

APPLICATION NO.	P19/V0626/FUL
SITE	Oakley Equestrian Centre Faringdon Road A417 Field opposite Goosey Lane Faringdon, SN7 8PE
PARISH	WEST CHALLOW
PROPOSAL	Change of Use of the site to a commercial business for the pre-training of race horses. Erection of 16 stables, wc, hay barn and tack room together with a sand gallop, horse walker and a temporary mobile home. (As amended by additional information received from agent on 15 and 22 April 2019). (As amended by additional information received 17 June 2019) (As amended by additional Information received 15 August 2019).
WARD MEMBER(S)	Paul Barrow
APPLICANT	James Connors
OFFICER	Sarah Green

RECOMMENDATION

Planning Permission be granted subject to the following conditions and the completed Section 106 agreement;

Standard

- 1. Commencement 3 years - Full Planning Permission**
- 2. Approved plans**

Pre- Commencement

- 3. Existing close board fencing to be removed**
- 4. Access and vision splays to be provided**

Pre- Occupation

- 5. Surface water drainage in accordance with details**
- 6. Foul water drainage in accordance with details**

Compliance

- 7. Materials in accordance with details**
- 8. Landscaping in accordance with details**
- 9. External lighting in accord with details to be agreed**
- 10. Recommendations of preliminary Ecological Appraisal**
- 11. Parking and turning areas provided**

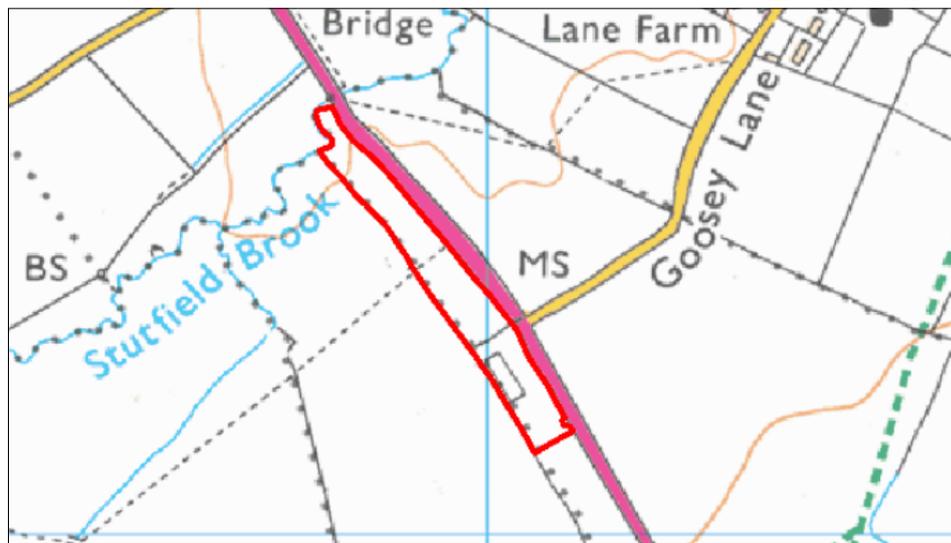
- 12. Mobile home occupation limited to person wholly engaged in equestrian business or any residential dependants of such person**
- 13. Within 3 years of this permission or in the case the business ceases use, whichever occurs first, the mobile home shall be removed from the site**

1.0 **INTRODUCTION AND PROPOSAL**

1.1 The application comes to committee because it is a major application and the parish council objects.

1.2 The site is located off the A417 to the south west of Goosey in the open countryside. It is a long, more or less rectangular site which runs along the road. The access from the A417 is at the southern end. There is an existing hedgerow to the road which is gappy in places. Behind this a close boarded fence over 2m high has been erected and large wooden gates at the access installed without planning permission. A site location plan is provided below:

1.3



1.4 Outline planning permission was granted in 2017 on the southern part of the site for 4 stables, a tack room and hay store for private use only. This application has not been implemented and no reserved matters have been received. Prior to this in 2001 permission was granted for an outdoor menage which has been constructed on the site.

1.5 On 29 March 2018 an injunction was served upon the site and applicant by the council. This injunction prevents a mobile home or other structures capable or intended for residential use to be brought on the site, putting the land to residential use or the spreading of hardcore or other material.

1.6 The injunction however does not prevent the use of the land or operational development for which there is express planning permission for. Therefore, planning applications can still be considered and determined.

1.7 The proposal

This application seeks to change the use of the land to a commercial equestrian business for the pre-training of race horses. It would include 16 stables, a hay and tack room, a horse walker and the creation of a sand gallop on the northern half of the site. It also seeks permission for a temporary single mobile home in connection with that business, citing it as essential. Extracts of the plans are **attached** at Appendix 1.

1.8 During the application process amended and additional information has been submitted to address the comments made by the relevant technical consultees. These matters will be covered in the report below.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1 This is a summary of the final responses received from consultees and third parties to the application. The full responses can be viewed on the council website: www.whitehorsedc.gov.uk

West Challow Parish Council	Objection <ul style="list-style-type: none"> • Parish council concerns of closed boarded fencing and leasing adjacent land for grazing appear to have been addressed. • Still question the business viability. • Assume dwelling will not be a temporary feature
Childrey Parish Council	Objection <ul style="list-style-type: none"> • Increased traffic safety risk on the A417 and other local roads. • Intention to lease adjacent 6 acres not been secured • Issues with business plan • Assume dwelling will not be temporary feature
Neighbour/third party representations (2)	Objection <ul style="list-style-type: none"> • Open countryside and will be detrimental to area • Not enough land to keep horses • Access onto A417 not safe • Increase in traffic • Mobile home would become permanent • Question viability of proposed business • Location does not provide variety of training for horses
Drainage Engineer – Vale of White Horse	No objection
Landscape Architect – Vale of White horse	No objection

Countryside Officer – Vale of White Horse	No objection provided recommendations in Preliminary Ecological Appraisal are followed.
Oxfordshire County Council Highway Authority	No objection subject to conditions on <ul style="list-style-type: none"> - Access - Visibility splays - Turning space - No surface water onto highway

3.0 **RELEVANT PLANNING HISTORY**

3.1 [VE18/87](#) - (enforcement investigation)

Construction of fence at 2m height adjacent to a highway and importation of earth fill without planning permission.

[P17/V0996/O](#) - Approved (09/08/2017)

Outline permission for four stables, a tack room and a hay store with some matters reserved (As amended by details received on 2 July 2017 and 8 July 2017)

[P04/V0793/LB](#) - Approved (29/06/2004)

Straighten, clean and repaint milestone (WAFA04)

[P04/V0791/LB](#) - Approved (29/06/2004)

Straighten, clean and repaint milestone. (WAFA01)

[P01/V0451/COU](#) - Approved (26/07/2001)

Outdoor manege for equestrian use. Planning Application History

3.2 **Pre-application History**

[P18/V2853/PEM](#) - (05/12/2018)

Development of the site for a race horse pre-training business. Development involves the provision of 12 stables and tack room, sand gallop, horse walker, turnout paddocks, mobile home plus car parking.

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 The proposal does not fall within a category of development that would be subject to EIA.

5.0 **MAIN ISSUES**

5.1 The relevant planning considerations are the following:

- Principle
- Impact on the landscape
- Highways
- Residential Amenity
- Ecology
- CIL
- Conditions and S106 agreement

5.2 **Principle**

Paragraph 83 of the NPPF supports the development of land based rural businesses. There is a long tradition of both recreational horse riding and the rearing and training of horses for the racehorse industry within the southern parts of the district. Policy DP12 of Local Plan Part 2 sets out the criteria the council will consider for equestrian developments. These are:

- i. The proposed premises will have safe access from the site to public bridleways, gallops or other exercise areas in order to avoid conflict between horses and other public highway users, and
- ii. The proposal does not unacceptably impact upon the site and the amenity of its neighbours.

5.3 Reading Agricultural Consultants (RAC) were instructed on behalf of the council to review the submitted business plan and the facilities proposed to assess whether they are realistic and reasonable. The consultants are experienced in this specialist area.

5.4 RAC state that overall the proposed equine facilities are reasonably necessary for their intended use and are of an appropriate size and design. The proposed sand gallop and horse walker are essential features for the exercising of horses and a number of grass paddocks are used for daily turnout. The equine facilities proposed are therefore considered appropriate and sufficient for the proposed business use. RAC have also examined the economic sustainability of the proposed business and consider that the financial information provided and projected business plan appear sound.

5.5 *Mobile home*

Along with the business the proposal includes temporary permission for a mobile home for a key worker to live at the site. The NPPF at paragraph 79 refers to isolated dwellings in the countryside being avoided unless one of the specific criteria listed applies. One is if there is an essential need for a rural worker to live permanently at or near their place of work in the countryside.

5.6 Policy DP6 of Local Plan Part 2 specifically sets out criteria for rural workers dwellings. These include that it is essential for the business and the size and scale is commensurate with the needs of the enterprise (these are similar to the previous Annex A in the old PPS7).

5.7 Following their assessment of the submitted business plan, RAC have concluded that there would be an essential need for a key worker to be on site for the proposed business to ensure the welfare of the horses is not compromised.

5.8 Policy DP6 also sets out that if a rural worker dwelling is essential to support a new rural enterprise it should be provided temporarily by a caravan, a wooden structure which can easily be dismantled, or other temporary accommodation for the first three years. It can be conditioned to ensure it is only occupied by a full time worker engaged in the business and to be removed from the site if the business ceases use within the three years. The applicant has also agreed to enter into a Section 106 legal agreement restricting the use of the land. Against

current adopted local plan policy, the principle of this proposal therefore fulfils all the criteria and should be supported.

- 5.9 Permanent permission would only be granted once it has been demonstrated that the business has been economically viable and sustainable for those three years. The applicant would need to apply for planning permission again where the development would be reviewed again at that time.
- 5.10 **Impact on the landscape**
The site is located in the open countryside. The site is bounded by the A417 along its north eastern edge, from which there are limited views into the site. Public footpaths run across fields to the west but are not adjacent to the site.
- 5.11 The landscape officer has reviewed the application and its potential impact upon the wider landscape. The site sits within the Bourton to Garford Upper Vale Landscape character area which is characterised by well maintained farmland and includes an even spread of scattered settlements, elsewhere there are scattered farmsteads. The proposal would introduce built development and result in a degree of change in the rural landscape, however buildings such as barns and stables are commonly found in the countryside and equestrian uses are countryside activities. In principle such a use is acceptable in the countryside. In line with policy CP44, measures should be sought to integrate it into the landscape and preserve and enhance the area.
- 5.12 Amended information has been submitted during the application on the proposed boundaries of the site. It is proposed to remove the existing close board fencing which is particularly out of character and harmful to the rural character. This can be conditioned and should be prior to any further development on site to remove this harm as soon as possible.
- 5.13 The central and southern boundaries will be planted with new mixed native species hedgerow. This will help to mitigate the visual impact of the built form from further afield. Gaps on the existing hedgerows to the west and east along the road will be infilled. It has been confirmed that the vision splays from the access will not require the removal of any of the existing trees along that boundary, although they will need to be trimmed. The submitted information has addressed the main concerns of the landscape officer.
- 5.14 The stables will be timber clad and typical design of equestrian buildings. The mobile home will be a timber structure which will ensure it is more in keeping with the other buildings. It has been moved closer to the stables and manage to try to keep the buildings and structures on the site more closely related.
- 5.15 In terms of external lighting it is proposed for there just to be security lighting on the stables operated by movement sensors. A condition can ensure that the council maintain control over any lighting.
- 5.16 Overall it is considered that the development would not result in undue harm to the visual amenity of the area. The design and scale of the buildings and structures proposed would be appropriate for their location and new soft

landscaping will be secured. It would therefore accord with policies CP37 and CP44 of the Local Plan 2031 Part 1.

5.17 **Impact on highways**

The proposal includes improving the existing access onto the A417 to adoptable standards. Additional information has been submitted to show that the vision splays can be achieved without loss of the hedgerow. There is no objection that the level of traffic generated by the proposal would result in harm to the highway.

5.18 The highway officer originally objected based on the development encouraging or causing pedestrians to walk and cycle along the A417 where there is no suitable footway provision and their safety would be put at risk.

5.19 In assessing this application considering needs to be given to the type of business and how workers and visitors would likely arrive at the site. Visitors dropping off or collecting horses would be arriving by vehicle. It is stated that there would be up to 4 workers. At least one of these would be resident in the mobile home. Given the nature of the proposed business, visitors to the site would be highly unlikely to be walking or cycling. Similarly, it is very likely that the employees at the site would travel by car. The highway authority has raised no objection to the increase in vehicles movements to the site. In weighing up the likely potential for harm officers consider the impact on the highway would be acceptable. The highway authority has also confirmed since reviewing the information that they do no longer hold an objection.

5.20 The access will need to be brought up to standard. This should be carried out before any other development takes place, to ensure that all construction traffic is able to safely access and exit the site. This can be conditioned. A Section 278 agreement will need to be completed with the highway authority separately under the Highway Act.

5.21 **Residential Amenity**

The site is not near any residential properties that would be impacted by the business use. There will be no impact on amenity. The proposal would accord with policy DP23 of the Local Plan 2031 Part 2.

5.22 **Ecology**

Ecological surveys have been undertaken and have not identified any significant ecological constraints. The appraisal has a number of recommendations that include erecting bird boxes and where possible bat roost features. These can be conditioned.

5.23 **Community Infrastructure Levy (CIL)**

CIL is applicable to residential development within the district. However, a mobile home is considered a use of land and is not a building. Under the CIL regulations therefore it would not be subject to CIL in this case. However, this may be different if in future a permanent dwelling were to be granted.

5.24 **Conditions and S106 agreement**

The most recent additional information submitted by the agent is in response to technical consultee comments and to provide information that would otherwise be sought by condition. This information included drainage plans, landscape details, and materials. The submitted information is considered acceptable. The conditions have been agreed with the agent. A section 106 legal agreement has been agreed and already completed. This will control the use of the land and mobile home.

6.0 **CONCLUSION**

- 6.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 6.2 The proposal has been assessed against the relevant adopted development plan policies. It is considered that the visual impact on the landscape is acceptable. The proposed business plan has been shown to be reasonable and it is essential for a temporary dwelling to be on site for animal welfare purposes. Officer are therefore satisfied that it would comply with the local plan policies.
- 6.3 It is not considered there are any other material considerations on planning grounds that would warrant refusing the application. Therefore, it is recommended that planning permission be granted subject to the list of conditions.

The following planning policies have been taken into account:

Vale of White Horse Local Plan 2031 Part 1 policies

- CP01 - Presumption in Favour of Sustainable Development
- CP03 - Settlement Hierarchy
- CP33 - Promoting Sustainable Transport and Accessibility
- CP35 - Promoting Public Transport, Cycling and Walking
- CP37 - Design and Local Distinctiveness
- CP42 - Flood Risk
- CP44 - Landscape
- CP46 - Conservation and Improvement of Biodiversity

Vale of White Horse Local Plan 2031 Part 2 policies

- DP06 - Rural Workers Dwellings
- DP12 - Rural Diversification and Equestrian Developments
- DP16 - Access
- DP21 - External Lighting
- DP23 - Impact of Development on Amenity

Neighbourhood Plan;

There is no neighbourhood plan for the area.

Other material considerations include government guidance, in particular:

- The National Planning Policy Framework (NPPF)

Vale of White Horse District Council – Committee Report – 4 December 2019

- The Planning Policy Guidance (PPG)
- Vale of White Horse Design Guide Supplementary Planning Document (SPD) (March 2015)

Other Relevant Legislation and guidance

Human Rights Act 1998

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

Equality Act 2010

In determining this planning application, the Council has regard to its equality obligations including its obligations under Section 149 of the Equality Act 2010.

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