

LOCATION: TIFFANYS (FORMERLY LONGACRES), STATION ROAD, CHOBHAM, WOKING, GU24 8AX

PROPOSAL: Erection of an indoor riding school. (Additional information recv'd 29/9/17 & 18/10/2017) (Amendment to Description - Rec'd 02/11/2017) (Amended info rec'd 06/11/2017) (Amended/Additional Plan and Change of Description - Rec'd 01/12/2017) (Additional information recv'd 05/04/2018) (Additional information recv'd 27/4/18) (Amended & additional plans rec'd 07/06/2018) (Additional information recv'd 24/7/18) (Amended plans rec'd 30/07/2018).

TYPE: Full Planning Application

APPLICANT: Mr & Mrs Burrell

OFFICER: Duncan Carty

RECOMMENDATION: GRANT subject to conditions

UPDATE

Deferrals

- (i) This application was originally reported to the Planning Applications Committee meeting on 5 April 2018 when it was resolved by Members that this application was deferred to allow the submission of drainage details for consideration and a Member site visit. This original committee report is provided at the end of this update.
- (ii) Drainage details were submitted on 7 June 2018. However, the application was deferred from the 26 June committee because of an administrative error. Subsequently, a Member site visit took place on the 12 July 2018.
- (iii) The application was then reported to the 19 July committee but was again deferred. This was due to the late receipt of an objection, on 18 July 2018 raising objections of a technical nature relating to flooding and drainage which required a response from the Council's Drainage Engineer (received on 27 July 2018). The objection also included a letter questioning the position of the applicant and her daughter in the national rankings, and the elite nature of the horses they train, which has resulted in a considered response from the applicant (received on 24 July 2018).

Amended plans

- (iv) Since the original submission the applicant has provided the following amendments:
 - the proposed indoor school has been provided with a hipped roof (received 7 June 2018); and,
 - the indoor school has been repositioned further north, west of the proposed stable building under application SU/17/0540 (received on 30 July 2018) i.e. approximately 40 metres from the south flank boundary (with Oakhurst);

The hipped roof amendments reduce the massing of the approved development and there are therefore minor benefits to the openness of the Green Belt. The re-siting of the building would have no material greater impact upon the spread of development or the openness of the Green Belt.

- (v) In addition, the proposal would be acceptable in terms of its impact on character and residential amenity, with the proposal closer to St. Nicholas, but positioned behind a tree screen between these properties, and the clear improvements to the relationship with Oakhurst. The minimum distance of the indoor school from Oakhurst's northern boundary would now be approximately 40 metres, which is significant.

Drainage details

- (vi) A drainage plan for the wider site, incorporating development under application SU/17/0540, had been provided for both applications on 7 June 2018 which included:
- a perforated drainage pipe to be provided within the outdoor school collecting surface water which flows through the outdoor school sub-base which connects to a pipework network including downpipes from the roof of the indoor school and stables which would flow towards the existing drainage ditch close to the north boundary of the application site (adjacent to Broadford Lane);
 - a sub-base for the outdoor school structure (development under application SU/17/0540); and
 - a twinwall 450mm drainage pipe from the boundary of Oakhurst to take surface water drainage from that site to connect to and flow north along an existing drainage ditch which links into the existing drainage ditch close to the north boundary of the site (adjacent to Broadford Lane).

These details would have ensured that the surface water drainage from the application site and any excess surface water drainage from Oakhurst would flow into the existing drainage network. However, the changes to the siting indicated in paragraph (iv) above, has necessitated a new drainage strategy which included the drainage into the ditch at the north boundary, and was provided on 30 July 2018. These details have provided drainage runs from the stables and hardstanding; indoor and outdoor schools into the ditch on the north boundary of the site.

- (vii) The technical objection from the neighbour, including evidence from PFA Consulting, has indicated that there are errors in the provided flood risk assessment (e.g. identifying the site within Flood Zone 1 instead of 2) and that ground tests should be made a condition of a site specific analysis and permeability should be undertaken, along with water quality tests, before planning permission is granted. The ditch is also a blind ditch and has no identifiable outfall. The objection also indicates that the proposal does not relate to "outdoor" facilities and there is no evidence in the FRA that a sequential test has been considered.
- (viii) Paragraph 158 of the NPPF (as revised) states that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding. No other locations have been considered, i.e. with a lower probability of flooding, but in this case such an exercise would be academic when this proposal meets the applicant's specific practical need for locating the development adjacent to their dwelling. In the officer's opinion the sequential test would therefore be passed. In addition, these outdoor sport and recreation facilities are defined by the PPG as 'water-compatible development' having the lowest vulnerability classification.

In effect, these structures would be floodable during flood events and would not be protected from floodwater. Under these circumstances, the proposal would not result in increasing flood risk elsewhere. As such the development would be appropriate in Flood Zone 2 and there would be no reason to apply the exception test.

- (ix) The Drainage Engineer has responded on 27 July 2018 to the further technical objection received from the neighbour by indicating that the flood zone level is already known (as Flood Zone 2) and that the Chobham area has been subject to extensive flood alleviation. The Addlestone Bourne river can be used as an outflow for this development using the existing ditch system. It is already known that the site is not suitable for soakage and this Council, as the Land Drainage Authority, has the ability to permit new connections. He is satisfied that a suitable drainage design for the amended layout can be achieved and that it is able to provide sufficient attenuation for the hard surface areas and will reduce the overall rate of discharge into the boundary watercourse.

Details on the need for the proposal

- (x) The neighbour raised concerns that the applicant (and her daughter) were not, and did not train horses, at a high enough standard sufficient to warrant the approval of these proposals under very special circumstances. These included low rankings in showjumping with the applicant's daughter not ranked for the last two successive years (2017 and 2018).
- (xi) The applicant has confirmed that, whilst not professional equestrians, the applicant and her daughter have competed against professional equestrians in national and international events and that producing a horse at a high level requires much training, and is not solely about rankings and winnings. Her daughter is able to do both dressage and show jumping therefore not specialising in either discipline and was concentrating on undertaking her A levels in 2017 and 2018. She rode for the Team class for the Armed Forces at the Royal Windsor Horse Show, and has been ranked 6th in the Country at the Nationals. A further letter from Corrine Bracken has been received which reflects the applicant's response.
- (xii) The applicant has confirmed that they currently rent a yard with a 16 stable facility which has a secure tack room, tea making area, small paddock, 20 by 40 metre outdoor area which is very wet in winter, and no indoor arena facility. The yard was leased because there was safe off road hacking available from the yard; but this is now not the case with country lanes and roads becoming increasingly unsafe, due to the volume of traffic (vehicles, cyclists and pedestrians). The existing facilities are inadequate for their needs. There are a number of livery yards in the Chobham area but none provide the facilities required for the specialised needs of the applicant.

Summary

- (xiii) In conclusion, it is considered that the amendments to the scheme show some improvements to the impact on residential amenity, particularly to the occupiers of Oakhurst and there is no material increase in harm to the revised proposal on the Green Belt. The Drainage Officer considers that there is a drainage design solution achievable for this development, subject to condition, and that there is no reason to refuse this application on these grounds.
- (xiv) The changes above would lead to amendments to Condition 2 (to reflect the change to the approved drawings and, from the update, Condition 7 (to provide further details building upon the drainage scheme provided). These revised conditions will be provided on the update. Finally, the revised NPPF (published July 2018) does not change the Green Belt conclusions, or other considerations, provided in this report. As such, the application is recommended for approval.

ORIGINAL COMMITTEE REPORT PRESENTED TO THE PLANNING APPLICATIONS COMMITTEE ON 5 APRIL 2018 AND UPDATE (ANNEX 2) RELATED TO THAT MEETING

This application would normally be determined under the Council's Scheme of Delegation, however, it has been called in for determination by the Planning Applications Committee at the request of Cllr Tedder. This application should be read in conjunction with SU/17/0540 reported elsewhere on this Agenda.

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY

- 1.1 The application site relates to a currently vacant equestrian centre within the Green Belt. The proposal is to provide a private indoor riding school building.
- 1.2 Noting the size of the proposed indoor school, the proposal would be harmful to the openness of the Green Belt and would therefore be inappropriate development. However, very special circumstances for this indoor school exist including the need to provide this facility to support the training of elite equestrian horses and riders supporting outdoor recreation. The proposal is considered to be acceptable in Green Belt and character terms.
- 1.3 In addition, there are no objections raised on highway safety, ecology, flood risk or residential amenity grounds. The proposal is therefore recommended for approval.

2.0 SITE DESCRIPTION

- 2.1 The application site extends to 0.1 hectares, but forms only a small part of a larger site of about 2 hectares, and is sited within the Green Belt to the east of the Green Belt settlement of Chobham. It is located on the south side of Station Road behind, but associated with, the residential dwelling, Tiffanys (formerly Longacres). Access to the site is either through the residential property or from an access road, an unadopted lane and bridlepath, running to the west of the residential property, Tiffanys.
- 2.2 The wider existing site comprises an existing vacant stable building with storage and a foaling box, located to the north east and paddocks to the south and west. The land is relatively open, but bounded by trees and other vegetation on most boundaries. The residential properties St Nicholas, St Nicholas Cottage and The Ridings lie to the north of the wider site and residential property, Tiffanys, with Oakhurst and Oriel Cottage to the south. The site falls within flood zone 2 (medium risk).

3.0 RELEVANT HISTORY

- 3.1 SU/82/0454 Replace existing stables and erect additional stables and associated buildings.

Approved in November 1982 and implemented.

Condition 3 of this permission limited the use of the buildings for the accommodation of horses kept incidental to the personal enjoyment of the applicant not used for livery or other commercial purposes.

- 3.2 SU/17/0540 Erection of replacement stables, along with the provision of a sand school and parking, following the demolition of existing stables. Application is being reported elsewhere on this Agenda.

4.0 THE PROPOSAL

- 4.1 The proposal is to provide a 40 by 20 metre indoor riding school building on a currently vacant equestrian site. The building would have a gable roof over to a height of 6 metres at the ridge, falling to 4.8 metres at the eaves. The building would be timber clad and located close to the south flank boundary, with Oakhurst, and would be located south west of the existing stables proposed to be redeveloped as a new private equestrian centre with a sand school and replacement stables (as a part of application SU/17/0540).
- 4.2 Insufficient information had been originally provided by the applicant to support this application. The officer explored this with the applicant who has provided further justification. This justification includes evidence of the specific equestrian needs of the applicant and a letter has been received from the Sporting Excellence Programme Manager for British Showjumping. The application has also been supported by the previous site owner who has indicated previous unauthorised commercial uses/activities on the site which are given limited weight.

5.0 CONSULTATION RESPONSES

- | | | |
|-----|--------------------------------|---|
| 5.1 | County Highway Authority | No objections received. |
| 5.2 | Surrey Wildlife Trust | No comments received to date. Any formal comments will be reported to the Planning Applications Committee. |
| 5.3 | County Footpaths Officer (SCC) | No comments received to date. Any formal comments will be reported to the Planning Applications Committee. |
| 5.4 | Environment Agency | No comments received to date. Any formal comments will be reported to the Planning Applications Committee. |
| 5.5 | Chobham Parish Council | An objection is raised on residential amenity, character, Green Belt, flooding and highway safety. Concerns were also raised about its future commercial operation, impact on trees and established rights. |
| 5.6 | Council's Equine Adviser | No objections to the proposal on the basis that the proposal would support indoor training throughout the year to prepare for national and international competitions. |
| 5.7 | Local Lead Flood Authority | No comments received to date. Any formal comments will be reported to the Planning Applications Committee |

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report, 16 representations raising an objection and no representations supporting the proposal had been received. The representations raising

an objection raise the following issues:

- Objections to elements of the proposal under application SU/17/0540 [*Officer comment: These are not relevant to the current proposal and are addressed under that application*]
- No safe highway access, particularly the moving of large trucks down an access road which is along a bridlepath, with an access onto Station Road and close to the Sandpit Hall Road junction, with slow moving heavy vehicles being a danger to other road users. The bridlepath has no vehicular access [See paragraph 7.5]
- No legal right to use bridlepath for vehicular access [Officer comment: This is not a planning matter]
- Cumulative impact with the proposal under SU/17/0540 [See paragraph 7.3]
- Impact of the provision of two large riding schools instead of current position (two grazing horses) [See paragraph 7.3]
- The site falls within the floodplain [See paragraph 7.8]
- Lack of pre-app engagement by applicant [Officer comment: There is no statutory duty to undertake such engagement]
- The use for third party (commercial) uses as indicated in the planning statement [See paragraph 7.3]
- The impact of surface water run-off and existing ditches [See paragraph 7.3]
- Very little land would be available on the site for suitable pasture for turnout of the horses [See paragraph 7.3]
- The size of the development is out of proportion with nearby buildings [See paragraph 7.4]
- The development is very unneighbourly and intrusive [See paragraph 7.4]
- The loss of privacy from riders viewing into adjoining rear gardens [Officer comment: This relationship currently exists and therefore no significant change is expected]
- The amount of accommodation (along with the development under application SU/17/0540) is excessive for personal use [See paragraph 7.3]
- Does not comply with Policy DM3 [See paragraph 7.3]
- Application indicates a light industrial use on the site for which there is no planning history [Officer comment: The site has been most recently used for equestrian purposes]
- Current low level of use of stabling on the site [Officer comment; This is noted. However, the site could accommodate six stables in the existing accommodation]
- Traffic movements that would be generated by training of third party horses and riders [Officer comment: This is a private equestrian centre only]
- Impact on the bridlepath surface, which is a private unadopted lane [Officer comment: This is not a material planning consideration]

- Loss of amenity and endangering of walking groups/ramblers, horse riders, cyclists and dog walkers using the lane/bridlepath and disruption of access to dwellinghouse [See paragraph 7.5]
- Impact of size and scale of development on a quiet residential area with increased noise levels and disturbance [See paragraphs 7.3 and 7.4]
- Clarity of access required [*Officer comment: The access would be provided principally from Broadford Lane*]
- Grazing land does not meet the minimum 1 acre per horse requirement [See paragraph 7.3]
- The Footpaths Officer should be notified [*Officer comment: See paragraph 5.3 above*].

7.0 PLANNING CONSIDERATIONS

7.1 The proposal relates to equestrian development in the Green Belt. The relevant policies relating to the above proposal are Policies CP1, CP2, CP9, CP11, DM3, DM9, DM10, DM11, DM10, DM12 and DM13 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP) and the National Planning Policy Framework (NPPF). Advice in the *Code of Practice for the Welfare of Horses, Ponies, Donkeys and their Hybrids* by DEFRA (2009) and Planning Practice Guidance (PPG) is also relevant. The proposal is not CIL liable.

7.2 The main issues in the consideration of this application are:

- Impact on the Green Belt and local character;
- Impact on residential amenity;
- Impact on highway safety;
- Impact on trees;
- Impact on ecology; and
- Impact on flood risk.

7.3 Impact on the Green Belt and local character

7.3.1 The proposal relates to the redevelopment of a site within the Green Belt. Paragraph 89 of the NPPF indicates that the construction of new buildings is inappropriate development with the exceptions including the appropriate facilities for outdoor sport and recreation, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. In this case, of the five purposes set out in Paragraph 80 of the NPPF, the only relevant purpose is "*to assist in safeguarding countryside from encroachment.*"

7.3.2 The indoor school would provide a large building on the site which would spread development across the site in an area currently devoid of built form and would have an adverse impact on the openness of the Green Belt. Although the proposed building is large, its design and construction is similar to other agricultural or equestrian buildings commonly found within the open countryside and Green Belt. The development would therefore impact on countryside encroachment and the impact on openness would result in inappropriate development.

7.3.3 The proposal would provide facilities to support outdoor recreation which on face value would not appear to be appropriate facilities, noting the scale of the proposed building and that it supports the use by the applicant and their daughter only. It would appear that these facilities would also be inappropriate in terms of its proposed use.

7.3.4 Paragraph 87 and 88 of the NPPF indicates that:

“As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt. “Very special circumstances” will not exist unless the potential harm to the Green Belt by reason of its inappropriateness, and any other harm, is clearly outweighed by other considerations.”

7.3.5 In support of this application and at the request of officers, the applicant has provided the following very special circumstances:

- the specific needs of the applicant and her daughter and their wider operation to train elite horses;
- the need to provide indoor training facility; and
- minimum size of indoor school.

The specific needs to train for national/international show jumping and dressage competitions

7.3.6 The applicant and their daughter have six horses; of which four are at competition level, and they have two further horses, one of which is retired from competitions. The applicant has trained horses for national and international level competitions for show jumping, cross-country and dressage; including eventing at the Badminton horse trials, Burghley, Windsor, Blenheim and Boekelo. The world number one eventer, Andrew Nicholson, and the Chef d'Equipe for the Gold Medal Olympic Dressage Team, Major Richard Waygood MBE, have ridden their horses for competitions. Deborah Burrell, the applicant, has ridden at national and international events. Chloe Burrell, the applicant's daughter, has also competed at national/international levels and is the current Junior National Dressage Champion. She has ridden in the Armed Forces show jumping team at the Royal Windsor Horse Show. The proposal also has the support of Corrine Bracken, the Sporting Excellence Programme Manager for British Showjumping.

Given the international level of competition and this importance, it is considered that this should be given greater weight.

The need to provide an indoor training facility

7.3.7 The applicant has advised that the training and keeping of elite horses needs specialist care and requires a good standard, and range of, facilities. In this respect, an indoor arena clearly helps support their training. Elite horses are naturally highly strung and skittish; and can be easily distracted or affected by poor weather conditions. To maintain

their alertness and calmness, an indoor school has its benefits. In better weather

conditions, the proposed outdoor arena can be used for show jumping but the indoor school would still be used for dressage. The arena would also be used during peak summer conditions to keep the horses cooler during training.

- 7.3.8 In addition, to keep such horses in best condition they need to be exercised a minimum of six days a week. They are also prone to injury and conditions need to be carefully monitored to reduce such risks. Horse injuries have serious implications for their competition value: for example ligament damage can put a horse out of competition for a year and knee injuries can mean the end of a competition career.
- 7.3.9 The Council's Equine Adviser has also indicated that the proposed indoor school will allow all-the-year round training for dressage competitions, and a smaller area for showjumping training. The applicant needs to continue training throughout the year to prepare for competitions and, in particular, her daughter when she is competing for the school (Gordon's School) or at national or international competitions.

It is considered that these factors weigh strongly in favour of the proposal.

The minimum size of an indoor school

- 7.3.10 The indoor school building, measuring 40 by 20 metres, which would allow both to train at the same time. This is the minimum size for an indoor school as recommended in the DEFRA Code of Practice and would allow use for show jumping or dressage and would limit the harm to horses from being ridden on tight turns.

This should be given significant weight.

Conclusion

- 7.3.11 For the above reasoning the proposal would represent inappropriate and harmful development in the Green Belt. However, in the officer's opinion, the combined arguments presented in paragraphs 7.3.5 - 7.3.10 above constitute very special circumstances to outweigh the identified harm. As such, no objections are raised on Green Belt policy grounds with the proposal complying with Policy DM3 of the CSDMP and the NPPF.

7.4 Impact on residential amenity

- 7.4.1 The nearest residential property is Oakhurst with the proposed building positioned close to a swimming pool building in the curtilage of this dwelling. The proposed building would be higher than this swimming pool building but it would not result in any significant loss of amenity noting the distance of the swimming pool from the mutual boundary, the orientation of the building with its main windows in the elevation facing away from this mutual boundary and the level of separation to the dwelling within that plot. It is therefore considered that there would not be any significant impact on the amenity of the occupiers of this dwelling because of this relationship. The proposal is significantly set away from any other adjoining or nearby residential property to have any significant impact. No objections are therefore raised to the proposed development on residential amenity grounds complying with Policy DM9 of the CSDMP.

7.5 Impact on parking and highway safety

- 7.5.1 The parking arrangements are as existing (although it is noted that 8 parking spaces are proposed, as well as 3 lorry/horse box spaces for SU/17/0540). The proposal is proposed to be a private facility and, in itself, is not expected to material increase traffic movements.

The County Highway Authority has raised no objections, indicating that *"the application [proposal] would not have a material impact on the safety and operation of the adjoining public highway."* The proposed development is considered to be acceptable on parking and highway safety grounds complying with Policies CP11 and DM11 of the CSDMP and the NPPF.

7.6 Impact on trees

- 7.6.1 There are a number of trees on the site boundaries, or close to the site, but none of these trees are protected under a Tree Protection Order. However, the proposal would not result in any construction works for this development being undertaken within close proximity to major trees. The Council's Arboricultural Officer has raised no objections to the proposal on these grounds. As such, no objections are raised to the proposal on these grounds with the proposal complying with Policy DM9 of the CSDMP.

7.7 Impact on ecology

- 7.7.1 The current proposal has been supported by an ecological survey, which concludes that there were no protected species affected by the development. The comments are awaited for the Surrey Wildlife Trust and no objections are therefore raised on these grounds, subject to their comments.
- 7.7.2 As such, and subject to the above, the proposal is considered to be acceptable in terms of its impact on ecology, complying with Policy CP14 of the CSDMP and the NPPF.

7.8 Impact on flood risk

- 7.8.1 The current proposal provides development within Zone 2 (medium risk) of the floodplain. The development, as outdoor recreation, would be defined as "water-compatible" development by the PPG; such development is considered to be appropriate in such locations. However, the comments of the Environment Agency are awaited and subject to their comments, no objections are raised on these grounds, with the proposal complying with Policy DM10 of the CSDMP.

8.0 CONCLUSION

- 8.1 The proposed development is considered to be inappropriate development in the Green Belt. Very special circumstances have been put forward by the applicant which have been considered cumulatively to provide significant benefits which outweigh the harm the development would have on the Green Belt. The proposal is also acceptable in terms of its impact on character, trees, residential amenity, ecology, flood risk, parking and highway safety. The application is therefore recommended for approval.

9.0 ARTICLE 2(3) DEVELOPMENT MANAGEMENT PROCEDURE (AMENDMENT) ORDER 2012 WORKING IN A POSITIVE/PROACTIVE MANNER

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of Paragraphs 186-187 of the NPPF. This included the following:-

- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.

b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.

c) Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.

10.0 RECOMMENDATION

GRANT subject to the following conditions:-

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: To prevent an accumulation of unimplemented planning permissions and in accordance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The proposed development shall be built in accordance with the following approved plans: 1608/PI101, 1608/PI104 and 1608/PI108 received on 1 June 2017 and 1608/PI102 Rev. B received on 6 November 2017; unless the prior written approval has been obtained from the Local Planning Authority.

Reason: For the avoidance of doubt and in the interest of proper planning and as advised in ID.17a of the Planning Practice Guidance.

3. No development shall take place until details and samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the development shall be carried out using only the agreed materials.

Reason: In the interests of visual amenities of the area and the Green Belt to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

4. The development hereby permitted shall only be used as an indoor riding school to support the private stabling of horses on the wider site, outlined in blue on the site location plan, and shall not be used for any livery or other commercial purposes.

Reason: In the interests of residential amenities and the visual amenities of the area and the Green Belt and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

