

Application 09/00225/F	No:	Ward: Hook Norton	Date Valid: 24 April 2009
Applicant:	Mr Chris Moore, Fant Hill Farmhouse		
Site Address:	Fant Hill Farmhouse Hayway Lane Hook Norton Oxfordshire OX15 5QJ		

Proposal: Change of use of agricultural building to equestrian use with additional indoor training building (as amended by plans received 01/07/09)

1. Site Description and Proposal

- 1.1 The site is located to the west of Hook Norton and is accessed from the road which leads north to south from Lower Brailes to Great Rollright. The current access runs in an easterly direction directly north of Wychford Lodge Farm. The proposal includes relocating this access fifty five metres further to the north away from the residential property. The residential property associated with the farm buildings is located along an access track further to the east, at the bottom of the slope.

The site is within an area of High Landscape Value. It consists of 3 large redundant agricultural barns which are located on the edge of a small scarp slope overlooking Hook Norton. The site is not visible from the road from which it is accessed but long distance views of it are achieved from the east. The site is currently used on a temporary basis by neighbouring farmers. There are large areas of hard standing and access tracks which are to the east of the existing buildings.

- 1.2 The proposal includes the conversion of the two linked agricultural buildings to provide stables for up to 30 horses, the conversion of the detached agricultural building to provide an ancillary reception and café/training area, the construction of a new building to serve as an indoor schooling area and the construction of a horse walker. The development will also provide two outdoor schooling areas, parking for cars and horse boxes and the relocation of the access.

The conversion of the existing buildings can take place without significant rebuilding. However each building will be re-clad and re-roofed to improve their overall appearance.

The intention is to run the facility as a commercial equestrian centre, providing a full livery service and utilise the surrounding agricultural land, within the applicant's ownership, for grazing horses and informal hacking.

2. Application Publicity

- 2.1 The application was publicised by way of a press notice, site notice and neighbour notification letters. The formal public consultation expired on 4 June 2009.

- 2.2 No letters of objection have been received.

3. Consultations

- 3.1 **Hook Norton Parish Council** raises no objections but wishes to see a condition imposed stating that access must be via Chipping Norton Road and or Sibford Gower Road only to avoid potential problems with traffic through the village which could have a detrimental effect on the emergency services.
- 3.2 The **Local Highway Authority** states that the traffic generation associated with the proposal, if permitted, can be safely accommodated on the local road network. Whilst being located in a rural area with poor public transport links, PPG13 details, when considering farm diversification schemes for the Local Authority to be realistic about the ability of alternatives to the private car. No objections were raised subject to the inclusion of conditions.
- 3.3 This Council's **Head of Planning and Affordable Housing** considers that there are no conflicting policies and has therefore not provided a full response.
- 3.4 This Council's **Landscape Planning Officer** considers that this development is well concealed from Hayway Lane so there aren't visual impact issues from the road. However the North East side of the development is on the edge of a small scarp overlooking Hook Norton in the valley below. Concern was expressed about the positioning of the horse box and trailer parking in such a visible position. A detailed planting plan will need to be submitted.

Following the submission of details of clarification the Landscape Officer maintained a level of concern about the position of the horse box parking as the numbers of vehicles will increase from what is presently there. However it is acknowledged that if the parking remains in this position further screening will be required on the slope.

- 3.5 This Council's **Ecology Officer** states that from the evidence presented in the bat and nesting bird survey report there does not appear to be any further protected species issues to be addressed. The applicant's attention should be drawn to section 4.2 in the report regarding what to do should any bats be found during the works and to the legal protection of nesting birds within buildings and vegetation (section 4.4). Should the works not commence by the end of 2009 an update survey may be required to assess whether bats have moved in during the intervening time. All proposed planting should be carried out using native trees and shrubs.
- 3.6 This Council's **Anti Social Behaviour Manager** suggests that if the application is recommended for approval he would wish to see a planning condition imposed requiring the prior approval of the applicant's means of storage and disposal of manure and a requirement to use the approved means for as long as the use continues.
- 3.7 This Council's **Environmental Protection Officer** states that there is a small band of the Northampton sands formation running through the site which may contain elevated concentrations of naturally occurring arsenic. Given the proposed use this is unlikely to pose a significant risk and I would therefore only recommend applying informative ZZ in case there is any unsuspected contamination encountered during the development.

- 3.8 The Council's **Agricultural Advisor** made the following comments (in summary),
At present, the buildings have been vacant since the termination of the existing tenancy agreement and are no longer required for agricultural purposes by the applicants. Rather than leaving them vacant and the subject of continued wear and tear, they are wishing to convert and apply for the formal change of use of these buildings to enable a continued use for them rather than becoming a detrimental eyesore on the rural aspects of the surrounding area.

The proposed development will make better use of existing buildings, which is a point supported in the national planning guidance and something which create local employment opportunities particularly in a current difficult economic climate. The proposed development has been carefully planned to ensure that the buildings are linked as closely as physically and functionally practicable without impinging negatively on the openness of this naturally rural area.

The applicants' have allowed for additional landscaping and screening to minimise the visual impact and will be using building materials of a dark colour to sit in with the surrounding area and thus, reducing the visual impact.

Farm diversification away from core agriculture has been apparent and supported at local and national planning level over the past few years as production margins have been squeezed and end markets cutting back and affecting the achievable monetary value in reality. This proposal will ensure that there is a functional use for the holding continued rather than being left to deteriorate further and unnecessarily when there has been a demand identified for an alternative use for the application site.

It is my opinion that this application should be viewed in a positive manner as it is making use of a range of buildings which would otherwise remain redundant and serve no functional purpose for any rural based activity. Diversification is inevitable in rural based areas and it is essential for the long term sustainability of the area that if a re-use can be considered and is appropriate, then it should be supported.

- 3.9 **Natural England** has no objection to the proposal in respect of species especially protected by law because it would appear to be unlikely that they would be adversely affected by the proposed development. Conditions should be attached to ensure that advice given by the ecologist regarding bats and nesting birds on page 8 of the report dated 19 November 2008 is adhered to in full.
- 3.10 **Thames Water** raises no objections in relation to sewerage and water infrastructure.

4. Relevant Planning Policies

4.1 **South East Plan 2009**

CC6 – Sustainable Communities and Character of the Environment

4.2 **Adopted Cherwell Local Plan 1996**

AG5 – Proposals for horse related development will normally be permitted provided

- i) the proposal would not have an adverse effect on the character and appearance of the countryside
- ii) the proposal would not be detrimental to the amenity of neighbouring properties

- iii) the proposal complies with the other policies in the plan.

C28 – Control will be exercised over all new development, including conversions and extensions, to ensure that the standards of layout, design and external appearance, including the choice of external finish materials, are sympathetic to the character of the urban or rural context of that development. In sensitive areas such as conservation areas, the area of outstanding natural beauty and areas of high landscape value, development will be required to be of a high standard and the use of traditional local building materials will normally be required.

C7 – Development will not normally be permitted if it would cause demonstrable harm to the topography and character of the landscape

C8 – Sporadic development in the open countryside including developments in the vicinity of motorway or major road junctions will generally be resisted.

4.3 **Non Statutory Cherwell Local Plan**

EMP7 – Development proposals for farm diversification

EMP11 – Proposals for horse related development

4.4 **PPS7 Sustainable Development in Rural Areas**

4.5 **PPG13 Transport**

5. Appraisal

- 5.1 The proposal stands to be assessed against the appropriateness of allowing such a development in this location, its impact on the character and appearance of the open countryside, impact on neighbouring residential amenity and highway safety.

5.2 Policy Considerations

Policies in the adopted Cherwell Local Plan and the Non-Statutory Local Plan support proposals for horse related development provided they also comply with the other factors set out above. Paragraph 32 of PPS7 – Sustainable Development in Rural Areas also states that;

Horse riding and other equestrian activities are popular forms of recreation in the countryside that can fit well with farming activities and help diversify rural economies. In some parts of the country, horse training and breeding businesses play an important economic role...Policies should facilitate the re-use of farm buildings for small-scale horse enterprises that provide a useful form of farm diversification.

It is not clear whether or not this is a farm diversification project or whether this is an entirely new equestrian enterprise which will replace existing farming on the holding. Further clarification has been sought from the applicant.

Whilst the existing buildings are of no significant architectural quality they are stated to be surplus to agricultural requirements and if not utilised for other purposes would be left to ruin and dereliction. It would seem appropriate that a suitable use is found for them and their re-use for equestrian activities is generally supported by local and

national policies. The proposal also entails a new building which will result in an additional 800 square metres of internal floorspace, as the building measures 20.5m in width and 41m in length. Its height does not exceed the height of the existing buildings. This is a significant increase in the existing built footprint on the site.

The building which is to be used for purposes ancillary to the stables will include a reception area, café, toilet facilities and an office. The plans also show an area for fish breeding. With the exception of the fish breeding each of the other functions is related to the proposed establishment of a high quality equestrian enterprise. The fish breeding element is purely for use by the applicants to help sustain the existing fish ponds which are elsewhere on the applicants holding. The use of the building for ancillary uses will not attract additional visitors to the site but is proposed to be used solely by those who utilise the equestrian facility.

The re-use of the buildings for equestrian purposes does comply with local and national policies. However there are no policies that directly support the provision of new buildings in the open countryside for such purposes. For such a use to be viable it is likely that it will need to utilise the surrounding agricultural land for grazing and hacking. Furthermore for it to be secure it is likely to require a high level of supervision for security purposes. Whilst certain security lights and alarms are proposed, regular visits from staff and or the applicants will take place. The residential property which the applicants own and reside in is over 1km away from the site but at this time it is the intention that this will remain the only residential accommodation associated with the premises. In order for the proposed equestrian facility to remain viable it should be linked to the surrounding agricultural land and the existing residential property by way of a S106 agreement. This agreement is being sought from the applicants.

5.3 Visual Impact

In terms of visual impact the proposal will result in some changes to the appearance of the area. The existing buildings are going to be re-clad resulting in them having a fresh, new appearance. The built form of the site would increase with the introduction of the indoor school and horse walker. However the indoor school is to be directly linked to the north of the stable building and has a ridge height no higher than the existing buildings. Its shortest elevation will be the one which is visible from the Hook Norton valley. It will be finished in the same materials as the other buildings therefore will integrate into the development. The proposed materials include plastic coated metal sheeting for the roof and timber cladding for the walls, all materials which you would expect to find on modern agricultural buildings and of colours to be approved through conditions. The horse walker is proposed to be located to the west of the existing buildings and will therefore not be visible from public roads.

The outdoor schooling areas will be delineated by post and rail fences and surfaced in wood fibre. This will result in an equestrian feature within the open countryside but will be of materials and in colours that are already present in the locality.

The proposal includes an area to park horse boxes to the east of the buildings. This is the prominent elevation from the valley views but it utilises an existing area of hard standing which is currently used for parking agricultural vehicles and storing of agricultural equipment. There is existing planting on the slope which screens the building to a small extent. Further landscaping is proposed that will help to screen

the area of parked vehicles. A request was made of the agent to consider relocating the parking area to the west of the buildings in order to limit the visual impact of parked vehicles but this would have resulted in a further area of hard standing, taking away some of the surrounding fields.

The existing area of hard standing between the existing farm buildings is to be replaced with a paved area, in keeping with the equestrian use which is proposed. However concerns have been raised with regard to its potential to have an urban appearance. This has been acknowledged by the agent and it is agreed that the details of this surfacing will be agreed by condition.

Given the above assessment it is considered that the proposal will have some impact on the appearance of the area. However with the requirement to provide additional screening and the proposed positioning of the new building, as an extension to the existing group of buildings, it is considered that the proposal will have a limited adverse impact on the character and appearance of the site and surrounding area.

5.4 Neighbour Impact

In terms of neighbouring amenity there are very few residential properties in the locality. The closest residential property is Wychford Lodge Farm which is located close to the access. However the access is being relocated to limit any adverse impact from an increase in traffic movements. The property is located approximately 0.5 miles away from the buildings.

Other residential properties are 0.6km away from the buildings and views to and from these properties will be limited due to existing screening.

Noise and disturbance from the schooling activities has been considered but the application states that the centre will only be open until 6pm Monday to Friday, 7pm on Saturdays and 4pm on Sundays and bank holidays. It has also been stated that the applicant does not intend to carry out outside schooling in the dark. Therefore there is no present requirement for floodlighting. It has however been proposed that that will also be restricted by condition.

5.5 Highway Impact

The traffic assessment submitted as part of the application estimates that there may be up to 124 traffic movements per day on week days with this increasing at weekends. With the facility providing a full livery service traffic movements resulting from horse owners is likely to be limited to when they intend to ride. However traffic movements from staff are likely to be higher given the level of care the horses will need.

The local Highway Authority recognises that this is not a sustainable location in terms of accessibility to the site by public transport. However PPG13 allows for some leeway in relation to schemes that involve farm diversification. The Local Highway Authority has considered the proposal based on the details submitted in the transport assessment and are of the view that the traffic generated as a result of this proposal can be safely accommodate don the local road network. Given the assessment is based on a full livery land use it is considered appropriate to restrict the development to this form as any variation, for example DIY livery may result in an increase in traffic movements which would need further assessment.

5.6 Conclusion

Based on the above assessment it is considered that the proposal to establish an equestrian centre in this location and utilising the existing buildings is appropriate. Whilst allowing the new building does not directly comply with policy it will have limited additional impact on the character and appearance of the area. Neighbour impact is also limited and the Local Highway Authority has not raised any concerns. Given these conclusions it is considered that the proposal largely complies with the relevant policies as set out above and it is therefore recommended for approval subject to the conditions set out below and the applicants agreeing to enter into a S106 agreement to ensure the use remains linked to the existing farmland and existing dwelling and preventing the construction of further agricultural buildings on the holding.

6. Recommendation

Approval subject to

- a) a section 106 agreement ensuring that the equestrian use remains linked to the existing dwelling and the surrounding agricultural land, and;
- b) the following conditions;
 1. SC 1.4A Duration Limit (3 yrs) (RC2)
 2. SC 2.2AA Samples of walling materials (RC4A) ‘ timber boarding’ ‘stable building, indoor ménage, horse walker and administration block’
 3. SC 2.2BB Samples of roofing materials (RC4A) ‘plastic coated metal sheeting’ ‘stable building, indoor ménage, horse walker and administration block’
 4. Samples of the paving to be used in the surfacing of the areas of hard standing shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be carried out in accordance with the samples so approved. (RC4A)
 5. SC 3.0A Submit Landscaping Scheme (RC10A)
 6. SC 3.1A Carry out Landscaping Scheme (RC10A)
 7. SC 4.0AB Access, Specification Proposed (as plan) (RC13BB) ‘first use of the equestrian use’
 8. SC 4.8AA Close Existing Access (RC13B)
 9. That the equestrian function shall be run on the basis of a full livery and for no other form/level of livery or for competitions without the prior express consent of the Local Planning Authority. Reason. In the interest of highway safety and to ensure that there is no material increase in traffic movements generated by the use.
 10. That the administration block as identified on the approved plans shall be used solely as specified in the application and will be used for ancillary functions to the equestrian use of the site and no sales of fish shall take place from the site. (RC40AA)
 11. SC 8.6AA No sound – Amplifying equipment (RC53AB)
 12. SC 8.8A Details of Disposal of Manure (RC55C) ‘stables’
 13. SC 8.18 Floodlights/Lights – Stables/Ménage (RC50)
 14. SC 9.4A Carry out Mitigation in Ecological Report (RC85A) ‘Section 4 of the Bat and Nesting Bird Survey by Ecoconsult dated 19 November 2008’.

Informatives

- 1. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.**
- 2. ZZ – Unsuspected contamination**

SUMMARY OF REASONS FOR THE GRANT OF PLANNING PERMISSION AND RELEVANT DEVELOPMENT PLAN POLICIES

The Council as local planning authority. Has determined this application in accordance with the development plan unless material considerations indicated otherwise. The development is considered to be acceptable on its planning merits as the proposal causes no demonstrable harm to the character and appearance of the site and surrounding area, neighbouring amenity or highway safety. As such the proposal is in accordance with Policy CC6 of the South East Plan 2009 and Policies AG5 and C28 of the adopted Cherwell Local Plan. For the reasons given above and having regard to all other matters raised, the Council considers that the application should be approved subject to appropriate conditions as set out above.

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