

ITEM 1

Application Reference	DC/070629
Location:	Holly Farm Torkington Road Hazel Grove Stockport SK7 6NP
PROPOSAL:	Addition of tack rooms to each of 8 existing stables
Type Of Application:	Full Application
Registration Date:	13.08.2018
Expiry Date:	20181008
Case Officer:	Dominic Harvey
Applicant:	Mr Thomas Booth
Agent:	Laurence Jay Limited

DELEGATION/COMMITTEE STATUS

Under the Delegation Agreement, should Marple Area Committee be minded to grant permission then the application will be referred to the Planning & Highways Regulations Committee as a Departure from the Statutory Development Plan.

DESCRIPTION OF DEVELOPMENT

This application seeks detailed planning permission for the addition of single-storey tack rooms (each 1.2 x 3.6 metres) to each of eight stables configured within an 'L' shaped single-storey block with materials to match.

SITE AND SURROUNDINGS

Holly Farm comprises an established livery stable/riding school with grazing land situated on the northern side of Torkington Road, approximately half a mile away from the urban areas of High Lane and Hazel Grove. This existing stable block (to be extended) is finished with a mixture of white painted blockwork with stained chestnut vertical boarding and an Olive Green profile sheet roof above. The site lies within the Green Belt and 'Hazel Grove – High Lane' Landscape Character Area (I) as identified on the Proposals Map of the Stockport Unitary Development Plan Review.

POLICY BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 ("PCPA 2004") and Section 70 of the Town & Country Planning Act 1990 ("TCPA 1990") requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan includes-

- Policies set out in the Stockport Unitary Development Plan Review adopted 31st May 2006 which have been saved by direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004; &
- Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document adopted 17th March 2011.

Saved policies of the SUDP Review

LCR1.1: LANDSCAPE CHARACTER AREAS

LCR1.1a: THE URBAN FRINGE INCLUDING THE RIVER VALLEYS;

GBA1.1: EXTENT OF GREEN BELT

GBA1.2: CONTROL OF DEVELOPMENT IN GREEN BELT

LDF Core Strategy/Development Management policies

CS8: SAFEGUARDING AND IMPROVING THE ENVIRONMENT

SIE-1: Quality Places

SIE-3: Protecting, Safeguarding and Enhancing the Environment

CS9: TRANSPORT AND DEVELOPMENT

CS10: AN EFFECTIVE AND SUSTAINABLE TRANSPORT NETWORK

T-1: Transport and Development

T-2: Parking in Developments

T-3: Safety and Capacity on the Highway Network

Supplementary Planning Guidance

Supplementary Planning Guidance does not form part of the Statutory Development Plan; nevertheless, it does provide non-statutory Council approved guidance that is a material consideration when determining planning applications.

National Planning Policy Framework

The National Planning Policy Framework (NPPF) initially published on 27th March 2012, subsequently revised and published on 24th July 2018 by the Ministry of Housing, Communities and Local Government sets out the government's planning policies for England and how these are expected to be applied. The revised National Planning Policy Framework will be a vital tool in ensuring that we get planning for the right homes built in the right places of the right quality at the same time as protecting our environment.

N.B. In respect of decision taking, the revised NPPF constitutes "material considerations".

Para.1 "The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied".

Para.2 "Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise".

Para.7 *“The purpose of the planning system is to contribute to the achievement of sustainable development”.*

Para.8 *“Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*

- a) an economic objective*
- b) a social objective*
- c) an environmental objective”*

Para.11 *“Plans and decisions should apply a presumption in favour of sustainable development.*

For decision-taking this means:

a) approving development proposals that accord with an up-to-date development plan without delay; or

b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

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

Para.12 *“.....Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed”.*

Para.38 *“Local planning authorities should approach decisions on proposed development in a positive and creative way..... Decision-makers at every level should seek to approve applications for sustainable development where possible”.*

Para.47 *“Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing”.*

Para.83 *“Planning policies and decisions should enable:*

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*
- b) the development and diversification of agricultural and other land-based rural businesses;*
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and*
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship”.*

Para.96. *“Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities”.*

Para.124 *“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.*

Para.133 *“The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”.*

Para.134 *“Green Belt serves five purposes:*

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*
- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land”.*

Para.143 *“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”.*

Para.144 *“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by*

reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations”.

Para.145 “A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this (amongst others) are:

b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) 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;

c) 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;

Para.213 “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)”.

Planning Practice Guidance

The Planning Practice Guidance (NPPG) is a web-based resource which brings together planning guidance on various topics into one place (launched in March 2014) and coincided with the cancelling of the majority of Government Circulars which had previously given guidance on many aspects of planning.

RELEVANT PLANNING HISTORY

J/72413: Change of use from a farm to a livery stables/riding school involving the demolition of existing stables and barn and replacement with new structures including the formation of a ménage, granted 19th April 2000

DC/021463: Two storey rear extension and single storey side porch, refused 11th January 2006

DC/021974: Two storey rear extension and side porch, granted 13th March 2006

DC/059449: Retrospective application for importation of soil to Holly Farm, refused 12th October 2015, decision subsequently upheld on appeal.

NEIGHBOUR'S VIEWS

The occupiers of neighbouring properties have been notified in writing in addition the application has been advertised as a Departure from the Development Plan, to date no representations have been received.

CONSULTEE RESPONSES

Highway Engineer: I raise no objection to this application, noting that the proposal should not have any highway implications.

Environmental Health Officer (Noise): I do not object to the above development.

ANALYSIS

Policy GBA1.2 of the Unitary Development Plan Review sets out that there is a presumption against the construction of new buildings within the Green Belt unless it is for limited purposes including essential facilities for outdoor sport and recreation which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it. Whilst the explanation to Policy GBA1.2 indicates that small scale riding school and equestrian facilities may be acceptable provided that they do not harm the countryside character or local amenities, large scale commercial facilities will not be appropriate.

It is however, noted that Policy GBA1.2 adopted May 2006 pre-dates the revised NPPF published July 2018. In respect of the NPPF paragraph 133 outlines that the fundamental aim is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence. In addition paragraphs 143 and 144 sets out that inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances and that substantial weight should be given to any harm to the Green Belt. Although paragraph 145 identifies that the construction of new buildings in the Green Belt shall be regarded as 'inappropriate development', there are exceptions to this presumption against, including:-

(b) the provision of appropriate facilities for outdoor sport and recreation; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it; &

(c) the extension of a building provided that it does not result in disproportionate additions over and above the size of the original building.

It is noted that bullet point (b) requires facilities to be appropriate rather than essential and also makes no reference to scale which introduces a less restrictive/onerous test than required by Policy GBA1.2 in respect of identifying 'inappropriate development'; accordingly, the NPPF takes precedence and Policy GBA1.2 carries limited weight.

In this instance, it is noted that:-

- The stable block comprises an appropriate facility for outdoor sport and recreation; which preserves the openness of the Green Belt and does not conflict with the five purposes of including land within it.
- The tack rooms (each measuring 1.2 x 3.6 metres) would appear subordinate and cumulatively would not represent in disproportionate additions over and above the size of the original stable block.

- The stable block is located within the confines of a livery yard, which already accommodates built form comprising the existing farmhouse and barn, as such, minor extension of the stable block would not represent an unacceptable visual intrusion within the Green Belt.

Details of siting, design and external appearance are acceptable and the proposal can be sympathetically absorbed within the Landscape Character Area without damaging rural character or causing harm to the amenities of neighbouring occupiers, consequently the proposal accords with Policies LCR1.1, LCR1.1a, SIE-1 and SIE-3.

The keeping of horses for recreational purposes or as part of commercially based equestrian activities is increasingly popular in parts of the countryside, not least those close to urban areas where such activities help to provide new opportunities for employment and land use. In addition, it is noted that paragraph 96 of the NPPF recognises that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities.

Overall whilst technically triggering a Departure from the Development Plan the proposal represents a green belt exception in respect of bullet points (b) and (c) of paragraph 145 of the NPPF. There are no outstanding issues of concern the proposal represents Sustainable Development; given there are no material considerations to suggest otherwise; Section 38(6) require that permission be granted.

In the event that the Area Committee are minded to grant permission, then the application will be required to be referred to the Planning & Highways Regulation Committee as a Departure from the Development Plan.

RECOMMENDATION

Grant