

Application No: 25/2658/FUL  
Application Type: Full Planning  
Location: Colshaw Hall Farm Stocks Lane, Over Peover, Knutsford, Cheshire East, WA16 8BF  
Proposal: The siting of a static lodge that meets the definition of a caravan on existing hardstanding and served by pre-existing services, to provide a dwelling for a rural worker. (Retrospective)  
Applicant: Higher Farm Equine

Expiry Date: 31 October 2025

### **Summary**

The application relates to a parcel of land at Higher Farm (formally Colshaw Hall Farm) which is accessed from Stocks Lane, Over Peover. The application site is located within the Green Belt. To the south and west of the site are extensive arable fields. A bund runs along the north and east site boundary with agricultural buildings beyond. The Lower Moss Wood Local Wildlife Site (LWS) lies immediately to the north of the site.

This application seeks planning permission retrospectively the siting of a 'static lodge' on existing hardstanding and served by pre-existing services, to provide a dwelling for a rural worker at the adjacent Higher Farm Equine, the subject of application 25/2497/FUL.

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

The development does not fall within any of the other exceptions in paragraph 154 or 155 of the NPPF, it constitutes inappropriate development in the Green Belt and should not be approved except where very special circumstances exist.

Should members be minded to approve application 25/2497/FUL, the applicant has demonstrated that there is an essential need for a worker to live permanently at the site, in respect of welfare, business performance, and the need in case of emergency situations. Not being onsite would pose a potential risk to the welfare of their animals.

Sufficient information has been provided to demonstrate that the benefits clearly outweigh the harm and therefore amounts to the very special circumstances necessary to allow inappropriate development in the Green Belt to be granted planning permission.

### **Summary recommendation**

**Subject to the approval of 25/2497/FUL, it is recommended that the application is approved with conditions.**

## **1. REASON FOR REFERRAL**

- 1.1. This application relates to the provision of a rural workers dwelling for the owners/operators of the adjacent equine business subject to planning application 25/2497/FUL.
- 1.2. For the reasons set out below the appropriateness of this development very much depends on whether 25/2497/FUL can be supported, and therefore appropriate for this application also be considered by the Strategic Planning Board.

## **2. DESCRIPTION OF SITE AND CONTEXT**

- 2.1. The application relates to a parcel of land at Colshaw Hall Farm which is accessed from Stocks Lane, Over Peover. The application site is located within the Green Belt.
- 2.2. To the south and west of the site are extensive arable fields. A bund runs along the north and east site boundary with agricultural buildings beyond. The Lower Moss Wood Local Wildlife Site (LWS) lies immediately to the north of the site.

## **3. DESCRIPTION OF PROPSAL**

- 3.1. This application description seeks full retrospectively permission 'the siting of a static lodge that meets the definition of a caravan on existing hardstanding and served by pre-existing services, to provide a dwelling for a rural worker'.
- 3.2. The term 'caravan' is defined within the Caravan Sites Acts (including twin-unit caravans) with size dimensions, so this is what should be referred to rather than the term 'static lodge'.

## **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 3: Agricultural and forestry workers dwellings

Policy HOU 12: Amenity

Policy HOU 13: Residential standards

Policy HOU 14: Housing density

Policy HOU 8: Space, accessibility and wheelchair housing standards

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. **Landscape** – No objection

8.2. **Nature Conservation** – No objection

8.3. **Countryside and Public Rights of Way** - No objection.

8.4. **Forestry** – No objection

8.5. **Environmental Health** – No objection

8.6. **Peover Superior and Snelson Parish Council** -

The Parish Council objects to the application. Their concerns have been summarised below:

- If 25/2497/FUL is approved does not follow that this application should also be approved.
- Inconsistencies between the supporting statement and number of horses on site as stated in 25/2497/FUL.
- Not enough land to accommodate 50 horses, having regard to RUR 7 requires sufficient land for grazing in accordance with the Code of Practice for the Welfare of Horses, Ponies, Donkeys and their Hybrids (2017).
- Other riding establishments do not have on site living provision for staff.
- Should this and application 25/2497/FUL both be approved we would request that this application approval carries a condition that the accommodation is used solely by person(s) playing an active part in the enterprise and not by any other person or persons engaged in other elsewhere.

## 9. REPRESENTATIONS

9.1. Five representations have been received from 4 addresses, objecting to the proposal. The points made are summarised as follows:

- No justification for the dwelling
- Essential rural workers dwellings should be for farming, not equine.

- As you will be aware and which has been pointed out numerous times, access is via a bridleway.
- Current use is not agricultural.
- Floodlights are in use.
- Where would trade effluent from Café go.
- More than one caravan on site.
- This whole venture is not suitably located and would, in my opinion, have an adverse effect on the village.
- Detrimental to Lower Moss Wood wildlife site which is an educational reserve and wildlife hospital for over 30 years, which has supported groups with disabilities, school children and environmental groups.
- Lodge should be part of the application for the equine business 25/2497/FUL
- This site has had previous applications for a rural worker's dwelling that were refused.

## 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 policies map of the Cheshire East Local Plan. These matters are dealt with in turn below.

### **Green Belt**

10.2. 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.

10.3. 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.

10.4. 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.

10.5. The applicant has submitted the application on the basis that they believe the proposal constitutes an exception under 154 (b) and (g):

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;

g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.

10.6. With regards to paragraph b) this application is for "the siting of a static lodge that meets the definition of a caravan on existing hardstanding and served by pre-existing services, to provide

a dwelling for a rural worker". Whilst it is understood that the occupiers work on the adjacent equine business, this application itself is for a rural worker dwelling, not outdoor sport or recreation, and does constitute an exception under paragraph b).

10.7. With regards to paragraph g), the glossary to the NPPF defines previously developed land as "Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed)!.

10.8. Planning permission (16/2457M) has previously granted on the site in September 2016 for a temporary residential accommodation in association with a calving unit, the permission was implemented, however it was subject to the following condition:

1. *The building hereby permitted is acceptable for a temporary period. It shall be removed and the site returned to its former condition on or before 30 September 2020 unless in the meantime a further application has been submitted to and approved by the Local Planning Authority. The land shall be restored in accordance with a scheme of work submitted to and approved by the Local Planning Authority.*

*Reason: To enable continued control and appraisal of the development proposed having regard to the particular circumstances and nature of the development to comply with policy BE1, GC1 and DC24 of the Macclesfield Local Plan 2004.*

10.9. Aerial photographs show that the temporary residential accommodation was not removed from the site and it was not returned to its previous condition in accordance with the above condition. Therefore, the previous development was unlawful. Consequently, the development cannot be considered as an exception under paragraph 154 (g).

10.10. The development does not fall within any of the other exceptions in paragraph 154 or 155 of the NPPF, it constitutes inappropriate development in the Green Belt and should not be approved except where very special circumstances exist.

10.11. Whether the proposals constitute 'very special circumstances' is dealt with later in this report.

### **Openness of the Green Belt**

10.12. By its very presence the static caravan reduces the openness of the Green Belt by introducing a new building where otherwise there would be none. There are, however, both spatial and visual components to openness and it is necessary to consider the impact or harm, if any, that would result from the change that would be brought about by the development.

10.13. To the north of the static caravan is Lower Moss Wood, whilst to the north/east there is an existing landscaped bund, both of which substantially screen the caravan from the north and east. To the west and south the landscape comprises mainly of open fields. The approach to the caravan is from the southeast, were views broken up by hedgerow and trees along the field boundaries.

10.14. The caravan is also located in close proximity to the adjacent farmyard, so is view in the context of the cluster of existing large farm buildings, and in part from consequently it is not highly visible. Whilst the site of the caravan does constitute encroachment, or the reasons given above its impact on openness is moderate.

### **Open Countryside**

10.15. The application site is within land designated as 'Open Countryside', Policy PG 6 paragraph 2. of the CELPS, states "Within the Open Countryside only development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers, **or for other uses appropriate to a rural area will be permitted**".

10.16. Whilst the caravan provides accommodation for people who work in outdoor recreation, the provision of a dwelling does not in itself constitute outdoor recreation. However, the above policy does allow for 'other uses appropriate to a rural area'.

10.17. Policy PG 6 also sets out a number of exception i - vi, however the development does not fall within any of these exceptions.

10.18. It is therefore necessary to consider whether the development is justifiable as an 'other uses appropriate to a rural area' use having regard to the submitted details and any other material considerations.

### **Need for the caravan**

10.19. The National Planning Policy Framework and National Planning Policy Guidance are material considerations. Paragraph 84 deals with isolated homes in the countryside and states:

84. Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

**a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside**

b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;

c) the development would re-use redundant or disused buildings and enhance its immediate setting;

d) the development would involve the subdivision of an existing residential building;

or

e) the design is of exceptional quality, in that it:

i. is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and

ii. would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area

10.20. The first part a) is considered to be of relevance to this application as the applicant considers themselves to be rural workers, as they operate the equine business on the adjacent land, and they consider it to be essential to be onsite for the 24 hour care and welfare of their animals. Planning Practice Guidance (Paragraph: 010 Reference ID: 67-010-20190722) provides further guidance on how the need for isolated homes in the countryside for essential rural workers can be assessed.

10.21. The evidence provided by the applicant is summarised below and set out under the various headings taken from the above guidance.

10.22. **Evidence of the necessity for a rural worker to live at, or in close proximity to, their place of work to ensure the effective operation of an agricultural, forestry or similar land-based rural enterprise (for instance, where farm animals or agricultural processes require on-site attention 24-hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products);**

**LABOUR REQUIREMENT**

2.4 The table below sets out the industry-standard calculation for the theoretical labour requirement for the core operations of the equestrian business based on the current provision of 32 horses. The Standard Work Days (SWD) are taken from data published in the Agro Business Consultants Equine Business Guide; The Agricultural Budgeting & Costings Book 8th Edition (2022).

2.5 The guide sets out the labour requirements for equine business based on the number and type of horses. It sets the figures out as standard man-days, based on 44.5 standard working weeks of 40 hours. The hours/days result in a notional 278 ‘standard man days’ of 8 hours. Based on the business calculation, the enterprise’s labour requirement is over 4 workers. The need therefore equates to more than one full-time worker.

**Table 1: Labour Requirement on current horses**

	NUMBER	SWD PER ANNUM	SMD'S
Full livery* (i)	19	68	1,292
Riding school horse (ii)	13	75	975
Subtotal enterprise requirement (a)		= i + ii	<b>2,267</b>
Deduction for economies of scale (b)		= 40% of total	<b>- 907</b>
Total SWD’s enterprise requirement (c)		= a – b	<b>1,360</b>
FTE @ 278 SWD's per annum per person		= c / 278	<b>4.89</b>

\*Owned by Laura Clarke (Higher Farm Equine) and private clients

2.6 The capacity of the site is 50 horses. Therefore, a revision is provided in the table below based on the capacity of the site, with the balance made up of full livery; a. because these have less SWD requirement, and b. because the capacity at the site is within the livery building. This increases the requirement to over 7.5 FTE workers required.

**Table 2: Labour Requirement with site capacity**

	NUMBER	SWD PER ANNUM	SMD'S
Full livery* (i)	37	68	2,516
Riding school horse (ii)	13	75	975
Subtotal enterprise requirement (a)		= i + ii	<b>3,491</b>
Deduction for economies of scale (b)		= 40% of total	<b>- 1,396</b>
Total SWD’s enterprise requirement (c)		= a – b	<b>2,095</b>
FTE @ 278 SWD's per annum per person		= c / 278	<b>7.55</b>

\*Owned by Laura Clarke (Higher Farm Equine) and private clients

**HORSE MANAGEMENT**

2.7 Across the combined services and facilities offered by Higher Farm Equine the business has capacity for 50 horses on-site at any one time. These are horses owned by the enterprise, but also those belonging to individuals whose responsibility and trust is in Higher



*Farm Equine to provide high levels of attention to their health and condition. Providing 24hr presence on-site by an appropriately skilled and experienced groom and equine facility manager is fundamental to this.*

## **5\* RIDING SCHOOL LICENCE REQUIREMENTS**

*2.8 Higher Farm Equine has a 5\* licence awarded by Cheshire East Council. This is based on meeting higher standards of care for the horses on site. One of these requirements is that a competent person must be on site at all times.*

## **WELFARE LEGISLATION**

*2.9 The Animal Welfare Act 2006 sets out the minimum acceptable standards for animal welfare. The regulation is supplemented and interpreted in the DEFRA Code of Practice for the Welfare of Horses, Ponies, Donkeys and their Hybrids. There is a requirement under the act to understand the horse's welfare needs to ensure, among other things, that they have a suitable environment, healthy diet, are able to behave normally, have appropriate company and are protected from pain, suffering, injury and disease. Importantly they require that the groom's person has sufficient contact with the horses to ensure the welfare of the animals.*

*2.10 It must be highlighted that these regulations set a minimum standard, and any caring grooms' person with compassion for the animals in their care will exceed every aspect of these regulations on a continuous basis.*

## **ANIMAL HEALTH**

*2.12 The two primary health risks associated with horses are colic and laminitis. Both can be fatal if not prevented or identified and treated. Colic is the term used to describe abdominal pain, usually indicating a problem with the gut or other organs within the abdomen. In all cases of colic, whether through simple indigestion or a serious twisted gut, immediate veterinary advice needs to be sought.*

*2.13 Signs of colic include:*

- a restless horse, pawing at the ground or attempting to roll excessively*
- unexplained sweating and rapid or laboured breathing*
- unusually irritable, looking at or attempting to kick its stomach*
- stretching as if to urinate or attempting to pass dung without result*
- elevated pulse rate and temperature.*

*2.14 Laminitis is the name given to when the blood flow to the laminae (sensitive layer of the hoof wall) is affected, and it results in inflammation and swelling in the tissues within the hoof, causing severe pain. Identifying and treating the first signs of laminitis are essential otherwise the laminae will begin to die. The laminae support the pedal bones in the hoof and, therefore, the weight of the animal. Damage caused through late identification can be irreversible and can result in euthanasia.*

*2.15 Signs of laminitis include:*

- increased digital pulse in the lower limb*
- lameness with an inability or reluctance to walk or move*
- lying down and displaying an unwillingness to get up*
- rocking back onto heels when standing, limbs outstretched*
- leaning back onto hind feet to relieve pressure from the front feet*

*2.16 A further risk to animal health is the horse becoming cast. This occurs when the horse becomes stuck in a prone position while lying down. A cast horse needs to be righted as quickly as possible. If left lying down and unable to move, severe muscle damage can occur.*

*Horses that are cast will generally thrash around to try to correct themselves, potentially causing further injury. Furthermore, in some cases the cast horses can die as a result of the injuries.*

*2.17 The success of the enterprise economically, reputationally, and morally depends on underpinning the operation with the best people, in the appropriate position on the site to provide the required care and attention to the animals in their care. Responding to issues needs to be done immediately, as the situation can change in minutes leading to the potential loss of the animal.*

#### **EMERGENCIES AND THEFT**

*2.18 In the event of a fire within the unit an immediate response is required to mitigate the threat to the animals and implement the emergency plan. A delay of even a few minutes would cause severe suffering to the animals trapped inside a burning building.*

*2.19 Most equine centres are in remote locations, combined with the high value of the horses inside, which makes them a target for professional criminals. The theft or injury caused to a horse is unlike a physical product; the emotional and physical bonds between horses and owners cannot be replaced. The horses require 24 hours on-site supervision for protection from theft or injury by intruders, including animal rights activists.*

#### **SITUATIONAL AWARENESS**

*2.20 The above management tasks depend on the ability of the groom's person to continually monitor the horses and react immediately to critical situations. CCTV can provide helpful views of certain parts of the equine centre from remote locations however there is simply no substitute for being within sight and sound of the animals. CCTV cannot be held responsible for the health and welfare of c. 50 horses.*

*2.21 By being on site, the groom's person has a constant view and awareness of all aspects of the livestock and can respond immediately to any occurrence. A skilled groom is attuned to the behaviour and particularly the noise of the horses and will make regular physical inspections of the livestock. By being able to move around the stables, hear them, see all angles and monitor all aspects of their behaviour, the groom can make quick, well-informed decisions. This is the only way to completely ensure the health and welfare of the horses.*

#### **The degree to which there is confidence that the enterprise will remain viable for the foreseeable future;**

The applicant has provided the following on page 6 of their planning statement:

#### **PERFORMANCE OF THE BUSINESS**

*2.11 As well as being morally important the welfare of the animals is also essential to the performance of the business. The success of the enterprise and its long-term viability is predicated on the capacity to keep the horses in a fit and healthy state and ensure that they are free from harm. To achieve this, a skilled and experienced grooms' person is required to implement a wide range of skills on a continuous basis. This will ensure that the horses are managed proactively, and problems avoided or dealt with immediately.*

#### **VIABILITY**

*2.22 In respect of the second PPG limb, Higher Farm Equine Ltd has been trading as a company since February 2022, and Mrs Clarke much longer than that as a sole trader. The company has an established client base, ongoing bookings and strong relationships with the*

*Local Authorities, including Cheshire East Council, that they also provide the equestrian learning provision to.*

*2.23 The enterprise is profitable and has strong prospects of remaining so.*

***Whether the provision of an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process***

The application is not for an additional dwelling to provide accommodation for farm succession.

***Whether the need could be met through improvements to existing accommodation on the site, providing such improvements are appropriate taking into account their scale, appearance and the local context***

The applicant states that in July 2025 they carried out a search for available properties within a ½ mile radius of the site, and have stated that only one was available, but at £1,000,000 was not affordable for the business. They also state that the use of remote monitoring, CCTV or shift working cannot meet the need, and that this has been supported by examples of various appeal decisions at other sites.

***In the case of new enterprises, whether it is appropriate to consider granting permission for a temporary dwelling for a trial period.***

The business has existed since 2022, so while not a new 'enterprise', this is a new site in a relatively short period.

10.23. Having regard the above details the applicant has demonstrated that there is an essential need for a worker to live permanently at the site, in respect of welfare, business performance, and the need in case of emergency situations. Not being onsite would pose a potential risk to the welfare of their animals.

10.24. In order to ensure that the static caravan is only occupied by rural workers at the Higher Farm it is necessary to impose a condition restricting the occupancy to such a worker and their resident dependents.

10.25. It is understood that the business has existed since 2022, so it is not a new enterprise. However, within that period this is their second site so the viability of the business model in this location has yet to be proven. It is therefore appropriate to consider a temporary consent for a period of 3 years

10.26. Also, due to the Green Belt and Open Countryside location, the nature of the building would be unsuitable for a permanent development. It is necessary to impose a condition making the permission temporary and requiring the removal of the building at the end of that period. In the interests of the appearance of the area it is also necessary to include a re-instatement clause.

10.27. Subject to a planning condition restricting the use of the caravan to a rural workers employed at Higher Farm (Colshaw Hall Farm) the development is in accordance with paragraph 84 of the NPPF, and Policy PG 6.

**Sustainability**

10.28. The Development Plan also sets out what can be described as a vision-led approach to the sustainable location of development through a spatial strategy. It seeks to direct development to built-up areas with the precise location depending on accessibility to facilities by suitable travel modes. Thus, the development plan identifies sustainable locations for development through Policies MP1 and PG1.

10.29. In this instance, the proposal is for a rural worker dwelling, which relates to an equine business within the open countryside. By its very nature it is required to be located next to the equine business, consequently it is in an unsustainable location.

### **Character and appearance**

10.30. Policy SD 2 of the CELPS states that all development will be expected to contribute positively an area's character and identity, creating or reinforcing local distinctiveness. Policy SE 1 of the CELPS details that development proposals should make a positive contribution to their surroundings in terms of a number of criteria. This includes ensuring design solutions achieve a sense of place by protecting and enhancing the quality, distinctiveness and character of settlements. SADPD policy GEN 1 expands on this, expecting all development proposals to contribute positively to the borough's quality of place and local identity through appropriate character, appearance and form.

10.31. The caravan is a self-contained unit, its external elevations comprise of a light colour cladding effect on the external walls, and a pitched roof with grey tiled effect finish, with gables to either side, and one to the front above the doorway. The caravan has replaced a previous caravan, that was less substantial and dated in appearance. This newer caravan home is of higher quality design, it's appearance is an improvement, therefore making a positive contribution to it's surroundings.

10.32. The caravan benefits from existing landscaping around the boundary provided by trees and bunding, consequently it is not highly visible and does not have a significant impact on landscape.

10.33. It is therefore considered that the proposals are acceptable in terms of design and complies with the relevant policies of the Cheshire East Local Plan Strategy and the Site Allocations and Development Policies Document.

### **Living Conditions**

10.34. Policy SE 1 of the CELPS expects all development to be designed to ensure an appropriate level of privacy for new and existing residential properties. Policy HOU 12 of the SADPD states that development proposals must not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties, sensitive uses, or future occupiers of the proposed development. HOU 13 sets out the minimum standards expected in order to achieve a suitable level of privacy and light.

10.35. In this case, it is considered that there would be no significant adverse impact to living conditions of neighbours as a result of the proposals, due to the significant distance between the proposed dwellinghouse and the nearest residential properties.

10.36. The proposed dwellinghouse would provide suitable living conditions for future occupants in terms of daylight to habitable rooms, internal living space area and external amenity space.

10.37. The Environmental Protection team were consulted on the proposals and raise no objections.

- 10.38. Any external lighting does have the potential to impact on the amenity of the area, consequently details of any should be submitted to and approved.
- 10.39. Accordingly, the proposed development is found to be acceptable with regard to amenity and living conditions.
- 10.40. The above application has been assessed by Environmental Protection Team, and they have no objection in relation to public protection & health, air quality and contaminated land.

### **Highways**

- 10.41. 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 caravan and entrance to the farmyard.
- 10.42. The existing standard of access in terms of width and visibility is good onto Stocks Lane and is acceptable to serve the proposed development.
- 10.43. 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.

### **Public Rights of Way (PRoW)**

- 10.44. 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.
- 10.45. The Countryside and Rights of Way team has been consulted. Similarly to application 25/2497/FUL concerns were raised in relation to the submitted information not giving sufficient consideration to the passing of motorised traffic, horse riders, cyclists, wheelers (eg. wheelchair users) and pedestrians, and the provision of mitigation.
- 10.46. However, this separate application is only for the siting of the caravan home that would have very limited comings and goings by itself. The issues raised by the PRoW team have been addressed in the officer assessment for 25/2497/FUL, were if approved a condition has been recommended on that application for a signage scheme.

### **Nature**

- 10.47. The Council's ecologist has been consulted and has no objection. It was noted that as works are retrospective, it is advised that this application is exempt from mandatory Biodiversity Net Gain. Therefore, the deemed gain condition does not apply, and a biodiversity metric is not considered necessary.
- 10.48. The application is retrospective, so any impacts on protected species and / or habitats would have already occurred during works. However, based on the Retrospective Ecological Appraisal (Evergreen Ecology, 2025) it is not anticipated likely that any adverse impacts occurred during the siting of the caravan.

### **Trees**

10.49. The Council's Arboricultural Officer has reviewed the application and given that the caravan is sited on an area of existing hard standing there are not anticipated to be any significant arboricultural implications arising from this proposal.

### **Flood Risk**

10.50. The Environment Agency's Flood Map for Planning confirms that the site lies within Flood Zone 1, indicating a low probability of flooding. As such, the site is not considered to be at risk, nor is the proposed development expected to give rise to flood risk elsewhere.

### **Other Matters**

10.51. The static caravan would provide accommodation for the applicant and operator of the equine business, they are an employer of people that contribute economically to the local area, and socially, the site provides inclusive access to horses and equestrian activities of all abilities.

10.52. There is also an economic and social benefit derived through the equine learning that the applicant provides at Higher Farm Equine, positively impacting many lives of young people who otherwise would not have access to appropriate opportunities for learning.

## **11. PLANNING BALANCE/CONCLUSION**

11.1. The proposed development is inappropriate development in the Green Belt which is, by definition, harmful. In accordance with the Framework substantial weight is attributed to this harm.

11.2. The proposed static caravan would have an impact on the openness of the Green Belt, however given its context, its impact on openness is considered to be low.

11.3. The static caravan is in an unsustainable location with poor access to facilities and services, however, as it is for one dwelling, and a condition is considered necessary for its temporary use, moderate weight is given to this matter.

11.4. Matters in relation to character and appearance, living conditions, highways, public rights of way, nature trees and flood risk are neutral.

11.5. The static caravan is necessary for the owner to support the equestrian business for a rural worker to live permanently on the site and this weighs substantially in favour of the proposal.

11.6. The business use still needs to be proven on this site, and the caravan is temporary in nature, therefore is it considered necessary condition it's use from a temporary period. Subject to this condition the effects of it are easily reversible which also weighs significantly in favour of the proposal.

11.7. Taken together, the above is sufficient to clearly outweigh the harm and therefore amounts to the very special circumstances necessary to allow inappropriate development in the Green Belt to be granted planning permission.

11.8. Consequently, the development accords with Policies PG 3, PG 6 and the NPPF.

## **12. RECOMMENDATION**

Should members resolve to approve planning application

1. Development in accordance with approved plans
2. Temporary for 3 years
3. For rural worker at Higher Farm
4. Detail of external lighting

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.

