



TO: Planning Committee North

BY: Head of Development

DATE: 6 October 2020

DEVELOPMENT: Retrospective application for change of use of land to equestrian and equestrian development comprising stables, dog kennels, manure store, hay barn, lighting and mirrors for sand school and lunge pen. Provision of mobile home for rural worker.

SITE: Winterfold Farm Wimland Road Rusper Horsham West Sussex RH12 4QU

WARD: Colgate and Rusper

APPLICATION: DC/20/0937

APPLICANT: **Name:** Ms Watson **Address:** Winterfold Farm, Wimland Road Rusper RH12 4QU

REASON FOR INCLUSION ON THE AGENDA: By request of the Parish Council.

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 Since the completion of the stable block and sand-school approved under DC/17/1841, a number of additional elements have been erected at the site without the benefit of formal approval. These are now sought retrospectively:

- Dog kennels to the east of the stable – some 7m x 4m / max 2.5m height
- Hay barn (currently between barn and sand-school) – some 9m x 6m / max 5.4m height
- Lunge pen to the west of the sand-school – 14m diameter / 2.5m fence height
- Horse-trainer / walker – 12m diameter / 3.5m height, allowing up to 6 horses to be exercised at once to the south of the stable
- Lighting and mirrors to the outdoor sand-school – to be used only until 19:00 hours
- Installation of CCTV cameras at the entrance to the site – 6no. cameras mounted on one pole (some 5m in height)
- Paddock fencing and stallion pens
- Retention of the mobile home to the southern side of the stable – some 30sq.m
- Location of the stable further north of its approved siting under DC/17/1841
- Formalised use of the land to provide equestrian facilities and paddocks

1.3 It is also noted that the stable has been sited closer to the northern boundary than the approved position under DC/17/1841. Furthermore, a number of pre-commencement

conditions on DC/17/1841 have not been discharged - drainage strategy, manure / bedding storage and removal.

- 1.4 In addition to the above as-built works, the application also seeks a number of new, revised and removed elements, including:
- Use of the on-site mobile home for grooms / staff accommodation, which is currently used as a mess room / WC facilities
 - Painting of the mobile home in earth tonal colours – suggested As RAL 6025 (Fern Green), or RAL 8000 (Green Brown)
 - Relocation of the hay-barn from its current position to the south of the stable block, to a new location to the west of the stable and alongside the northern site boundary
 - Removal of the existing shipping / storage containers which are currently along the northern site boundary
 - New parking for vehicles and horse transporters south of the approved stable
 - Replacement of the existing metal entrance gate with new timber gate
 - Removal of current boundary close-boarded fencing to the southern PROW (No. 1569)
 - Replacement of current paddock post and rail fence along PROW No1569 with new split chestnut / oak fencing
 - Existing close-boarded fencing to eastern side of site boundary replaced with new fence and native hedge
 - New planting and trees throughout the site
 - Removal of the viewing gallery alongside the western side of the outdoor sand-school
 - Use of the field south of PROW No.1569 as part of the site
 - Removal of the lighting to the lunge pen
- 1.5 The submitted statement reiterates the personal use of the facility, which centres on event training with family members and horse breeding, with stable-hands hired to assist in the day-to-day management and tasks.
- 1.6 The existing mess accommodation / mobile home (unauthorised) would be converted into a dwelling for an on-site 'rural worker' / yard manager employed at the site. The submitted documents assess the need for the on-site dwelling owing to the number of horses present on site and the nature of care and animal welfare needs of the horses, particularly as the applicant and family live some distance off site, and there is no supporting dwelling on the land. At present, the family keep 20 horses on the site, including at least 4 brood mares, 3 stallions and a number of foals, with 3 people employed part-time to assist with yard and training duties. The proposed full-time stable yard manager would replace two part-time staff.
- 1.7 In addressing the previous reason for refusal under DC/19/0324, the current scheme is accompanied by a site-wide Landscape and Visual Appraisal, which sets out various new areas of planting to 'soften' views of the site. Significant areas of new trees, native hedgerows and other planting is being proposed within the site, along with the replacement of some of the boundary fencing to reflect the rural character.

DESCRIPTION OF THE SITE

- 1.8 The application site is located within an open and rural area, with a gently undulating landform. The Council's 2003 Landscape Character Assessment defines the area as I2 (Warnham and Rusper Wooded Fringe), which still retains a mostly rural and unspoilt character of wooded ridges and strong pattern of shaws and hedgerows, a patchwork of small pasture fields. Settlements are historic and dispersed. The Landscape Assessment considers the landscape condition to be 'good', with pressures arising from suburban features and the expansion of horse paddocks.
- 1.9 The application site is accessed off Wimlands Road via a private track which leads to residential properties at Baldhorns Park and Baldhorns Park Farm, located to the north of

the application site, with Baldhorns Park Farm being used for a stud farm / equine holding since permission was granted under DC/13/1452. The shared access track also forms a public right of way / bridleway (No.1566), with a further public footpath running east-west across the centre of the application site (No.1569).

- 1.10 The overall land parcel of the wider application site comprises some 9.7ha and extends up to the River Mole that runs alongside part of the northern boundary. The site is also subject to a number of trees which are subject to Tree Preservation Orders.

Recent Planning History on site:

- 1.11 In May 2019, the Council refused permission for two applications, which sought retrospective permission for the unauthorised works and development across the site (DC/19/0324), as well as a covered riding arena (DC/19/0325).
- 1.12 Of concern was the bulk and nature of the development, and the resulting urbanised impact on the landscape this would have, with the proposed covered arena considered to be overbearing in its bulk and massing.
- 1.13 A concurrent application has also been submitted for a new covered riding arena at the site (DC/20/0939), which was previously considered under DC/19/0325.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

- 2.2 The following policies are considered to be relevant to the assessment of this application:

2.3 National Planning Policy Framework

2.4 Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 10 - Rural Economic Development

Policy 24 - Strategic Policy: Environmental Protection

Policy 25 - Strategic Policy: The Natural Environment and Landscape Character

Policy 26 - Strategic Policy: Countryside Protection

Policy 29 - Equestrian Development

Policy 31 - Green Infrastructure and Biodiversity

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 40 - Sustainable Transport

Policy 41 – Parking

Supplementary Planning Guidance:

- 2.5 West Sussex Joint Minerals Local Plan (2018) - Policy M9 - Safeguarding Minerals

RELEVANT NEIGHBOURHOOD PLAN

- 2.6 The Ruser Neighbourhood Plan is currently advancing through the Examination process. Relevant policies are:
Policy RUS1: Spatial Plan

Policy RUS3: Design
Policy RUS5: Green Infrastructure
Policy RUS6: Walking, Cycling and Equestrian Routes
Policy RUS8: Landscape Character and Local Gaps
Policy RUS11: Dark Skies
Policy RUS12: Promoting Sustainable Transport

PLANNING HISTORY AND RELEVANT APPLICATIONS

2.7 The most recent and relevant planning history is as follows:

DC/20/0939	Installation of a covered riding arena	Pending Consideration
DC/19/0324	Retrospective application for the erection of an equestrian development comprising stables, dog kennels, manure store, hay barn, horse walker, sand school (30x50 metre) with lighting, mirror and shelter and stallion lunge pen. Provision of trackway, mobile home for welfare and overnight living accommodation	Application Refused on 31.05.2019
DC/19/0325	Erection of a 60 x 25m indoor equestrian arena	Application Refused on 31.05.2019
DC/17/1841	Change of use of land to equestrian including the erection of one stable block and one 30 x 50m sand-school with associated engineering works. (Resubmission following refusal of previous application DC/17/1224).	Application Permitted on 07.12.2017
DC/17/1224	Change of use of land for equestrian use and proposed erection of stable block, construction of a 30 x 50m sand school and associated engineering works. Retrospective provision of a track way and hardstanding	Application Refused on 11.08.2017

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

INTERNAL CONSULTATIONS

3.2 **HDC Landscape Architect:** No objection subject to conditions

Proposed mitigation measures are sufficient to overcome the previous landscape concerns.

3.3 **HDC Drainage Engineer:** No objection subject to conditions

3.4 **HDC Environmental Health:** No objection subject to conditions

- A significant amount of stable waste is likely to be generated and it will be necessary to exercise effective management of it to prevent odour issues arising. It is therefore recommended that a scheme for its disposal is submitted, approved, implemented and maintained. Within this stable waste management plan I would expect the following requirements to be included: stockpiles to be located no closer than 30m from any neighbouring residential boundaries, run-off from stockpiles to be prevented from entering any watercourse and no burning of stable waste.
- No livery.
- Kennelling for no more than 4 dogs.

- Outdoor arena floodlighting is only to be used between the hours of 7am to 7pm. No additional external lighting is to be installed without prior approval from this authority.
- The Mobile Home will need to be issued with a Caravan Site License if permission is granted which will specify requirements of distances between the MH and other structures, including the boundary
- Suggested site clearance hours condition
- Suggested condition requiring details of the sewerage disposal, including percolation tests if discharging to the ground

OUTSIDE AGENCIES

3.5 **WSSC Highways:** No objection

- The road access appears from remote viewings to be in well-maintained condition.
- While the use of the site may be considered intensive as far as a single family is concerned, the level of road traffic generated is expected to be broadly equivalent to that from run-of-the-mill agricultural use. It is likely that vehicles used would be smaller and lighter than those used to run and service a farm.
- No conditions related to highways necessary

3.6 **Thames Water:** No comment received in relation to the current application

3.7 **WSSC Flood Risk Management:** No objection

- The area of the proposed development is shown to be at low risk from groundwater flooding based on current mapping. This risk is based on modelled data only and should not be taken as meaning that the site will/will not suffer groundwater flooding.
- Works affecting the flow of an ordinary watercourse will require ordinary watercourse consent and an appropriate development-free buffer zone should be incorporated into the design of the development.
- No Drainage Strategy has been included with this application state. The DAS states that 'Detailed drainage calculations and plans proposing provision of below ground storage support this application' although it is unclear where these are located within the documents provided.
- All works to be undertaken in accordance with the LPA agreed detailed surface water drainage designs and calculations for the site, based on sustainable drainage principles.

3.8 **WSSC Rights of Way:** Comment:

- Details are requested regarding drainage to ensure that this does not cross above or beneath the PROW
- Although no alterations are shown relating to the PROW, the applicant is advised with regard to the need to seek consent from WSSC for any such works, which are understood to have been previously carried out without prior consent having been obtained first
- Any new fencing erected alongside the PROW should be of a post-and-rail type not close-boarded – to preserve sight lines and visual amenity of the PROW

3.9 **WSSC Minerals and Waste:** No comments

3.10 **WSSC Fire and Rescue:** Comment:

- Requirement of an additional fire hydrant.
- Currently the nearest Hydrant to these proposed properties is 460 metres away. The supply of water for firefighting for a commercial premises should be within 90 metres. There is a stream / river that runs alongside the site that could potentially be classed as an emergency water supply (EWS), evidence would be required to show there is adequate access to the stream and sufficient water can be drawn from it for this to be considered an alternative water supply to a new hydrant.

3.11 **Agricultural Advisor:** No objection

- The site context and earlier applications have been previously assessed whereby the level of equine facilities were considered to be compliant to local and national planning policies, as the facilities were for private use only and provided for informal recreational use.
- Additional information relates to the use of a mobile home for rural worker and foaling mares at the site
- In summary, the mirrors and lighting were considered acceptable. The mirrors allow riders to check their position and correct any movement of their horses whilst being schooled. The lighting is only used through the winter period – November to March - when daylight hours are very much reduced. RAC had noted that it is not uncommon for this type of additional facility to have a planning condition for when lighting can be used. The Design and Access Statement notes the viewing platform is to be removed.
- The horse walker is an equestrian facility that provides a regular/daily means of exercising horses without the use of a rider. Again RAC noted that this is a common facility on equestrian establishments where time and staff are at a premium.
- The stallion lunge pen or 'Round Pen' was considered by RAC as a useful facility for the safe handling or working of individual stallions by an experienced groom(s) and also for breaking young horses.
- The hay barn provides a dry storage area for hay protecting it from the weather. RAC's view was that such facilities are common on farms and equine units in maintaining the quality and feed value of stored hay. Hay that becomes wet due to poor storage can become mouldy which in itself can affect the health of horses it is fed to. It is of note that as part of the current proposal, the hay barn would be relocated along the northern boundary and will replace the existing containers which will be removed once adequate covered storage has been provided within the relocated hay barn.
- The muck heap and pad provides an area for storage of horse manure and bedding. The manure is periodically removed from the site by an outside contractor and no manure is applied to the land.
- There are a number of horse paddocks on site used for turnout and grazing. The paddocks are used on a rotational basis that allows good pasture management which was evident at the site visit in April 2019.
- The dog kennels provide adequate kennelling for the dogs on site which are used as a security deterrent.
- The mobile home as part of this application is stated as being required to house a full-time rural worker to be employed by the applicant as a 'Yard Manager' to oversee the welfare of all the horses on site.
- The Evaluation of Need document notes the applicant currently employs three part-time grooms to care for the horses and the Design and Access Statement suggests that a full-time employee would replace the two part-time staff.
- The Animal Welfare Act also contains a Duty to Care to animals which means that anyone responsible for an animal must take reasonable steps to make sure the animal's needs and its welfare are met. This overall responsibility for Duty of Care for animal welfare for the horses stabled or at grass at Winterfold Farm lies with the applicant or the appointed deputy which in this case would be the 'Yard Manager'.
- Overall RAC accepts that there is a requirement for an essential need for a resident experienced full-time rural worker at Winterfold Farm to ensure the management and welfare of the applicant's privately owned horses is not compromised and that the mobile home meets that need.
- It is evident that the applicant has made a considerable investment from private funds in developing the equestrian facilities and the equine breeding programme at Winterfold Farm. The applicant's privately owned equestrian unit is not for commercial gain and therefore it is considered falls outside Policy 20. The applicant's breeding programme is to produce top level competition horses that can be ridden with success by the family.

PUBLIC CONSULTATIONS

3.12 Representations

To date, one letter of support has been received from an adjacent neighbour identifying no concerns with the equestrian activities that have taken place on site for the past 2-3 years, and stating that a dwelling for a rural worker on this property is imperative.

PARISH COUNCIL CONSULTATION

3.13 **Rusper Parish Council:** Objection

- Over-intensification of the site

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 of Development

- 6.1 Policy 26 of the Horsham District Planning Framework (2015) (HDPF) sets out a general policy of restraint against inappropriate development in the countryside in order to protect its rural character and undeveloped nature. However, it does allow for, amongst other things, quiet, informal recreational use, such as that derived from private equestrian activities.
- 6.2 Policy 29 of the adopted Horsham District Planning Framework 2015 (HDPF) is generally supportive of new equestrian development, subject to several criteria, including the proposal being appropriate in scale and character, and level of activity, and being in keeping with the location, being well-related to existing buildings. The policy sets out that existing buildings should be re-used before new buildings are considered.
- 6.3 When the Council permitted the stable block and open sand-school in December 2017 under DC/17/1841, a new chapter of lawful equine use of the land was approved, and subsequently commenced. Furthermore, the facility remains a privately-run holding, dedicated to the family's equine pursuits.
- 6.4 The current application seeks to overcome the reasons for refusal cited under DC/19/0324. As part of the application, a detailed landscape study has been prepared and a number of unauthorised developments across the site are to be removed, or relocated in order to address the concerns, along with a comprehensive and site-wide landscape strategy.
- 6.5 The application also submits statements to address the need for the on-site rural workers accommodation, intended for a full-time yard manager, and the dog kennels which are to contain the dogs when supervision on site is limited. The dogs are part of the site's security measures, along with the CCTV.
- 6.6 The use of the site for personal equestrian use is considered to be acceptable in a rural location, and the use of the site was found to accord with policies when the stable / barn and outdoor arena were approved under DC/17/1841. The additional impact created by the development sought under this application are discussed in the paragraphs below.

- 6.7 The principle of the development on site, a site where equine use has been accepted as appropriate and which is now lawful insofar as the stable and outdoor sand-school (DC/17/1841), remains acceptable in local and national planning policy, as it provides for the expanded informal recreational use of an established equine facility.

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Use of On-Site Mobile Home

- 6.8 The employment of a full-time yard manager at the site is considered necessary to oversee the health and welfare needs of the horses at the site, which currently requires 3 part-time staff. The evaluation of need associated with the proposed on-site accommodation and security can be summarised as follows:
- the close supervision, management, daily nutrient requirements and welfare of all the applicant's horses either boxed in stables or in paddocks;
 - the close supervision of the applicant's four brood mares during the breeding season and at foaling;
 - the strict training and schooling regime for the applicant's competition horses;
 - the close supervision of the stallions on site; and
 - the provision of security for all horses on site from theft of malicious attack.
- 6.9 As this site is a privately run equestrian enterprise, which is financed by the applicant, there is no requirement to provide financial viability of a rural business
- 6.10 Accordingly, it is considered that the rural workers accommodation on the site accords with the requirements of Policy 20 of the HDPF.

Design and Appearance

- 6.11 Policy 25 of the HDPF states that the natural environment and landscape character of the District, including landscape, landform and development pattern, together with protected landscapes and habitats will be protected against inappropriate development. Policies 32 and 33 of the HDPF seek to ensure high quality and inclusive design for all development in the District and ensure that it will complement locally distinctive characters and heritage; 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.
- 6.12 It is acknowledged that the application site lies in a rural location, away from settlement boundaries. Furthermore, although it lies to the south of an established equine holding (Baldhorns Park Farm), the application site remains physically and visually separate and distinct in character. Whilst the site at Baldhorns Park Farm includes a sand school, stable buildings and associated equine 'development', a dwelling and paddocks, Baldhorns Park Farm, established within the last 10 years, is closely grouped together and associated with the original farm buildings that occupied the site previously. Officer's site visits to the wider site area revealed that the nature of the paddocks and the fencing to the adjacent site at Baldhorns Park Farm is also traditional stock fencing, so maintains the open views over the rising landform and is therefore less visually intrusive in the overall rural landscape.
- 6.13 When the Council permitted the stable block and open sand-school in December 2017 under DC/17/1841, it was noted that the resulting equine holding would have been reasonably contained and related to private / recreational use. The development at the time did not extend to include the wider area of land for equine use and the creation of fenced paddocks, but only included the area of the sand school, stable and access track with the hardstanding between. The application at the time assumed equine grazing use of the wider site.

- 6.14 It is considered that the previously approved the stable building (DC/17/1841), sits snugly against the site's northern boundary in its current location, whereby the approved siting showed the barn further into the site. This element of the regularisation does therefore not raise any further concerns.
- 6.15 Officers have visited the site on a number of occasions, and note the undulating landscape patterns of the area, and have taken account of the public viewpoints / receptors and sensitivities of the site. The officer's site visits revealed that the paddock fencing used across the site is solid and robust in nature, and is consistent across the site, therefore creating some visual continuity across the open paddocks, albeit imposing a very regular and man-made character on the landscape. It is noted that there are a number of mature trees within the site which are subject to Tree Preservation Orders and a number of mature trees which don't benefit from any protection. The officer's site visits noted the visual prominence of the mobile home that sits to the southern side of the timber stable building.
- 6.16 The accompanying detailed landscape and visual appraisal acknowledges that some harm occurs as a result of the as-built site, and therefore recommends additional landscape-led improvements to the site, such as the replacement of boundary fencing, relocation of the hay barn to a new location alongside the northern boundary, and proposes the painting of the mobile home to better suit the rural location, as the existing light / white colour is a very visually prominent element in long-range views from the southern PROW. Furthermore, the removal of a number of elements such as the shipping / storage containers and the viewing gallery are recommended, along with the replacement of the metal entrance gate in favour of a new timber gate to reflect the rural location. New planting and revised boundary fencing are also proposed, particularly where most visible along the line of the southern PROW and along the exposed eastern boundary.
- 6.17 The structures which are to remain in their current placement, are on the whole, clustered together in one part of the site, and therefore contain the 'development' rather than spreading out across the site. The dog kennels are located between the eastern end elevation of the stable and the eastern boundary of the site. Although of a functional utilitarian design, and visible from the PROW that runs on the brow of the hill to the south, they are viewed in context of the cluster of functional equestrian buildings. Similarly, the horse walker is viewed primarily against a backdrop of the stable, when seen from the PROW.
- 6.18 The submitted landscape and visual appraisal is considered to present a reasonably accurate study into the likely visual impact of the proposed riding arena. The proposal has sought to mitigate the resulting visual impact of the physical development by way of increased natural elements within the site, such as increased tree planting to the south of the outdoor arena, more planting proposed as part of the concurrent scheme for the new covered riding arena (considered under DC/20/0939), new native hedge alongside the eastern site boundary and increased trees within the open paddocks. The proposed re-painting of the mobile home in order to minimise its visual appearance would address the current visual prominence of the mobile home, and so a planning condition is recommended to secure appropriate details.
- 6.19 Whilst the proposed landscape enhancements could be secured by way of a planning condition, a longer term landscape management and maintenance plan could be secured by way of a planning condition in order to provide the intended natural enhancements within the site. The proposed landscape enhancements would serve to visually distract the eye and blend the man-made elements into the natural setting.
- 6.20 The development, subject to this application, is not entirely uncommon or unexpected within an equestrian facility of this size, even if run as a private family holding. Since permission was granted under DC/17/1841, the family have centralised their horses to this one site, and now include a breeding programme that is typical with such a high-level interest in competition standard horses and training. The additional horses on site require more boxes

within the stable building, and so the storage of equipment and hay has been moved out to the shipping containers and hay barn that are currently on site and unauthorised. The current proposal would see the rationalisation of structures and elements within the site, and would contain the 'built' development within the north-eastern corner of the site, which is predominantly viewed from the southern PROW (No.1569), and lies at the lowest level within the site and against a backdrop of the tree belt.

- 6.21 Planning conditions are also advised with regard to the timed removal of a number of specified elements, such as the viewing gallery and the shipping containers, and the timed replacement of other features such as the boundary fencing set out, and the entrance gates.
- 6.22 The submitted site-wide landscape and visual assessment as part of this application, would offer a holistic and considered improvement over and above the existing development that has been carried out on an *ad hoc* basis to date, following the completion of the approved stable / barn and outdoor sand-school (DC/17/1841).
- 6.23 Whilst the Parish Council's comments on the over-intensification of the site are noted, it is acknowledged that equine training and breeding can necessitate a degree of physical structures on the land, such as the stallion pens, walkers and outdoor arena / sand-school with mirrors and lighting. An appropriate hours of use condition is advised to ensure the use of artificial lighting does not adversely affect the overall character of the rural area by way of extended use into the night, to limit the use to no later than 19:00 hours.
- 6.24 It is noted that the concurrent application DC/20/0939 seeks to erect a covered arena, to provide training in inclement weather. The submitted landscape-led assessment has been prepared with this additional structure in mind and associated planting proposed to mitigate any undue visual harm of the comprehensive site development.

Landscaping

- 6.25 The loss of green infrastructure is to be resisted in line with Policy 31 of the HDPF, unless there are new opportunities for which compensates or mitigates for the loss. Chapter 15 of the NPPF also recognises the intrinsic character and beauty of the countryside and seeks to improve landscapes, biodiversity net gains.
- 6.26 The development across the site has imposed man-made features into a rural location, but which are considered to be necessary in terms of the nature of the equine holding on the site. The submitted Landscape and Visual Assessment sets out a number of beneficial landscape enhancement measures including native hedges to the site boundaries, native woodland planting within pockets, the provision of native trees within the paddock area, and proposes the relocation of the hay barn, replacement of the existing site gate and fencing, and removal of the viewing gallery. These measures are proposed with a view of improving and rationalising the development of the site in conjunction with the addition of new natural features that are commensurate with the rural location, all of which seek to address the reason for refusal and harm identified under DC/19/0324.
- 6.27 Subject to the use of appropriate conditions to secure these improvements, it is the view of the Council's Landscape Architect that these measures would satisfactorily mitigate against the landscape harm previously identified

Amenity Impacts

- 6.28 The closest residential properties remain Baldhorns Park Farm to the north west of the site and Baldhorns Park to the west of Baldhorns Park Farm, which has extensive equestrian facilities. Given the distances involved between the site and neighbouring residential properties, it is not considered that the proposed development would have any adverse

impacts on the privacy and amenity of the neighbouring occupiers, or indeed users of adjacent land.

- 6.29 The proposed and retrospective works would increase the level of development across the site, over and above the originally approved stable / barn and outdoor arena. However, the site remains a private establishment, with the primary activity associated with the family's use of the establishment, and necessary grooms and stable-hands to manage and maintain the site and horses.
- 6.30 The presence of an on-site mobile home and permanent groom's accommodation is stated to replace a number of part-time staff, thus potentially reducing the level of vehicular traffic and associated impact arising as a result of the multiple trips to and from the site.
- 6.31 Whilst the proposal would result in a formalisation of the site, the overall use remains domestic in nature, albeit with a view of providing a professional level of equine events and horsemanship training.
- 6.32 The presence of the lighting for the out-door arena would not lead to any adverse impact on neighbouring properties, owing to the distances of separation involved to residential dwellings and intervening landscape features.

Highways Impacts

- 6.33 Policy 40 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 of the HDPF requires adequate parking facilities within developments.
- 6.34 The site is already served by an existing access track from Wimlands Road, which leads to the farmlands and properties at Baldhorns Park and Baldhorns Park Farm, and also serves as a PROW.
- 6.35 It is recognised that the facility is not commercial in nature, and, along with the concurrent application DC/20/0939, the associated traffic is considered to be similar in nature to an average agricultural use of the site.
- 6.36 The proposal would not have a severe impact on the highway network and is considered acceptable on transport grounds, being for private use only. Furthermore, the concurrent application DC/20/0939 has not raised any concerns with regard to the PROW, which remains subject to the usual restrictions that apply to landowners.
- 6.37 There is sufficient space within the site to accommodate parking for the horse boxes, owner's vehicles and those of staff / stable-hands. However, it is the intention of the current site arrangement to locate all parking in the area between the stable / barn and the open arena. Although informally arranged, consolidating the vehicular parking within the site would avoid undue proliferation of vehicles throughout the site and would therefore achieve a more favourable visual appearance.

Climate Change

- 6.38 Policies 35, 36 and 37 of the HDPF require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change.

- 6.39 The provision of on-site rural workers accommodation, providing living accommodation for one full-time stable yard manager, would replace 2 current part-time staff members, and would lead to a reduction in car-based journeys to and from the site.

Conclusions

- 6.40 It is acknowledged that the planning history on this site includes a refusal on grounds of a significant and overbearing built form and intensification of sporadic development and activity levels in the countryside.
- 6.41 As with the previously refused scheme (DC/19/0324), it is noted that the level of development on the site results in a sizeable facility. However, the facility remains a private equine holding, used by the family for competition-level training across various equine events. The family compete in show jumping, dressage, eventing as well as general riding and hunts, with training requirements throughout the year. Therefore, the facilities are considered to be of a scale and character considered to be private in nature, particularly when used for equestrian training at a competitive level, as the applicant's family does.
- 6.42 The original nature of the development set out and approved under DC/17/1841 was contained within the north-eastern area of the site, and was not considered to be overly harmful to the wider landscape character. The current proposal still focusses the built development within the north-eastern corner of the site, but also includes the various associated elements and land uses that have been added to the site since permission was first granted, including the equine use of the land to the south of the PROW No.1569, seeking to gain a fully regulated and authorised use of the land.
- 6.43 Whilst this proposal increases the level of activity at the site over and above what was previously considered and granted under DC/17/1841, it remains a material consideration that equine development is ideally suited to rural areas, particularly on account of the land usage required. In this case, there is a clear intention for the family to be able to train to a competitive level, across a number of equestrian disciplines, requiring the type of facilities subject to this application.
- 6.44 In order to address the likely harm to the visual qualities of the area, there has been an increased emphasis placed on new and increased landscaping elements within the site, including the removal of a number of undesirable elements from the site, such as the shipping containers and the viewing gallery. Furthermore, proposal includes the relocation of the hay barn and replacement of boundary fencing to a more rustic style, and external surface treatment of the mobile home. Many of these intended to create visual improvements to the site and seeking to mitigate the scale and bulk of the development when viewed particularly from the PROW receptor points.
- 6.45 The current scheme has therefore sought overcome the concerns raised previously and the reason for refusal cited on DC/19/0324. The resulting proposal would achieve a greater emphasis on landscape and visual improvements across the site, thus addressing the harm that was previously identified under DC/19/0324.
- 6.46 The application is therefore recommended for approval, subject appropriate planning conditions.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 6.45 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.
- 6.46 **It is considered that this development constitutes CIL liable development.** At the time of drafting this report the proposal involves the following:

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	30.00	30.00	30.00
		Total Gain	30.00
		Total Demolition	0

6.47 Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

6.48 In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

7. RECOMMENDATIONS

7.1 It is recommended that permission is granted subject to the following conditions:

1 Plans list

2 **Standard Time Condition:** The development hereby permitted shall begin before then 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 **Pre-Occupation Condition:** Prior to the first use of the Mobile Home hereby permitted, details and means of the sewerage disposal shall be submitted to and approved by the Local Planning Authority in writing. Details shall include Percolation tests for any scheme which involves discharge of effluent to the ground. The sewerage system shall be implemented in accordance with the approved details.

Reason: As this matter is fundamental to enable the Local Planning Authority to ensure no adverse environmental impact arises in accordance with Policy 24 of the Horsham District Planning Framework (2015).

4 **Pre-Occupation Condition:** Prior to the first use of the Mobile Home hereby permitted, a schedule of materials, finishes and colours to be used for external treatment of the Mobile Home shall be submitted to and approved by the Local Planning Authority in writing and all materials used in the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

5 **Regulatory Condition:** Within three months of the permission hereby granted, full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of all existing trees and planting to be retained
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details, with a minimum suggested girth size of 20 - 25cm
- Details of the replacement boundary treatment to the eastern side of the site and the hedge planting details
- Details of the replacement site entrance gate

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 6 **Regulatory Condition:** Within three months of the permission hereby granted, a timetable and details shall be submitted to and approved in writing by the Local Planning Authority, setting out the relocation of the haybarn, removal of the shipping containers and replacement of the boundary treatments and replacement of the entrance gate as identified on the approved plans and Landscape and Visual Assessment. The works indicated shall be carried out in strict accordance with the agreed timetable.

Reason: In the interests of visual and residential amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 7 **Regulatory Condition:** Within three months of the permission hereby granted, details of the methods for the storage and disposal of used bedding and manure shall be submitted to and approved by the Local Planning Authority. Thereafter, the storage and disposal of used bedding and manure shall be carried out in strict accordance with the approved details unless the prior written agreement of the Local Planning Authority is obtained for any variation.

Reason: In the interests of amenity, and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 8 **Regulatory Condition:** Within three months of the permission hereby granted, the viewing gallery to the outdoor sand-school shall be removed from the site and the development made good as per the approved plans.

Reason: In the interests of visual amenities of the locality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 9 **Regulatory Condition:** No external lighting or floodlighting shall be installed other than that shown on the approved plans. All such lighting shall be maintained in accordance with the approved details. The lighting hereby approved to the outdoor sand-school shall not be used except between the hours of 07:00 – 19:00 hours.

Reason: In the interests of the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 10 **Regulatory Condition:** The development shall be carried out in strict accordance with the drainage strategy detailing the proposed means of foul and surface water disposal (drawings AGM-WIN-LV-004 and CES527/01/02 rev A). The development shall be carried out in accordance with the approved scheme.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

- 11 **Regulatory Condition:** The stables 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).

- 12 **Regulatory Condition:** The occupation of the Mobile Home shall be limited to a person solely or mainly working at the site of Winterfold Farm, or a widow or widower of such a person, and to any resident dependants.

Reason: The site lies in an area where, in accordance with Policy 26 of the Horsham District Planning Framework (2015) development which cannot be justified as essential to the needs of agriculture or forestry would not normally be permitted.

- 13 **Regulatory Condition:** No more than 4 dogs shall be kennelled at the site at any one time.

Reason: In the interests of the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/20/0937