

**Item No 01:-**

**16/01652/FUL (CD.9552)**

**Land North Of Far Heath Farm  
Evenlode  
Gloucestershire**

## Item No 01:-

**Development of an equestrian rehabilitation unit, including the construction of an American barn incorporating stables, treatment rooms and a staff flat, a hay and machinery store, a horse walker, lunge pen and 60m x 30m sand school and change of use of land from agriculture to the keeping of horses at Land North Of Far Heath Farm Evenlode Gloucestershire**

<b>Full Application 16/01652/FUL (CD.9552)</b>	
<b>Applicant:</b>	Mr & Mrs Tom and Lucinda Campbell
<b>Agent:</b>	Kernon Countryside Consultants Ltd
<b>Case Officer:</b>	Martin Perks
<b>Ward Member(s):</b>	Councillor Julian Beale
<b>Committee Date:</b>	11th January 2017
<b>RECOMMENDATION:</b>	<b>REFUSE</b>

**OFFICER UPDATE:**

**This application was deferred from the Planning and Licensing Committee held on the 14th December 2016 so that Committee Members could undertake a site visit in order to assess the impact of the proposed development on the character and appearance of Moreton-in-Marsh Surrounds Special Landscape Area (SLA).**

**Main Issues:**

- (a) Equestrian and Residential Development in the Open Countryside
- (b) Impact on Character and Appearance of Moreton-in-Marsh Surrounds Special Landscape Area
- (c) Access and Highway Safety
- (d) Impact on Protected Species
- (e) Drainage
- (f) Impact on Residential Amenity

**Reasons for Referral:**

This application has been referred to Planning and Licensing Committee at the request of Cllr Beale who states 'I am undecided because, whilst I respect the logic of your argument, I believe there is a counter which could give a decisive weight to the economic benefit of the proposal, also that the mass could be reduced to lessen impact. I would ask for this Application to go to Committee and hope that Members will elect for a site visit before reaching a decision.'

**1. Site Description:**

The application site occupies part of an agricultural field located approximately 2.5km to the north of the village of Evenlode and 370m to the south west of the A44. The application site occupies approximately 0.55 hectares of the field which in turn measures approximately 4.3 hectares in size. The applicant also owns three further fields to the east of the application site which measure approximately 16 hectares in area. These fields lie outside Cotswold District and within the jurisdiction of West Oxfordshire District Council.

The field within which the application site is located is currently set to pasture and is generally flat in nature. It extends in a roughly north west to south east direction and is linear in form. It measures approximately 280m long by 160m wide.

The north western boundary of the field adjoins a lane linking the A44 with Evenlode Road. Its south western, south eastern and north eastern boundaries are defined by native species hedgerows and lines of deciduous (mainly oak) trees. Agricultural fields lie beyond the aforementioned boundaries.

The application site is set back approximately 100m from the lane. It is located approximately 10m and 80m from the north eastern and south western boundaries of the field respectively.

The field and application site are located within Moreton-in-Marsh Surrounds Special Landscape Area (SLA). They are located outside a Development Boundary as designated in the Cotswold District Local Plan 2001-2011.

## **2. Relevant Planning History:**

None

## **3. Planning Policies:**

NPPF National Planning Policy Framework  
 LPR05 Pollution and Safety  
 LPR08 Special landscape Areas  
 LPR19 Develop outside Development Boundaries  
 LPR24 Employment Uses  
 LPR31 Equestrian Related Development  
 LPR38 Accessibility to & within New Develop  
 LPR39 Parking Provision  
 LPR42 Cotswold Design Code  
 LPR45 Landscaping in New Development

## **4. Observations of Consultees:**

Drainage Engineer: No objection subject to condition

Gloucestershire County Council Highways: No objection subject to conditions

Equestrian Consultant: 'There is an essential functional need for a dwelling for the proposed equine clinic', and 'it is my opinion that the business has been well planned and if the budgets are realised then the proposed rural business should be financially viable and sustainable.'

Environmental Health Officer: No objection subject to condition

Tree Officer: No objection subject to condition

West Oxfordshire District Council: 'Whilst we do not wish to make detailed comments, the acceptability of such a significant new build development on a currently undeveloped site in open countryside is questioned.

Should you be content with the principle of the development proposed in this location, we would suggest that the height and design of the main barn is modified to reduce its prominence and visual impact.'

## 5. View of Town/Parish Council:

Support application - see attached

## 6. Other Representations:

Four letters of objection received. Main grounds of objection are;

- i) Potential disturbance to wildlife and ecology, not caused so much by the horses, but by the considerable human activity horses bring with them. The disturbance would be much more than with ordinary livestock farming. The site has been grazed exclusively by sheep for the past 30 years.
- ii) There are Great Crested Newts in the pond to the south of the proposed development. We created the pond to the south of the application site about 25 years ago. Within 12 months there were sightings of Great Crested Newts, smooth newts, frogs, toads and grass snakes. The most recent sighting of Great Crested Newts was this spring.
- iii) Object strongly to the size and extent of the proposed development which I consider totally out of keeping with the area. This development would be better suited to a site that already has some infrastructure with existing buildings.
- iv) The proposed building which is a large two storey structure looks more like something that would be erected on an industrial site than open farmland. It will be very visible and is out of keeping with this open farmland area. There would also be considerable light pollution. This will critically spoil the peace and darkness which I value dearly.
- v) The development would undoubtedly enlarge if this application was granted. The proposal mentioned having horses for pre-sale assessment which would involve jumps and cross country course and a lot of people coming and going. This complex would soon engulf more land.
- vi) The access road is far too narrow. The application should be rejected on grounds of poor vehicular access and totally unsuitable narrow road access. Also, the junction onto the A44 is hazardous due to the blind bend to the south. This is particularly relevant for slow moving vehicles pulling out.
- vii) It would create precedent for other commercial equestrian development on greenfield sites where land parcels are sold. To change land use from agriculture to horses fundamentally changes the character of our traditional countryside and its ecology. Another land parcel has come on the market recently half a mile from the site towards Evenlode. It would be difficult to deny further equestrian developments bringing more and more traffic on this narrow road.
- viii) I cannot see how this establishment has any benefit to the local community and I would question why it cannot be constructed on a site with better access and existing infrastructure such as an existing dwelling and buildings. Its presence will be an intrusion to the local environment and a scar on this quiet bit of farmland.
- ix) The building structure will be visible from all angles as the land is flat and open and it will severely and irreparably change the character of this corner of Evenlode parish.
- x) Permitting this development would give a green light for anyone to purchase a small agricultural land parcel and put up buildings and living accommodation in the name of starting a business.
- xi) Put simply - why site this proposed, somewhat large, development in the middle of a green field in beautiful, unspoiled countryside. I have lived in this area for 40 years and cycle past these fields several times a week. In my opinion, this proposed development will irreparable, aesthetic damage - if it goes ahead as currently planned. Visually, it would be more acceptable if these buildings were situated elsewhere on the land. They could then become somewhat less obtrusive and blend in more appropriately with the surrounding countryside.
- xii) Strongly disagree with the comments of the Parish Council. It is false and incorrect to say it has limited impact. We are the closest property to this development. Its land surrounds us on two sides. These buildings will be very visible from our drive, from and around our buildings, from the surrounding fields, our garden and my kitchen windows. This building will be broad side on to us and it is very long, and two story, with a barn on the end, it will take up a very considerable

amount of the view which is of three green open fields all the way to woodland and trees the other side of the A44. A view we enjoy multiple times a day as we live and work here and spend most of the day outside. Our property is also on slightly higher ground to this proposed development making it even more visible to us. If we could only see these buildings when travelling along the road things would not be quite so bad. Our barns are full of hay and straw at the moment screening the view from the house to some extent but they are tall open sided barns and they will soon be empty, as the majority of this hay and straw has been sold. Probably never to be as full again as we have given up some of our rented ground. We have been residents of this parish a long time myself 41 years, and my husband 94 years, and as such do not deserve this rather flippant comment about Far Heath Farm from the parish council as if we are of no consequence.

xiii) I believe this planning proposal should be rejected, firstly it's a beautiful rural area and with two other farms nearby (Far Heath farm and Wells Folly Farm) I believe the area is congested enough with buildings without more large buildings in close proximity spoiling the traditional agricultural aesthetics as I travel past this site on a daily basis. The road from the A44 past the proposed site is too narrow to cope with traffic today let alone construction traffic and yet more horse boxes. During harvest this will create even more havoc along this lane. Lastly I believe the proposed buildings aren't at all in keeping with the areas character and to build on a greenfield site will have massive consequences in the future in terms of future planning applications on greenfield sites.

## **7. Applicant's Supporting Information:**

Essential Needs Appraisal  
 Tree Survey  
 Ecological Appraisal  
 Supporting Statement  
 Highways Technical Note

## **8. Officer's Assessment:**

### **Proposed Development**

The applicant is seeking to establish an equestrian business on the site which will specialise in the 'rehabilitation and long-term treatment of high level competition horses and race horses.' The applicant is a vet and a partner in Bourton Vale Equestrian Clinic. The applicant's supporting information states that the proposed facility will 'provide space for up to 16 performance horses to come for prolonged veterinary treatment and rehabilitation for periods of up to 12 months.'

The proposed development will include a two storey building which will incorporate stables, treatment rooms and a flat for staff; a hay and machinery store; a 60m by 30m riding arena; a horse walker and a lunge pen.

The principal building will measure approximately 40m long by 12.5m wide by 6.8m high. The external walls of the building will be constructed of blockwork up to a height of approximately 2.5m. The higher walls of the building will be clad in profiled metal composite sheeting. Plastic coated profile steel roofing will be used as a roof covering. The building will house 12 stables, a feed room, washroom/stall, office, kitchenette, rug and tack rooms on the ground floor. On the first floor will be located three bedrooms, a living area, store and two bathrooms.

The proposed hay and machinery barn will measure approximately 29m long by 10m wide and will have a mono-pitched roof measuring approximately 7.2m in height. The external walls will be clad in colour coated profiled cladding and the roof will be finished with natural fibre cement roof sheets.

The horsewalker and lunge pen will be circular in form and will measure approximately 11m and 20m in diameter respectively.

The riding arena will be surrounded by a fence measuring approximately 1.4m high.

The proposed barn and manege will be set back approximately 100m from the lane.

Vehicular access will be via a new entrance onto the lane to the north west. The access will be located approximately 40m to the north east of an existing access. The existing access would be closed up should permission be granted. A section of hedgerow measuring approximately 6m in width will be removed to facilitate the creation of the access. New entrance gates will be installed in the gap in the hedgerow. The gates will be set back approximately 12m from the lane. The access splay will measure approximately 15m in width. The width of the driveway between the gates and the highway will be 6m. The width of the drive from the gates to the proposed barn and other buildings will be 4m. It will extend for approximately 90m in length.

### **(a) Equestrian and Residential Development Policy and Guidance**

The application site is located outside a Development Boundary as designated in the Cotswold District Local Plan 2001-2011. Development on the site would therefore primarily be subject to Policy 19: Development Outside Development Boundaries of the aforementioned Plan. Policy 19 can be supportive of 'development appropriate to a rural area' outside Development Boundaries subject to a number of criteria. These are that the development should not;

- a) Result in new build open market housing other than that which would help to meet the social and economic needs of those living in rural area;
- b) Cause significant harm to existing patterns of development;
- c) Lead to a material increase in car-borne commuting;
- d) Adversely affect the vitality and viability of settlements; and
- e) Result in development that significantly compromises the principles of sustainable development.

Development appropriate to a rural area can include those developments listed in the Notes for Guidance accompanying Policy 19 and those developments supported by other policies in the Local Plan. In this particular instance Policy 31: Equestrian Related Development would be applicable. It states;

'The development of new equestrian establishments, or further development in connection with existing equestrian establishments, other than new dwellings, will be permitted, having regard to the following criteria:

- (a) whether the proposal, in itself, creates the need for an additional dwelling in the countryside;
- (b) whether the development involves either a change of use of existing farm or agricultural estate buildings or if new buildings are proposed, they are located close or adjacent to such buildings; and
- (c) where the enterprise will involve significantly increased use by riders of bridleways and roads in the locality, whether the bridleways are adequate in extent and suitable for joint use with walkers and cyclists, and whether roads are suitable for both riders and motorists.

Dwellings proposed in connection with equestrian related development will only be permitted where all the following criteria are met:

- (a) the dwelling is required in connection with a commercial equestrian activity where a business has already been established in that locality and is of such a scale and nature as to require constant on-site supervision;
- (b) the dwelling is essential for the proper functioning of the enterprise and is of a size commensurate with the established functional requirement;
- (c) if the application is for a permanent dwelling, that the enterprise is well established, economically viable, and has been so for at least three years;
- (d) existing accommodation either on, or within reasonable proximity to, the site is inadequate to meet the functional and commercial requirements, including the scale of operation and the extent or nature of supervision required, and if there are no existing buildings suitable for conversion or sub-division on the site;
- (e) the dwelling is sited in close proximity to the existing complex of buildings forming the equestrian centre; and
- (f) occupancy conditions and/or legal agreements are applied to restrict the use of the dwelling to a person solely or mainly employed in connection with that specific equestrian activity and to ensure that the dwelling is not disposed of separately from the equestrian business

Policy 31 can be supportive in principle of equestrian development outside Development Boundaries. As such it can constitute development appropriate to a rural area and be acceptable in the context of Policy 19. However, it is also evident that Policy 31 includes a number of provisos which can limit the scope of such development.

Para 3.5.63 of the supporting text to Policy 31 states that 'Existing farmsteads and groups of traditional farm buildings provide an ideal base for the establishment of new equestrian enterprises. Such property is likely to become available as a result of the changes occurring in agriculture, both in terms of the restructuring of holdings and the redundancy of traditional buildings unsuited to modern farming methods. New equestrian enterprises should be located in, or based on, existing buildings of this kind, both to help ensure new uses for traditional buildings and reduce the pressure for new, isolated buildings in the countryside, particularly in the Area of Outstanding Natural Beauty.'

Whilst Policy 31 can be supportive of proposals to create new equestrian enterprises it is of note that the text accompanying the policy states that new enterprises should be located in, or based on, existing buildings. Criterion b) of Policy 31 also states that if new buildings are proposed that they should be located close to or adjacent to existing buildings. In this case the proposed site does not contain any buildings. The proposed scheme would therefore result in the introduction of new buildings and associated development onto a greenfield site within the open countryside. The proposal would therefore conflict with the aspirations of Policy 31 which seeks to support the re-use of existing buildings.

Notwithstanding the above, it is also necessary to have regard to guidance in the NPPF when considering the proposal. Of particular relevance to this proposal is Paragraph 28. Bullet point 1 of the aforementioned paragraph states that planning policies should 'support the sustainable growth and expansion of all types of businesses and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings.' The NPPF can therefore offer support for sustainable new economic developments in rural areas. However, sustainable development has three elements - environmental, social and economic. Whilst the current proposal may have economic benefits it does not automatically follow that such benefits would outweigh the potential environmental impacts of the development. It is therefore necessary to balance the potential economic benefits of the proposal against the environmental impacts of

introducing new buildings and associated development onto a greenfield site within the open countryside.

With regard to the economic element of sustainable development the applicant is proposing to create a new business on the site. As part of their application they have submitted a business plan which sets out how the business is expected to develop over a four year period. The plan shows the business generating a profit over each of the first four years. The business plan indicates that 9 horses will be in treatment within the first 6 months rising to 11 in the first year. It is forecast that 12 horses will be stabled in the main barn by year 2. Numbers will then rise to 16 horses in year 3. A number of these will be at pasture for recuperative purposes. It is anticipated that by year 3 two full time grooms will be employed on the site together with a part time maintenance worker. In addition, the applicants (Mr and Mrs Campbell) will work on the site. Mr Campbell works as an equine veterinary surgeon at Bourton Vale Equestrian Clinic near Bourton-on-the-Water. He will work part time at the proposed business whilst also continuing to work at the aforementioned equestrian clinic. Mrs Campbell will work full time at the proposed business overseeing treatment regimes set up by Mr Campbell.

The proposed development also includes a proposal for staff accommodation. The scheme is therefore seeking to create residential development in the open countryside. Paragraph 55 of the NPPF advises that 'Local Planning Authorities should avoid isolated homes in the countryside unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside.' The provision of onsite accommodation for a rural worker can therefore be acceptable if an essential need can be demonstrated. However, it is also of note that criterion c) of Policy 31 states that 'if the application is for a permanent dwelling, that the enterprise is well established, economically viable, and has been so for at least three years'. The current business has not been operating for at least three years and as such the creation of permanent residential accommodation on the site would potentially conflict with the guidelines set out in Policy 31.

The proposed main barn will incorporate first floor living accommodation. The accommodation will take the form of three bedrooms, two bathrooms and living area. An office and kitchenette are also proposed on the ground floor of the building. The proposed development will therefore introduce new residential accommodation onto the site. Given the remote location of the site from any nearby settlements it is considered that site does represent an isolated location in the countryside. Residential development in such locations would normally be resisted unless there were special circumstances such as the need for a worker to be permanently present on site to meet the essential needs of the business. In this instance the Council has sought an independent appraisal of the application by an equestrian consultant. He has advised 'given the duty of care to the horses which will be undergoing treatment and rehabilitation, taken together with their value, bearing in mind that their owners are operating at the high end of the equine industry, in my opinion, there is an essential functional need for the proposed dwelling at the proposed clinic.' It is therefore considered that an essential need for the on-site accommodation can be demonstrated in this particular instance.

In addition to the above the equestrian consultant has also assessed the applicant's business plan and following a number of discussions with the applicant has stated that 'it is my opinion that the business has been well planned and if the budgets are realised then the proposed rural business should be financially viable and sustainable.'

Overall, it is considered that the applicant has demonstrated that the proposed business has been planned on a sound financial basis and that there is an essential need for the proposed living accommodation. In this respect the proposal accords with Paragraph 55 of the NPPF. The creation of the business would also have benefits for the local economy in terms of employment and income generation. These factors weigh in favour of the proposed development. However,



against this there is a need to balance the potential environmental impacts of the proposed development. These impacts will be considered in the following sections.

**(b) Impact on Character and Appearance of Moreton-in-Marsh Surrounds Special Landscape Area**

The application site is located within Moreton-in-Marsh Surrounds Special Landscape Area (SLA).

Local Plan Policy 8: Special Landscape Areas states that 'development that meets the economic and social needs of communities will be permitted provided it does not unacceptably harm the area's landscape character or appearance.'

Local Plan Policy 42 states that 'development should be environmentally sustainable and designed in a manner that respects the character, appearance and local distinctiveness of Cotswold District with regard to style, setting, harmony, streetscene, proportion, simplicity, materials and craftsmanship.'

Paragraph 17 of the NPPF states that planning should recognise the 'intrinsic character and beauty of the countryside.'

Paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by 'protecting and enhancing valued landscapes.'

The site falls within a Landscape Character Area 'CFCV 2 Vale of Moreton' in the Assessment of Landscapes outside the Cotswolds Area of Outstanding Natural Beauty produced by White Consultants (July 2000). The landscape is described as;

' A wide saucer shaped vale extending westward in to the AONB where small streams gather to form the headwaters of the Evenlode. The market town of Moreton-in-Marsh, built astride Fosse Way, is central to the area. Mainly arable farmland except for the disused airfield, surrounded by woodland belts, which is used by the Fire Service College.

Sensitivities: Edges and approaches to Moreton-in-Marsh are vulnerable to urban fringe deterioration.'

Key characteristics of the SLA include;

- Areas of rolling clay hills and valleys, some opening up to form wider vales. All are distinctly lower than the surrounding wolds, and they extend beyond the study boundary area.
- The Thames/Severn watershed crosses the area and small, tightly meandering streams and rivers form the headwaters of these river systems.
- The dominant land use is mixed farming with an emphasis on arable. In some areas fields are quite large, but more often are medium-sized with good hedges.
- There are sweeping views across the vales and between the hills to surrounding higher ground.
- This is a quiet, unspoilt pleasant and well managed rural landscape

On the basis of the SLA designation Officers consider that the site falls within a valued landscape and as such Paragraph 109 of the NPPF is applicable in this instance.

The application site lies in a relatively flat landscape that is characterised by a patchwork of fields bordered by native species hedgerows and lines of deciduous trees. The fields are primarily set to pasture. The existing field is characteristic of the wider landscape area and makes a positive contribution to the character and appearance of the locality and the SLA as a whole. The site does not contain any buildings and by virtue of existing boundary trees and hedgerows is not seen in conjunction with any other development. The nearest development to the site is located at

Far Heath Farm which is located approximately 210m to the south of the proposed development. A property called Four Shires Farm is located approximately 260m to the north of the application. Both of the aforementioned properties are separated from the application site by vegetation and, in the case of Four Shires Farm, a lane.

The application field forms part of a patchwork of fields that reflect the key characteristics referred to in the SLA assessment. The field forms part of a range of large and medium sized fields that are bounded by 'good hedges'. It also exhibits the 'quiet, unspoilt pleasant' character that is referred to in the SLA character assessment. The character of both the site and its immediate surroundings are defined by its undeveloped nature and the lack of visual interconnectivity with other development in the locality. The introduction of built development onto the site will significantly change the character and appearance of the site. It will result in the encroachment of commercial development onto a currently unspoilt parcel of land. The removal of a section of hedgerow to facilitate the creation of the site entrance will also open up the proposed buildings, driveway and equestrian paraphernalia to view. The two storey height of the proposed main barn coupled with its commercial appearance, which is more redolent of a unit on an industrial estate than a stable building, is considered to represent a significant intervention in the landscape. It is considered that the proposal will have a significant adverse impact on the character and appearance of this part of the SLA.

In terms of Local Plan policy it is evident that Policy 31 can be supportive in principle of new equestrian enterprises. However, criterion b) of the aforementioned policy states that new buildings should be 'located close or adjacent' to existing buildings. The proposed scheme will result in new build development unrelated to any existing buildings and as such conflicts with Policy 31. It is noted that Paragraph 28 can support the development of well-designed new buildings aimed at supporting the local economy. Local Plan Policy 8 can also be support of new economic development in the SLA. However, the economic benefits of a development also have to be weighed against its potential environmental impact and the need to recognise the intrinsic character and beauty of the landscape, the need to respond to local distinctiveness and to not unacceptably harm the area's landscape character and appearance. In this particular case the proposed scheme is considered to significantly harm the special qualities that define this part of the SLA to the detriment of its intrinsic character and appearance. The incremental development of isolated undeveloped fields can undermine the specific qualities of the landscape for which it was found worthy of designation in the first place. The character of a landscape can be adversely affected through the introduction of development even if that development is not readily visible from public view. It is considered that the environmental impact of the proposal outweighs its economic benefits and as such it conflicts with Local Plan Policies 8, 19 and 42 and guidance in Paragraphs 17 and 109 of the NPPF.

### **(c) Access and Highway Safety**

The applicant is proposing to create a new vehicular access into the site as part of the development proposal. It will be located approximately 40m to the north east of an existing field access. The existing entrance is located close to a bend and is therefore unable to provide adequate visibility for vehicles leaving the site.

The proposed entrance will open onto a single carriageway lane that extends from Evenlode Road to the south west to the A44 to the north east. The applicant's transport consultant advises that 'a total of 23 two-way vehicle movements (11.5 arrivals and 11.5 departures) are anticipated on average each weekday. The vast majority of these vehicle movements will occur between 08:00 and 18:00 (10 hours). An average of only 2.3, say 3, two-way vehicle movements (the sum of arrivals and departures) are therefore expected per hour; equivalent to less than one vehicle movement every 20 minutes during these periods.'

GCC Highway Officers have examined the proposal and have advised the following;

'Further information was received on 6th October 2016, the results of a speed survey undertaken between the 13th and 19th of September were submitted and this shows the 85 percentile speeds of 27.3 mph northbound and 30mph southbound. This gives visibility splay requirements of 38m to the left and 42m to the right. Drawing no 5288/201 shows that this is achievable.

The highway is narrow along its length to the A44 and there are no official passing areas on the highway and the locations as shown in the photographs are field gateways and property accesses. While the applicant does not want to provide passing bays I do not consider it would be unreasonable to condition that they are provided at appropriate locations to prevent damage to the highway verges and farmers gateway, and reduce the distance vehicles have to reverse, between the proposed development and the A44 as the proposal will increase vehicle trips by almost 25% daily, and to prevent damage to the highway verges. Notwithstanding the submitted plans the access radii is required to be a minimum of 11.00m to accommodate the large vehicles that will be entering the site.'

Subject to the condition regarding passing spaces GCC Highways has no objection to the proposal. Given the narrowness of the lane and the fact that the proposed use is likely to generate an increase in the number of both motor cars and large equestrian vehicles along the lane it is considered that it would be reasonable to attach a condition requiring the provision of passing spaces should permission be granted.

In light of the response of GCC Highways it is considered that the development could potentially be undertaken without having an adverse impact on highway safety. In terms of traffic generation the proposed business is of a rural based nature and has to have access to fields/pasture land. It is not a business model that could operate within a settlement. In this respect it is considered that it is reasonable to provide some flexibility when considering the sustainability of the location in terms of accessibility.

#### **(d) Impact on Protected Species**

The application site primarily consists of a large area of improved grassland which is bordered by native species hedgerows and a number of trees (primarily English oak). The improved grassland is species poor and has little ecological value. The surrounding trees and hedgerows are of more importance to a range of species. However, the proposed buildings, manege, drive and equestrian paraphernalia would be located on the improved grassland and would not therefore affect the boundary hedgerows and trees in closest proximity to the stated developments. The hedgerows and trees to the north east, south east and south west of the proposed development will all be retained. The only section of boundary hedgerow that will need to be removed will be located in the north west boundary. A stretch of approximately 6m of hedgerow will need to be removed to facilitate the creation of the site access onto the main road. The creation of the access will not result in the removal of any trees. The Council's Biodiversity Officer has not raised an objection to the removal of this relatively short section of hedgerow.

A pond is located approximately 90m to the south west of the proposed development. An objector states that Great Crested Newts (GCNs) are present in the pond and the wider area. In response, there are no formal records of GCNs being present in the pond or in the local area. The nearest recorded sitings are 1.4km away. The applicant's Ecological Appraisal states that it was not possible to gain access to the pond to check for the presence of GCNs. However, it states that the proposed development would affect only a small area of terrestrial habitat over 75m from the pond and that the grassland is 'regarded as being of poor terrestrial habitat for Great Crested Newts on account of the lack of structural variety.' It recommends that there should be a hand search of the terrestrial habitat prior to undertaking any site clearance work. The Biodiversity Officer is satisfied that this approach is acceptable.

Overall, it is considered that the proposed development can be undertaken without having an adverse impact on protected species or their habitat in accordance with Local Plan Policy 9 and Paragraphs 109 and 118 of the NPPF.

#### **(e) Drainage**

The application site is located within a Flood Zone 1 as designated by the Environment Agency. It therefore lies within the lowest designation of Flood Zone. Equestrian and residential development can be acceptable in principle in such locations. Notwithstanding this, the site is shown as having a pluvial flow route running through it from south east to north west. There is also a small watercourse running alongside the north western boundary of the site where it runs alongside the lane. A culvert will need to be created to facilitate access from the site to the public highway. The culverting would be subject to a separate Land Drainage Consent application.

The proposed building, hard surfacing, manege and equestrian paraphernalia will occupy around 13% of the existing field. There is therefore space within the field as a whole to incorporate SUDs measures aimed at accommodating surface water flow from the proposed development. It is considered that the development could be undertaken without increasing the risk of flooding to the surrounding area. The proposed living accommodation will also be at first floor level thereby reducing the risk of flooding to future residents of the site. The Council's Drainage Engineer has examined the proposal and raises no objection subject to the attachment of a condition requiring the submission of a surface water drainage scheme should permission be granted. The proposal is considered to accord with Paragraphs 100 and 103 of the NPPF.

#### **(f) Impact on Residential Amenity**

The application site is located over 200m from the nearest residential property (Far Heath Farm). The aforementioned property is set amongst of a group of agricultural buildings and sits within a working rural environment. In terms of residential amenity it is considered that the proposed use by virtue of its distance from neighbouring dwellings and the relatively low number of horses (16) would be unlikely to have a significant adverse impact on neighbouring residents in terms noise, odour or general disturbance. The proposal is considered to accord with Local Plan Policy 5.

#### **9. Conclusion:**

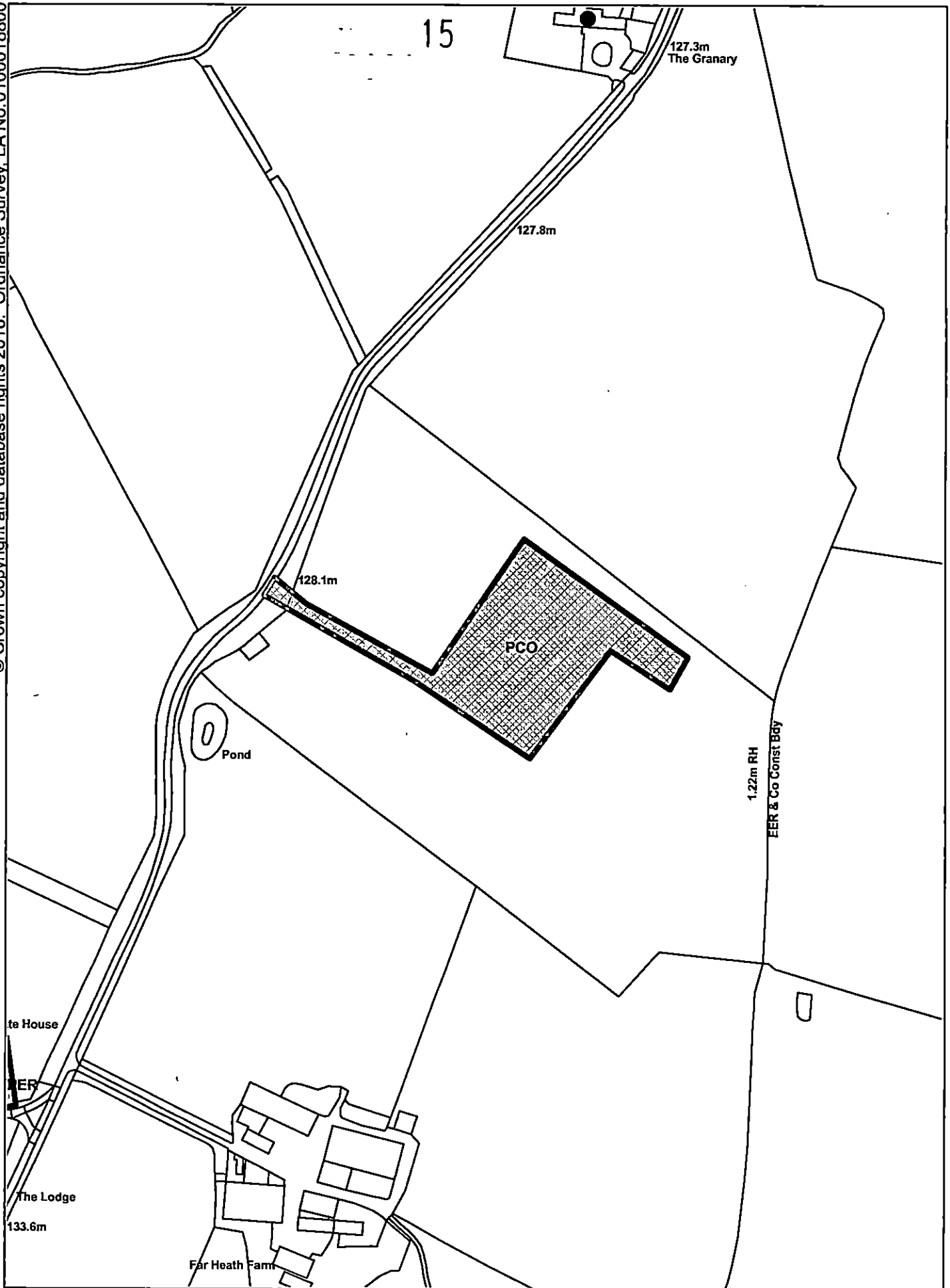
Overall, it is considered that the creation of the business will have economic benefits for the local area. However, it will also result in the introduction of new development onto an undeveloped field within an SLA. The proposed development would not relate to any existing buildings and would lead to the incremental development of the landscape to the detriment of its intrinsic character and appearance. The proposed development is considered to have a significant adverse impact on the character and appearance of the SLA. This impact is considered to outweigh the economic benefits of the proposal. It is therefore recommended that the application is refused.

**10. Reason for Refusal:**

The application site is located within Moreton-in-Marsh Surrounds Special Landscape Area (SLA) which is considered to represent a valued landscape having regard to Paragraph 109 of the National Planning Policy Framework (NPPF). The proposed scheme will result in the introduction of commercial development onto an undeveloped agricultural field that currently makes a positive contribution to the rural character and appearance of the SLA. The erection of the proposed buildings in combination with the creation of a new access, driveway, lighting and equestrian related development such as the manege, horse walker and lunging ring would have a significant detrimental impact on the quiet, unspoilt character and appearance of this part of the SLA. It is considered that the adverse impact of the proposal outweighs the social or economic benefits arising from the creation of the proposed business. The proposal is therefore considered to be contrary to Local Plan Policies 8, 31 and 42 and guidance in the National Planning Policy Framework, in particular Paragraphs 17 and 109.

**Informatives:**

This decision relates to drawing numbers: KCC 1A, KCC 2, KCC 3, KCC 4, KCC 6A, KCC 7A, KCC 8, E2581/04 B, E2581/05 A, E2581/06,



**Land North of Far Heath Farm Evenlode**

Scale: 1:2500

Organisation: Cotswold District Council

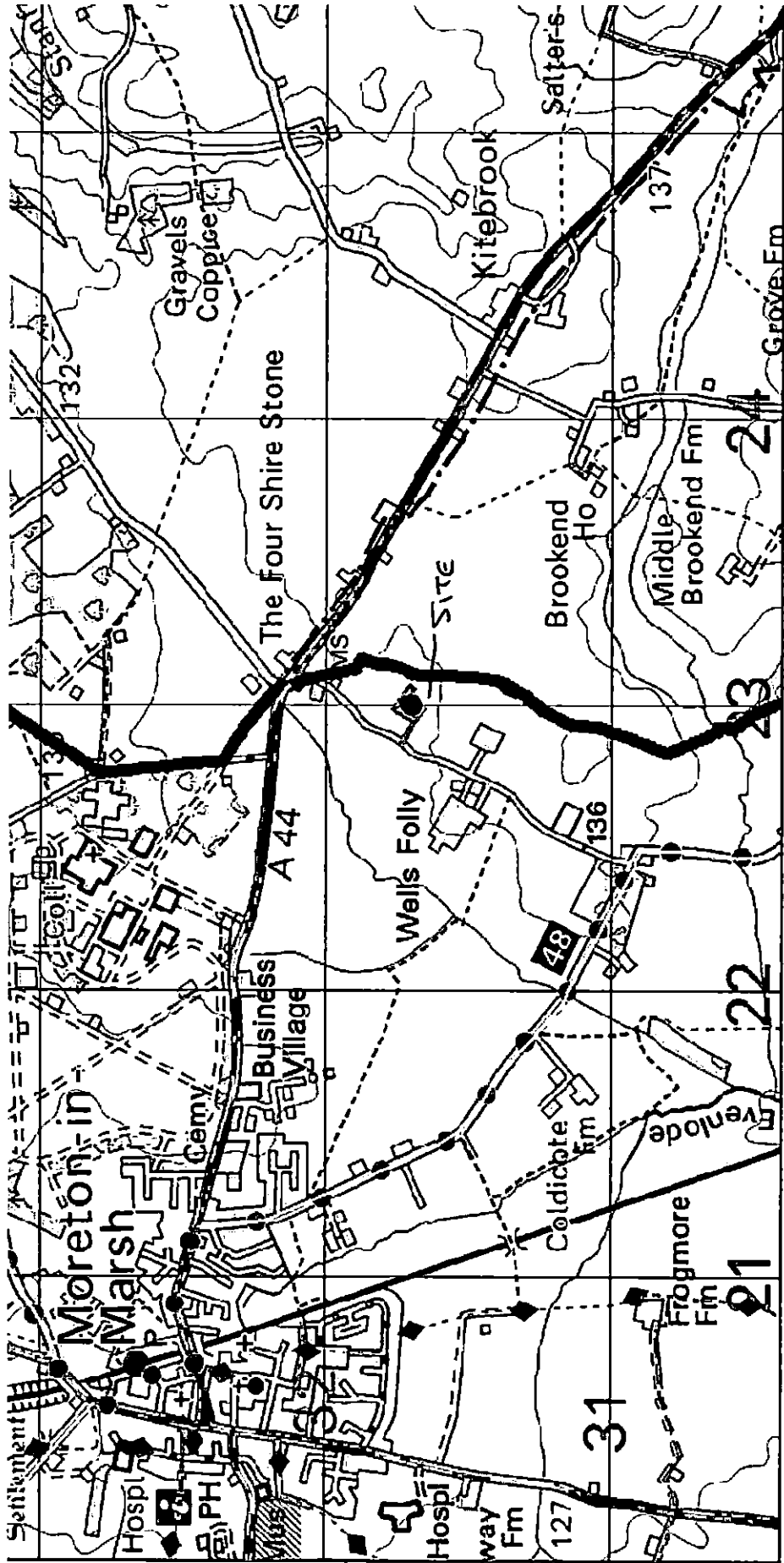
Department:

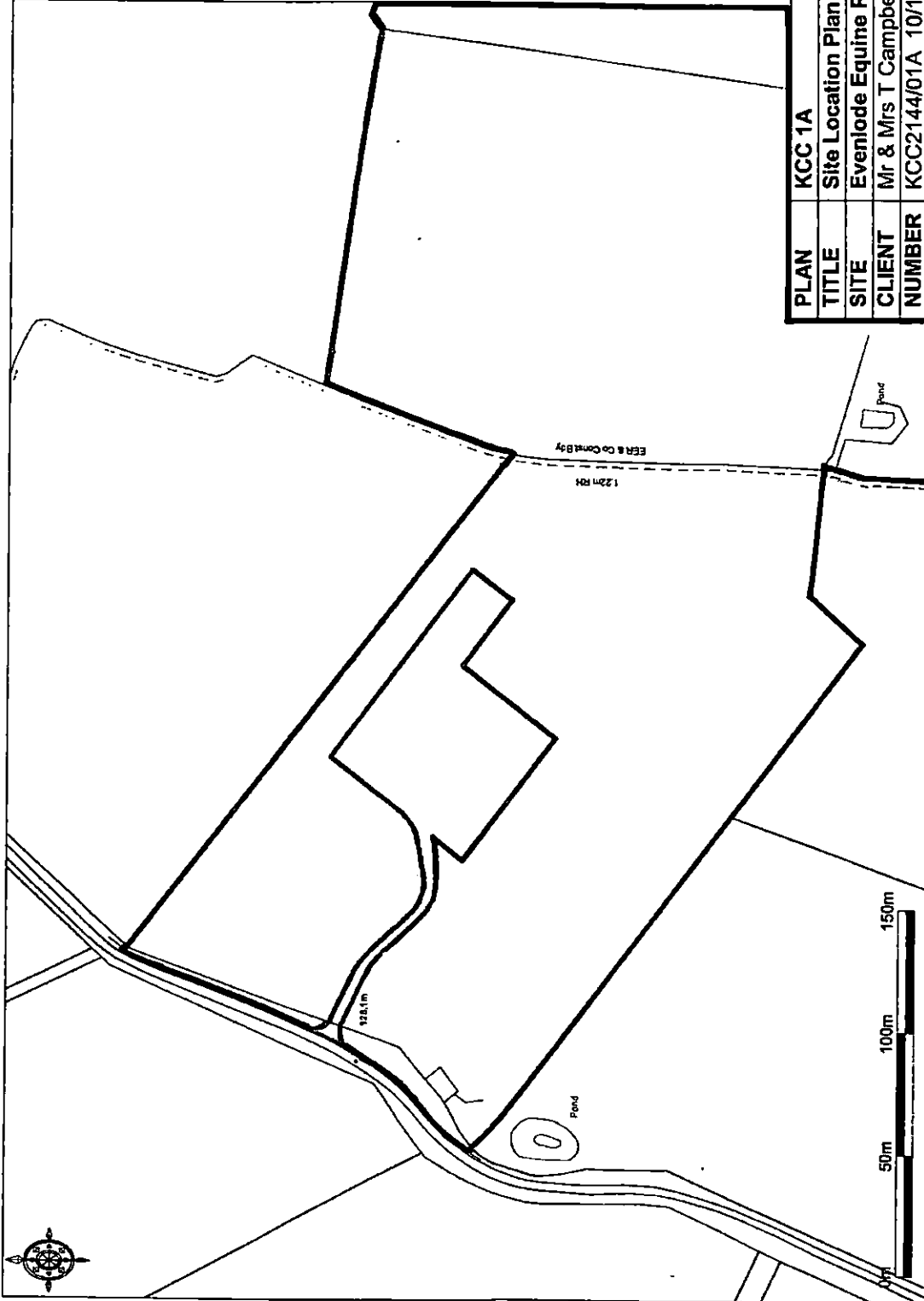
Date: 01/12/2016



**COTSWOLD**  
DISTRICT COUNCIL







<b>PLAN</b>	<b>KCC 1A</b>
<b>TITLE</b>	<b>Site Location Plan (revised)</b>
<b>SITE</b>	<b>Evenlode Equine Rehabilitation Clinic</b>
<b>CLIENT</b>	<b>Mr &amp; Mrs T Campbell</b>
<b>NUMBER</b>	<b>KCC2144/01A 10/16cb</b>
<b>DATE</b>	<b>October 2016</b>
<b>SCALE</b>	<b>1:2500 at A4</b>

**KERNON COUNTRYSIDE CONSULTANTS LTD**  
 Greenacres Barn, Stoke Common Lane, Purton Stoke, Swindon  
 SN5 4LL Tel 01793 771333 Email: [info@kernon.co.uk](mailto:info@kernon.co.uk)  
 This plan is reproduced from the Ordnance Survey  
 under copyright licence 100015226

Ordnance Survey © Crown Copyright 2015. All rights reserved. Licence number 100015226. Printed Scale - 1:2500





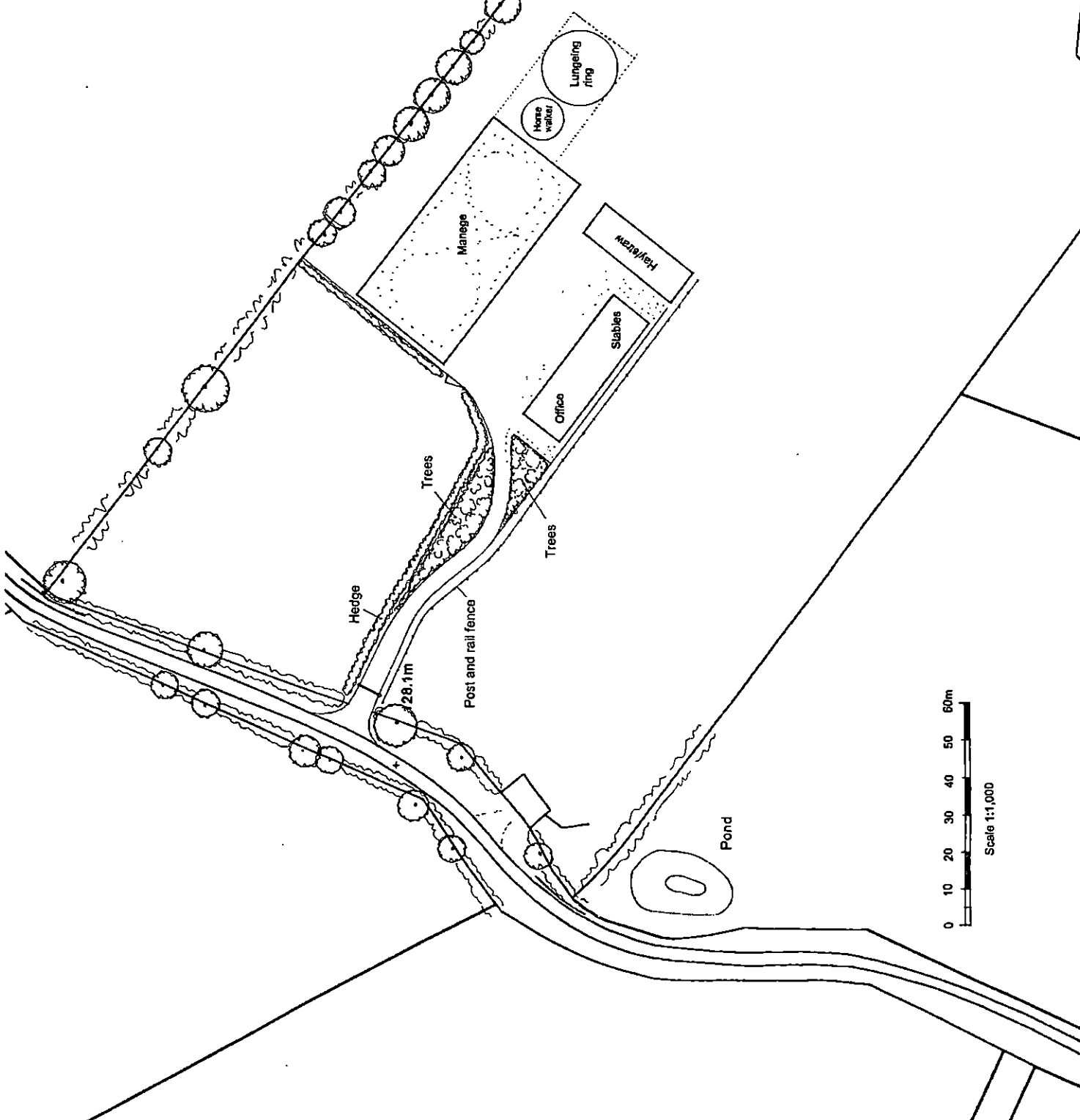


EER & Co Const Bdy

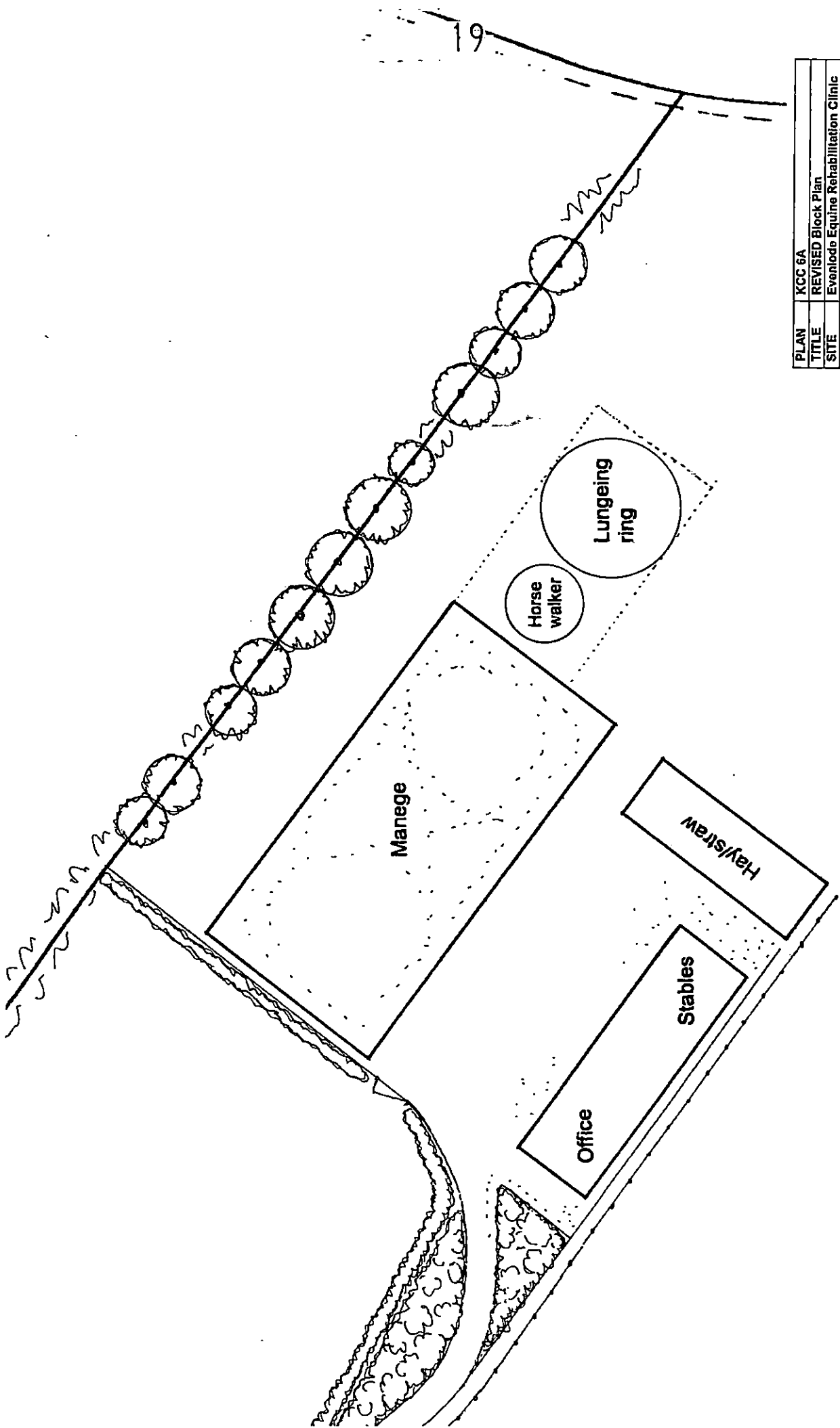
1.22m RH

PLAN	KCC 7A
TITLE	REVISED Landscaping Proposals
SITE	Evenlode Equine Rehabilitation Clinic
CLIENT	Mr & Mrs T Campbell
NUMBER	KCC2144/13 10/76cb
DATE	October 2016
SCALE	1:1000 at A3

KERNON COUNTRYSIDE CONSULTANTS LTD  
 Greenacres Barn, Stoke Common Lane, Purton Stoke, Swindon  
 SN5 4LL. Tel 01793 771333 Email: info@kernon.co.uk  
 This plan is reproduced from the Ordnance Survey  
 under copyright licence 100015220



Scale 1:1,000

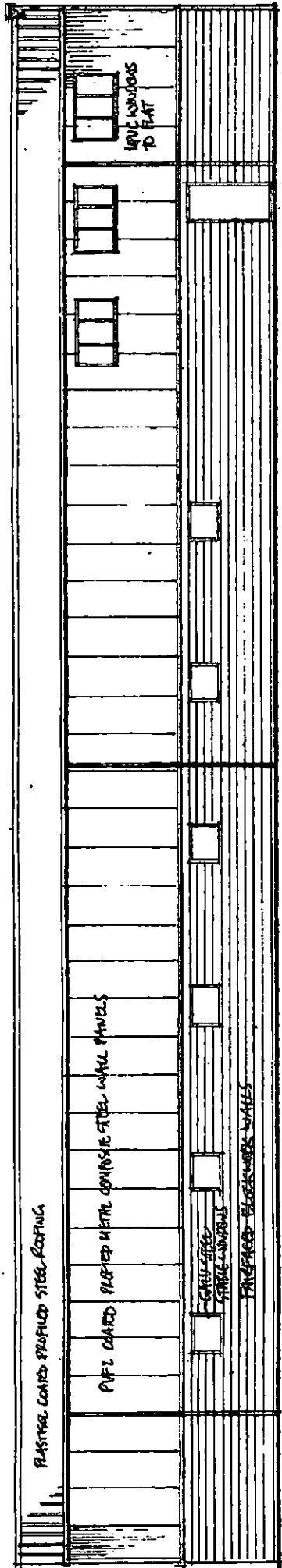


PLAN	KCC 6A
TITLE	REVISED Block Plan
SITE	Eventbds Equine Rehabilitation Clinic
CLIENT	Mr & Mrs T Campbell
NUMBER	KCC2144/12 10/16cb
DATE	October 2016 SCALE 1:500 at A3

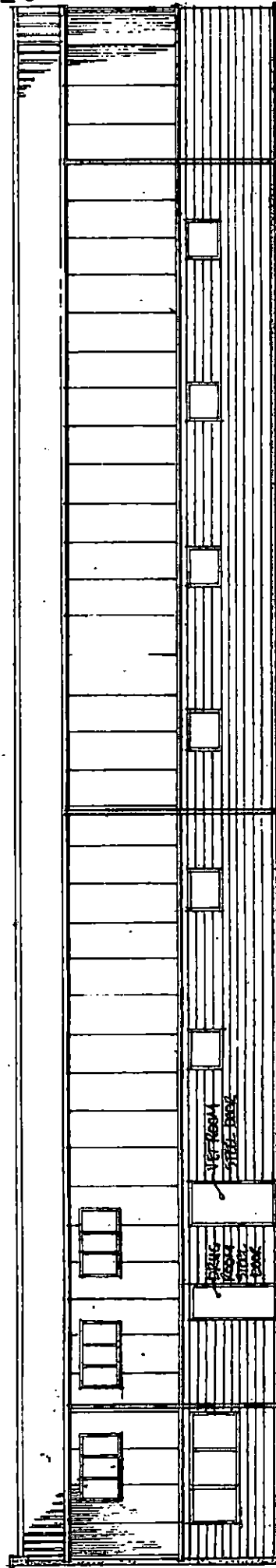
KERNON COUNTRYSIDE CONSULTANTS LTD  
 Greenacres Barn, Stoke Common Lane, Purton Stoke, Swindon  
 SN5 4LL Tel 01793 771333 Email: info@kernon.co.uk  
 This plan is reproduced from the Ordnance Survey  
 under copyright licence 100019226



28



NORTH WEST ELEVATION



SOUTH EAST ELEVATION

20  
6.8m

40m

REV 'A' 10/03/16 ZAPPIN/DWM, FIRST FLOOR WINDOWS ADDED

**Magna Buildings Ltd**

Blackpit Farm, Oddington, Moreton-in-Marsh,  
Gloucestershire, GL56 0XW  
Tel +44(0)1451 831855, Fax +44(0)1451 830185  
E mail: general@magbuild.com

Project Proposed Veterinary Building at Evenlode

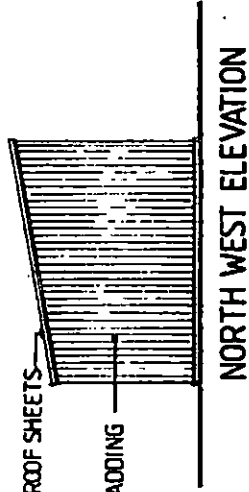
Drawing title North West and South East Elevations

Scale 1:100 @ A3 Date Feb 2016

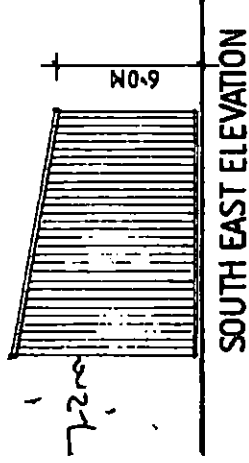
Drwg. no E2561/05

Rev. A

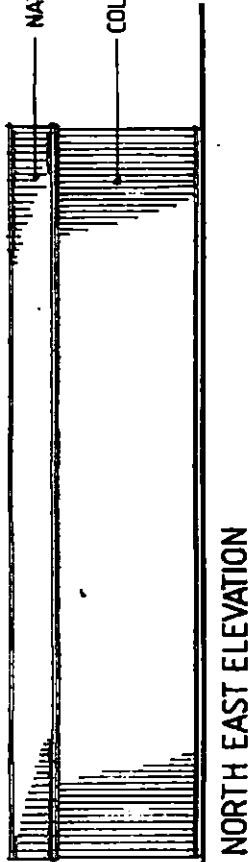




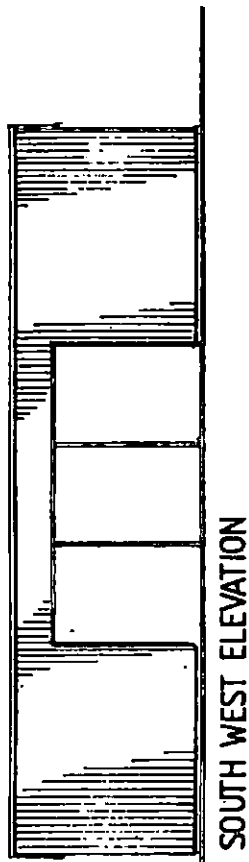
NORTH WEST ELEVATION



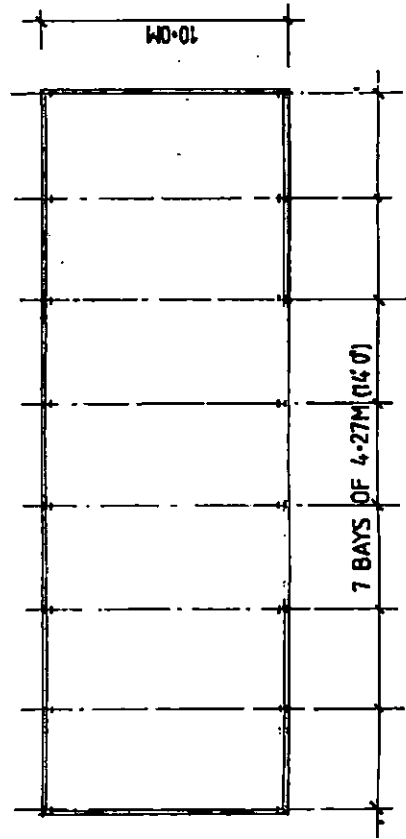
SOUTH EAST ELEVATION



NORTH EAST ELEVATION



SOUTH WEST ELEVATION



**Magna Buildings Ltd**  
 Blackpit Farm, Oddington, Moreton-in-Marsh,  
 Gloucestershire, GL56 0XW  
 Tel +44(0)1451 831655, Fax +44(0)1451 830165  
 E mail: general@magnabuild.com

Project Proposed Veterinary Building at Evenlode  
 Drawing title Plan and Elevations of Hay Barn  
 Scale 1:200 @ A3 Date Feb 2016 Dwg. no E2581706  
 Rev.



7 Ridgeways  
Evenlode  
Moreton in Marsh  
Glos  
GL56 0NR

7 November 2016

cc:

Martin Perks

Julian Beale

Cotswold District Council

Ref: Planning application number: 16/01652/FUL Land North of Far Heath Farm, Evenlode, Glos.

## Evenlode Equine Clinic

Dear Sirs,

I am writing to allay concerns and misconceptions perceived in regard to the development of Evenlode Equine Clinic.

The proposed development is sympathetic to the land and is entirely in character with the Cotswold countryside. The business proposal is based on two animals with which the Cotswolds are synonymous: horses and sheep. It allows a small farm of 50 acres to diversify and remain economically viable. The business plan has been shown to be sound, and contributes very strongly to the local economy.

We also wish to highlight a probable misunderstanding from the Council's perspective. An application for a class A permitted development of an agricultural building of 465m<sup>2</sup> could be sought on this site, and we feel we would be allowed such a development under current planning regulations to house equipment and lamb sheep. This would provide an existing building, next to which a future development could be situated. Given, however, that the stables proposed are of a very similar size, 480m<sup>2</sup>, we feel that there is very little difference and that we do not wish to build 2 large buildings on this site, when one would do.

More widely, horse welfare and care, especially in relation to National Hunt Racing, is coming under increased scrutiny, on both a national and international level. Evenlode Equine Clinic provides the horse industry with the optimum environment to rehabilitate and care for injured horses and help dispel many of the fears of the anti-racing fraternity. Given the large contribution that horses and racing provide to the wider Cotswold economy, it is wise to be supportive of the industry. The many letters of support for the application from local trainers and professional riders illustrates a very strong backing behind the proposal to establish a clinic here.

In correspondence received from Martin Perks, he raises a number of issues or concerns. I would like to respond to these by referring to quotes from the NPPF which are relevant to this application:

The site lies within a valued landscape having regard to Paragraph 109 of the NPPF.

**(i) *the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils.***

There will be very minimal change to the landscape within the proposal. The footprint of the development is small, less than 2% of the farm.

Furthermore, the Ecology Report pertaining to the application states:

"the proposal will result in the loss of some potentially suitable foraging habitat, this is considered inconsequential on account of the abundance of similar grassland in the vicinity."

Despite the positive view of the Ecology Report, to increase the positive impact on landscape of the development, we have already planted 40 trees and 350 hedging plants, and this autumn we will plant 750 more hedging plants. In Spring 2017, we plan to plant a further 1,200 trees and mixed hedging plants to enhance the landscape.

**(ii) *recognising the wider benefits of ecosystem services***

The Ecology Report pertaining to the application also states:

"the improved grassland that occupies the bulk of the application site is of no intrinsic ecological value, being species poor and providing little structural value"

Our plan is to enhance and improve the ecosystems. A proportion of income from the business will be spent on planting more hedges, non-fruiting trees, and an orchard, and on digging out and restoring an existing pond. Some field margins will be sown with wild flowers. These actions will ensure that more diverse ecosystems are achieved and maintained.

**(iii) *minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity.***

As discussed previously, further plantings and the pond restoration will ensure a net gain in biodiversity. The sustainable developments proposed are in direct contrast to much of the sterile arable land surrounding the property, and currently proliferating over the Cotswold countryside.

**(iv) *preventing both new and existing developments from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability;***

The proposed site is well situated, except in the event of a 1000-year flood. The run off of water will not contribute to any flooding elsewhere.

There will be no noise pollution of the local environment with the proposal, nor any land instability, as evidenced by surveys.



(v) *remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land where appropriate*

The development is not likely to cause any of the above. There are plans to restore the previously degraded/derelict pond.

In our opinion, we see nothing in relation to Paragraph 109 of the NPPF that should prevent this development. We feel that if referring as Martin Perks does to the guidelines of Paragraph 109, the development should be actively encouraged and supported by the Council.

Mr. Perks also states:

**'the proposal also conflicts with Local Plan Policy 31 which states that new buildings should be located close to or adjacent to existing buildings'**

Given that the proposal is situated on a farm, and surrounded by farmland, this is impossible. If it were possible to site the building close to neighbouring farm buildings, this would not be in keeping with the layout of surrounding farms, and very probably not well received by the neighbour!

As mentioned above, an application for a class A permitted development of an agricultural building of 465m<sup>2</sup> could be sought on this site. This would provide an existing building, to which a future development could be situated next to. Given, however, that the stables proposed are of a similar size, 480m<sup>2</sup>, this seems an illogical way forward.

The building will be close enough to existing farm buildings on neighbouring land, yet not adjacent, as this would be impossible. However, in being set back from the road, and by using curved access, as evidenced elsewhere in our application, the building will not be visible to passing traffic or pedestrians. In fact, the development will be unlike all neighbouring developments, in that it will not be visible.

Finally, Mr. Perks has said that the environmental concerns must be balanced against the economic and social benefits of the proposal.

In making recommendations, I believe the positive side of the development both economically and socially have been severely underestimated in Mr. Perks calculations, and perhaps not clearly stressed enough in our application.

The direct economic contribution of the proposal in terms of continued employment and local employment during construction have already been acknowledged. The budget for construction is £400,000.00. The income over the first three years is estimated at £656,800.00, creating 5 local jobs with salaries amounting to £58,000.00 annually, plus associated business benefits to farriers etc.

It has been acknowledged by the AONB Management Plan that **'equine-related activities provide valuable farm diversification opportunities'**. The economic contribution of horses and the equine sector to the Cotswolds as a whole has in our opinion been undervalued in the evaluation of this proposal.

The equine sector makes 'a significant contribution to the purpose and aims of the AONB designation by contributing to its sense of place, by supporting livelihoods in its rural communities....It is estimated that the equestrian sector has a gross output of £76 million and employs 1000 people directly and 2000 to 4000 indirectly. The Cotswolds is particularly significant amongst the United Kingdom's protected landscapes as a centre for equestrian sport, particularly for National Hunt racing and Three Day Eventing. Training yards are found throughout the AONB, but there is a particular concentration in the north of the AONB around Stow-on-the-Wold and Moreton-in-Marsh.'

(Farming, Forestry and the Equestrian Sector in the Cotswolds AONB report 2015)

The welfare of horses in competition and especially racing is the number one challenge facing the sport. Jump racing in a number of countries and states has been banned due to welfare issues. The United Kingdom, although leading the way in veterinary care, must not become complacent and must continue to innovate and push for better treatment and rehabilitation of horses after injury. The proposed business at Evenlode Equine Clinic provides a unique opportunity to treat and monitor National Hunt racehorses with tendon injuries. A large international biotechnology company (Normandy Biotech) have approached Evenlode Equine with interest in conducting a comparative study based on stem cell medication in superficial flexor tendon injuries in National Hunt racehorses.

The unique setting, large racehorse population, and high veterinary input of Evenlode Equine Clinic makes it an ideal location to base such studies.

In conclusion, we feel very strongly that this business has minimal negative on the environment and surrounds.

As discussed, it is likely to improve the biodiversity of the species-poor improved grassland that inhabits the majority of the site. The proposal has significant direct economic benefits to the community and provides strong real support to one of the key Cotswold industries, National Hunt racing.

The welfare of horses must at all times be the number one priority of those involved with horses, and reliant on them for income.

Yours sincerely,

Tom Campbell BVSc, MRCVS

**From:** Chris Adams  
**Sent:** 17 November 2016 09:51  
**To:** Martin Perks  
**Cc:** Parish Council Evenlode  
**Subject:** Fwd: Land North of Far Heath Farm Evenlode 16/01652/FUL

Dear Mr Perks

**16/01652/FUL Proposed Equestrian Rehabilitation Unit**

I am writing on behalf of Evenlode Parish Council to express our support for this application.

I understand that you are currently minded to recommend refusal of the application, on the grounds that the harm to the Special Landscape Area (SLA) is not justified by the economic benefits flowing from the development.

This matter is of course guided by Policy 8 of the current Local Plan

**POLICY 8: SPECIAL LANDSCAPE AREAS**

**Within Special Landscape Areas, shown on the Proposals Map and Insets, development that meets the economic and social needs of communities will be permitted provided it does not unacceptably harm the area's landscape character or appearance.**

Looking at each aspect in turn:

**1. Potential harm to the SLA**

- The stable block and hay barn are set well back from the road and will be well screened by existing hedging and the proposed new planting, particularly given the revised site layout and access track. Inspection of the site, including walking and driving the lane, on November 11 confirmed that the proposed buildings would be barely visible from the road even with no leaf cover.
- The Landscape Officer's report recognises that the current hedgerows provide good screening but notes that depends upon them not being cut short. The main screen is provided by the roadside hedgerow to the development site itself and is owned/controlled by the applicants. We assume that it would be possible to require the height of this to be maintained, or even increased, under the terms of any planning consent.
- The Landscape Officer's report seems to imply that this is a wholly pristine landscape. This is not the case. The yards of Far Heath Farm and Wells Folly Farm, each of broadly comparable size, are located within 220m and 310m respectively of the proposed stable building. Both of these yards are visible from the road. The site is also within 800m of the Moreton-in-Marsh Fire College site.

- The views of the site from neighbouring residential properties would be limited. In particular, at Far Heath Farm, the immediate neighbour, views from the farm house would be fully screened by the barns and sheds in their yard.
- Unlike the other current applications for new equestrian facilities within Evenlode parish (16/00935/FUL and 16/03021/FUL) this application has attracted almost no comment from residents other than general support with only one objection from a parish resident.

In conclusion, whilst the Parish Council considers it inevitable that almost any new development with the SLA will give rise to some level of harm, there are varying degrees of harm. This application is seen as being toward the lesser end of the scale.

## **2. Meeting the economic needs of communities**

We have seen the letter dated 7 Nov 2016 to you from Tony Kernon which provides considerable detail of the business case and the economic benefits expected to flow from the application. This analysis appears sound and it is clear that this new business venture that will bring incremental employment to the parish and support other local services and goods suppliers, both in the short term from the construction itself and long term.

As such it provides a sound business platform for a young family who are long-standing residents of Evenlode. This, to the Parish Council at least, appears in line with the 'economic needs' contemplated by Policy 8 and deserves considerable weight.

## **3. Other considerations**

As you are probably aware, Evenlode Parish Council is very concerned about increasing traffic levels on the roads within our parish, all of which are narrow with numerous blind bends and heavily used by vulnerable groups (walkers, cyclists, horse riders etc.).

We have read the GCC Highways Officer's report and concur with this. In particular we would endorse the creation of at least one formal (ie surfaced) passing place between the site entrance and the A44 as a condition of consent.

## **Conclusion**

In the last 12 months Evenlode has attracted an unprecedented number of applications for commercial equestrian developments. The parish council has looked at each of these applications very thoroughly. It has ensured that the residents of the parish are aware of each application and, where significant concerns have been raised, we have arranged for the applicants to present their case to the PC and residents, to take questions and address concerns.

Whilst these applications may bear a superficial similarity they are each very different and capable of being clearly distinguished. After careful consideration of the current application Evenlode parish council believe that, on balance and exceptionally, it should be allowed. This is the unanimous view of the parish councillors.

Regards

Chris Adams

Chairman, Evenlode Parish Council

----- Forwarded message -----

From: **Martin Perks**

Date: Thu, Nov 10, 2016 at 6:07 PM

Subject: Land North of Far Heath Farm Evenlode 16/01652/FUL

To: Parish Council Evenlode

Dear Sir/Madam,

I am currently dealing with a planning application for the following;

**Development of an equestrian rehabilitation unit, including the construction of an American barn incorporating stables, treatment rooms and a staff flat, a hay and machinery store, a horse walker, lunge pen and 60m x 30m sand school and change of use of land from agriculture to the keeping of horses - Land North of Far Heath Farm Evenlode 16/01652/FUL**

I recently wrote to the Ward Cllr Beale to seek delegated authority to refuse the application due to its harm to the landscape. However, Cllr Beale has asked for the application to go to Planning and Licensing Committee. I note that I have not received any comments from Evenlode Parish Council in response to the application. It would be helpful to know the Parish Council's views on the proposal given your recent strong objection to the application for equestrian development on land to the east of Evenlode Road (16/03021/FUL).

I would be grateful if you could let me know if the Parish Council wishes to make any representations about the proposal.

regards

*Martin Perks*

*Senior Planning Officer*