
9. FULL APPLICATION – INCREASE THE SIZE OF AN EXISTING HORSE EXERCISE MANEGE AND ASSOCIATED WORKS AT LANE FARM, BAR ROAD, CURBAR. (NP/DDD/0616/0526 425340 / 374344 P5936 SPW 17/06/2016)

APPLICANT: MRS R WARREN

Site and Surroundings

Lane Farm is located in open countryside to the south of Curbar. It is accessed off Bar Lane, via a 260m track.

On the wider site there is a dwelling and a range of stables. Behind the house to the north on slightly higher land there is a horse riding arena (manege) which forms the application site. The field within which the riding arena is located slopes and as a result the existing arena has been cut and filled into the landscape to create the level area required. At present the riding arena is well screened by the existing trees and a hedgerow on its northern edge. A large Ash tree overhangs part of the site area proposed for the riding arena extension.

There are many public rights of way in the vicinity. The closest is approximately 15m away and affords passing glimpses of the arena. The site is also open to the occasional view from Baslow Edge. At present the existing trees and hedgerow on the site provide effective filtering and screening from many of the more distant vantage points along Baslow Edge, however occasional views of the light coloured surface can be achieved and also the field where the riding arena would extend into.

There are two other horse riding arenas in the vicinity that are open to clear view from Baslow Edge, one is just to the east of the site on higher ground, which although screened by some trees it nevertheless stands out as it has a light coloured surface, in contrast the other is to the south at Grislow Fields farm and whilst this has a dark coloured surface it stands out due to a lack of landscape screening.

The site is located in the landscape character type of 'Valley Farmlands with villages' within the landscape character area 'Derwent Valley'.

Proposal

The proposal is to extend the existing riding arena on three sides from 29m x 15m to 42.5m long and 22m wide. This will require further cut and fill of the site to make the larger level surface.

Officers have negotiated amended details for the surfacing so that it is now proposed to be all a dark coloured surface using rubber chippings.

The enlarged arena would be bounded by a post and rail fence, and the existing hedge down the north side transplanted and extended. A number of trees close to the existing manege are shown to be removed to make way for the extension.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions or modifications.

- 1. Standard time limit**
- 2. Development in accordance with the submitted plan 1606/02C and specifications and as amended by the submitted tree protection plan '028/03' and specifications, subject to the following conditions or modifications.**

3. The horse riding arena hereby approved shall be ancillary to and remain within the same planning unit as Lane Farm, and for private use of the occupants of that dwelling only. The horse riding arena shall not be used for commercial purposes or livery.
4. There shall be no external lighting/flood lighting on the site throughout the life of the development.
5. The surfacing of the riding arena hereby approved shall have a dark coloured finish in black rubber chippings to match the submitted specification and shall be permanently so maintained.
6. No trees on the site shall be wilfully damaged or destroyed or felled, topped, lopped or uprooted without the prior written consent of the National Park Authority, other than those which are specifically shown on the approved plan '028/03' for removal. Any trees proposed for removal shall be replaced as part of a replanting scheme to be submitted to and agreed in writing by the Authority. Such a replanting scheme shall be submitted at the same time as any felling proposals.
7. No works or development shall take place until full details of the mitigation planting scheme have been submitted to and approved by the Authority. These details shall include, as appropriate:
 - Planting plan (to include sufficient width of planting on the west, north and east sides of the riding arena/manege to provide adequate screening in the opinion of the Authority)
 - Softworks specifications and planting schedules, noting species, planting sizes and proposed numbers / densities
8. All soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice and shall be carried out during the first available planting season.
9. A schedule of landscape maintenance for a minimum period of five years shall be submitted to and approved by the Authority and shall include details of the arrangements for its implementation. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Authority gives its written consent to any variation.

A landscape management plan, including maintenance schedules for the retained trees (T4, 5, 7-9) and mitigation planting shall be submitted to and approved by the PDNPA prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use.

Key Issues

- The impact on the landscape, amenity and on existing trees.

History

1991 – Planning permission refused for a 36m x 18m riding arena (NP/WED/291/104). The application was refused as it occupied an isolated location 60m south of Lane Farm and

approximately 240m south of the village of Curbar. Although partly screened it was open to view from the public footpath to the west and also from distant vantage points. The riding arena required substantial earth moving works and would have been visible from the adjacent footpath and would reduce the attractiveness of the landscape and alter the character of the National Park and set a clear precedent.

The refusal was appealed and dismissed, the inspector finding that the manege would be formed with a cut and fill operation to provide an artificial surface about 36.5m x 18m with a cutting slope up to 2.4m high and an embankment up to 1.5m high. The Inspector considered this would be a visually significant change to the appearance and character of the area and that the proposed screen planting could accentuate the artificial character of the earthworks. He concluded that the proposed riding arena would be visually obtrusive and would have a significantly detrimental effect on the appearance of the natural character of this part of the National Park.

1996 – Planning permission granted for a 29m x15m riding arena and landscaping. This is now the existing arena. Planning conditions required the landscaping to be carried out, for the large ash tree to be protected during works, restricted it to private use only and prevented any illumination of the arena.

2014 –Planning permission granted for the retention and alteration of a stable building (NP/DDD/1213/1137). Planning conditions required it to be private domestic stabling, ancillary to Lane Farm, and for no commercial or other purposes.

2015 – Planning advice given that planning permission would not be required for solar panels on an outbuilding.

There has no pre-application advice sought in relation to the current application.

Consultations

Highway Authority - No objection subject to use remaining private and ancillary to Lane Farm only.

District Council – No response to date

Curbar Parish Council – Object, they draw attention to a Planning Inspectors decision on another riding arena in the national park which explained great weight should be given to conserving the landscape and scenic beauty in National Parks. The main issues for that appeal being –

- The effect of the development on the character and appearance of the area and the valued characteristics of the Peak District National Park.
- And whether any harm in respect of the first issue would be outweighed by any need for the development.

The Parish Council explain that the existing arena at Lane Farm measuring 29m x 15m was approved as a compromise when the previous owner applied for a 36.5 x 18m arena. The larger proposal was rejected by the Authority and dismissed on appeal. They quote the Planning Inspector's finding on the main issue: *"I have come to the conclusion that the proposed manege would be visually obtrusive and would have a significantly detrimental effect on the appearance and natural character of this part of the National Park"*.

The Parish Council considers the current application for 42.5m x 22m arena clearly is immensely more intrusive in the topography, lying as it does beneath the iconic landscape of Baslow Edge. The site is clearly visible from the Edge and from the two footpaths to the north and west which run directly adjacent to the field in which the manege is situated. There is no justification in the

application as to why the need for development should outweigh the protection of the National Park (The Parish Council's full response is on the web site).

Officer Comment -The previously refused manege was in a different field and is not directly comparable to the current proposal which needs to be determined on its individual merits. Whilst the Parish Council have suggested that any harm needs to be outweighed by a justification for the proposed development in this case, subject to conditions, officers have not found harm to the National Parks landscape.

PDNPA Landscape Architect – Initially commented that the relatively mature planning on the east / north is doing its job and screening the existing facility well in wider views. If this is cleared then the proposed enlarged facility would be a prominent element in views.

On reconsultation following receipt of the tree survey commented as follows: Key concern is over views from Baslow Edge. The plans indicate a significant reduction in depth of the existing screen planting on the east / south east edge of the riding arena. Therefore a greater width of planting needs to be proposed here than is currently shown to ensure adequate screening. Ideally the riding arena could be moved slightly over to the north-west to enable retention of more of the existing vegetation. *Officer Note – The agent had considered moving the arena in this way as it was a suggestion also raised by the applicants own tree consultant, however the applicant did not wish to move the arena in this way and consequently the agent and tree consultant proposed a mitigation strategy instead.*

The proposals also reduce the distance between the riding arena and the footpath to the west so wrapping the screen planting on the west edge of the manege would also be appropriate. The scheme could be acceptable with suggested conditions.

PDNPA Tree Conservation Officer – The tree survey is acceptable provided the contractors follow the method and protocols outlined.

Representations

One representation has been received objecting to the proposal on the following grounds

- The riding arena is too big and would be located in open countryside where the Authority would not normally permit a riding arena.
- In 1991 an application for a manege, in the same location, measuring 36mx18m (NP/WED/291/104) was refused and a subsequent appeal was dismissed (T/APP/M9496/A/91/187816/P8).
- The proposed manege would have an area more than double that of the existing manege and would be 47% greater in area than the 1991 dismissed appeal.
- Although the reduced size of the arena was the main factor that persuaded officers in 1996, another factor swaying the 1996 approval was the landscaping scheme, which would now be destroyed. A new scheme would take years to mature and seems unlikely to be capable of providing 'cover' for such a large arena.

This representation is available in full on the web site.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, DS1, L1, RT1, T7.

Relevant Local Plan policies: LC3, LC4, LR7, LC20.

Core Strategy (CS) Policy GSP1 would not permit development that failed to achieve National Park purposes. CS policy GSP3 deals with the detailed development management principles and requires that development must conserve and enhance all valued characteristics of the site and buildings that are subject to the development proposal. It pays particular attention to design in accordance with the Authority's design guide, impact on the character and setting of buildings; scale of development appropriate to the character and appearance of the national park; siting, landscaping and building materials.

CS policy DS1 deals with the principle of the development and explains that in all settlements and in the countryside recreation development is acceptable in principle. CS Policy RT1 deals with recreation and states that development must conform to the following principles; new provision must justify its location in relation to environmental capacity, scale and intensity of use and be informed by the Landscape Strategy. It goes on to say that, where appropriate, development should be located in or on the edge of settlements. In the open countryside, clear demonstration of need for such a location will be necessary.

Local Plan Policy (LPP) LR7 deals specifically with facilities for keeping and riding horses. This is permissive provided the development does not detract from the landscape or valued characteristics of the area, either individually or cumulatively; it is located adjacent to existing buildings or groups of buildings; it is not likely to cause road safety problems; and does not constitute a nuisance to local residence, landowners or farmers by noise, smell or other adverse impacts.

LPP LC4 deals with the detailed treatments of proposals. Particular attention is paid to *inter alia* the use and maintenance of landscaping to enhance new development and any nuisance, or harm to the rural character of the area caused by lighting.

Local Plan policy LT18 explains that a safe access is a pre-requisite of any development.

Local Plan Policy LC20 deals with protecting trees and other landscape features put at risk by development. It requires planning applications to provide sufficient information to enable their impact on trees, woodlands and other landscape features to be properly considered and where such development is acceptable, adequate space must be left for their replacement with appropriate species.

The relationship between the Core Strategy and the National Planning Framework has also been considered and it is concluded that they are consistent because the NPPF recognises the special status of National Parks and promotes sustainable development sensitive to the locally distinctive character of its setting.

Assessment

The site is in the open countryside to the south of Curbar. The need for this location relates to it being a private facility ancillary to Lane Farm for use by the occupants of Lane Farm only. The proposed larger riding arena would be formed by extending the existing one which is located in the field behind the house. The site is open to public view from the footpath immediately to the south of the site and is also open to view from more distant vantage points from Baslow Edge where the existing tree planting has worked well to filter and screen most views of the site. Occasional glimpses of the arena, due to its existing light coloured surface, can however be achieved from Baslow Edge.

The proposal to extend the riding arena would result in the existing screening hedge having to be relocated and a considerable number of existing trees having to be removed. Because of the loss of trees a tree survey has been undertaken to help justify the proposal and retain as many as possible. The survey also assesses the impact of the scheme on the large Ash tree which, along

with other trees are shown in the amended landscaping scheme to be retained and protected during construction.

The landscape character type area is the 'Derwent Valley' and the landscape character type is 'Valley Farmlands with Villages' which the Authority's Landscape Strategy and Action plan describes as (amongst other things) an enclosed landscape, with views filtered through scattered hedgerows and streamline trees. Tree cover in this landscape character type varies throughout the landscape. There is a mixture of mature hedgerow trees, mainly ash, oak and sycamore, as well as small blocks of woodland, both broadleaved and coniferous, which filter views. There are occasional isolated, discreet blocks of ancient semi-natural woodland. Relevant priorities from the action plan include. Protecting historic hedgerows and in some locations managing and enhancing linear tree cover and amenity trees.

Officers were concerned that the loss of some 13 existing trees combined with the extension of the riding arena with its light surfacing could significantly exacerbate its impact on the landscape. This concern has also been expressed in the consultation responses and representations. In particular the Authority's Landscape Architect was initially concerned, but following the receipt of the tree survey he now considers that the landscape impact could be acceptable subject to a detailed landscaping scheme. The key concern of the Authority's Landscape Architect is over views from Baslow Edge. This is because the plans currently indicate a significant reduction in depth of the existing screen planting on the east / south east edge of the riding arena and consequently the Landscape Architect requires a greater width of planting proposed here than is currently shown to ensure adequate screening. Additionally the proposals also reduce the distance between the riding arena and the footpath to the west so wrapping the screen planting on the west edge of the manege would also be needed. The officer view is that these issues can be reasonably addressed via submission of a landscaping scheme.

Officers have also negotiated a dark surface for the riding arena which would help reduce its impact as the dark surface would be less obtrusive in the surrounding landscape than the present light coloured surface. This also can be secured by a planning condition.

External lighting can raise landscape and light pollution issues at horse riding arenas. None is shown on the plans, but often applicants seek to install this and the impact of this can be very harmful on the landscape character of the area, and particularly upon dark skies. Planning conditions can be used to ensure there is no external lighting and are therefore recommended in this case to avoid such harm, given the sensitive setting of the site.

The proposed riding arena is not close enough to a dwelling other than the farm house itself to cause amenity issues, and any impact on the farm house itself would be under the control of the occupants as it would be ancillary to the dwelling, so this raises no amenity issues.

As submitted the application lacked details about the proposed use of the manege. Clarification has been provided which confirms that the proposal is made for a private non-commercial use for the benefit of the applicant who keeps a total of up to 5 horses. This scale of operation is acceptable and should not generate a significant amount of comings and goings over and above that of a private dwelling to cause any amenity issues for nearby properties.

A more intensive use on a commercial basis or livery may have a greater impact and would need to be assessed on its individual merits. Planning conditions can be used to ensure that the proposal is not commercial and is for private use. Such a condition will also achieve the Highway Authority's objectives as they have suggested a similar condition in their consultation response.

Conclusion

Subject to the above suggested conditions the proposal will not harm the character and

appearance of the National Park landscape and will not harm the amenities of the site or neighbouring properties. The loss of existing trees is considered acceptable given the scheme protects those of value and conditions provide for additional landscape mitigation to be agreed.

Taking all the above factors into account, the proposal is considered to be in accordance with the policies of the development plan and is therefore recommended for conditional approval.

Human Rights

Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

Nil