. Officers consider that the proposed development is appropriate development in the Green Belt and there are no other material considerations that would provide a strong reason for refusing or restricting development.

11.7. Officers consider that the proposed development is appropriate development in the Green Belt and there are no other material considerations that would provide a strong reason for refusing or restricting development.

12. RECOMMENDATION

Approve subject to conditions:

1. Development in accordance with approved plans
2. No flood lighting, and the submission/approval/implementation of any other low level external lighting scheme
3. Submission/approval/implementation of signage scheme on PRoW
4. Submission/approval/implementation of an ecological enhancement strategy
5. Submission/approval/implementation of a landscaping scheme
5. Hours of operation riding school and equine learning
6. Use restriction – including buildings not used as a café

Informatives

1. Trees informative

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning has delegated authority to do so in consultation with the Chairman of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Committee's decision.

