TO: Planning Committee North
BY: Head of Development
DATE: 4th August 2020
DEVELOPMENT: Retention and completion of horse walker with barn shelter and adjacent turnout pen
SITE: Beckley Stud Reeds Lane Southwater Horsham West Sussex RH13 9DQ
WARD: Southwater North
APPLICATION: DC/20/0613
APPLICANT: Name: Mr L Middleton Address: C/O Agent

REASON FOR INCLUSION ON THE AGENDA: At the request of Councillor Vickers
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 application seeks retrospective planning permission for the retention of a circular horse walker (in situ) and turnout pen, and planning permission for the construction of an open sided barn over the horse walker measuring 20m x 18m (360sqm). The barn has an eaves height of 3.15m and a ridge height of 5.38m. Materials comprise timber clad elevations with a tiled roof.

1.3 Permission is also sought for a turn out pen measuring 22m x 18m (396sqm) enclosed by a 1.8m high close boarded fence.

DESCRIPTION OF THE SITE

1.4 The application site comprises two separate parcels of land (combined site area of 756sqm) within the north east corner of the wider site boundaries of 'Beckley Stud,' a commercial equestrian site located to the north east and 0.4km from the village of Southwater,. The site is accessed via Reeds Lane which is off of the south side of Coltstaple Lane. The wider site accommodates commercial equestrian stables, and a mobile home within a site that comprises approximately 3.25 hectares (8 acres) of land, set out in individual paddocks with post and rail fencing.

1.5 Permission has previously been granted for the stables and a mobile home under application reference DC/17/2048 which was for the proposed change of use of the existing
equestrian facilities to combined equestrian and charitable use and the retention of the mobile home and re-sited timber clad container. More recently a 60 metre by 30 metre sand school has been granted permission (DC/18/1826). The layout of the current site is linear in form running parallel with the eastern boundary of the site comprising 4 stables, storage and a mobile home. As detailed above, in August 2019 permission was granted for the re-siting of the stable buildings (DC/19/0278) and subsequently in February 2020 for the re-siting and replacement of the mobile home (DC/18/1622).

1.6 A separate application (DC/20/0615) is under consideration for the retention of a bund located to the far north western boundary of the site. A further separate application comprising a Certificate of Lawfulness (CLE) is also under consideration under planning ref: DC/20/0755 to establish the lawfulness of the existing fencing and gate with brick piers (comprising 1.8m high sliding gate and 2m high brick piers) at Beckley Stud, along with a 1.8m - 2m high fence along the eastern boundary of the site (set back by 8.85m -9.5m from Reeds Lane) and 1.5m – 1.8m along the northern boundary of the site (set back 12m from Coltstaple Lane). The planning merits of the use and activities on site are not part of the CLE application and neither are they relevant to this submission.

1.7 Coltstaple Lane runs along the northern boundary of the site and Southwater Street runs along the western boundary. The eastern boundary of the site is parallel to Reeds Lane where the existing access point is located serving the field. There are listed buildings ‘Kings Farm’ to the north and immediately adjacent to the application site on the north side of Coltstaple Lane, and another known as ‘Newfoundout East’ located to the south east of the site.

1.8 The site is located outside any defined built up area boundary and therefore is identified as countryside. A right of way is located to the south of the site but not immediately adjacent to the site. The site is located within Flood Risk Zone 1 where the risk of flooding from rivers or surface water run-off is low.

2. INTRODUCTION

STATUTORY BACKGROUND


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 10 - Rural Economic Development
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 Southwater Parish Design Statement (2008)

RELEVANT NEIGHBOURHOOD PLAN

2.5 The Southwater Neighbourhood Development Plan (2019-2031) has been through examination and the Examiner published his report of the 15 May 2020. Whilst the neighbourhood plan is not yet ‘made’ it carries increasing weight. Relevant policies are as follows:

SNP1 - Core Principles
SNP16 - Design
SNP17 - Site Levels
SNP18 - A Treed Landscape

2.6 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/19/0278 Demolition of existing stable and erection of stables Application Permitted on 06.08.2019
DC/18/1826 Erection of a 60m x 30m sand school. Application Permitted on 09.11.2018
DC/18/1622 Removal of existing mobile home and positioning of new mobile home (retrospective). Construction of 1.8m fencing along eastern/southern boundaries along with brick pillars and gates to entrance (retrospective). Proposed construction of 1.5m high fence along eastern/northern boundaries. Application Permitted on 17.02.2020
DC/17/2048 Proposed change of use of existing equestrian facilities to combined equestrian and charitable use. Retention of mobile home and re-sited timber clad container Application Permitted on 08.03.2018
DC/16/1069 Retrospective application for the erection of 4 stable blocks forming 10 stables and creation of hard standing Application Permitted on 27.07.2016
DC/14/2407 Proposed creation of a small scale private equestrian yard - Five stables and sand school, revised application further to DC/14/1645 Application Refused on 20.04.2015
DC/14/1645 Erection of stable building comprising 8 stables and 2 foaling boxes, feed hay and tack rooms with wash down and store areas and a sand school for private use (affects the setting of a Listed Building) Application Refused on 06.10.2014

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

3.2 INTERNAL CONSULTATIONS

HDC Landscape Architect: No Objection

HDC Conservation: No Objection

HDC Environmental Health: No Objection

3.5 OUTSIDE AGENCIES

WSCC Highways: No Objection

Southern Water: No Objection
3.7 **Agricultural Adviser**: No objection. The proposed horse walker, covered barn and turnout barn are appropriate equine facilities and are of an appropriate size relative to the nature and level of the applicant’s commercial equestrian activity.

PARISH COUNCIL

3.8 **Southwater Parish Council** – Object as there is a breach of normal planning procedures. The Parish Council is disappointed this (these) applications have been brought up for regularisation.

PUBLIC CONSULTATIONS

3.9 None received

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**

6.1 The main issues in this case are considered to be:

- The principle of the development in this location;
- The impact and scale of the development on the character and visual amenities of the countryside, including the neighbouring Grade II listed buildings;
- The amenities of neighbour and future occupiers; and
- Parking and highway safety issues.

**Principle**

6.2 Policy 10, Rural Economic Development, of the HDPF states that development in the countryside should be appropriate to the countryside location and contribute to the diverse and sustainable farming enterprises within the district or, in the case of other countryside-based enterprises and activities, contribute to the wider rural economy and/or promote recreation in, and the enjoyment of, the countryside.

6.3 Policy 26 of the HDPF states that outside built up area boundaries, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. In addition, proposals must be of a scale appropriate to its countryside character and location, and would not lead, either individually or cumulatively to a significant increase in the overall level of activity in the countryside and protects and/or conserve, enhances key features and characteristics of the landscape character in which it is located. The strategy for Rural Economic Development reinforces the government’s commitment to encouraging sustainable rural business whilst maintaining the quality and special character of the countryside as set out in Paragraph 28 of the National Planning Policy Framework.

6.4 Policy 29, Equestrian Development, states that ‘Development for equestrian related development 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; and the proposal should where possible be well related to a bridleway network’.

6.5 The principle of the wider use of the site for commercial equestrian purposes was established under DC/17/2048 (Proposed change of use of existing equestrian facilities to combined equestrian and charitable use. Retention of mobile home and re-sited timber clad container). A restrictive condition was imposed in regards to the siting of the mobile home for a temporary three year period, until 8 March 2020. A subsequent application was made under DC/18/1622 and a further permission has recently been granted for the siting of a new mobile home until 4 February 2023 (restrictive condition 2). Planning permission has also been granted for the erection of a 60m x 30m sand school under DC/18/1826 in November 2018 and more recently for the demolition of the existing stables and erection of new stables under DC/19/0278 in August 2019. The current application seeks planning permission for the retention of the horse walker, and construction of an open barn shelter over and a turn out pen to the north of the former ‘HOPE’ Therapy Centre in the north east quadrant of the wider site (this use having been relocated from the site, and the structure itself to be removed imminently).

6.6 The Council Agricultural Adviser has been consulted, RAC considers that the proposed horse walker, covered barn and turnout barn are appropriate equine facilities and are of an appropriate size relative to the nature and level of the applicant’s commercial equestrian activity. They are considered to meet the appropriate exercise and training requirements for the horses on site. In this respect, RAC considers it is compliant with the NPPF and Local Plan Policy in Policy 29 of the Horsham District Planning Framework. It is noted for information purposes that the Agricultural Report submitted with the previous planning application (DC/18/1622) confirmed that the equestrian business at Beckley Stud has altered from a breeding and racehorse recuperation to only the breeding of Show Hunter horses and ponies.

6.7 The current application seeks retrospective consent for the retention and completion of horse walker with barn shelter with a turnout pen enclosed by a 1.8m high close boarded fence. There are no other buildings on the site that could accommodate a covered horse walker required for exercising and training horses including warming up and cooling down before and after exercise. The proposed barn over the horse walker is open sided to the front and has a shallow pitched roof measuring 5.38m to the ridge and 3.15m to the eaves. The horse walker with barn shelter with a turnout pen would be appropriate to the countryside location, with the small-scale nature of the commercial enterprise considered to be of a low impact which would not significantly increase the level of activity on the site. It is therefore considered that the proposed use of the site would be appropriate in this location and would accord with Policies 10 and 26 of the HDPF.

6.8 The proposed horse walker, open barn over and turn out pen are considered to be appropriate development within the rural context of the countryside and as such are considered to be acceptable in principle subject to a thorough assessment against all other relevant policies within the HDPF.
Character and Appearance (including impact on the setting of the Listed Buildings)

6.9 Policies 32 and 33 of the HDPF seek to ensure high quality and inclusive design for all development in the district and ensures that it will complement locally distinctive characters and heritage and that the scale, massing and appearance of the development is of a high standard of design and layout and where relevant relates sympathetically with the built surroundings, is locally distinctive in character, respects the character of the surrounding area, and uses high standards of building materials, and finishes.

6.10 The proposed horse walker, barn shelter and turn out pen as described above are considered acceptable within the context of the wider equestrian site and are suitable in terms of the size, scale and appearance. It is considered that they would not result in an over intensity of the existing use of the site. In this respect the proposals are considered to accord with the requirements of Policy 32 and 33 of the HDPF.

6.11 Policy 34 of the HDPF sets out the Council recognises that heritage assets are an irreplaceable resource, and as such the Council will sustain and enhance its historic environment through positive management of development affecting heritage assets. There is a listed building known as ‘Kings Farm’ to the north of the application site, located on the north side of Coltstaple Lane. There is another known as ‘Newfoundout East’ located to the south east of the site and well separated from the application site. The significance and setting of these listed buildings is not considered to be affected by the application proposals given their distance and inter-visibility between them and the application site.

6.12 The Council’s Landscape Officer has been consulted and has advised that following a site visit to assess the site in the contest of the proposals (including the mound (bund) which is subject to a separate application under DC/20/0615), that the horse walker, barn shelter and turnout pen and fence subject to the current application sits in a well screened location and where visible will be seen in the context of the existing equestrian use of the site with apparatus like fences, buildings, horse transport vehicle, etc. and it is considered that they will not harm the visual appearance of the landscape. It is therefore considered that any assessed harm to the landscape character of the area is localised and is not considered to be significant in planning terms therefore, the proposals are considered to accord with the requirements of Policy 25 of the HDPF.

Impact on neighbouring amenity

6.13 Policy 33 of the HDPF states that development should, amongst other things, respect amenities of neighbouring properties and the locality.

6.14 The proposed horse walker, barn shelter over the horse walker and turn out pen located within the north east corner of the application site are considered to be appropriate equine facilities within the countryside, and would be viewed in the context of the existing equestrian use of the land. The size and scale of the development is considered appropriate when considered in relation to the stables as previously granted on site, and the overall equestrian activities and existing authorised development on the site. The boundary of the site comprises mature trees and hedging to the northern and eastern boundaries of Beckley Stud and as such there is some natural screening between the application site and the nearest neighbours.

6.15 The nearest neighbour to the site is Kings Farm and Beckley Farm on the north side of Coltstable Lane. The evolution of the equestrian site to include the above is not considered to result in either a development or level of activity that would result in any appreciable harm to neighbouring amenity, particularly with regards noise and disturbance to local residents above that which currently exists. The proposal would be viewed in the context of an equestrian use of the land, with a stable block adjoining to the east. It would not be unusual for a horse walker, barn shelter, or turn out pen to form part of an equestrian
development. It is considered that there is sufficient separation distance (approx. 65m to the nearest residential dwellings to ensure that there would be no loss of private amenity arising from the activities that take place on the site which already have authorised use for equestrian purposes.

6.16 The retention of the horse walker, barn shelter and turn out pen as described when viewed in conjunction with the equestrian use of the site is considered appropriate to the countryside location and therefore would not appear out of keeping with the surroundings. The proposal is considered to be of an appropriate form and finish which given the presence of some screening to the northern and eastern boundaries and the nearby residential properties, would not appear either unduly prominent or incongruous within the rural landscape character of the area. As such, the proposal is considered to accord with policies 25, 32 and 33 of the Horsham District Planning Framework (2015).

Highways

6.17 West Sussex County Council Highways have been consulted and they have advised that the Local Highways Authority does not consider that this proposal would have an unacceptable impact on highway safety or result in ‘severe’ cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

The application is therefore considered to accord with HDPF Policy 41 Parking which states that adequate parking and facilities must be provided within developments to meet the needs of anticipated users.

Conclusions

6.18 Whilst it is acknowledged that the site activities and development have evolved over time and there is concern regarding the retrospective nature of applications submitted over time and in regards to the use of the site, and to the incremental changes that have/are taking place, this not a reason to refuse the current application as the site does have permission to operate as an equestrian use, with planning permission DC/17/2048 granting consent for a change of use of the existing equestrian facility to combine equestrian and charitable use, and the retention of the equestrian elements as described above and as sought relate to the current use.

6.19 The development for which permission is sought (retrospectively in part) is considered to be of a use, scale, form and appearance that is appropriate and sympathetic to the countryside location. The proposals would not result in any significant or appreciable harm to the amenities of neighbouring properties and is considered to accord with policies 25, 26, 29, 32, 33 and 34 of the HDPF 2015.

7. RECOMMENDATIONS

7.1 To approve planning permission subject to the following conditions:

1 A list of the approved plans

2 Pre-Commencement (Slab Level) Condition: The materials to be used in the development hereby permitted shall strictly accord with those indicated on the application form and 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).