

**Item No 03:-**

**17/04358/FUL**

**Brockhill Quarry  
Naunton  
Cheltenham  
Gloucestershire  
GL54 3BA**

## Item No 03:-

**Change of use of land to equestrian use, construction of stables, a replacement building for an indoor manege and a 3 year temporary use of land for the stationing of a temporary structure to provide residential accommodation necessary for the management of the site at Brockhill Quarry Naunton Cheltenham Gloucestershire GL55 3BA**

<b>Full Application 17/04358/FUL</b>	
Applicant:	Cotswold Stone Quarries Limited
Agent:	Land & Mineral Management
Case Officer:	Martin Perks
Ward Member(s):	Councillor Richard Keeling
Committee Date:	14th February 2018
<b>RECOMMENDATION:</b>	<b>PERMIT</b>

**Main Issues:**

- (a) Equestrian Development in the Countryside
- (b) Essential Need for Residential Accommodation
- (c) Impact on Character and Appearance of Cotswolds Area of Outstanding Natural Beauty
- (d) Access and Highway Safety
- (e) Impact on Protected Species

**Reasons for Referral:**

This application has been referred to Planning and Licensing Committee at the request of Cllr Keeling in light of the concerns raised by Naunton Parish Council.

Objection received

**1. Site Description:**

This application relates to a former stone quarry located approximately 1km to the east of the centre of the village of Naunton. The site measures approximately 20 hectares in size. The majority of the site has been returned to grassland following the cessation of quarry working. However, an area of the southern part of the site measuring approximately 1 hectare in size is occupied by portal framed buildings, 5 mobile office buildings, parking and hard standings. The portal framed building has an established lawful B2 use and has previously been used for the processing and storage of block stone.

The application site is bordered to the south, west and north east by agricultural fields. The northern boundary of the site adjoins a Class C Highway which runs from Bourton-on-the-Water to Snowhill. The south eastern boundary of the site adjoins the B4068. Native species hedging and trees form the boundary between the site and the aforementioned highways.

Vehicular access to the site is via a 7m wide driveway which joins onto the B4068 in the south east corner of the site. The drive extends for approximately 130m in length. The main industrial building on the site is set back approximately 150m from the aforementioned highway.

In terms of topography, the application site rises from its south east corner to its north. The site rises relatively steeply in its south east corner. It rises approximately 10m over its first 100m

before flattening out to the north of the existing buildings. The site rises approximately 11m over a distance of approximately 420m to the north of existing development.

The application site is located in the Cotswolds Area of Outstanding Natural Beauty (AONB).

The site is located outside a Development Boundary as designated in the Cotswold District Local Plan 2001-2011.

The site is located within a Flood Zone 1 as designated by the Environment Agency.

The application site is located approximately 40m to the north of New Court Ground Roman Villa Scheduled Ancient Monument (SAM).

The site of the buildings, yard and mobile offices is considered to represent previously developed or brownfield land.

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

### CDC Decisions

CD.7063/A Erection of a new dwelling with integral garage Dismissed at appeal December 1989

CD.7063/B Erection of a dwelling Dismissed at appeal Dismissed at appeal September 1991

12/02890/CLEUD Certificate of Lawful Existing Use or Development under Section 191 of the Town and Country Planning Act 1990 for industrial use for processing block stone, with storage and processing areas, car parking, offices and access Issued 2012

13/04295/OPANOT Proposed conversion of offices into dwelling (Class J Offices to Residential) Dismissed at appeal 2014

15/05021/OUT Outline permission for new dwelling house for equestrian development with all matters reserved bar access Refused 2016

15/05278/FUL Change of use of land to equestrian. Granted 2016

### Glos County Council Applications (CDC References)

CD.0200 Quarrying and working of stone for walling and stone slates Granted January 1950

CD.0200/A Extension of quarry and improvement of access Granted August 1990

CD.0200/B Extension of quarry and use of processing building Granted January 1995

CD.0200/C Variation of Condition 18 to allow processing of stone Granted December 2000

08/02846/CPO Restoration of quarry (revised scheme)

12/05642/CPO Proposed restoration of quarry (completion of quarry restoration scheme in accordance with previously approved scheme 08/0051/CWMAJM 16/02/2009)

13/00466/CPO Proposed restoration of quarry (completion of quarry restoration scheme in accordance with previously approved scheme 08/0051/CWMAJM 16/02/2009)

The site of the proposed stables, manege and temporary accommodation occupies the southern part of the former quarry site on land that has historically been used for stone/materials storage, vehicle parking/turning and manoeuvring.

In 2012, a Certificate of Lawful Use was issued confirming that the buildings and area located in the southern part of the quarry have an established ' B2 industrial use for processing block stone, with storage (B8) and processing areas, car parking, offices (B1) and access'. The B2 storage barns and part of the outside storage and parking areas fall within the proposed development area. This area is not covered by the landscape restoration conditions attached to the remainder of the quarry. The application site constitutes previously developed or brownfield land.

### **3. Planning Policies:**

NPPF National Planning Policy Framework  
 LPR05 Pollution and Safety  
 LPR09 Biodiversity, Geology and Geomorphology  
 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  
 LPR46 Privacy & Gardens in Residential Deve

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

Gloucestershire County Council Highways: No objection subject to conditions

Gloucestershire County Council Archaeology: No objection subject to condition.

Gloucestershire County Council Lead Local Flood Authority: No objection subject to conditions.

Environmental Health Contamination: No objection subject to condition

Historic England: No comments

Biodiversity Officer: No objection subject to conditions

### **5. View of Town/Parish Council:**

'Naunton Parish Council objects strongly to this planning application on the basis of concern over the impact on the landscape as well as the scope of the project and potential over development in the future based on the current application. Regarding the landscape, the Council has already objected strongly to previous applications for developments here and firmly believes that the land should be returned to agricultural use. This would, we understand, require considerable rehabilitation of the soil.

On the subject of the scope of the project, the Council believes that there are already many horse racing enterprises concentrated in the area and that it would be preferable for this yard, if it is to be built, formed part of one of the existing enterprises when it would have less need to expand in the future as a separate yard.

Regarding design, starting with 32 boxes is an ambitious first step which could easily necessitate expansion. The design currently does not allow adequate storage of food and bedding or for shoeing, washing or veterinary boxes or an office. To provide these necessary facilities, the development would have to be extended. Then more staff would be needed. We are sure that the planning department is well aware of the acute shortage of affordable accommodation for rural workers. With expansion, further on-site accommodation would seem to be a possible part of any extension plans.'

## 6. Other Representations:

One objection and four letters of support received.

Grounds of Objection;

i) see attached letter.

Grounds of Support;

i) It was brought to my attention last week that the old quarry at Brockhill, Naunton had put in for planning permission for a change of use. This would be amazing as it has been so much nicer to drive past, which I do frequently, without the constant heavy goods lorries in and out and the quarry mud constantly running down the road. The change of use to equestrian would suit this area far more than the industrial use as before. I therefore am in support of this application and look forward to seeing it flourish in the future.

ii) I live in Guiting Power and would very much like to see this proposal to be permitted. I feel that I am lucky to live in such beautiful countryside and I hasten to add, an AONB of the Cotswolds. The thought of alternative industrial use in such a prolific area would be such a shame. We do not need any more heavy goods vehicles on our roads in the area and a property of equestrian use would have many benefits to local businesses, veterinary practices, farriers and local stable staff.

iii) I am in complete support of Brockhill being used for equestrian use; I have seen the plans for this and only think this would be beneficial to the area bringing work etc. The objections regarding landscape and access, I think it would be far better to have the equestrian there than what could actually be put there regarding the planning that Brockhill has already got (Heavy industrial use) this could in the form of a scrap yard/truck yard working 24hrs per day, this then, would be an eyesore, food for thought I think.

iv) I have farmed the land next to the quarry for whole time it was in use, it would be beneficial for all local residents if it was taken out of use. The site is an eyesore and a blot on the landscape. The traffic was a nightmare and if as I am to believe the site has permission for industrial use these problems will all start up again. Now the quarry operation has finished it would be nice to see the whole site tidy and put to a sensible use which would benefit all around the area and cause a lot less noise, dust and disturbance as the previous quarry operation did.

Temple Guiting Parish Council: No objection

Upper Slaughter Parish Council:

'This application is a largely positive way to clean up an industrial site and also improve natural habitat. Upper Slaughter parish Council request the confirmation of the sight lines prior to permission being granted for this large development.

However, the Council is concerned that slow and heavy horse boxes will be pulling out onto the busy main road. This traffic will increase the risk of traffic obstruction to the opposite carriageway as well as a potential safety risk due to the speed cars that generally travel along that section of road. Clear signage for the entrance will be required.

The Council is also concerned about the potential size of dwelling. This could then become an application for a permanent dwelling after the three year temporary planning expires.'

## 7. Applicant's Supporting Information:

Protected Species Survey and Mitigation  
Archaeological Desk-based Assessment and Heritage Statement  
Phase 1 Desktop Study

## 8. Officer's Assessment:

### Background and Proposed Development

Planning permission was granted by Gloucestershire County Council (GCC) in 1950 to use the site as a stone quarry. Permission was also subsequently granted to allow the buildings on the site to process stone produced at other quarry sites such as Syreford near Andoversford. Quarrying on the application site had ceased by 2013. By 2015, the main building had become vacant. The majority of the quarry site has been restored in accordance with landscape restoration schemes approved by GCC. The quarry area now largely appears as grassland. The only exception to this is the southern part of the application site which is currently occupied by a large portal framed building and a number of temporary offices. The aforementioned area is not subject to the landscape restoration scheme approved by GCC. Consequently, there is no requirement to remove or re-instate the southern part of the site to an agricultural use. A Certificate of Lawfulness (12/2890/CLEUD) established that the existing buildings could be used for the following purposes - B2 industrial use for processing block stone, with storage (B8) and processing areas, car parking, offices (B1) and access.

Planning permission was granted in 2016 (15/05278/FUL) to change the use of the application site to an equestrian use. The permission has not been implemented but remains extant at the time of writing this report.

The applicant is now looking to cease the use of the existing buildings and to provide an alternative use for the site. The current proposal seeks to remove the existing portal framed buildings and temporary offices and replace them with stables, an indoor riding arena (manege), temporary residential accommodation and new gallops and horse training pens. In more detail, the proposed developments are;

- i) The erection of a U-shaped stable block which will contain 32 stables, tack and food stores. The proposed will have rear and flank elevations measuring approximately 50m in length. The proposed building will have a maximum height of approximately 4.7m in height. The external walls of the proposed building will be clad in timber and the roof will be covered in felt. Three sides of the proposed building will open onto a stable yard.
- ii) The demolition of the existing portal framed stone processing building and the erection of an indoor riding arena in its place. The proposed building will measure approximately 34.6m wide by 40.6m long by 6.5m high. The external walls will be a mix of concrete block and dark stained timber boarding. The roof will be covered in a dark green profiled steel sheeting.
- iii) The removal of the existing mobile office buildings.
- iv) The stationing of a log cabin type structure that would provide temporary residential accommodation for an equestrian worker(s). The proposed cabin will measure approximately 12m long by 6m by 3.7m high. Permission is sought to retain the structure on site for a period of 3 years.
- v) The creation of gallops which will extend around the edge of, and through the centre of, the site.
- vi) The siting of two horse training pens 10-20m to the north east of the proposed stable building.

Vehicular access to the site will be via the existing site access onto the B4068.

The proposed development is predicted to generate 5-7 full time jobs.

### **(a) Equestrian Development in the Countryside**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.' The starting point for the determination of an application would therefore be the current development plan for the District which is the Cotswold District Local Plan 2001-2011.

The application site is located outside a Development Boundary as designated in the Cotswold District Local Plan 2001-2011. Development in such locations is therefore 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 is 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:

- 1(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:

- 2(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.'

The proposed development will be located on previously developed (brownfield) land. The existing site is occupied by a number of post war commercial type buildings which are in a dilapidated condition and are not readily suitable for conversion. The proposed development will occupy the site of existing development and will not therefore result in the introduction of new buildings/development onto an undeveloped site within the AONB. The proposed development will therefore be located on, or in close proximity to, the site of existing buildings and is consistent with criterion 1(a) of Policy 31. The site also has sufficient land to allow horses to be trained on site thereby reducing the need to use the local road or bridleway network.

The proposed development does result in a requirement to create on site accommodation. The size of the proposed development is such that it would be reasonable to expect a round the clock on site residential presence to deal with the day to day needs of the animals. The need for residential accommodation on the site is addressed more fully in the section of the Officer report titled 'Essential Need for Residential Accommodation'.

In terms of national policy and guidance, Paragraph 28 of the National Planning Policy Framework (NPPF) states that 'planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development'. It goes on to state that plans should 'support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through the conversion of existing buildings and well-designed new buildings' and 'promote the development and diversification of agricultural and other land-based rural businesses'. The NPPF can therefore offer support for sustainable new economic developments in rural areas. The current proposal has the potential to generate income for the local economy and to provide employment. The existing buildings have a limited commercial use in their current form and it is therefore considered that the current proposal has the potential to have economic benefits. These benefits weigh in favour of the proposed development.

Paragraph 17 of the NPPF states that planning should 'encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value'.

With regard to the emerging Local Plan, Policy EC3 Proposals for All Types of Employment-Generating Uses is considered relevant. It states;



2. Outside Development Boundaries, and outside established employment sites, proposals for small scale employment development appropriate to a rural area will be permitted where they:

- a. Do not entail residential use as anything other than ancillary to the business; and
- b. Are justified by a business case, demonstrating that the business is viable; or
- c. Facilitate the retention or growth of a local employment opportunity.

The aforementioned policy is still subject to review following the recent Local Plan Examination and therefore only carries limited weight at the present time.

It is evident from the above that national and local policy and guidance can be supportive in principle of the creation of new equestrian developments in the countryside.

### **(b) Essential Need for Residential Accommodation**

The proposed development seeks to gain permission for the stationing of a temporary accommodation building on the site for a period of 3 years. The application site is located in an area of open countryside outside a settlement. The proposal will therefore result in the introduction of a dwelling into a location where such development would normally be resisted. The application site is located in an isolated location in the countryside and is remote from the day to day services and facilities that would typically be used by future residents on a day to day basis. The nearest Principal Settlement to the application site is Stow-on-the-Wold approximately 6km to the north east of the proposed development. The site is therefore considered not to represent a sustainable location for unrestricted residential development. Notwithstanding this, national and local policy and guidance can offer support for new residential development in such locations if an essential need for a worker to be present on site on a round the clock basis can be demonstrated.

Paragraph 3.3.19 of the text accompanying Policy 19 advises that acceptable new build housing in areas covered by Policy 19 can include 'dwellings specifically tied to agricultural, forestry, equestrian or other occupational uses.' Policy 19 can therefore offer support for rural worker's dwellings in locations such as that now proposed.

Paragraph 55 of the NPPF states Local Planning Authorities should avoid new 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 NPPF does not provide a definition of essential need. However, it is of note that Planning Inspectors still regularly have regard to the now revoked Annex A of Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7) when considering the essential need issue. The various tests set out in the aforementioned document represent a tried and tested methodology for assessing essential need and are still considered pertinent when assessing the current application. However, it is also necessary to have regard to a High Court judgment dating from December 2013 (Embleton Parish Council, David Ainsley v Northumberland County Council v Ivor Gaston) when considering the matter. With regard to the need to provide evidence that a proposed enterprise has been planned on a sound financial basis the judge stated 'I accept that the test under paragraph 55 of NPPF is different from the test under Annex A, paragraph 12(iii) of PPS7.' and that 'the NPPF test simply requires a judgment of whether the proposed agricultural enterprise has an essential need for a worker to be there or near there.' In respect of financial viability the judge therefore made a distinction between current guidance in the NPPF and that appearing in the now revoked PPS7. Since the issuing of the aforementioned judgment Planning Inspectors have continued to have regard to PPS7 albeit taking into account the High Court judgment;

In an appeal from Southam dating from 2015 the Planning Inspector in Paragraph 12 of appeal decision APP/J3720/W/15/3008858 stated;

'Both parties agree, correctly, that with Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7) no longer in force the financial test set out in the PPS no longer applies. However, they also agree, correctly in my view, that as part of the broader need to ensure sustainable development, there is a necessity to look at the financial stability of the enterprise.'

Paragraph 7 of an appeal from Warwickshire (APP/E3715/W/16/3146581) in 2017 stated;

'It seems to me that, at the very least, any assessment against the advice at Framework paragraph 55 must establish whether it is essential for someone to live on the site at most times having regards to the needs of the particular enterprise, and also whether the enterprise itself has reasonable long term prospects such that it can be regarded as permanent.'

Paragraph 9 of an appeal from Suffolk (APP/W3520/W/15/3081129) in 2017 stated;

'At the hearing the appellant accepted that Annex A, whilst cancelled, provides a useful guide. The appellant has also referred to Annex A in his evidence, provided a financial forecast, and does not dispute the necessity of these. Furthermore, given that the main thrust of the Framework is to achieve sustainable development, I consider it reasonable to consider the functional need and financial viability of the rural enterprise.'

Paragraph 10 of an appeal from Warwickshire (APP/J3720/W/15/3133183) in 2016 stated;

'The Framework itself contains no guidance on how to determine essential need for a rural worker to live at or near a site. However, although no longer government policy, Annex A of Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7), sets out a useful, tried and tested methodology for assessing whether there is an essential need for a rural worker's dwelling on a holding'.

Paragraph 7 of an appeal from County Durham in September 2017 stated;

'Whilst both the Council and the appellant have referred to the former PPS7, in particular Annex A, this has been replaced by the Framework which does not contain detailed advice on how essential need might be demonstrated. However, in my judgement, for an essential need to exist there must be some aspect of the farm operation that demands a residential presence on the holding, and there must be some certainty that the farm business is sufficiently soundly established that this presence will be required for the foreseeable future.'

The guidance in Annex A of PPS7 is therefore still considered to provide a valid tool when considering the matter of essential need. Paragraph 4 of Annex A stated 'a functional test is necessary to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. Such a requirement might arise, for example, if workers are needed to be on hand day and night:

- (i) In case animals or agricultural processes require essential care at short notice;
- (ii) To deal quickly with emergencies that could otherwise cause serious loss of crops or products, for example, by frost damage or the failure of automatic systems.

Paragraph 12 of Annex A stated that if a new dwelling is essential to support a new activity it 'should normally, for the first three years, be provided by a caravan, a wooden structure which can be easily dismantled, or other temporary accommodation'. It also states that the following criteria should be satisfied;

- i) Clear evidence of a firm intention and ability to develop the enterprise concerned;
- ii) A functional need;
- iii) Clear evidence that the proposed enterprise has been planned on a sound financial basis;

- iv) The functional need could not be met by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
- v) Other normal planning requirements are satisfied.

In terms of emerging Local Plan policy, Policy H5 Dwellings for Rural Workers Outside Settlements is considered relevant. It states;

Outside settlements, new dwellings will be permitted where:

- a. It is demonstrated that there is an essential need for a worker to live permanently at or near their place of occupation in the countryside;
- b. A financial test is submitted to demonstrate the viability of the business proposed or as proposed to be expanded;
- c. A new dwelling cannot be provided by adapting an existing building on the holding;
- d. A suitable alternative dwelling to meet the essential need is not available on a defined development site within the 17 Principal Settlements or within a village or hamlet;
- e. The proposed dwelling is located within or adjacent to the existing enterprise or other buildings on the holding;
- f. The size of the proposed dwelling is proportionate to its essential need; and
- g. Occupancy is limited by way of a planning condition or obligation.

The aforementioned policy is still subject to review following the recent Local Plan Examination and therefore only carries limited weight at the present time.

The current proposal would enable the stabling of up to 32 horses on the site. The applicant has provided a business plan with the application which states that the applicant is proposing to create a 'private competition training yard'. It is not proposed to create a livery yard or DIY business. The main business activities would be a 'breaking school' and the 'training and production of competition horses across a range of disciplines'. Of the 32 horses that could be stabled on the site, the applicant states that 22 horses would be owned by paying customers who would pay a fixed fee per annum to cover stabling and training. A further 10 horses would be owned by the business. The applicant has provided a business plan which sets out potential income and costs. The plan shows a potential return capable of covering the costs of creating the new development and providing a reasonable profit. The figures used by the applicant to cover income and costs are considered reasonable and to reflect typical equine industry fees and expenses.

It is noted that the proposed figures are based on the full occupancy of the stables. It is therefore recognised that the stables are unlikely to be fully occupied from the outset. However, it is also acknowledged that all new businesses take time to develop and it is considered reasonable to offer a degree of flexibility with regard to the initial start-up phase of the business. The proposed business would still be capable of returning a profit if fewer than 22 horses were taken on from paying owners. In addition, the reason temporary accommodation is sought as part of this proposal is in order to provide time for the applicant to demonstrate that the proposed business can develop in a viable manner in the longer term. Guidance in the former PPS7 states that accommodation provided in connection with a new business should be provided in the form of temporary accommodation for the first three years. If it can then be demonstrated that the business has developed in accordance with the proposed business plan at the end of the three year period, then it may be possible to support the erection of a permanent dwelling on the site. However, the occupancy of such a dwelling would be restricted to an equestrian worker and its size would be restricted to that commensurate with the needs of the equestrian business. A further planning application would be required should the applicant seek to erect a permanent dwelling on the site. The proposed accommodation is of a demountable construction and could therefore be readily removed from the site in the future.

The application site is located in an area which contains a number of well-established equestrian developments. The area around Naunton is already known for its equestrian developments and as such the proposed development will be located in an area which already has an equestrian pedigree. The applicant also states that they have received interest from a number of parties in respect of the equestrian use of the site. It is considered that the site, by virtue of its size and good connectivity to a number of B and A roads, does have the potential to develop successfully as an equestrian centre.

With regard to essential need, it is noted that horses can suffer from colic which can be fatal if not dealt with quickly. Horses can also spook easily which can cause difficulties within stables or outside. It is noted that these issues can occur at any time, day and night, and as such it is considered that there is an essential need for a round the clock on site presence. The relatively isolated location of the site also means that the essential care of the horses could not reasonably be met by workers living on Stow-on-the-Wold or Naunton for instance. Such sites would be too distant to deal with emergencies at short notice.

Overall, it is considered that the proposed business has been planned on a sound financial basis and that there is an essential need for worker to be present on site on a 24 hour basis. It is therefore considered that an essential need for the proposed accommodation in accordance with Local Plan Policy 19 and guidance in Paragraph 55 of the NPPF.

### **(c) Impact on Character and Appearance of Cotswolds Area of Outstanding Natural Beauty**

The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB) wherein the Council is statutorily required to have regard to the purpose of conserving and enhancing the natural beauty of the landscape (S85(1) of the Countryside and Rights of Way Act 2000).

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'.

Paragraph 115 states that 'great weight should be given to conserving landscape and scenic beauty in ... Areas of Outstanding Natural Beauty.'

Local Plan Policy 42 advises 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, street scene, proportion, simplicity, materials and craftsmanship'

The site lies on the boundary between two Landscape Character Types identified in the Cotswolds Conservation Board's Landscape Character Assessment (LCA). The proposed dwelling appears to lie just inside Landscape Character Area 7C Cotswold High Wold Plateau. This in turn falls within Landscape Character Type High Wold. Land immediately to the east and south of the site is classified as Landscape Character Area 8E Upper Windrush Valley which in turn falls within Landscape Character Type High Wold Valley.

The LCA Landscape Strategy and Guidelines identify the 'establishment or expansion of equestrian establishments' amongst its Local Forces for Change. The Potential Landscape Implications of such development include;

- the proliferation of stables and other visual clutter such as ribbon fences, jumps, horse boxes, shelters, manege and lighting associated with 'horticulture'.
- Creation of paddocks by sub-dividing fields using non characteristic field boundary treatments such as post and rail fence or ribbon fence.
- Erosion of rural landscape.
- Deterioration in pasture quality and over grazing.

- Pressure to provide housing for staff and owners.
- Creation of surface tracks, new and enlarged field entrances and parking areas for cars and horse boxes etc.
- Excessive use of local roads and paths by horses, in part due to no direct or close connections to bridleways etc.
- Increase in vehicle movements and roadside parking.
- Damage to road verges.

Included in the Landscape Strategies and Guidelines are the following;

- Where possible, existing buildings should be utilised and new stables and other structures kept to a minimum.
- Ensure all new ventures provide accommodation within new stable buildings and proposals for separate isolated housing should be resisted.
- New structures should be carefully sited and designed to minimise their impact on the landscape. Wherever possible they should be located close to existing buildings. They should be constructed from appropriate vernacular buildings and should follow the form of the landscape, avoiding prominent skyline sites and slopes.
- The creation of horse paddocks in visually prominent locations such as a roadside and hill side locations should be avoided.
- Oppose change of use for the 'keeping of horses' in visually prominent locations.
- A concentration of horse paddocks and associated structures in any one area can have a cumulative harmful impact on landscape character and should be avoided.
- Any lighting should be designed to minimise light pollution.
- Historic field boundaries, such as hedges and dry stone walls may need protection by fencing to prevent damage.
- Existing gates and access points should be retained if possible and new gates should match the local vernacular.

The application site occupies a plateau of land which drops down to the south and south east. The area of the former quarry that has been subject to landscape restoration now largely appears as grassland and is consistent in character and appearance with the agricultural/equestrian fields in the local area. The area to the north and north east of Naunton is characterised by a mix of agricultural and equestrian holdings.

The application site is bordered by a number of trees and hedges which screen much of the land from public view. Notwithstanding this, the southern part of the site has a commercial character and appearance that is out of character with the agricultural/equestrian character of the area. The current proposal will remove the existing buildings which will be a betterment in landscape and visual terms. The proposed replacement buildings will be functional in character and appearance and will be reflective of agricultural/equestrian development. The proposed stables will be single storey and of timber construction. They will appear as a relatively lightweight building and will not be readily visible from public view. They will also be located in close proximity to the site of the existing barn thereby reducing the spread of development across the site. The proposed indoor riding arena will be similar in size to the existing stone processing building. The use of timber boarding for the external walls will help to reduce the mass of the building and will result in a development that is reflective of a modern agricultural barn. It is considered that the proposed building will not have a greater landscape or visual impact than the existing barn.

The proposed accommodation is single storey in height and is of temporary construction thereby allowing it to be easily removed from the site in the future.

The proposed gallops will not be readily visible from public view. In addition, the applicant is also proposing to introduce extensive new native species tree and hedgerow planting across the site to further screen the existing site.

It is noted that the land to the north of the Naunton is already occupied by a number of equestrian operations. The character of the area is therefore already heavily influenced by equestrian development. The comments about an 'over concentration' of equestrian establishments in the area are noted. However, the site already has permission to be used for equestrian purposes and as such the current proposal will not be using the land for a purpose which it does not currently have permission for. It is noted that the proposed development will introduce further buildings onto the land. However, these will be located towards the southern edge of the site and will not be any more prominent in the landscape than the existing buildings.

Overall, it is considered that the proposed development could be undertaken without having an adverse impact on the character or appearance of the Cotswolds AONB and in accordance with S85(1) of the CROW Act 2000, Local Plan Policy 42 and guidance in Paragraphs 17, 109 and 115 of the NPPF.

### Major Development

Paragraph 116 of the NPPF states 'planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of;

- i) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- ii) the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
- iii) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that can be moderated'.

No definition of major development is provided within the NPPF or in either of its forerunners - namely PPS7: Sustainable Development in Rural Areas and PPG7: The Countryside which also made similar references to major development within designated landscapes such as AONBs. However, in the recent High Court judgement in 'Aston and another v Secretary of State for Communities and Local Government and others' the judge determined that the phrase 'major development' did not have a uniform meaning and to define it as such would not be appropriate in the context of national planning policy. The Government's Planning Practice Guide also states 'whether a proposed development in these designated areas should be treated as a major development, to which the policy in Paragraph 116 of the Framework applies, will be a matter for the relevant decision taker, taking into account the proposal in question and the local context.'

The proposed development will utilise a brownfield site and remove a number of dilapidated buildings and associated works that have a negative impact on the landscape. The proposed scheme will not have a greater impact on the character or appearance of the area than the existing development. New landscaping will also be introduced and the proposal is considered not to have a materially greater impact in terms of traffic generation or noise or disturbance than the established B2 use. It is considered that the proposal does not represent major development having regard to Paragraph 116 of the NPPF.

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

The proposed development will utilise an existing site access in the south eastern boundary of the site. The access opens onto the B4068 which is subject to the national speed limit where it passes the site entrance. The site entrance comprises a wide entrance splay that was designed to accommodate quarry traffic such as HGVs. The proposed use would generate fewer vehicle movements than the established B2 use - 45 two way daily trips as opposed to 54 two way daily trips arising from the established use. It is noted that the proposed development will lead to horse boxes leaving and entering the site. However, the established use of the site generates slow

moving/turning HGV traffic. It is considered that the proposed use will not have a material greater impact on highway safety than the established B2 use. There are also no recorded collisions within the vicinity of the site access in the last 5 years.

GCC Highway Officers has examined the proposal and raise no objection to the application on highway safety grounds. The proposal is considered to accord with Local Plan Policy 38 and Section 4 of the NPPF.

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

The applicant has submitted a Protected Species Survey and Mitigation report with the application. The survey did not identify any bat species in the existing buildings on the site. A pigeon and collared dove were identified in the barn and workshop. The submitted recommends the introduction of bird and bat boxes in the proposed buildings as mitigation an enhancement. The Council's Biodiversity Officer has examined the proposal and states 'Overall, the proposal will have minimal biodiversity impact due to the current use of the site and the lack of suitable habitat for protected or priority species. The existing hedgerow should be retained and protected as priority habitat'. The applicant's plans show that the aforementioned hedgerow is to be retained. No objection is raised to the application on biodiversity grounds and the proposal is considered to accord with Local Plan Policy 9 and guidance in Paragraphs 109 and 118 of the NPPF.

#### **Other Matters**

The site is located approximately 40m to the north of New Court Ground Roman Villa Scheduled Ancient Monument (SAM). Historic England has examined the proposal and does not object to the proposed development. The proposed development is considered not to have a greater impact on the setting of the SAM than the existing development.

Gloucestershire County Council Archaeology raises no objection to the proposal subject to a condition requiring the completion of a programme of archaeological work in accordance with a written scheme of investigation.

The Council's Environmental Health Section has examined the ground investigation report submitted with the application. No objection is raised subject to the attachment of a condition requiring further ground investigation studies as a follow up to the initial report.

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

Overall, it is considered that the proposed scheme will allow for the sympathetic redevelopment of a rather dilapidated and unattractive group of buildings that currently have a negative impact on the character and appearance of the Cotswolds AONB. The proposed equestrian use is consistent with the character and appearance of the area. Moreover, the land also currently has permission to be used for equestrian purposes. The size and nature of the proposed development is also considered sufficient to justify an essential need for on-site accommodation for a temporary period of 3 years. It is considered that the proposal can be undertaken without having adverse landscape, highway or other impacts and that it will have economic benefits for the local area. It is therefore recommended that the application is approved.

#### **10. Proposed conditions:**

The development shall be started by 3 years from the date of this decision notice.

**Reason:** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

The development hereby approved shall be carried out in accordance with the following drawing number(s): 722-02A, 722-04, 2017/05/01 B, 2017.05.15 A, 2017/05/02 B, 2017/05/03 A, 2017/05/04, 2017/05/05 A,

**Reason:** For purposes of clarity and for the avoidance of doubt, in accordance with paragraphs 203 and 206 of the National Planning Policy Framework.

The occupation of the mobile home hereby approved shall be limited to a person solely or mainly working or last working in the locality in equestrian activities, or a widow or widower of such a person and to any resident dependants.

**Reason:** The site is located in a rural area wherein there is a presumption against new build open market residential development. In accordance with Cotswold District Local Plan Policy 19 and guidance set out in Paragraph 55 of the National Planning Policy Framework permission is granted only because the accommodation is required to house a person employed in an equestrian business where there is a demonstrated essential need.

Within three years of the date of this decision notice the temporary accommodation hereby approved shall be permanently removed from the land.

**Reason:** The application site is located in an isolated location in the countryside. Residential development in such locations can only be supported if there are special circumstances such as the essential need for a rural worker to live close to their place of work. The siting of temporary accommodation for a three year period is considered to represent a reasonable period of time for the applicant to demonstrate that the business is financially sound and capable of supporting a permanent dwelling. This condition is attached having regard to Paragraph 55 of the National Planning Policy Framework.

No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, including a timetable for the submission of the findings, which has been submitted by the applicant and approved in writing by the Local Planning Authority.

**Reason:** To ensure that items of archaeological interest are properly recorded. Such items would potentially be lost if development was commenced prior to the implementation of a programme of archaeological work. It is therefore important that such a programme is agreed prior to the commencement of development.

Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100+40% climate change event has been submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall identify exceedance flow routes through the development based on proposed topography with flows being directed to highways and areas of public open space. Flow routes through gardens and other areas in private ownership will not be permitted. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied.

**Reason:** To ensure satisfactory drainage of the site and avoid flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

No development shall be put in to use/occupied until a SuDS management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime, has been submitted to and approved in writing by the LPA.



Plan should fully detail the access that is required to reach surface water management component for maintenance purposes. It should also include a plan for safe and sustainable removal and disposal of waste periodically arising from drainage system, detailing the materials to be used and standard of work required including method statement. The approved SUDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

**Reason:** To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding.

i) No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any development begins

ii) The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented in accordance with the approved timetable of works and before the development hereby permitted is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. On completion of the works the developer shall submit to the Local Planning Authority written confirmation that all works were completed in accordance with the agreed details.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

**Reason:** To ensure any contamination of the site is identified and appropriately remediated. Relevant Policies: Cotswold District Local Plan Policy 5 and Section 11 of the NPPF. It is important that details are agreed prior to the commencement of development as any on site works could have implications for pollution and human health.

Prior to the first use/occupation of the development hereby approved, a comprehensive landscape scheme shall be approved in writing by the Local Planning Authority. The scheme must show the location, size and condition of all existing trees and hedgerows on and adjoining the land and identify those to be retained, together with measures for their protection during construction work. It must show details of all planting areas, tree and plant species, numbers and planting sizes. The proposed means of enclosure and screening should also be included, together with details of any mounding, walls and fences and hard surface materials to be used throughout the proposed development.

**Reason:** To ensure the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy 45.

The entire landscaping scheme shall be completed by the end of the first planting season (1st October to 31st March the following year) following the completion of the first building on the site.

**Reason:** To ensure that the landscaping is carried out and to enable the planting to begin to become established at the earliest stage practical and thereby achieving the objective of Cotswold District Local Plan Policy 45.

Any trees or plants shown on the approved landscaping scheme to be planted or retained which die, are removed, are damaged or become diseased, or grassed areas which become eroded or damaged, within 5 years of the completion of the approved landscaping scheme, shall be replaced by the end of the next planting season. Replacement trees and plants shall be of the same size and species as those lost, unless the Local Planning Authority approves alternatives in writing.

**Reason:** To ensure that the planting becomes established and thereby achieves the objective of Cotswold District Local Plan Policy 45.

The development shall be completed fully in accordance with the recommendations in Section 5.1.1 of the Protected Species Survey and Mitigation Final Report dated 29th September 2017 prepared by AD Ecology Ltd. All the recommendations shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the Local Planning Authority

**Reason:** To ensure that nesting birds are protected in accordance with the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the National Planning Policy Framework (in particular section 11), Policy 9 of the Cotswold District Local Plan 2001-2011 and Policy EN8 of the emerging Local Plan 2011-2031, and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

Prior to the erection of any of the buildings hereby approved, details of the provision of bat roosting features and nesting opportunities for birds (House martin, House sparrow, Starling, Swift and Swallow) into the new buildings and boxes in trees shall be submitted to the local planning authority for approval, including a drawing showing the types of features and their locations/positions. The approved details shall be implemented within 3 months of the completion of the development hereby approved, and thereafter permanently retained.

**Reason:** To provide additional roosting for bats and nesting birds as a biodiversity enhancement, in accordance with paragraph 118 of the National Planning Policy Framework, Policy 9 of the Cotswold District Local Plan 2001-2011 and Policy EN8 of the emerging Local Plan 2011-2031, and Section 40 of the Natural Environment and Rural Communities Act 2006.

A Landscape and Ecology Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority before the first occupation/use of the development hereby approved. The content of the LEMP shall include, but not necessarily be limited to, the following information:

- i. Description and evaluation of features to be managed; including location(s) shown on a site map;
- ii. Landscape and ecological trends and constraints on site that might influence management;
- iii. Aims and objectives of management;
- iv. Appropriate management options for achieving aims and objectives;
- v. Prescriptions for management actions;
- vi. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5-10 year period);
- vii. Details of the body or organisation responsible for implementation of the plan;
- viii. Ongoing monitoring and remedial measures; and
- ix. A timeframe for reviewing the plan

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the body (ies) responsible for its delivery.

The LEMP shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented.

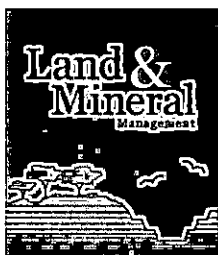
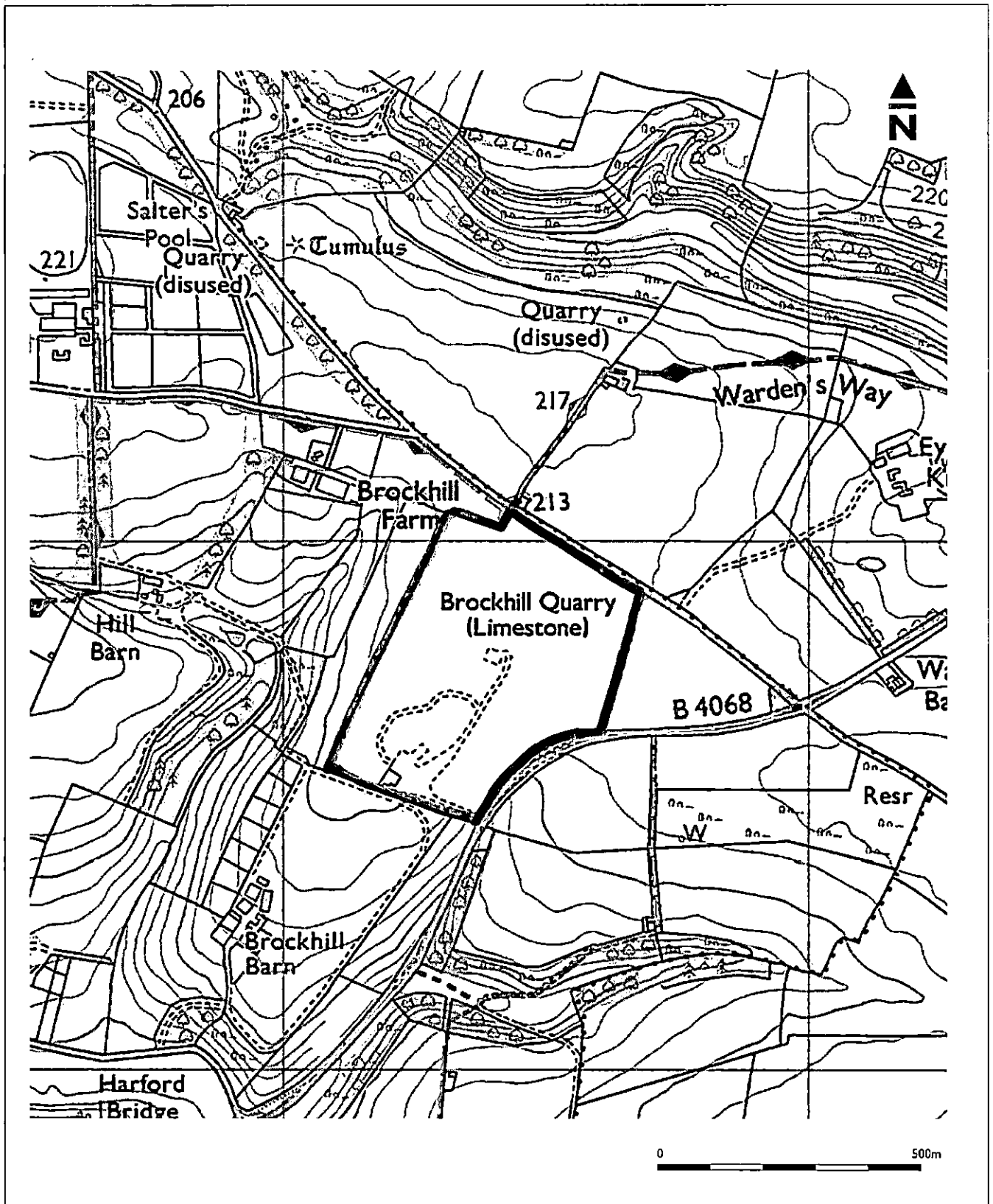
The LEMP shall be implemented in full in accordance with the approved details.

**Reason:** To maintain and enhance biodiversity, and to ensure long-term management in perpetuity, in accordance with the NPPF (in particular section 11), Policy 9 of the Cotswold District Local Plan 2001-2011 and Policy EN8 of the emerging Local Plan 2011-2031, and in order for the council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

**Informatives:**

Please note that this consent does not override the statutory protection afforded to species protected under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017. Further information can be found at the Cotswold District Council website:

<http://www.cotswold.gov.uk/residents/planning-building/wildlife-biodiversity/biodiversity-development-management/>



Land & Mineral Management  
 Suite 1, Security House  
 82c Chesterton Lane  
 Cirencester  
 GL7 1YD

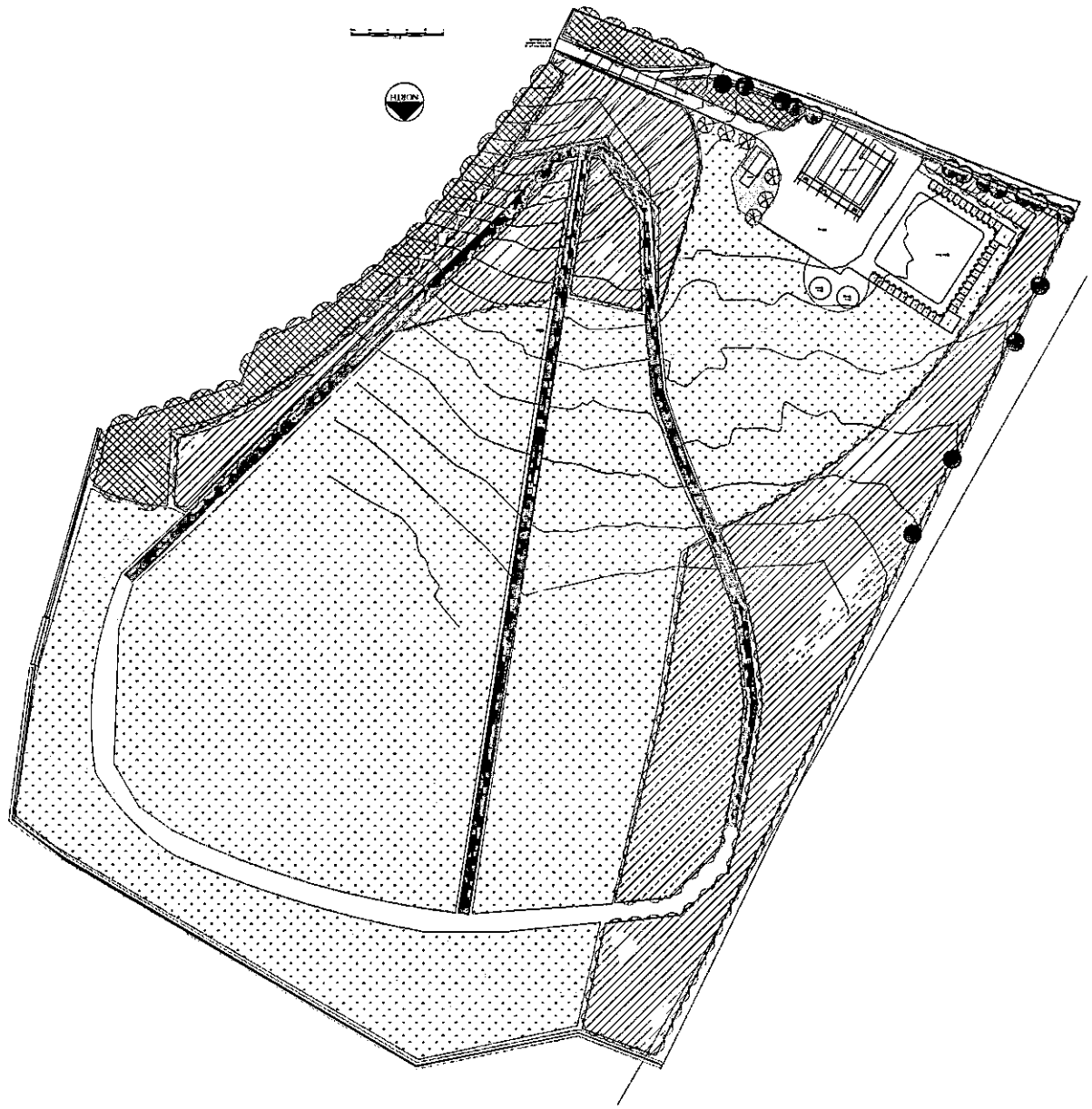
tel 01285 656391 mobile 07795 143457  
 email lb@landandmineral.co.uk  
 www.landandmineral.co.uk

CLIENT  
 Cotswold Stone Ltd










PROJECT TITLE  
 Brockhill Quarry, Naunton:  
 Change of Use to Equestrian

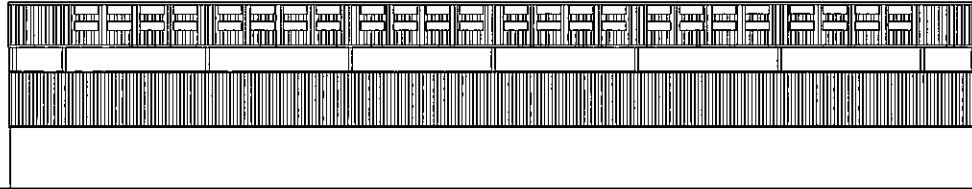
DRAWING TITLE  
 Location Plan

DATE	20th Nov 2015	DRAWN BY	GT
SCALE	1:10,000 at A4	CHECKED	LB
DRAWING NO.	2045C/03		

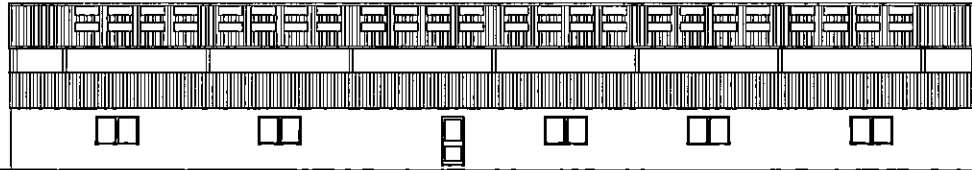


**LEGEND**

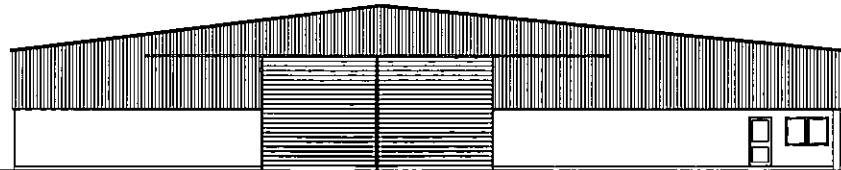
	EXISTING BOUNDARY REMAINS AND STRENGTHENED AS NECESSARY
	REMARKS LOCATION OF EXISTING REMAINING TREE/SHRUB TREES
	EXISTING TREES REMAINS AND STRENGTHENED AS NECESSARY
	PROPOSED PLANT AND TREES
	IMPAVED WALKWAYS
	PROPOSED WATER TREATMENT
	PROPOSED SCORP / BENTONLAND
	PROPOSED MAINTENANCE GRASS
	PROPOSED PASTURE ARE



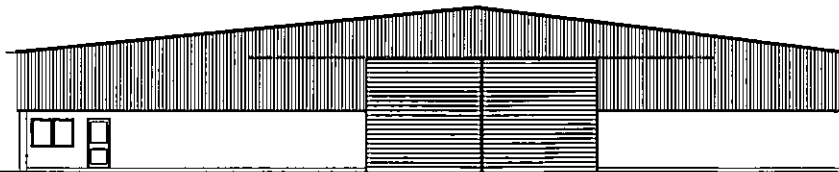
South Elevation



North Elevation



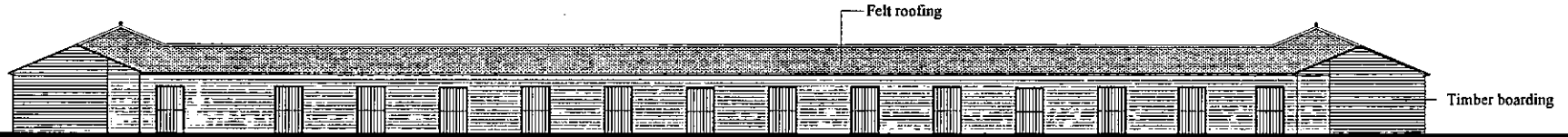
East Elevation



West Elevation

<p>© 2017  <b>THE SMITH HOITCHEN PARTNERSHIP</b>          48 Clevemount Road          Cheltenham          Glos.          GL52 3HG          01242 224591  <b>Mt. J. Palmer</b></p>	<p>Project  <b>Brockhill Quarry Replacement Building</b></p>	<p>Drawing  <b>Indoor Message Elevations</b></p>	<p>Scale          1:50 1:100</p>	<p>Date          March 2017          Drawn By          AJS</p>	<p>2017 / 05 / 05 A</p>
---	--	--	--------------------------------------	--	-------------------------

71



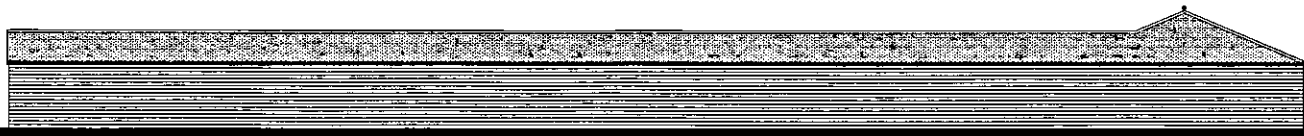
South East Elevation



South West Elevation



North West Elevation



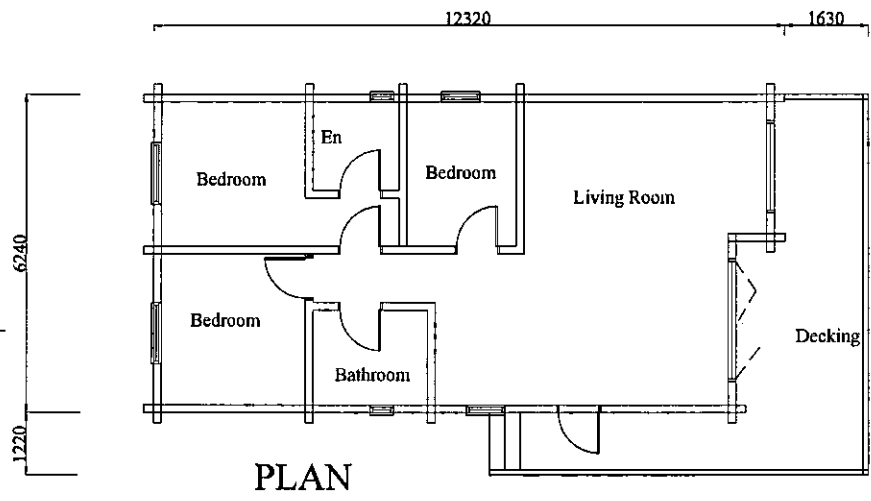
North East Elevation

<small>© copyright</small> <b>THE SMITH HOTCHEN PARTNERSHIP</b> 48 Cleevemount Road Cheltenham Glos. GL52 3HG 01242 224591	
Mr. J. Palmer	
<small>Project</small> Brockhill Quarry Replacement Building	
<small>Drawing</small> Stables Elevations	
<small>Scales</small> 1:50	1:100
<small>Date</small> March 2017	<small>Drawn By</small> AJS
2017 / 05 / 03 A	

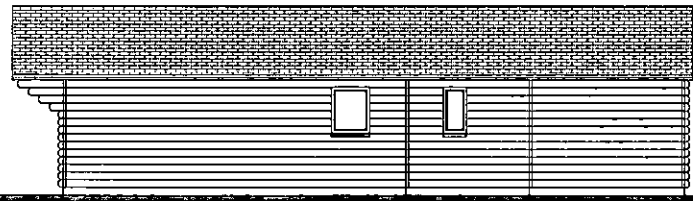
72



**NOTES**  
 Do not scale this drawing.  
 All dimensions for the building are given for the commencement of any work and any discrepancy required to the Authority.  
 Any development shall be in accordance with any other documents approved by The Authority or any 3rd party to be reported to the Authority.



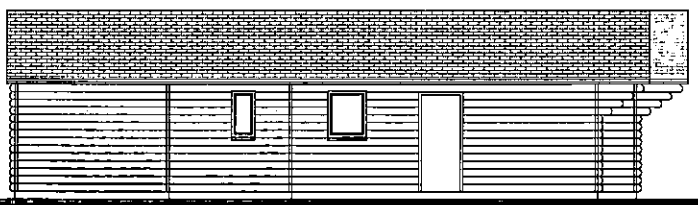
**PLAN**



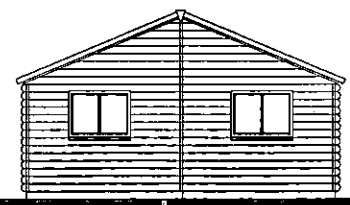
**Side Elevation**



**Front Elevation**



**Side Elevation**



**Rear Elevation**

<p><b>THE SMITH HOTCHEN PARTNERSHIP</b>          18 Clevevmount Road          Cheltenham          Glos.          GL52 3HG          01242 224591</p>	
<p>Client: <b>Mr. J. Palmer</b></p>	
<p>Project: <b>Brockhill Quarry Replacement Building</b></p>	
<p>Drawn: <b>Proposed Cabins</b></p>	
Scale:	1:50 @A1 1:100 @A3
Date:	August 2017
Drawn By:	A.J. Smith
<p>2017. 05. 15 A</p>	



THE  
**SMITH HOTCHEN  
 PARTNERSHIP**  
 Unit 8, Berkeley Mews  
 29 High Street  
 Cheltenham  
 Glos  
 GL50 1DY  
 01242 245273

Client: Mr J Palmer

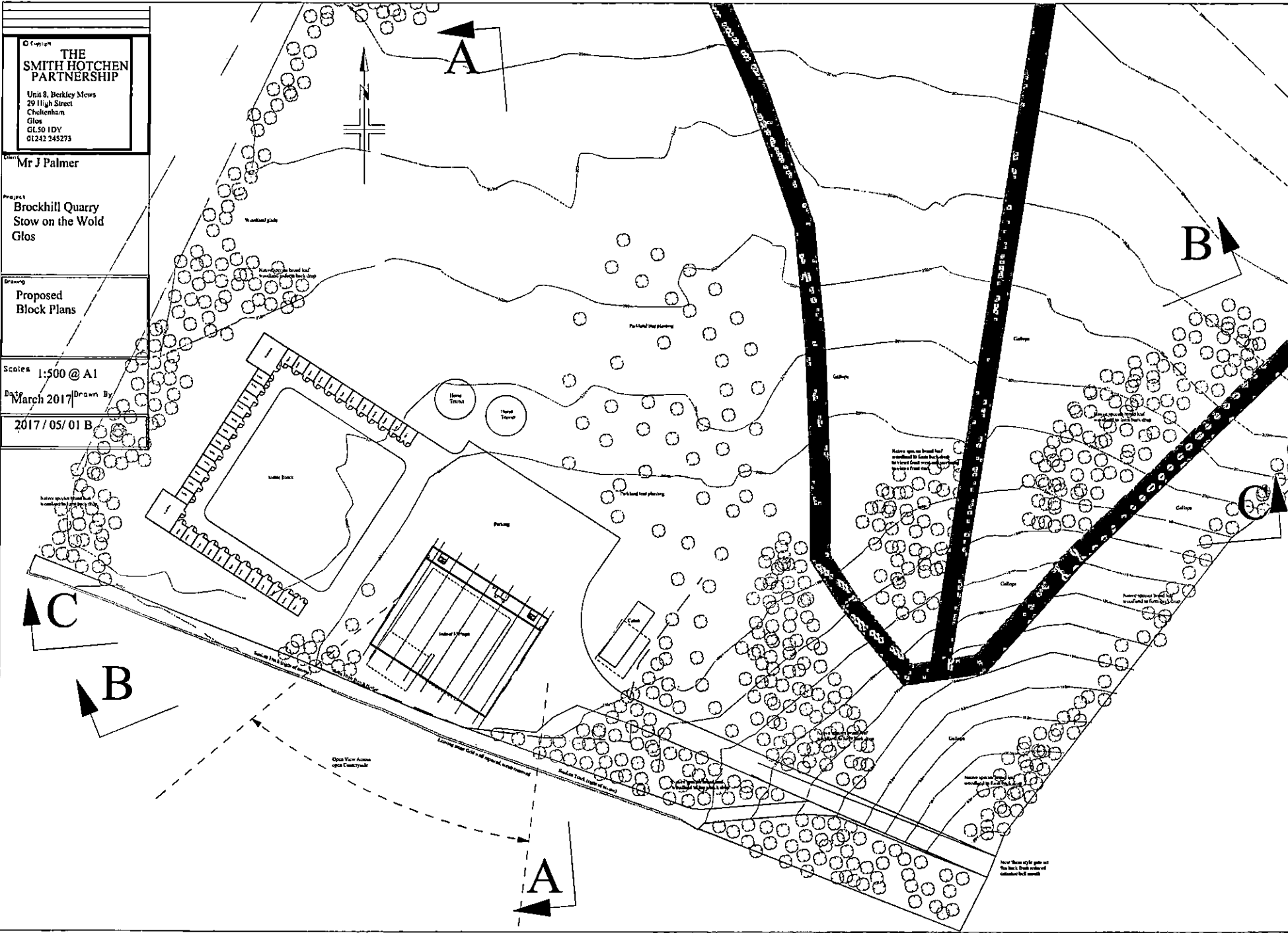
Project:  
**Brockhill Quarry  
 Stow on the Wold  
 Glos**

Drawing:  
**Proposed  
 Block Plans**

Scales: 1:500 @ A1

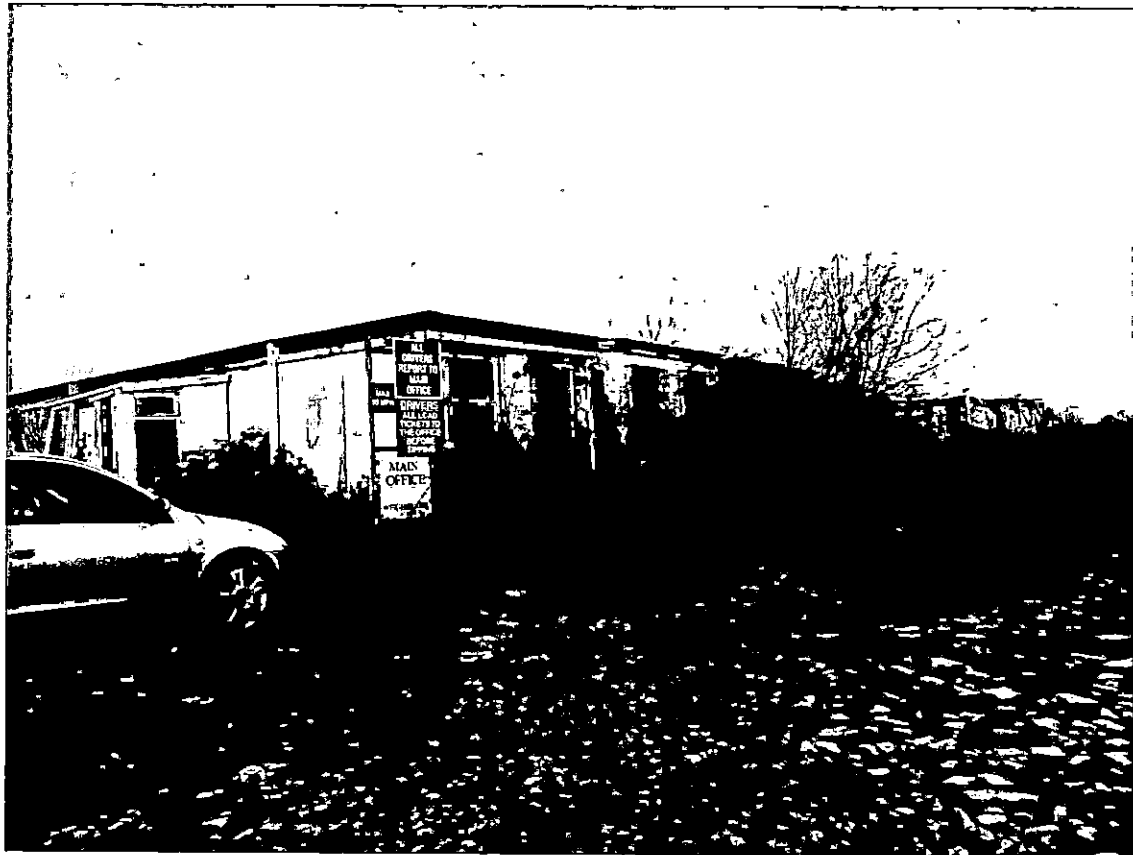
Date: March 2017 Drawn By:

2017/05/01 B





Existing buildings



**BROCKHILL, NAUNTON, CHELTENHAM, GLOUCESTERSHIRE GL54 3AF**

Office:  
Facsimile:  
House:

Chief Planning Officer  
Cotswold District Council  
PO Box 9 Council Offices  
Trinity Road  
Cirencester  
GL7 1PY

12 December 2017

Ref 17/04358/FUL

Dear Sir,

**Brockhill Quarry, Naunton**

I am a retired Chartered Accountant and insolvency practitioner of international repute. I have had a home in the parish of Naunton since 1981, apart from a short break. I am the owner and occupier of the neighbouring property (South) identified in the application as Brockhill Barn but which has been simply ~~as~~ Brockhill since 1995. Horseracing is one of my interests. I have been an owner for some forty years with a variety of trainers. As such I am familiar with the above quarry, its history and requirements for a racing yard to be licensed by the British Horseracing Authority (BHA).

**HISTORY OF BROCKHILL QUARRY**

Until the 1980's the Quarry was in the ownership of Mr G.G. Hanks and/or his wife, forming part of their land holding in the Parish of Naunton. The Quarry was dormant and the only building on the site was that known as "New Buildings" which was in agricultural use principally the storage of farming equipment. In the mid to late 1980's ownership passed to Mr Julian Palmer and/or a company in his control. Quarrying recommenced and stone processing operations commenced in "New Buildings". Also brought on site were portacabins for use as offices. At one stage Mr. Palmer made an application for a residential dwelling but permission was refused. As quarrying dwindled block stone was transported from other quarries for processing.

In 2008 an application was made to the Gloucestershire County Council for the restoration of the quarry to agricultural use. The applicant was Keyways Gloucester Limited under reference 08/0051/CWMAJM. The period for the restoration was extended in February 2013 reference 12/0057/CWMAJM and it is still not fully complete. I am no agronomist but it must surely be several years before the land has settled and grass matured so that it may, in the first instance, be grazed by sheep. Notwithstanding an application ref: 15/050278/FUL for a change of use from agriculture to equestrian was granted 14<sup>th</sup> January 2016. On the same date application ref:15/05021/OUT was refused. Amongst the grounds

for refusal it was stated that "An equestrian business does not currently operate from the site and a detailed business plan has not been provided to demonstrate that a new business has been planned on a sound financial basis".

#### **CURRENT PLANNING APPLICATION FOR AN EQUESTRIAN DEVELOPMENT**

I have studied the submissions made on behalf of the Applicant and would comment as follows:-

- a) The "Landscape Strategy and Guidelines for the Cotswold AONB" states, amongst other requirements, "Oppose over concentration of Equestrian ventures in one area". Within the Parish of Naunton there are three BHA licensed racing yards housing in excess of 150 racehorses. In addition, there are two dressage and event horse yards and privately owned hunters and show ponies. Further afield there are substantial racing yards in Andoversford, Bourton-on-the-Water, Ford and Stow-on-the-Wold.
- b) Racing yards are people intensive. A yard with 30 horses would require a minimum of five stable staff/work riders, a yard man who may also act as gallops and general maintenance and the trainer. Some administrative assistance would also be required. Unlike the training establishments of Newmarket, Lambourn and Malton there is not a ready pool of labour in the Cotswolds. The existing establishments struggle to fulfil their needs with the attendant risk to animal welfare. It is unclear from the Application who would occupy the "cabin". There are no public transport facilities near the site.
- c) An open area of some 30 acres, the remainder of the 44 acre site devoted to woodland, criss-crossed by the all-weather gallops would provide insufficient turn-out for 30 horses. Also, I question the practicality of using temporary fencing to be moved as needed.
- d) It is noted that the proposed stabling is of the open-sided variety whereas the modern requirement is for American barn stabling. It is presumed that the two "horse trainers" are in fact horse-walkers for which roofing is highly desirable. There is no provision for the housing of any horse lorries, a tractor, a gallops harrow, grass mowers, rollers and the such like. It is not clear where staff facilities such as a canteen for BHA mandatory breaks and toilets are to be housed and where there is to be an office.
- e) The all-weather gallops would be a substantial project with the need for drainage to be fully viable. This has not been addressed in the Flood Risk Assessment. While this assessment mentions the substantial work carried out by the Highways Authority to mitigate the flooding on the B4068 below the site entrance this work is recent and therefore its effectiveness has not yet been tested fully.
- f) Whilst the site should not be visible from the B4068 it will be clearly visible from the Warden's Way and the road to the North.
- g) It is proposed that the existing access be retained. It has to be pointed out that the B4068 is seen to be a regular "rat run" between Stow and Andoversford with a 60 mph limit (1). As

such it is unlikely that horses, particularly thoroughbreds may make use of it other than by transport.

#### CONCLUSION

This is clearly a speculative application with no end user specified and no indication of the development's marketability. In view of the nature of the application refused barely two years it could be likened to a "Trojan horse"! The proposed project would involve a substantial capital outlay not least on the all-weather gallops and not insignificant annual costs. As with the previous application "An equestrian business does not currently operate from the site and a detailed business plan has not been provided to demonstrate that a new business has been planned on a sound financial basis" In addition there is an "over concentration of equestrian ventures" in the Parish of Naunton.

Yours Faithfully, \_\_\_\_\_

M.J. Arnold FCA