

**APPLICATION REPORT - FUL/348550/22**  
**Planning Committee 24<sup>th</sup> August 2022**

Registration Date: 21<sup>st</sup> February 2022  
Ward: Chadderton North

Application Reference: FUL/348550/22  
Type of Application: Full Application

Proposal: Erection of indoor menage extending to circa 35m x 25m.  
Location: Hill Top Farm, Healds Green, Chadderton, OL1 2SB.

Case Officer: Sophie Leech  
Applicant: Mr L Dransfield  
Agent: Mr C Cowey

## **INTRODUCTION**

In accordance with the Council's Scheme of Delegation the application has been referred to the Planning Committee under the discretion of the Head of Planning given the scale of development, its Green Belt location, and the level of public interest.

## **RECOMMENDATION**

It is recommended that the application be approved subject to the conditions set out in this report and that the Head of Planning shall be authorised to issue the decision.

## **THE SITE**

The proposed development site is located the north of Chadderton and west of A627(m), off Heights Lane. The site is bounded by a fence and substantial mature hedgerow to the north. The proposed development site is approximately 875sqm with the overall facility being approximately 14.52 hectares and currently comprises grassland in part and a horse exercise ring along with pasture, 20 stables and an outdoor menage.

## **THE PROPOSAL**

The proposal is for the erection of an enclosed menage within a building measuring 35m in length and 25m in width. It would have a pitched roof measuring 6.8m in height and 3.92m to eaves level. The building would be constructed with fibre cement roof sheets and Yorkshire timber boarding for the external facing walls. The entrance doors would be electric roller shutters.

## **RELEVANT PLANNING HISTORY**

FUL/346541/21 – Erection of building to provide indoor riding arena – Withdrawn 11.06.21

## RELEVANT PLANNING POLICIES

The following policies are relevant to the determination of this application:

### Joint Development Plan Document

Policy 09 – Local Environment;  
Policy 14 – Supporting Oldham’s Economy;  
Policy 16 – Local Services and Facilities;  
Policy 19 – Water and Flooding;  
Policy 20 – Design;  
Policy 21 – Protecting Natural Environmental Assets; and,  
Policy 22 – Protecting Open Land.

National Planning Policy Framework (NPPF, 2021).

### Statutory and Internal Consultees:

Highways Engineer	Raises no objection on the basis that there is adequate parking and manoeuvring space within the site and that the development is unlikely to result in additional vehicular movements.
Environmental Health	No objections received.
Greater Manchester Ecology Unit	No objections, subject to conditions for retention of hedgerow, external lighting, installation of bat/bird boxes and no works during bird breeding season.
United Utilities	No comments to make.
Drainage/LLFA	No objections.

## REPRESENTATIONS

15 **support** comments have been received.  
0 **neutral** comments have been received.  
17 **objection** comments have been received.

### SUMMARY OF OBJECTION COMMENTS

- Increase in traffic and pollution,
- Green belt land should not be built upon,
- Impact on residential amenity,
- Noise nuisance,
- Harm to wildlife,
- Drainage issues,
- Development too large,
- Development out of character.

### SUMMARY OF SUPPORT COMMENTS

- Facility needed within the area,
- Indoor facilities required due to weather,
- Social benefits for adults and children,
- Enable riding skills for children,
- Enable disabled adults and children to access sport.

## **PLANNING CONSIDERATIONS**

The main issues to consider are:

- Principle of the proposed development;
- Green Belt assessment;
- Design;
- Residential amenity;
- Highway safety; and,
- Other matters.

### **Principle of Development**

The application site lies within a semi-rural location and the site itself is an existing agricultural holding which has diversified into an equestrian centre/riding school. The centre/riding school provides livery (full, part and DIY), schooling, competitions, and holiday livery to the local community.

The site is located within the Green Belt. Development Management Policy 2 in the Local Plan states that development in the Green Belt will be permitted provided it does not conflict with national policies. As such, there is significant reliance on the National Planning Policy Framework (NPPF).

NPPF Paragraph 137 explains that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and permanence.

NPPF Paragraph 138 sets out the five purposes which the Green Belt serves:

- 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.

Paragraph 149 of the NPPF explains that a local planning authority should regard the construction of new buildings as being inappropriate in the Green Belt but lists a number of exceptions. This includes the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport or recreation providing the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

In this instance it is proposed to erect a large building to provide indoor riding facilities. However, the building would be used in conjunction with existing outdoor horse riding. Although it is acknowledged that the proposed building would complement the existing outdoor horse riding facilities at the site it is not exclusively for outdoor sport and recreation and

therefore it represents inappropriate development within the Green Belt. According to paragraph 147 of the NPPF inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Such circumstances will only apply if the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

In order to establish whether the principle of development is acceptable it is necessary to identify the extent of harm caused to the Green Belt and balance this against the benefits of the proposals to determine whether or not very special circumstances exist.

### **Very Special Circumstances**

The building would have a materially greater impact on the openness of the Green Belt since there is no existing development on the location where the new building is proposed.

The parcel of land proposed for the building is presently free of any buildings and/or structures. However, the proposed building would be sited in close proximity to other buildings on the site and be partially screened by an existing hedgerow to the north. Furthermore, by virtue of its design and appearance, it would appear as an agricultural building when viewed from other vantage points. As a result, it is not considered that the proposed development would have a significantly harmful impact upon the openness or appearance of the Green Belt.

In support of the application the following points have been put forward by the applicant which they consider amount to being the very special circumstances required to justify the inappropriate development:

- This site forms an existing sport/recreation business which meets huge demand in the area for riding lessons.
- There is a demand for such facilities from local special schools.
- The building will encourage safety and inclusion by allowing the business to continue in poor weather conditions providing safety to all participants and most importantly to vulnerable clients.
- The building will allow the business to expand and will promote diversity within the local community encouraging clients from mixed cultural backgrounds and ability to enjoy horse-riding.
- The building will be built into the land, reducing visual impact.

The social and economic benefits of the scheme outlined by the applicant are in this case considered to amount to the very special circumstances needed to support the principle of this development in the Green Belt. This is because although the building will be visible from short and long-distance views and therefore result in some harm to openness and visual amenity the extent of such harm is not considered significant due to its location. The community benefits associated with supporting a wider outdoor sport and recreation-based activity are considered to outweigh the identified harm to the Green Belt and therefore it is considered that the principle of development is acceptable.

### **Design**

Policy 20 requires proposals to respond positively to the environment, contribute to a distinctive sense of place, and make a positive contribution to the street scene.

The external appearance of the outbuilding is designed to be similar to that of almost all modern agricultural buildings. The materials would comprise concrete panels to circa 1.5

metres, clad in Yorkshire boarding to the eaves. The roof would be clad in natural grey fibre cement roof sheet. A large roller shutter door will allow access to the indoor menage. The positioning of the building would allow for sufficient space surrounding the building for maintenance and protection of the mature hedgerow to the north. The building would be positioned in line with adjoining structures to the east and west to ensure a linear design. A minimum distance of circa 3.05 metres will be maintained between the mature hedgerow to the north and the proposed menage. As such, the proposed development is considered acceptable having regard to provisions of DPD Policy 9.

### **Residential Amenity**

Policy 9 states that consideration must be given to the impact of a proposal on the local environment. It seeks to ensure that development, amongst other matters, is not located where it would be adversely affected by neighbouring land uses, does not cause significant harm to the amenity of the occupants of the development or to existing and future neighbouring occupants or users through impacts including safety, security, and noise.

The closest residents to the development site are at no.51 and 53 Cragg Road where the building would be approximately 19 metres from the boundaries of these properties. It is considered that any additional noise from the use of the building would be contained within the building and any proposed flood lighting and hours of operation can be controlled via conditions. This would ensure no significant detrimental impact on these neighbours. Given the distance, there would also be no additional loss of light, outlook or privacy.

The existing access on Heights Lane would be utilised and the driveway area would have vehicles passing and re-passing to a similar nature to how the existing site operates. Therefore, it is considered there would be no additional harm arising from the reuse of this access. Therefore, the proposed development is considered acceptable having regard to the provisions of DPD Policy 9.

### **Highway Safety**

The Council's Highway Engineer has been consulted regarding the proposed development and has raised no objections on highway safety grounds. Therefore, the proposed development is considered acceptable having regard to provisions of DPD Policy 9.

### **Other Matters**

#### *Drainage*

The Applicant has advised that the design of the building would enable the capture of run off surface water into tanks positioned at the gable ends of the building. Surface water would then be recycled and used in association with the existing equestrian facilities (horse drinking, horse cleaning and yard washing, stable cleaning etc). This would then take pressure off mains water resources and makes for a sustainable system and avoids surface water run-off. The Council's Drainage/LLFA department have not raised any objections to this approach. As such, the proposed development is considered acceptable having regard to provisions of DPD Policy 19.

### **CONCLUSION**

It is considered that the proposed indoor manege would not have a significant adverse impact on the character or appearance of the area or the designated Green Belt land and the considerations put forward by the applicant amount to the very special circumstances needed

to establish the principle of the proposed development. As such, the application is recommended for approval, subject to the imposition of the conditions listed.

**RECOMMENDED CONDITIONS:**

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission. REASON - To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice. REASON - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.
3. The external materials to be used in the construction of the development hereby approved shall be as detailed within the approved application particulars and approved plans. REASON - To ensure that the appearance of the development is acceptable in the interests of the visual amenity of the area having regard to Policy 20 of the Oldham Local Plan.
4. Prior to their installation full details of any proposed external lighting shall first be submitted to and approved in writing by the Local Planning Authority. The lighting shall thereafter be installed in full accordance with the approved details and be maintained at all times. REASON - To preserve the rural and residential amenities of the locality having regard to Policy 9 of the Oldham Local Plan.
5. The building shall not be used between the hours of 21:00 and 08:00 on any day. REASON - To preserve the rural and residential amenities of the locality having regard to Policy 9 of the Oldham Local Plan.
6. The hedgerow to the northern boundary shall be retained in accordance with the Preliminary Ecological Appraisal dated November 2021 by Verity Webster. The hedgerow shall not be removed without approval from the Local Planning Authority. REASON – In order to maintain the hedgerow having regard to Policy 21 of the Oldham Local Plan.
7. The hedgerow, trees, and scrub on site adjacent to the development shall be protected by the erection of 2.3 m high fencing using vertical and horizontal scaffolding poles, or other stout fencing to Local Authority approval with the uprights driven well into the ground, erected in accordance with BS5837:2005, outside the canopy. The fencing shall be maintained for the duration of the development operations and no operations or storage whatsoever shall take place within the fenced protection areas. REASON - Prior approval of such details is necessary to protect existing trees and hedges having regard to saved Policy D1.5 of the Unitary Development Plan.
8. Prior to the development first being brought into use, in accordance with the Preliminary Ecological Appraisal two bird boxes shall be erected on site in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. The boxes shall thereafter be retained on site for the life of the development. REASON – In order to promote biodiversity on site having regard to Policy 21 of the Oldham Local Plan.

**LOCATION PLAN (NOT TO SCALE):**

Site Location Plan - Hill Top Farm

