

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

11th November 2021

Application No:	SMD/2021/0619	
Location	Phoenix Stables, Bottom Lane, Bottom House, Leek	
Proposal	Erection of a single stable and a field shelter (the development has already been carried out)	
Applicant	Ms. T. Tidmarsh	
Agent	Mr. Ken Wainman	
Parish/ward	Ipstones	Date registered: 27 th Sep 2021
If you have a question about this report please contact: Benjamin Hurst tel: 07738506367 benjamin.hurst@staffs Moorlands.gov.uk		

REFERRAL

The application is before committee at the request of Cllr Linda Malyon because she considers the site to be over developed.

1. SUMMARY OF RECOMMENDATION

APPROVE subject to conditions

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The site, surrounded by and exposed within open moorland grazing land, provides a small grouping of stable buildings and a riding arena in an isolated 'other rural' countryside location. The site is set back from Bottom Lane and has access with the highway via a linear length of stone track. The site originates from a planning permission granted in 2012 for the erection of an American style barn that provides 10 stables served from a central passageway, and a smaller, long and narrow, hay store building. Both buildings sit to opposing sides of an open yard area. Later that year planning permission was granted to construct an outdoor arena behind or to the south of the buildings. Neither of these planning permissions restricted the use of the facilities to the private recreational use of the applicant and there was no prohibition placed on uses of a commercial purpose.

2.2 The applicant owns the site but rents it to a third party who operates a commercial livery and training enterprise with an element of stud and horse trade. The original buildings have, since 2012, been supplemented with the introduction of five 'field shelter' type buildings, providing four additional stables and a storage shelter. It is said that, with the application development, total capacity now stands at 14 stables. These additional structures are located in the open yard between the two

principal buildings, to form an elongated horseshoe shape corralling and enclosing a very narrow area of yard that is not visible from outside of the site.

2.3 The site is within an 'other rural area' of countryside as defined in the adopted Local Plan. The surrounding landscape is identified in the 'Landscape Character Assessment' (LCA) as 'Gritstone Highland Fringe' and amongst its key characteristics are *Large scale, steeply sloping, smooth rolling upland landscape with plateaus and steep slopes and valleys; Skyline ridges with long distance panoramic views; Large rectangular fields enclosed in the main with gritstone walls, with some hedgerows; Heathland areas encroached by sparse scrubby woodland; and Conifer plantations and broadleaf woodland following narrow valleys.*

3. THE APPLICATION AND DESCRIPTION OF THE PROPOSAL

3.1 The application seeks planning permission for two small single stable units that have already been erected, one is used as a stable the other to store hay bales. It is said that the two buildings were erected to replace buildings damaged in a fire earlier this year. Google Earth photographs dated April 2021, post fire, show evidence of the damage caused by the fire and it is possible to see where buildings on the site had been badly affected. The stable units have been erected relatively centrally within the yard area of the site, behind and against the linear form of the long narrow hay barn that marks the south western boundary of the yard. Each unit is of timber construction and facing material with a corrugated sheet roof. They have a square 3.7m by 3.6m footprint and a shallow pitched roof. Using the Google Earth photographs it is possible to verify that the application units have not added to the total number, or capacity, of buildings that were present immediately before the fire.

3.2 This application follows an officer investigation into the introduction of new structures on the site. It appears that out of the five additional structures, that don't benefit from planning permission, it is only the two small units, that have not been on the land for 4 years or more. It is not a matter for determination or consideration here but it appears as though the authority would be out of time to take any enforcement action against the other structures. Including the application development, total capacity stands at 14 stables.

3.3 Details of the application scheme can be viewed at:

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=128617>

4. RELEVANT PLANNING HISTORY

12/00092/OUT Stables for ten horses, haystore and construction of hardstanding. Approved.

12/00449/REM Landscaping and Layout. Approved.

12/00850/FUL Construction of Manege. Approved.

5. PLANNING POLICIES RELEVANT TO THE DECISION

5.1 The Development Plan comprises of:

- The Local Plan Development Document (adopted Sep 2020)

Adopted Staffordshire Moorlands Local Plan - Sep 2020

5.2 The following Local Plan policies are relevant to the application:-

- SS1 Development Principles
- SS10 Other Rural Area Strategy
- DC1 Design Considerations
- DC3 Landscape and Settlement Setting
- T1 Sustainable Transport

Staffordshire Moorlands Design Guide

National Planning Policy Framework (NPPF).

6. CONSULTATIONS

A site notice was posted and displayed on the 21st October 2021, to expire on the 13th November 2021.

Public response to consultation

6.1 No response to date

Ipstones Parish Council

6.2 Object. It is overdevelopment of the site and there are concerns over the access with the highway.

7. OFFICER COMMENT AND PLANNING BALANCE

Strategy Approach to Development in the 'Other Rural Areas'

7.1 The site is in the countryside outside the boundary of any settlement in an area defined by the Local Plan as an 'other rural area' where Local Plan strategy SS10 applies. The Local Plan strategy at SS10 provides only for development which has an essential need to be located in the countryside, supports the rural diversification and sustainability of the rural areas or promotes sustainable tourism. This will be achieved by, inter alia, sustaining the rural economy through enabling the limited expansion or development of business for employment uses where a rural justification can be justified.

7.2 The site is described in the application as a commercial equestrian facility providing livery services and training with an element of stud and horse trade. These would appear to have been the arrangements for some years, and there is certainly

no restriction on the existing planning permissions to prohibit commercial use or enterprise. The addition of these small timber units, as a stable and hay store, amounts to a very limited expansion of a business which by its very nature, horses require grazing and space to exercise, can justify a rural location. In these regards, the development complies with the 'other rural area' strategy at SS10 of the Local Plan.

Design and Visual Impact (Character and Appearance)

7.3 Individually, the units are small and not dissimilar, in size or construction, to the type of field shelter that might be placed on and moved around grazing land and appear occasionally within this type of countryside setting. In this case they are deliberately placed on the yard area and function as permanent, non-transient, buildings. The application buildings have been added close to the long hay store building that lines the yard's north western boundary, they are positioned to create a kind of horseshoe form, surrounding and enclosing a small yard. When viewed from Bottom Lane to the north the stable yard and buildings sit down at a lower land level screened to some degree by a dry stone wall and hawthorne hedgerow. The north western and south western edges of the yard are more exposed to Bottom Lane, and in these respects it is noted that a comprehensive planting scheme approved with and required as a condition of the original 2012 planning permission is not evident. It is said by the applicant to have been planted but eaten by the horses. This additional planting (to include 30 each of maple, alder, birch and hawthorne) if carefully maintained and matured would have further assimilated the yard and buildings into the landscape, as originally intended. If a permission were to be granted a further condition could require that planting to be carried out and maintained as part of this development.

7.4 From outside of the site, that is the context against which the small buildings are viewed, they have a sense of place and positioning within established yard and do not appear prominent or intrusive within the landscape. Moreover, the line of buildings actually enclose and conceal open yard area with a screening effect that hides the paraphernalia that can be associated with a livery stable yard. For these reasons, the development does not harm the character and appearance of the area or cause conflict with the Local Plan Policies DC1 (Design) and DC3 (Landscape and settlement setting).

Highway Safety

7.5 The application does not propose any alteration or improvement to the access with the highway. The development, with the rest of the site, makes use of the existing access arrangements which currently serve the livery stables and adjoin the highway along a straight stretch of road where there is good visibility. The development, providing a single stable unit and some hay storage, does not in itself increase the use of the access and highway demand to any significant degree and highway safety is not compromised. As such it is considered that there is not conflict with Policy T1.

Other Considerations

7.6 The comments from the Parish Council suggests that the site is overdeveloped. The original planning permission was granted in 2012 for 10 stables to be provided in one building with hay storage provided in a separate smaller building. Both buildings sit on opposing sides of an open yard area. The application buildings have added one more stable and a small amount of additional hay storage within that yard area, particularly close to the long hay store building that lines the yard's north western boundary, they are positioned to create a kind of horseshoe form, surrounding and enclosing a small yard.

7.7 Currently, there are other stables and buildings adjacent to the application buildings that continue the linear form of the horseshoe to the south east, connecting the space between the two originally permitted buildings and lining the south western and north eastern sides of the yard. Those other buildings don't form part of the current application and don't appear to have been introduced with planning permission. Officer investigations, with consideration of aerial photograph evidence, suggest they may have been in situ for more than 4 years and could now have a lawful status. However, this is not a matter for consideration and determination with this application.

7.8 The stabling capacity, including the application development, is said to have increased to just 14, the application development contributes to just one of those stables. Whether the application developments are considered individually or as additions to the other unauthorised buildings that have added some capacity, there is no obvious harm or conflict with the development plan. As discussed above, there is strategy support in the Local Plan for the expansion and development of rural businesses where a rural location is justified; the application development does not present increased highway danger; and there is no harm to the character and appearance of the area or quality of the landscape. The application buildings are small units that sit on an established commercial livery yard with context within the landscape against existing buildings.

8. Conclusion and Planning Balance

8.1 The development would comply with the 'other rural area' strategy at Policy SS10 of the Staffordshire Moorlands Local Plan and the terms of the NPPF. There would be no adverse impacts on the character and appearance of the area or highway safety. There would be no conflict with Local Plan Policies DC1, DC3 and T1 in these regards and the application should be approved.

9. RECOMMENDATION

A. That planning permission be APPROVED for the Erection of a single stable unit and a field shelter (development already carried out), subject to the following conditions:

1. The development hereby permitted and described above shall only be retained and maintained, without alteration, in accordance with the following approved plans numbered PL 01A and PL02A that were submitted with the application.

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

2. The development hereby permitted and described above shall only be used, throughout the life of the development, for the stabling of one single horse and the storage of hay or feed, unless otherwise agreed in writing by the Local Planning Authority.

Reason:- To control the function and the capacity of the site in the interests of local amenity.

3. Within the first available planting season following the date of this planning permission, a scheme of planting and landscaping shall be carried out to the site's south western and north western boundaries in accordance with a scheme that shall first be submitted to and approved in writing by the local planning authority. The planting shall thereafter be retained, maintained and allowed to mature, suitably protected from damage, throughout the life of the development. Where plants are damaged or die they shall be replaced within the first available planting season.

Reason:- To screen and assimilate the development into the landscape.

B. 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 Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's Decision.

Site Plan



