

Application No: 15/1612C

Location: Fir Tree Farm, SWETTENHAM HEATH LANE, SWETTENHAM, CW12 2LW

Proposal: Provision of equestrian facilities, including 24 stables, indoor and outdoor riding arenas, horse walker and 5no. paddocks

Applicant: Mr & Mrs Steve & Jean Davenport

Expiry Date: 08-Jul-2015

REASON FOR REPORT:

The application is included on the agenda of the Northern Planning Committee as the proposal relates to a site measuring more than 1ha in size and is therefore a small-scale major development.

SUMMARY:

It is considered that the principle of the proposed development is acceptable in this location where the impact upon the character of the existing countryside and landscape would be minimised and where it would assist the rural economy. The design of the proposed building would be of similar appearance to those within the vicinity and would not appear incongruous within the context of the area. The proposed use of the site is likely to have minimal impact upon matters relating to highway safety or the local highway network, residential amenity or ecology and would not result in a tangible loss of agricultural land. As such, the scheme is found to be in accordance with the relevant local and nation policies and is found to be sustainable in the social, environmental and economic sense. The scheme is therefore recommended for approval.

RECOMMENDATION:

APPROVE subject to conditions

PROPOSAL:

Full planning permission is sought for the creation of equestrian facilities, including 24 stables, indoor and outdoor riding arenas, horse walker and the change of use of the land to provide 5

no. paddocks for the keeping of horses at land to the east of Fir Tree Farm, Swettenham Heath Lane, Swettenham.

SITE DESCRIPTION:

This application relates to some existing agricultural land positioned to the east of the property referred to as 'Fir Tree Farm'. The southern site boundary stretches approximately 100 metres along Messuage Lane. There are open countryside designated fields in all directions. The northern and eastern boundaries to the site are bordered by mature deciduous trees and hedgerows. The site is situated within Open Countryside as designated in the adopted Congleton Borough Local Plan First Review (2005).

RELEVANT HISTORY:

None

NATIONAL & LOCAL POLICY

National Policy:

The National Planning Policy Framework (NPPF) establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs 17, 28 and 32.

Planning Practice Guidance (PPG) is also of relevance.

Development Plan:

The Development Plan for this area is the adopted Congleton Borough Local Plan First Review (2005), which allocates the site within Open Countryside under Policy PS8.

The relevant Saved Policies are: -

PS8 - Open Countryside
GR1 - New Development
GR2 – Design
GR6 – Amenity
GR9 - Accessibility, Servicing & Parking Provision
GR16 – Footpath, Bridleway and Cycleway Networks
NR2 - Wildlife & Nature Habitats

The relevant saved Local Plan policies are consistent with the NPPF and should be given full weight.

Cheshire East Local Plan Strategy – Submission Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy:

SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles

SE1 – Design
EG2 - Rural Economy

CONSULTATIONS:

Environmental Protection:

No objection subject to conditions / informatives restricting hours of construction / piling, external lighting, floor floating and the management of manure.

Jodrell Bank:

No objection subject to a condition that electromagnetic screening measures are incorporated into the materials of the proposed building.

SWETTENHAM PARISH COUNCIL:

The Parish Council are concerned about the following issues:

- The Council is concerned about the access and egress onto a narrow lane (Messuage Lane) for large vehicles such as horseboxes. There should be sufficient splay to accommodate such vehicles
- The Council is concerned about additional traffic using Messuage Lane particularly from the direction of Swettenham. The lane is narrow and winding. Ideally traffic to the site should be managed from Trap Street
- The site should be adequately screened from Messuage Lane to minimise the visual impact

REPRESENTATIONS:

None

APPRAISAL:

Principle of Development

The site is designated as being within the Open Countryside, where Local Plan Policy PS8 states that development involving facilities for outdoor sport and recreation are acceptable in principle provided that they preserve the openness of the countryside and comply with other relevant local plan policies.

Local Plan Policy RC5 deals specifically with proposals for equestrian facilities and states that proposals will be acceptable where they do not adversely affect; the character and appearance of the area; ecology; landscape; agricultural land; residential amenity; and provide adequate parking and access from a public highway and there is no excessive traffic generation on to the existing highway network.

This advice is further supported in Policy EG2 of the emerging Cheshire East Local Plan Strategy Submission Version which explains that “*breeding, training and livery as horse*

related enterprises are considered to form part of the rural economy” and therefore subject to other material planning considerations, should be supported where appropriate.

Character & Appearance

The building would accommodate 24 looseboxes and an indoor riding arena. The building would be single storey and configured in an ‘L’ shape and would be of an agricultural style. It would be of portal construction with fibre reinforced cement profile sheeting with integral vision panels to the roof and externally the walls would be clad with timber. The forward part of the building nearest to the road (the stables) would be modest in terms of its height and the indoor arena would be taller, but would be positioned towards the rear of the site. The size and scale is considered to be acceptable in this location, where the context is one of open countryside with interspersed farm buildings of a similar style. The design would therefore appear incongruous in the area.

The proposed building would be well sited in the corner of the existing paddock where it would take advantage of the screening provided by the existing field boundaries and the mature trees to the north and west of the site. The submitted landscaping scheme shows that these are to be retained and therefore coupled with supplemental planting, the visual impact on the open countryside would be minimised. Subject to this, the proposal is acceptable in terms of its impacts on the character and appearance of the countryside.

Highways

Policy GR9 states that proposals for development requiring access, servicing or parking facilities will only be permitted where a number of criteria are satisfied. These include adequate and safe provision for suitable access and egress by vehicles, pedestrians and other road users to a public highway. This is further supported by advice within the NPPG para 32 which advises that ‘proposal must take account of whether the safe and suitable access to the site can be achieved for all people’.

With respect to visibility, the site would be accessed directly off Messuage Lane. The gates shown on the proposed plans would be set back suitably from the highway and the Head of Strategic Infrastructure (HSI) is content that suitable visibility can be achieved at the proposed site access junction.

The applicant has confirmed that the proposed equestrian facilities will not host events but is purely a private training facility. The only visits expected at site are occasional visits (not on a daily basis) from vets, farriers and owners. The number of horse box movements is expected to be (based on the existing site movements) typically just two per week; taking horses to shows and only in an emergency, to the vet. The site will provide a maximum 12 car parking spaces and 8 horse box spaces. The Councils Head of Strategic Infrastructure (HSI) has confirmed that such provision is sufficient.

As such, the proposal is therefore found to accord with Local Plan Policies GR9 and RC5 as well as NPPF para 32.

Residential Amenity

Policy GR6 requires that new development should not have an unduly detrimental effect on the amenities of nearby residential properties from loss of privacy, loss of sunlight or daylight, visual intrusion, environmental disturbance or pollution and traffic generation access and parking.

The nearest residential property is sited some 120 metres to the south of the site. In view of the predominant agricultural use within the surrounding area, it is considered that the proposed scale of the use would not be sufficient to cause material harm to neighbouring residential amenity. The Council's Environmental Protection Unit has offered no objection to the proposal and as such it is found to accord with Local Plan Policy GR6.

Loss of Agricultural Land

No details of the quality of the agricultural land have been submitted with the application. However, the DEFRA Agricultural Land Classification Map shows that the area mainly comprises of Grade 3 agricultural land, which is considered 'good to moderate'. However, the main development would occupy an area of 2088 square metres and as such would not result in a tangible loss of agricultural land. With respect to rest of the land, which would be subject of the change of use, this would not result in the permanent loss of agricultural land as it would be used for the keeping and grazing of horses and as such a refusal could not be sustained on this basis.

Ecology

The application is supported by an extended phase one habitat survey. The Council's Nature Conservation Officer (NCO) has confirmed that the submitted survey is acceptable and would not result in any damage or harm to species protected by law. The NCO has commented that the part removal of the roadside hedgerow to facilitate the access to the site may have the potential to impact on nesting bird. As such, the NCO has recommended a condition requiring a survey for nesting birds to be carried out if works are to be carried out during the nesting season. Subject to this, and a condition that the landscaping scheme is to include suitable native species, the scheme is deemed to be acceptable in terms of nature conservation.

Planning Balance

It is considered that the principle of the proposed development is acceptable in this location where the impact upon the character of the existing countryside and landscape would be minimised and where it would assist the rural economy. The design of the proposed building would be of similar appearance to those within the vicinity and would not appear incongruous within the context of the area. The proposed use of the site is likely to have minimal impact upon matters relating to highway safety or the local highway network, residential amenity or ecology and would not result in a tangible loss of agricultural land. As such, the scheme is found to be in accordance with the relevant local and nation policies and is found to be sustainable in the social, environmental and economic sense. The scheme is therefore recommended for approval.

RECOMMENDATION

APPROVE subject to conditions:

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chair (or in his absence the Vice Chair) of Northern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Should this application be the subject of an appeal, authority be delegated to the Planning and Enforcement Manager in consultation with the Chairman of the Northern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. Access and parking to be provided prior to first use
2. Standard 3 year time limit
3. Development in accordance with submitted plans
4. Development to be carried out in accordance with submitted landscaping scheme except non-native planting to be replaced with native planting
5. Implementation of landscaping
6. Survey for breeding birds and protection during breeding season
7. Details of piling to be submitted and approved
8. Details of floor floating to be submitted and approved
9. Materials to be submitted and approved
10. Boundary treatment details to be submitted and approved
11. Details of external lighting strategy to be submitted and agreed
12. Development to be carried out in accordance with submitted Phase One Habitat Survey
13. Electromagnetic screening measures to be incorporated into materials of building

