



# **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee (North)  
**BY:** Head of Development  
**DATE:** 4 September 2018  
**DEVELOPMENT:** Erection of new stable block and sand-school on land adjoining Hall House  
**SITE:** Hall House The Haven Billingshurst West Sussex RH14 9BS  
**WARD:** Rudgwick  
**APPLICATION:** DC/18/0864  
**APPLICANT:** **Name:** Mr and Mrs Westwood **Address:** Hall House The Haven Billingshurst West Sussex RH14 9BS

**REASON FOR INCLUSION ON THE AGENDA:** More than 8 letters of representation have been received within the consultation period contrary to the officer recommendation

**RECOMMENDATION:** To approve planning permission subject to appropriate conditions

## **1. THE PURPOSE OF THIS REPORT**

1.1 To consider the planning application.

### DESCRIPTION OF THE APPLICATION

- 1.2 The proposal concerns the creation of a 40m x 30m sand-school and post-and-rail fenced enclosure, along with a new three-bay stable block, clad in timber.
- 1.3 The new sand-school would be located some 35m off the northern boundary and some 10m off the western field boundary, where the land provides a reasonably level area.
- 1.4 The associated stable block would be set some 55m off the northern boundary and some 5m off the western boundary. The block would have a footprint of some 12.7m x 3.5m with a height of around 2.9m, and an overhanging canopy to the eastern side. It would provide for three stable bays and a small tack room.
- 1.5 It is understood that the sand-school would be for hobby-purposes only, and would allow the applicant's grandchildren to ride. The additional stables are required owing to the proposal to breed from one of the existing mares owned by the applicant and to buy additional ponies and a horse, thus increasing stock numbers from 4 to 8.

## DESCRIPTION OF THE SITE

- 1.6 The application site comprises a field which lies to the north of an associated residential property called Hall House. The overall property comprises three distinct areas including the residential house, drive and gardens, accessed off Okehurst Road, a modest stable complex to the west of the house, comprising two blocks of three stables and all associated hay stores and tack rooms with separate vehicular access also off Okehurst Road, and a former agricultural field, now used as grazing land to the north of the house and existing stables, amounting to some 5.2ha and accessed of The Haven.
- 1.7 The application site itself comprises the field, more specifically, a small portion of it located to the north-western corner, where there is an existing field access from the public highway and a galvanised 5-bar gate. The field is reasonably well screened alongside the public highway with vegetated field boundaries.

## 2. INTRODUCTION

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT PLANNING POLICIES

The following Policies are considered to be relevant to the assessment of this application:

#### 2.2 National Planning Policy Framework

#### 2.3 Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development  
Policy 2 - Strategic Policy: Strategic Development  
Policy 3 - Strategic Policy: Development Hierarchy  
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character  
Policy 26 - Strategic Policy: Countryside Protection  
Policy 29 - Equestrian Development  
Policy 32 - Strategic Policy: The Quality of New Development  
Policy 33 - Development Principles  
Policy 34 - Cultural and Heritage Assets  
Policy 40 - Sustainable Transport  
Policy 41 - Parking

#### 2.4 RELEVANT NEIGHBOURHOOD PLAN

The Rudgewick Neighbourhood Plan is still at an early stage

#### 2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/18/0065	Erection of a stable building and associated sand school	Withdrawn Application on 05.04.2018
DC/08/0093	Erection of a building comprising 3 stables and retention of a garden shed for feed / storage	Permitted March 2008
DC/06/1264	Erection of footbridge to allow access from existing stable/paddock to adjacent grazing land (Listed Building Consent)	Permitted July 2006
DC/06/1261	Retention of footbridge to allow access from existing stable/paddock to adjacent grazing land	Permitted July 2006

### 3. OUTCOME OF CONSULTATIONS

- 3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at [www.horsham.gov.uk](http://www.horsham.gov.uk)

#### INTERNAL CONSULTATIONS

3.2 **HDC Conservation:** No Objection:-

- The proposed stables and sand school would be set away from Hall House. It is considered due to the nature of the surrounding landscape that there would be limited perception of the proposed stable and sand school from Hall House or The Blue Ship. It is therefore considered that the proposed development would not have a harmful impact on the setting of the listed buildings.
- It is noted that the application does not seek permission for flood lighting of the stables or sand school. It is considered that the provision of lighting may result in the structures becoming more prominent and any future applications should be carefully considered in this respect

#### OUTSIDE AGENCIES

3.3 **Rural / Agricultural Consultant:** Comment:-

- Current proposal does not propose to demolish existing facilities (some 5 loose boxes and hay store) and understood that applicant owns two Shetland ponies and two Andalusian horses
- The overarching national policy of support for economic activity in rural areas (NPPF para 28) does not find specific reference in Local Development Plan Policies relating to equestrian development. However, Policy 29 does not discriminate between commercial and non-commercial equestrian activity, subject to it being sustainable.

#### Stables:

- The applicant's intended wish to increase stock numbers at the site from 4 to 8 is noted although there is no convincing need for the immediate increase of 3 stables, given that there are still only 4 horses on site, of which 2 are Shetlands
- The proposed stables at 3.5m x 3.5m (12.25m<sup>2</sup>) are slightly smaller than recommended size in the DEFRA Code of Practice for the Welfare of Horses, Ponies, Donkeys and their hybrids (2017), which sets a minimum stable size for horses of 3.65m x 3.65m (13.3m<sup>2</sup>). The recommended size for ponies is 3.05m x 3.05m (9.3m<sup>2</sup>) and may be considered suitable for the applicant's horses, however full details of the requirements have not been provided in the application documents.
- No reasons have been provided why the current stable blocks adjacent to Hall House are no longer suitable or available for use. The applicant states in the Design and Access Statement that "obviously it would have been more convenient to place the new proposed stables and the sand school closer to the present stables, but this would not be possible without demolishing these present stables and cutting down a number of trees."
- The Design and Access Statement states that the land slopes steeply and therefore the stables proposed are better sited in the north western corner of the paddock, however no further justification is provided for why the existing stables cannot be either replaced or renovated to provide more suitable stabling for the applicant's horses.
- The applicant has not fully demonstrated that the application is in compliance with Criteria 1 or 2 of Policy 29.

#### Sand School:

- The (initially) proposed sand-school measuring 40m x 60m is considered to be an Olympic size.
- The Council's Rural Consultants have recently been consulted by Horsham District Council to appraise applications for sand schools measuring 60m x 20m for Livery Yards and private competition horse facilities, which is considered a standard size for private and commercial competition yards and would provide adequate space for show-jumping and dressage training (even sizes such as 40m x 20m or 40m x 30m)
- The applicant has provided no details whether their horses are competed at any level, if so their exercise requirements, or how the current facilities are used for exercise (e.g. paddock or bridleways).
- Generally, a 40m x 20m sand school is suitable for novice dressage, 60m x 20m for advanced dressage and a minimum width of 25m for show jumping.
- Overall, it is considered that the sand school facility is too large for the applicants' equestrian requirements, and its need has not been justified as required by Policy 29.

#### 3.4 **WSCC Highways:** Comment:-

- More information was previously required as part of application DC/18/0065 to include achievable visibility splays and trip rates of the existing and proposed uses.
- Access is to be achieved via the existing access arrangements into the field from The Haven, an unclassified rural lane subject to the national speed limit at this point. Given the nature of the lane it is unlikely that vehicles will be approaching the site at this speed.
- Whilst it is noted that the current application is not supported by way of demonstrated maximum achievable visibility splays, it is acknowledged that the eastern visibility splays would be provided by land that is anticipated to be public highway land, with the same being true with regard to the maximum available western visibility. Any alterations in this direction would require use of third party land. Therefore, given that the maximum achievable visibility splays are wholly contained within highway land and this is protected from obstruction by statute, securing any visibility splay conditions would not achieve any benefit.
- However, it is advised that the access be made up to current WSCC specifications which should form a standard condition and informative in the event of approval being granted

#### PUBLIC CONSULTATIONS

#### 3.5 **Parish Council:** Objection - not a suitable location

#### 3.6 To date, letters from 11 neighbouring and nearby properties have been received. The following objections are noted:-

- Most equine developments serving residential properties are located close to or adjacent to the residential dwelling
- Already equine facilities on site - expectation for these to be extended and not for new ones
- Size and location of facilities not apparently related to residential property
- Already existing sand-schools in the area which could be shared
- Rural area and mainly agricultural
- Picturesque area with many 14th - 17th Century houses, seen often across lanes and from public footpath
- Intrusive development affecting character of the area - highly visible across open fields from roads
- Potential for external lighting

- Potential for future development - such as new residential dwelling to provide security
- Hazardous access directly opposite a junction
- Already a large number of horse boxes using the roads for equine treatment centre at Garlands - causing damage to road surfaces

3.7 To date, one letter of support has also been received

3.8 Rudgewick Preservation Society - Object:-

- Concerned about loss of greenfield site in a prominent location
- Sites some distance away from the applicant's residence
- The Haven roads unable to carry more traffic
- Page 16 of Parish Design Statement states that expansion of horse paddocks and sand schools in the area leads to one of the key concerns regarding the rural character and the area's intrinsic qualities

3.9 The Haven society - Object:-

- Existing stable development next to house is not shown
- HDPF 29 requires equestrian development to be in keeping with its location and surroundings, and where possible, well related to the existing buildings
- No other buildings in the vicinity of the proposed stables / sand-school
- Access directly opposite a junction
- Pollution risk in the event of floodlighting

#### **4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS**

4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

#### **5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER**

5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

#### **6. PLANNING ASSESSMENTS**

##### **Principle**

6.1 Policy 26, Countryside Protection, of the HDPF states that outside of built up areas boundaries the rural character and undeveloped nature of the countryside will be protected against inappropriate development and must meet with relevant policy criteria. The nature of equestrian facilities and the space required for paddocks and turnout / grazing land mean these are best placed in rural locations, with equestrian development suitable in the countryside and considered to accord with the provisions of policy 26 in that they 'provide for informal recreational use'. In this instance, the existing property is already provided with two small stable blocks, which are well sited in a wooded area to the west of the house and its garden. There are no plans for these existing facilities to be removed as a result of the proposal.

##### **Character and appearance**

6.2 Policy 29, Equestrian Development, of the HDPF states that development for equestrian related purposes will be supported provided that it can be demonstrated that the re use of

existing buildings on site for related equestrian use is not appropriate; before new or replacement buildings are considered.; the proposal would be appropriate in scale and level of activity, and be in keeping with its location and surroundings, and where possible is well related to existing buildings; the proposal should where possible be well related to a bridleway network.

- 6.3 As part of the application process the size of the proposed sand school has been reduced from the initially proposed 60m x 40m to a smaller facility measuring 40m x 30m. This size is considered more appropriate for private / personal use, with the associated scale and level of activity therefore more in keeping with the location and wider surrounds. The wider visual impact would be limited and the presence of equestrian development in the countryside is not, in itself, considered harmful to landscape character.
- 6.4 The applicant has advised that the additional stables are required for the applicant's increased stock numbers, which need to be accommodated on the land. There are no reasons to dispute this need, and given the site constraints around the existing stables it is not possible to increase the existing provision in this location. It is noted that there are no limits to the number of horses that can be privately owned, and there are animal welfare recommendations relating to the provision of stabling for horses, which is noted to vary depending on the nature, breed and purpose of the horses being kept. The scale of the stable blocks is relatively modest and in the context of the wider surrounds they would appear innocuous and low-key additions to the site. Additionally, the proposal would not result in any significant landscape harm to warrant refusal given the small nature of the development and the field boundaries.
- 6.5 It is therefore considered that the provision of three additional stables, for private use, alongside the proposed sand-school, would not be unreasonable or unduly excessive in terms of the scale and resulting impact on the rural area. These proposed additional stables would complement the existing facilities which lie closer to the house, and would provide a certain degree of flexibility in the available stabling at the property. The proposal is considered to accord with the aims of policy 29 and rural protection policies within the HDPF.

#### **Heritage Impacts**

- 6.6 HDPF policy 34 requires proposals affecting listed buildings to retain and improve the setting of the heritage asset. In addition, the setting of heritage assets, including views, should be preserved and retained. The NPPF (2012) also advises that new development within the setting of heritage assets should enhance or better reveal their significance.
- 6.7 In this instance, the distance of separation between the application site and the host listed building (Hall House) and others in the immediate vicinity (The Blue Ship), would not lead to a harmful impact on the designated heritage assets.

#### **Amenity Impacts**

- 6.8 Policy 33 of the HDPF seeks to avoid unacceptable harm to neighbouring amenities. The nearest residential properties are well separated from the proposed stables and this would minimise the potential for harm from the proposed development. There be should already measures in place for the existing domestic stables to dispose of the horse manure.
- 6.9 The separation distances between the application site and nearest residential properties, which are in excess of 30m, is considered sufficient to ensure no detrimental impact from the development on neighbouring amenity.

#### **Highways Impacts**

- 6.10 Policy 40, Sustainable Transport, of the HDPF supports proposals which provide safe and suitable access for all vehicles, pedestrians, cyclists, horse riders, public transport and the delivery of goods, whilst Policy 41 requires adequate parking facilities within developments.

- 6.11 The Highway Authority undertook a site inspection of the access and subsequently raised no objections to use of the existing field entrance. The proposal would not have a severe impact on the highway network and is considered acceptable on transport grounds.

### **Conclusions and Planning Balance:**

- 6.12 In conclusion, the amended proposal has been considered within the context of the NPPF and the presumption in favour of sustainable development, and Local Policies set out within the Horsham District Planning Framework (2015).
- 6.16 In terms of its scale siting within the wider open field, use of materials and resulting appearance, the proposed development comprising a modest new stable block and 30m x 40m sand-school, would not lead to any materially adverse harm to the wider rural setting.
- 6.17 It should also be noted that it would be difficult to justify a refusal of the development on landscape grounds given the proposal's limited visual impact. This takes into account previous appeal decisions in the District for similar schemes where the Inspectorate has allowed applications for stable building on the basis of limited visual impact. An example of this was an application for a stable building at Ghyll House Farm, Copsale (ref: DC/16/2858).
- 6.18 The proposal would therefore be in accordance with HDPF policies 1, 2, 3, 25, 26, 29, 32, 33, 34, 40 and 41.

## **7. RECOMMENDATIONS**

- 7.1 That planning permission be granted subject to the following conditions:-

1 **Approved Plans**

- 2 **Standard Time Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- 3 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on the approved plans.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 4 **Regulatory Condition:** The stables and sand-school hereby permitted shall not be used for commercial purposes or in connection with any form of riding or livery establishment.

Reason: In the interests of amenity, to enable the Local Planning Authority to regulate and control the development and in accordance with Policy 33 of the Horsham District Planning Framework (2015).