

2017/0540

Reg Date 02/08/2017

Chobham

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

PROPOSAL: Erection of replacement stables, along with the provision of a sand school and parking, following the demolition of existing stables. (Additional information recv'd 29/9/17 & 18/10/2017.) (Amended Description/Additional Information Rec'd 02/11/2017.) (Amended info rec'd 06/11/2017.) (Amended/Additional Plan and Change of Description rec'd 01/12/2017.) (Amended plan & description change 07/12/2017.)

TYPE: Full Planning Application

APPLICANT: Mr & Mrs Burrell

OFFICER: Duncan Carty

This application would normally be determined under the Council's Scheme of Delegation, but is linked to application SU/17/0524 which is being considered 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 replacement stables and sand school for a private equestrian use.
- 1.2 Noting the overall level of increase in built form, the proposal would be harmful to the openness of the Green Belt and would therefore be inappropriate development. However, very special circumstances for this elite equestrian operation of the site have been received and the proposal supports outdoor recreation to support equestrian competition at national and international levels. 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 0.5 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 existing site comprises an existing vacant stable building providing 6 stables (with foaling block, tackroom, feed stores) comprising a total of 223 square metres of accommodation, located to the north east with 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 sites 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/17/0524 Erection of an indoor riding school. Application is being reported elsewhere on this Agenda.

4.0 THE PROPOSAL

- 4.1 The proposal is to provide replacement stables along with the provision of a sand school with parking following the demolition of existing stables. The new stable building would have a gable roof over to a height of about 5.4 metres at the ridge, falling to 2.6 metres at the eaves, having a width of 33.7 metres and a depth of 10.9 metres. The proposed building would provide 367 square metres of accommodation, to a maximum height of 5.4 metres, reducing to 2.4 metres at the eaves, and would be timber clad. The building would include eight stables, two washbays (one including a solarium), rug, feed and haylage stores, tearoom and W.C.
- 4.2 The proposed stable building would be located on the south west side of a new yard area located close to the north west site boundary and the access from the unadopted Broadford Lane. Within the yard, there would be three lorry/horse box spaces, eight car spaces and areas for shavings, a muck heap and space for recycling and waste bins.
- 4.3 The proposal would result in the loss of existing stable buildings on the site, which are currently arranged around a yard located in the north west corner of the site. The existing stable accommodation has a floorspace of 223 square metres, with buildings up to a ridge height of about 3.2 metres, reducing to 2.4 metres at the eaves. The existing accommodation including six stables and a foaling box, as well as storage facilities.
- 4.4 The proposal has been amended during the consideration of this application, including the removal of the proposed two bedroom dwelling for staff.

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.

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| 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 (in its amended form). |

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report, 9 representations raising an objection (with some additional objections for SU/17/0524 incorporating objections/concerns about this proposal), and no representations supporting the proposal, had been received. The representations raising an objection raise the following issues:
- 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 [Officer comment: These are not relevant to the current proposal and are addressed under that application]
 - 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 7.8]
 - 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 7.3]
 - The development is very unneighbourly and intrusive [See paragraph 7.4]
 - The loss of privacy from riders viewing onto 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 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 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 facilities would provide a materially larger stable building (65% increase) on the site and a sand school which would spread development across the site and would have an adverse impact on the openness of the Green Belt. It is noted, however, that the grouping of the existing stables spreads out, from views around the site and beyond and the proposal would provide a more compact form. The form of the building (as an American Barn) and its design is typical of agricultural buildings in rural locations, and therefore would not appear out of place. Whilst the development would not impact on countryside encroachment, the impact on openness would result in inappropriate development.

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 The applicant has provided the following very special circumstances to support the proposal:

- to support the applicant and her daughter involved in showjumping and dressage at competition level at national/international levels and training of horses for this purpose;
- to provide modern facilities and accommodation for their elite horses; and
- to avoid using nearby country lanes/bridle paths for safety reasons.

The need to support the training for national/international level 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. Whilst the provision is for eight horses, this would provide flexibility for the applicant if they were to train more horses. The conditions for the keeping of elite horses requires all facilities to be undercover providing a barn-style structure with a central corridor rather than the open stabling currently provided. This results in an increase in floorspace and volume of development.

- 7.3.7 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. The applicant, who owns and lives in the residential property, Tiffanys, on the adjoining residential plot, currently rents equestrian accommodation elsewhere in the Chobham ward and wishes to bring their horses onto this adjoining, and currently vacant, equestrian site and provide facilities which can accommodate their specialised needs.

This is considered to provide significant weight.

To provide modern facilities for the keeping of elite horses

- 7.3.8 The Council's Equine Adviser has indicated that the replacement stable building is an appropriate size for its intended use. The DEFRA code of practice set out minimum stable size for horses, which the current proposal does not exceed. The central walk way, at 3.5 metres width, is a suitable width for day-to-day operations. The height of the building (at eaves level) would allow satisfactory headroom for the horses to be stabled without risk from respiratory infection in accordance with the DEFRA code of practice. In addition, the roof height with a 25 degree angle of roofslope, would not provide an excessively high roof profile for the proposed stable building.

- 7.3.9 As the horses on the site will be competition horses and have strict dietary arrangements, they will only be turned out in the paddocks for 4-5 hours a day, and only for six months in a year. The horses will be stabled overnight. Two tackrooms and wash rooms (including one with a solarium), washing area, feed and haylage stores as well as a staff tea room will be provided. External storage of haylage and bedding (shavings) will be predominantly provided, with some limited storage provided within the building, for ease of access. The proposal also provides storage for saddles etc., and it is noted that for competition horses, a range of saddles (e.g. for dressage, jumping, etc. purposes) is required. The proposal provides a tea room and toilet facilities for staff employed to take care of the horses. This forms a small part of the accommodation and is an adjunct to the remainder of the accommodation within the building. This level of accommodation is considered to be acceptable.

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

To avoid using nearby country lanes/bridle paths for safety reasons

- 7.3.10 The applicant has advised that the proposal would allow the training of horses to be retained on the application site without the need to train on local lanes and bridle paths; which can be a safety risk. Whilst these benefits are noted, it is considered that this factor should be afforded limited weight.

Other Green Belt matters

- 7.3.11 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.
- 7.3.12 The proposal would provide a yard area for parking and open haylage storage. This hardstanding area is located in the place of the existing stables and yard and would not significantly extend into the countryside or have any material impact on the openness of the Green Belt.

7.3.13 The existing ménage measures 40 by 20 metres and the proposed ménage is to be 60 by 40 metres, and would be positioned much closer to the existing/proposed built form. The Council's Equine Adviser accepts that this would be a standard size for a ménage as seen on a private yard, and will provide adequate space for necessary showjumping and dressage training carried out by the applicant and her daughter. Overall, the outdoor ménage is considered to be an appropriate equestrian facility for a private competition yard of this size.

Conclusion

7.3.14 It is therefore considered that given the combined arguments presented in paragraphs 7.3.5-7.3.10 above there are very special circumstances to outweigh the Green Belt harm. The proposal complies with Policy DM3 of the CSDMP and the NPPF.

7.4 Impact on residential amenity

7.4.1 The nearest residential properties are St Nicholas to the north flank and Oakhurst to the south flank. The proposed stable building, although higher than existing, would be located further from this residential curtilage. In addition, there are trees on the north site boundary and the residential curtilage for this property is set on the opposite side of the intervening bridle path. No objections are therefore raised on 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 no protected trees on, or close to, the site. However, the proposal would result in some demolition and construction works within close proximity to major trees. The application has been supported by a tree report which indicates that the stable building would set further from the retained trees and works in closer proximity (i.e. within the RPA of retained trees) will relate to demolition works and hardstanding areas only. The Council's Arboricultural Officer raises no objections to the proposal, subject to the recommendations in the arboricultural report. 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 for which very special circumstances are required to outweigh the harm from 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 outweigh 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, 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/PL105, 1608/PL106 and 1608/PL100 received on 1 June 2017 and 1608/PI102 Rev. B received on 7 December 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 private stabling for horses 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.

5. The proposed development shall be implemented in accordance with the BS5837 Arboricultural Impact Assessment by Tamla Trees [Ref 02779Rv2] dated November 2017 and received on 6 November 2017, subject to the submission and approval of revised details at Paragraph 5.4.3 of the report and implementation prior to the commencement of development (including any site clearance and/or demolition works), unless the prior written approval has been obtained from the Local Planning Authority.

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.

6. The car parking facilities shall be provided in accordance with the details shown on drawing no.1608/PL102 Rev. B received on 6 November 2017 and shall be retained in perpetuity unless the prior written approval has been obtained from the Local Planning Authority.

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.

7. There shall be no external lighting provided within the application site unless the prior written approval has been obtained from the Local Planning Authority.

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

8. The premises hereby approved shall be used for equestrian purposes only and shall have no more than 8 horses at the site any given time.

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.

9. There shall be no changes to the use of the accommodation as shown on approved drawing 1608/PL105 received on 1 June 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.