

17. FULL APPLICATION – PROPOSED EXTENSION TO MENAGE FOR PRIVATE USE AT MANOR HOUSE FARM, SCHOOL ROAD, WETTON (NP/SM/0920/0866, ALN)

APPLICANT: MRS HOLLY SHANN

Summary

1. The application seeks planning permission for an extension to an existing menage. The application is partly retrospective.
2. Subject to conditions including for a comprehensive landscaping scheme and to omit the proposed floodlighting, the proposals would conserve the character of the Wetton Conservation area and the privacy and amenity of residential properties.

Site and surroundings

3. Manor House farm is situated on the northern edge of the village of Wetton. The farmhouse is positioned adjacent to the road with a range of modern farm buildings to the north east.
4. Within a field parcel to the north east again, is a 28m by 20m horse menage, constructed following planning permission in 2011. The application site edged red is a 20m by 15m area of land abutting the south western edge of the existing menage.
5. The farmhouse, buildings and the application site are all within the Wetton Conservation Area. The farmhouse is a grade II listed building.
6. A public right of way runs in a south-east to north-west direction approximately 55m to the north-west of the application site.

Proposal

7. To extend an existing horse menage by 15m to the south west. The surface would be covered with 'silica sand' to match the existing and the perimeter would be bounded by a post and rail fence. Six floodlights would be positioned at each corner and in the middle of the lengths of the menage and trees would be planted around the edges.
8. The application is partly retrospective in that some ground levelling and preparation works have already been carried out.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

1. **3 year time limit.**
2. **Adopt submitted plans**
3. **A landscaping scheme for a belt of native tree planting along the south eastern boundary of the menage and individual native tree planting to the north and north west shall be submitted to and agreed in writing by the National Park Authority. Thereafter the approved planting scheme shall be carried out before the development hereby approved is first brought into use.**

4. **There shall be no new floodlighting or other external lighting whatsoever to the existing menage and to the extension hereby approved.**
5. **Use of the menage hereby permitted shall remain ancillary to 'Manor House Farm' for private use only by the occupants of 'Manor House Farm.'**
6. **The surfacing materials for the menage shall be a dark coloured material to match the existing.**
7. **At the time of erection the new fencing (and the existing fencing) shall be painted or stained dark brown.**

Key Issues

- Impact on the character and appearance of the Conservation Area.
- Impact on the privacy and amenity of neighbouring properties.

Recent Planning History

May 2020 – planning application for change of use of farm outbuilding to 5 dog boarding kennels withdrawn prior to decision.

November 2011 – planning permission granted for change of use to agricultural land and change of surface and levelling of ground of post and rail fenced area to sand surface with hard-core base for drainage to form menage.

Consultations

Highway Authority – no response

District Council – no response

Parish Council – *'Whilst the Parish Council has no objection to the extension of the menage, we request that the Planning Authority consider the impact of the proposed development on those residents that are directly adjacent to the site.'*

With this in mind, it is the view of the Parish Council that it is imperative the applicant this time does follow through with the self suggested line of trees next to the menage. This is to create a certain barrier from any lighting as well as some privacy from the activities in the menage.

Examination of the planning decision for the existing menage (NP/SM/0411/0326), issued on 4 Nov 2011, shows that this was granted with the condition that within 3 months of the date of that permission a detailed scheme of tree planting would have been submitted to and approved in writing by the National Park Authority. Once approved, the planting needed to have been carried out to the reasonable satisfaction of the Authority within the first planting seasons. As far as I can tell, none of the above took place back then. Consequently the menage is now an exposed area. With this new development the Parish Council urges that the old condition should now be met too.'

Representations

Four letters of objection have been received from the occupiers of residential properties to the south east of the application site – The Old Manse and The Old Chapel/Old Sunday School. They raise (in summary) the following issues: (the full representation letters can be read on the Authority's website)

- Conditions appended to the original permission i.e. landscaping, painting of railings, floodlighting have not been adhered to.
- The proposed lighting would cause harm to residential amenity and the rural area/dark skies in general.
- Use of the menage would cause overlooking into rear gardens, at a high level.
- Concerns about noise generation.
- Concerns about drainage provision and potential for flooding/waterlogging.
- Post and rail fencing is out of keeping with the area and a traditional stone wall has already been removed.
- Concerns about impact of floodlighting on wildlife, especially bats.
- Any new screen planting would take a long time to become established and effective.
- Menage would be detrimental to the character of the Conservation Area.
- Concerns about hours of operation and potential for noise and disturbance in the early mornings.

Main policies

9. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L3

10. Relevant Development Management Plan policies: DMC3, DMC8, DMC14, DMR4.

National Planning Policy Framework

11. The National Planning Policy Framework (NPPF) was first published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and the Development Management Policies document 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.

12. Paragraph 172 of the NPPF states that 'great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.'

Development plan

13. Core Strategy policies GSP1, GSP2 and GSP3 together say that all development in the National Park must be consistent with the National Park's legal purposes and duty and that the Sandford Principle will be applied where there is conflict. Opportunities for enhancing the valued characteristics of the National Park will be identified and acted

upon and development which would enhance the valued characteristics of the National Park will be permitted. Particular attention will be paid to impact on the character and setting of buildings, siting, landscaping and building materials, design in accordance with the Design Guide and the impact upon living conditions of local communities. Core Strategy policy GSP4 highlights that the National Park Authority will consider using planning conditions or obligations to secure the achievement of its spatial outcomes.

14. Core Strategy policy DS1 outlines the Authority's Development Strategy, and states that the majority of new development will be directed into Bakewell and named settlements, with the remainder occurring in other settlements and the rest of the countryside.
15. Core Strategy policy L3 requires that development must conserve and where appropriate enhance or reveal significance of archaeological, artistic or historic asset and their setting, including statutory designation and other heritage assets of international, national, regional or local importance or special interest.
16. Core Strategy policy CC1 requires development to make the most efficient and sustainable use of land and resources, to take account of the energy hierarchy, to achieve the highest standards of carbon reduction and water efficiency, and to be directed away from flood risk areas.
17. Policy DMR4 allows for facilities for the keeping and riding of horses provided that the developments specifically designed to accommodate horses; does not detract from the landscape or valued characteristics of the area, is located adjacent to existing building or groups of building, is not likely to cause road safety problem
18. Development Management policy DMC3 requires development to be of a high standard that respects, protects, and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. It also provides further detailed criteria to assess design and landscaping, as well as requiring development to conserve the amenity of other properties.
19. Development Management policy DMC14 addresses pollution and disturbance. It states that development that presents a risk of pollution or disturbance including soil, air, light, water or noise pollution, or odour that could adversely affect any of the following interests will not be permitted unless adequate control measures are put in place to bring the pollution within acceptable limits:
 - i. the amenity of neighbours and neighbouring uses; or
 - ii. the amenity, tranquility, biodiversity or other valued characteristics of the area; or
 - iii. existing recreation activities; or
 - iv. extensive land uses such as forestry and agriculture; or
 - v. ecosystem services including water supply, groundwater resources and the water environment; or
 - vi. established businesses; or
 - vii. potential future uses of the land; or
 - viii. any nuisance,

Assessment

Principle of development

20. Development Management policy LR7 allows for facilities for the keeping and riding horses in principle subject to a number of criteria. In this case, the main issues are the visual impact of the proposed menage extension and impact on the amenity of nearby

residential properties.

Impact on the Character and Appearance of the Conservation Area

21. The site is designated as Important Open Space within the Wetton Conservation Area. The existing menage is open to public views from within the Conservation Area from the footpath to the north.
22. When planning permission was granted for the existing menage in 2011 it was accepted that the site is a sensitive location within important open space in a designated Conservation Area but it was concluded that the menage would not significantly detract from the openness of the area and that subject to conditions, (in particular to prevent any lighting and to agree and implement a landscaping scheme), any harm could be adequately mitigated.
23. Unfortunately, a landscaping scheme was never submitted for agreement and consequently no landscaping was implemented.
24. The proposed extension would be located between the edge of the existing menage and the modern farm buildings, effectively ‘filling the gap’, in visual terms. Any impacts would therefore be well contained and limited in their scope. Consequently, while we accept that this is a sensitive area, in principle the enlargement of the menage in this location would not cause harm to the character of the site as it stands today. However an acceptance of the menage extension would be dependent on an acceptable landscaping scheme that helps to soften the rather engineered appearance of the development, especially when viewed from the footpath to the north and north east.
25. Given that there is no screening at present because the earlier condition was not adhered to, it is imperative that the landscaping is carried out in a timely manner and that relatively mature saplings are planted to ensure that screening of both the existing and proposed menage is established as quickly as possible. This can be achieved by an appropriately worded condition.
26. A condition to ensure that the existing and proposed fencing is stained dark brown would also help to mitigate the visual impact.
27. Subject to these conditions, the development would conserve the character of the conservation area in accordance with policies DMC3 and DMC8 and the guidance within section 16 of the NPPF.

Impact on residential amenity

28. Approximately 30m to the south east of the proposed menage extension are the rear garden walls of three residential properties known as The Old Manse, The Old Chapel and The Old Sunday School. They are separated from the proposed development by a grassed field parcel. Because of the prevailing land levels, the rear gardens of these houses are at a lower level than the site of the menage.
29. The owners of these properties have raised concerns with regard to potential impacts on their privacy and amenity.
30. Firstly, with regard to opportunities for overlooking, the objectors feel that people on horseback could look over the walls, into the rear gardens, thus harming their privacy. A site visit to the gardens in question has been carried out. The rear wall boundary walls of the gardens are relatively high but despite this, because of the changes in levels it is possible, at present, to see into parts of the gardens from the menage.

Equally, it would also be possible from the proposed extension to look over the wall from the menage. However because there is (and would be) a 30m gap between the menage and the edge of the gardens in question, we do not consider that any overlooking would feel overly intrusive, in the context of a village location where some degree of overlooking into gardens is commonplace. If a belt of trees were planted along the earth banking to the south west of the existing and proposed menage areas, then this would help to prevent overlooking and also mitigate any noise emissions from the site.

Proposed Floodlighting

31. The application details indicate that 6 floodlights would be positioned around the perimeter of the menage. Each light would be positioned on a pole although the height of the poles is not specified. The application states that these are required to improve health and safety for both riders and horses. It should be noted that all of the six lights are outside of the red edged application site and were the lights considered to be acceptable, the application would need to be amended to resolve this.
32. This is a sensitive site on the edge of the village and relatively close to residential properties. The Old Manse and the Old Sunday School buildings lie approximately 40m to the south and a property known as Foot House lies 50m to the north west. All of the properties have windows or rooflights facing towards the site. We consider that there is significant potential for floodlights in such close proximity to cause harm to amenity through light spill, particularly given the fact that the properties to the south east are at a lower level.
33. The applicant states that the floodlights would not be used before 6.30am or after 7pm but nonetheless we still consider that when in use they would cause harm to amenity.
34. In addition we consider that artificial floodlighting in this rural location would cause harm to the established character of the Conservation Area and to dark skies. We do not consider that the benefits to the applicant of being able to use the menage during hours of darkness outweighs the harm that has been identified.
35. A condition was appended to the original consent in 2011 to prevent lighting of the menage. Whilst no floodlights exist around the perimeter of the menage at present, a floodlight has been erected on a pole on the eaves of an adjacent former farm building. This is directed towards the menage but the applicant states that its primary purpose is as a 'yard light' to light the yard and access track for when horses are turned out and for lambing time. This light lies outside of the application site and the scope of this application, but could be dealt with as an enforcement enquiry if necessary.
36. In terms of the current proposals, a condition to ensure that no new lighting is erected for the menage within any land in the control of the applicant, is considered to be reasonable and necessary.

Drainage Issues

37. Neighbours have raised concerns about the potential for surface water flooding from the menage. Whilst no drainage details have been provided, the surface of the menage would be a porous material as at present and even if there were any run off from the surface there is a 40m wide field into which any water could be absorbed. In addition the area is in Flood Risk zone 1 – areas at least risk of flooding, Consequently our view is that it is unlikely that the proposed extension would cause any unacceptable risk of increased flooding from surface water run-off.

Conclusion

38. Subject to conditions including to ensure an adequate planting scheme is implemented in a timely manner and no external floodlighting, the proposed development would conserve the character of the Wetton Conservation Area and would not cause harm to the privacy and amenity of the neighbouring residential properties in accordance with policies GSP3, L3, DMR4 and DMC3. Consequently the application is recommended for conditional approval.

Human Rights

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

List of Background Papers (not previously published)

40. Nil
41. Report Author: Andrea Needham, Senior Planner (South)