

LOCATION: LANGSHOT STUD FARM, GRACIOUS POND ROAD, CHOBHAM, WOKING, GU24 8HJ

PROPOSAL: Redevelopment of Stud Farm to include stable building, hay storage barn, horse walker and associated development and arena with fencing and flood lighting. (Amended plans recv'd 16/1/17).

TYPE: Full Planning Application

APPLICANT: Mr Alex Yew

OFFICER: Duncan Carty

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY

- 1.1 The application site relates to an existing equestrian centre within the Green Belt. The proposal is to erect a replacement equestrian centre with associated development including a horse walker, hay barn, with the provision of an arena on adjoining land, with floodlighting.
- 1.2 The proposal would result in a significant increase in the quantum of built form on the site. Whilst the proposal would predominantly support an agricultural use, i.e. for the breeding of horses, which is not inappropriate development in the Green Belt, a proportion (up to 12 stables) relates to livery accommodation which supports outdoor recreation. It is only this reason why the proposed accommodation is to be assessed against the NPPF tests of openness/countryside encroachment. As such, and noting the overall level of increase, the proposal would be harmful to the openness of the Green Belt and would therefore be inappropriate development.
- 1.3 The applicant has submitted information in support of this application, in terms of the need for improvements for animal welfare and the need for the size of the proposed building predicated by the viability of the proposed use, supported by a business plan. In the officer's opinion these considerations are very special circumstances which amount to outweigh the harm the proposal would have on the Green Belt.
- 1.4 In addition, there are no objections raised on highway safety, ecology, SPA or residential amenity grounds. The proposal is therefore recommended for approval.

2.0 SITE DESCRIPTION

- 2.1 The application site extends to 0.7 hectares and is sited within the Green Belt. It is located on the west side of an access road which runs north of Gracious Pond Road between to the south a commercial site, de Graff trailers, and to the north, the Langshot Equestrian Centre. The existing equestrian centre provides livery and stud facilities.

The application site currently has the capacity to provide for 20 horses, but was expected under the earlier permissions (see Paragraph 3.0 below) to provide for 25 horses.

- 2.2 The existing site comprises an existing stable building with hay barn and storage, with a smaller stable block and horse box units and a floodlit arena. Parking for about 7 vehicles is provided in a yard area close to the site entrance. Public footpath 55 lies close to the north west boundary of the application site. A stream dissects the site which flows from north west to the south west boundary. The applicant owns fields to the south west of the stream with bridged access.
- 2.3 The existing centre operated originally as a stud farm for show ponies, however, the site has been run for more than 10 years by the previous owner as a livery and currently privately by the new owner. There are about eight horses currently on the site which compete in affiliated show jumping and dressage competitions.

3.0 RELEVANT HISTORY

The application site has an extensive planning history of which the following is the most relevant:

- 3.1 SU/85/0428 Erection of a steel framed building for hay/straw and implement cover and general agricultural purposes. Approved in August 1985.

Condition 3 of this permission states:

"The premises shall be used for the storage of hay and straw, and for implement cover and general agricultural purposes, and shall not be converted or used for the stabling of horses without the prior permission from the Local Planning Authority."

- 3.2 SU/86/0612 Alterations to steel portal frame farm building to include filling-in of open sides and elevational changes together with the use of building for stabling of horses and feed store/tack room (without compliance with Condition 3 of planning permission SU/85/0428) and use of former stables as replacement implement shed and erection of new block of 6 loose boxes following the demolition of seven stables. Approved in August 1986.

Condition 3 of this permission states:

"The building shown as "Block B" on the plan hereby approved shall be used for storage, implement cover and general agricultural purposes and shall not be used for the stabling of horses without the prior written approval of the Local Planning Authority."

This permission relates to a larger site than the current application site and building "Block B" relates to a building outside of the current application site.

Condition 4 of this permission states:

"The stables hereby approved shall not be used for livery purposes."

These limitations restricted an equestrian stud farm use of this part of the site with no livery to be provided on the wider site.

It is understood that subsequent to this permission the site had been used principally for livery purposes by the previous occupier/owner. The current owner, who bought the site within the last 2 years, has used the site principally for the keeping of their own horses.

4.0 THE PROPOSAL

- 4.1 The proposal is to provide a replacement stud farm complex, with some livery, to include a stable building, hay storage barn, horse walker and associated development; with an arena with fencing and floodlighting proposed on adjoining land, following the demolition of existing buildings. The proposed development would provide accommodation for 24 horses, compared to 20 horses that could be provided for the existing stud farm. The horse walker would be located close to the proposed stabling, with the arena on a part of a field to the south west of the stream. The proposal would include the mixed use of full livery for up to 12 horses with the remainder used for stud farm purposes. No DIY livery is proposed. Under such circumstances, the welfare/upkeep of these horses, kept in livery, is provided by staff rather than owners of such horses.
- 4.2 The existing main stable building is rectangular in form with a width of 23.9 metres and a depth of 24.5 metres, with a maximum height of 4.3 metres. A second stable building is L-shaped and has a maximum width of 19.0 metres and a maximum depth of 6.2 metres, with a maximum height of 3.2 metres. There are further smaller shed store structures on the site which are to be removed. Overall, the existing floorspace is about 700 square metres.
- 4.3 The proposed stable building would be L-shaped with a maximum width of 56.2 metres (reducing to 13.1 metres) and a maximum depth of 39.2 metres, (reducing to 13.1 metres) with a gable roof over, in its amended form, to a maximum height of 5.0 metres. The hay barn/store would be rectangular in form and would have a width of 18.0 metres, with a depth of 7.3 metres, with a gable roof over to a maximum height of 5.3 metres. The horse walker would be an open structure with a maximum width and depth of 22.8 metres, with a fence surround up to a height of 2.8 metres. Overall, the proposed floorspace would be about 1,440 square metres.
- 4.4 The applicant, who has recently purchased the site, wishes to run the site as its approved use as a stud farm, providing a high end facility for show jumping horses and eventers, with some full livery. According to the applicant this proposal would be a replacement for sub-standard accommodation which would better serve the health and welfare of horses by providing accommodation to meet minimum horse standards. The proposal would provide 14 vehicle spaces, including 11 car parking spaces and three horse box parking spaces.

4.5 The proposal has been amended during the consideration of this application, including the reduction in the height of the stable building (from 7.2 metres) and the deletion of the roof link and roof to the horse walker, and inclusion of some livery provision. Further justification for the development has been requested and provided; and is considered in Paragraph 7.7 below.

5.0 CONSULTATION RESPONSES

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| 5.1 | County Highway Authority | No objections received. |
| 5.2 | Surrey Wildlife Trust | No objections. |
| 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 the basis that the buildings proposed are materially larger than the buildings to be replaced. |
| 5.6 | Council's Equine Adviser | No objections to the proposal and consider that there is a need to provide the range of facilities along with a minimum operation of 24 stables on viability grounds. |

6.0 REPRESENTATION

6.1 At the time of preparation of this report, three representations raising an objection and five representations supporting the proposal had been received. The representations raising an objection raise the following issues:

- The proposal is materially larger than existing, against national/local policies and would have an adverse impact on character and openness [See Paragraph 7.3]
- A large hedgerow has been removed and replaced with an ugly fence, which is urban in character [Officer comment: *The fence is permitted development*]
- Outdoor arena would be much larger than existing and moved to a different part of the Green Belt, and floodlighting was erected without planning permission [See Paragraph 7.3]
- The site falls within 400 metres of the SPA [See Paragraph 7.7]
- Impact on noise and loss of view/openness [See Paragraphs 7.3 and 7.5]
- The proposed building and horse walker would be built on a different part of the Green Belt (from existing buildings) [See Paragraph 7.3]

- The proposal does not respect or enhance the rural character of the area [See *Paragraph 7.3*]
- The proposal would amount to undesirable precedent for other development in the Green Belt [*Officer comment: Each application is to be determined on their own merits*]
- The development will require the removal of existing boundary trees [See *Paragraph 7.4*]
- The installation of additional floodlighting would give rise to noise and disturbance to occupiers of adjoining and nearby properties [See *Paragraph 7.5*]
- The development is unneighbourly [See *Paragraph 7.3*]
- Impact on wildlife [See *Paragraph 7.3*]
- Impact on flood risk [*Officer comment: The site lies within Zone 1 (low risk)*]

6.2 The representations in support make the following comments:

- The proposal should be supported in the light of many other equestrian developments being sold off for housing
- The proposal would provide improved facilities in a popular equestrian location to enhance local facilities
- Disappointment that an adjoining equestrian facility, with permission for expansion, has objected
- Disagree that the development would be visually intrusive
- Proposal would provide a more usable stud, which would be more in keeping and would be a good asset
- Fencing is required for security reasons.

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, CP8, CP9, CP11, DM3, DM9, DM10, DM11, 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) 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;
- Considerations of very special circumstances;

- Impact on residential amenity;
- Impact on highway safety;
- Impact on trees; and
- Impact on ecology and the SPA.

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 agricultural development and 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 Policy DM3 of the CSDMP supports equestrian related development provided that where replacement buildings are justified they ought to be well related to existing buildings and are not materially larger than the buildings to be replaced; and, the overall size, siting and scale of development should not be harmful to the character and openness of the Countryside.
- 7.3.3 The use of the site as a stud farm, i.e. for the breeding of horses, would be an agricultural use which is not inappropriate development in the Green Belt under Paragraph 89 of the NPPF. However, the introduction of the livery element (i.e. development to support outdoor sport and recreation) cannot be said to be ancillary to the agricultural stud farm use, given the proportion of the building to be used for this purpose. For this reason the overall proposal needs to be assessed against the openness/countryside test(s) referred to in paragraphs 7.3.1 and 7.3.2 above.
- 7.3.4 The overall proposal would result in a 105% floorspace increase in the amount of development on this site (from about 700 to 1440 square metres) and an increase in the maximum height of development (by 0.7 metres). The proposal would significantly increase the maximum width and depth of the principal stable building, accentuated by its L-shape. The proposed hay barn building would be sited where existing buildings are provided in the north east corner of the site and would have a similar mass/height to development in this part of the site that will be removed.
- 7.3.5 The resulting spread of development across the site by the increase in the size of the yard area due to the revised location, and significant increase in size of the principal stable building to the south and east, would clearly not preserve the openness of the Green Belt and countryside.
- 7.3.6 Paragraph 90 of the NPPF indicates the other forms of development are also not inappropriate in the Green Belt where they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt, including engineering operations. These operations include the provision of the arena,

which would not, in itself, have any significant impact on the openness of the Green Belt, but with the spread of development encroaching into the open part of the countryside.

- 7.3.7 For the above reasoning the proposal would represent inappropriate and harmful development in the Green Belt. It is therefore necessary to consider whether there are any Very Special Circumstances exist to outweigh this harm (see immediately below).

7.4 Very Special Circumstances

- 7.4.1 Paragraphs 87 and 88 of the NPPF indicate that:

“As with previous Green Belt policy, inappropriate development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. “Very special circumstances” will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.”

- 7.4.2 Paragraph 28 of the NPPF indicates that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development, including the support of sustainable growth and expansion of all types of business and enterprise in rural areas including the provision of well-designed new buildings.

- 7.4.3 The proposal has been supported by a statement on the need for such development. During the assessment of the 1986 permission, it was indicated that 25 horses were to be accommodated on the site under this permission. However, there were no restrictions (by condition) on the number of horses and the existing accommodation currently provides for 20 horses, with the current proposal to provide for up to 24 horses on the site any one time. The current proposal would include limitations on horses on the site, by condition, which will provide a limitation, previously not provided on the site.

- 7.4.4 The business plan indicates that the equine enterprise would provide, over 12 months, accommodation for 12 horses at full livery (with all functions including feeding and exercising undertaken by the stud farm), 4 owned mares producing 2 foals each year (retained or sold at three years), 4 visiting mares (foaling at Longshot stud), 3 youngsters in training and 2 horses under rehabilitation (e.g. former racehorses).

- 7.4.5 The applicant has provided details which include the need for:

- The need for the number of stables within this development;
- Adequately sized stables and natural ventilation;
- Separate foaling boxes;
- Veterinary accommodation including two supervision units;

- The manager's office;
- The amount of storage facilities;
- Floodlit arena; and
- Horse walker facilities.

The need to provide for 24 stables

- 7.4.6 The applicant has provided a business plan which indicates that for the use (as set out in Paragraph 7.7.4 above), there is a requirement on the basis of 85% occupancy to provide 24 stables as a minimum to allow a reasonable level of profit to be made to secure a sustainable equine business. If, for example, the proposal was reduced to 22 stables, a reasonable profit could not be provided at this level of occupancy and the enterprise is not likely to survive. This occupancy will need to include full livery which it is envisaged will relate predominantly to high-quality competition horses similar to the remaining horses to be kept on the site.
- 7.4.7 The Council's Equine Adviser confirms that the business plan has been provided using calculation methods from the Equine Business Guide (2015) and that *"the Equestrian Appraisal and Business Plan demonstrate through sensitivity analysis that the number of stables is appropriate...the business plan submitted demonstrates that the equestrian enterprise is likely to be profitable, sustainable and able to make a return on capital invested."*

This is considered to provide significant weight.

The need for adequately sized stables and natural ventilation

- 7.4.8 The existing accommodation is in a poor condition and is sub-standard in terms of stable size when compared with the standards set out in the Code of Practice for the Welfare of Horses, Ponies, Donkeys and their Hybrids by DEFRA (2009). The existing building is sub-standard in height and layout, where there is insufficient provision for natural ventilation and flow of air through the building (to reduce the risk of respiratory problems); with many of the stables located centrally within the building with no available access to natural ventilation. The existing stables measure a minimum of 9.7 square metres. The standard requires each stable to be 13.2 square metres (15.5 square metres for larger horses), and the proposed stable sizes reflect this requirement.
- 7.4.9 High levels of ventilation are required for larger stables to reduce humidity. Humid air contains higher levels of bacteria and ammonia which can bring on pneumonia and other respiratory infections if left uncontrolled. The Council's Equine Adviser has indicated that the existing stable building provides poor ventilation and there are respiratory problems for the horses at the site. The applicant has advised that *"proposed stabling has been designed to achieve a minimum of eight air changes per hour at an average wind speed of 12-15 miles per hour. The roof pitch is an important aspect of the design which it is drawn out of the building via continuous ridge ventilation."*

The Equine adviser advises that low ceiling within the building and lack of cross ventilation are factors and the size of the horses kept at the site.

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

The need for separate foaling, vet and associated facilities

7.4.10 The existing facilities do not provide separate accommodation for foaling and vet facilities. The safety for the horses remain paramount and the applicant advises that four foaling boxes are to be provided two of which are to be monitored through one-way observation windows from the veterinary supervision units. The applicant advises that the foaling process is monitored and that there is a need for two foaling boxes so that two mares can be observed and monitored without disturbing the foaling process, to reduce the risk to mare and foal. In the event that a mare gets into difficulties and assistance is required, it is critical that help is immediately on hand as any delay decreases survival rate by some 10% for every 10 minutes of delay. The applicant has confirmed that the foaling process would be broadly seasonal with foaling expected to be at an optimum time for competition purposes, with a number of mares expected to foal at around the same time (late winter and early spring), and allowing the young horses to be able to compete at the same level, at the same time. This requires the provision of a number of foaling boxes to cater for this demand, and observation boxes, as proposed.

7.4.11 The Council's Equine Adviser indicates that the size of the supervision (observation) rooms would be used by the applicant, staff or vets to observe the mares, particularly overnight when foaling most often happens. As a result, they will also provide space for staff to rest when an overnight-watch during foaling with no grooms living on the site. As a part of the foaling, there is gas an air and a revival kit should a mare encounter difficulty foaling. The vet is located 20-25 minutes away and the applicant may need to react much sooner if there is an emergency. Supervision by CCTV does not give a true representation of the mare during foaling and the proposed rooms with two-way mirrors will allow a mare to be observed without disturbance.

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

7.4.12 The level of storage, including tackroom, hay storage and machinery store, remains as existing. The Council's Equine Adviser has indicated that the vet's office will store the lab equipment and associated veterinary equipment on the site. The two tack rooms and wash rooms are appropriate in relation to the number of horses on site and training will take place at the yard following redevelopment. Due to the number of staff (5) the staff changing and washing facilities are appropriate. These facilities are not currently available and would be expected of a stud yard of this size.

The Council's Equine Adviser confirms that the access/walkways through the building are a suitable width (at 4.2 metres) for day-to-day operations and the movement of horses, people and equipment within the building; and that the facilities provided within the hay barn (i.e. hay and machinery storage) would be appropriate for the yard of this size.

This is considered to provide moderate weight.

The need for a manager's office

- 7.4.13 The proposal includes a manager's office. This is proposed to be located close to the stable building entrance and the applicant has indicated that a stable yard manager's office large enough for one person is proposed to be situated at the main entrance to the stable barn. This will allow access to the stables to be monitored and will provide a reception facility where visitors can report on arrival at the site. The Council's Equine Adviser has indicated that this would be an appropriate for the stud yard where visitors can report to and the applicant can manage the day-to-day running of the yard.

This is considered to provide moderate weight.

The need for a floodlit arena and horse walker

- 7.4.14 The proposed floodlit arena would be located on land adjoining the main building. The existing floodlit arena did not receive planning permission but has been in existence, from aerial photo records, for over 10 years. The applicant has advised that the current arena would be inadequate for the training required for show jumping and the larger arena, as proposed, would allow for a dual use of the arena at the same time, including lunging (i.e. posture-based exercises) and jumping. The Council's Equine Adviser has indicated that the size of the proposed arena is a standard size for competition yards, and will allow show jumping and dressage training in site. The arena can be subdivided to allow the training of two horses at the same time.

This is considered to provide moderate weight.

- 7.4.15 The proposed horse walker is proposed for which the applicant has advised that horse walkers are a necessity for commercial yards of this scale as they offer the ability to exercise multiple horses in a secure and safe environment. The facility can be used to provide gentle exercise for mares heavily in foal as well as stallions both of which may not be suitable for turnout with other horses but still need adequate exercise and environmental stimulation. The Council's Equine Adviser has indicated that the size of the horse walker is suitable for the horses requiring exercise. The larger diameter will reduce the pressure on the horse's legs when within the walker, reducing the risk of any injury or damage to the musculoskeletal system.

This is considered to provide moderate weight.

Conclusion

- 7.4.16 The reasons considered in Paragraphs 7.4.1-7.4.15 above, in combination, amount to very special circumstances which outweigh the harm this proposal would have on the Green Belt. Much of the increase in size of development on the site has been predicated by the stud farm use, which as indicated above, is an appropriate form of development. In addition, the fact that the evidence has been tested by the Council's Equine Adviser and supports the proposal holds material weight and credibility to the conclusions drawn. No objections are therefore raised to the proposal on Green Belt grounds with the proposal complying with Policy DM3 of the CSDMP and the NPPF.
- 7.4.17 There are two relevant equestrian appeal decisions that are considered should be compared to the current proposal at Earlwood Racing and stud (SU/11/0576), which included a dwelling and an equestrian building (including 40 stables) and Willow Farm under ENF/10/0164, which included buildings for 12 stables and associated accommodation with a residential unit. Both decisions were made before the adoption of the National Planning Policy Framework, under advice in the Planning Policy Guidance Note 2: Green Belts which indicated that the construction of new buildings in the Green Belt was inappropriate unless it is for a number of purposes including essential facilities for outdoor sport and recreation, with essential facilities defined as *"genuinely required for uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it"*, with the example of such facilities indicated in the PPG2 to include small stables. However, as indicated above, the test in the NPPF that replaced PPG2, refers to "appropriate" rather than "essential" facilities, which is clearly a less onerous test.
- 7.4.18 There is an example of a stud farm redevelopment in Chasemore Farm (cross boundary proposal for a redevelopment to provided 44 stables in Elmbridge Borough/Mole Valley District) which provides useful direction and similarities in considering such developments in the Green Belt. Chasemore Farm is located near to Cobham and clearly has a different context to the application site. However, with both sites in the Green Belt and relating to equestrian redevelopments, parallels in approach can be drawn. In this example the level of increase of floorspace for an equestrian redevelopment of 163% was considered to be acceptable but only on the very special circumstances put forward in that case which were related to the requirements to provide a 44 box (stable) unit and associated accommodation and facilities (e.g. foaling units, exerciser, etc) to support the stud farm use. In that example, the outdoor recreation use was considered to have significant weight.

7.5 Impact on residential amenity

- 7.5.1 The nearest permanent residential property to the application site is Albury Farm, set over 80 metres approximately from the proposal. The limited height increase of the proposal over the existing situation, the existing built form between these properties and large separation distance would limit the impact of the proposal on the occupiers of this property. No objections are therefore raised on the proposed development on residential amenity grounds complying with Policy DM9 of the CSDMP.

7.6 Impact on parking and highway safety

7.6.1 The parking arrangements provide for 11 parking and three horse box parking spaces provided for the stud farm. The proposal would retain the same number of horses accommodated on the site (i.e. 24), with an increase in parking arrangements for the site from the existing provision of 5 parking spaces and 2 horse box parking spaces. In addition, the removal of DIY livery facilities will reduce traffic demand at the site. No objections to the proposal have been received by the County Highway Authority. 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.

7.7 Impact on trees

7.7.1 The proposal would result in some tree and vegetative loss at the site. There are no protected trees on the site and the trees which would be removed are of relatively poor quality. With land available for mitigation planting and a BS tree report indicating tree protection measures, no objections are raised to the proposal on these grounds with the proposal complying with Policy DM9 of the CSDMP.

7.8 Impact on ecology and the SPA

7.8.1 The current proposal has been supported by a bat assessment survey, which concludes that there were no bats or evidence of bats recorded within the existing buildings on the site, and that these structures have limited potential to support roosting bats. Given suitable habitats within the wider area, it is acknowledged that the external lighting needs to be "bat friendly" and be baffled so as to limit light spillage and prevent disturbance to foraging or migrating bats. The Surrey Wildlife Trust raises no objections to the proposal, subject to controls on the external lighting for the site, including the floodlit arena.

7.8.2 The site is located within 120 metres of the SPA. There is available access onto the SPA from nearby public footpath access, which could be used for the exercising of horses. The current proposal does not increase the number of horses kept on the site, and provides improved exercising facilities which would reduce the need to use the SPA for such purposes. This would provide a minor benefit to the SPA.

7.8.3 As such, the proposal is considered to be acceptable in terms of its impact on ecology and the SPA, complying with Policy CP14 of the CSDMP and the NPPF.

8.0 CONCLUSION

8.1 The proposed development is considered to be inappropriate development for which very special circumstances are required to outweigh the impact on the openness of the Green Belt and impact on encroachment into the countryside. The very special circumstances put forward by the applicant which overcome the harm the development has on the Green Belt.

The proposal is also acceptable in terms of its impact on character, trees, residential amenity, ecology, SPA, 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: 01 and 10 received on 15 July 2016; 06 Rev A and 07 Rev A received on 16 January 2017; and 04 Rev. A, 08 Rev. A and 09 Rev. B received on 17 March 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 to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

4. The parking spaces shown on the approved plan shall be made available for use prior to the first occupation of the development and shall not thereafter be used for any purpose other than the parking of vehicles.

Reason: To ensure the provision of on-site parking accommodation and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

5. The premises hereby approved shall be used for equestrian purposes only and shall have no more than 24 horses at the site any given time and no more than 12 horses provided in full livery and shall be used for no other purpose including any DIY livery or riding school use or any other purposes in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

Reason: To maintain control over the approved development and to protect the Green Belt and to comply with Policy DM3 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

6. There shall be no changes to the use of the accommodation as shown on approved drawing 06 Rev A received on 16 January 2017 unless the prior written approval has been obtained from the Local Planning Authority.

Reason: To maintain control over the approved development and to protect the Green Belt and to comply with Policy DM3 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

7. No alterations shall be made to the height or type of approved fencing surrounding the exercise area without planning permission.

Reason: In order not to prejudice the openness of the Green Belt or visual amenities and to accord with Policies CP1, DM1 and DM3 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

8. Notwithstanding details provided in support of the application, details of the external lighting, including the floodlighting for the proposed arena and their hours of illumination, shall be submitted to and approved by the Local

Planning Authority prior to the installation of the external lighting. The development shall be implemented in accordance with the approved details.

Reason: In order not to prejudice the openness of the Green Belt or visual amenities and to accord with Policies DM3 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

9. No development shall take place until details of the surface materials for the equestrian arena shall be submitted to, and approved in writing by the Local Planning Authority. Once approved, the agreed surfacing materials shall be used in the construction of the development.

Reason: To safeguard the visual amenities of the locality in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

10. The approved development shall be implemented in accordance with the Arboricultural Report and AMS by Urban Green dated July 2016 unless the prior written approval has been obtained from the Local Planning Authority.

Reason: In the interest of visual amenity and to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

11. 1. No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved, and implemented prior to first occupation. The submitted details should also include an indication of all level alterations, hard surfaces, walls, fences, access features, the existing trees and hedges to be retained, together with the new planting to be carried out and shall build upon the aims and objectives of the supplied **BS5837:2012 – Trees in Relation to Design, Demolition and Construction** Arboricultural Method Statement [AMS].
2. All hard and soft landscaping works shall be carried out in accordance with the approved details. All plant material shall conform to **BS3936:1992 Parts 1 – 5: Specification for Nursery Stock**. Handling, planting and establishment of trees shall be in accordance with **BS 8545:2014 Trees: from nursery to independence in the landscape**.

Reason: To preserve and enhance the visual amenities of the locality in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

Informative(s)

1. Decision Notice to be kept DS1
2. Building Regs consent req'd DF5
3. Party Walls (etc) Act 1996 DE3
4. In relation to Condition 5 above and for the avoidance of doubt, the applicant is advised that full livery is defined as stabling occupied by horses supervised and maintained by the owner/staff at the site. DIY livery is defined as stabling occupied by horses supervised and maintained by the owners of the respective horses.