

22/P/01898 - Land To The East Of Abinger Fields, Sutton Place, Abinger Hammer, Dorking



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Print Date: 13/06/2023



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GUILD FORD
BOROUGH

22/P/01898 – Land to the east of Abinger Fields, Sutton Place, Abinger Hammer, Dorking, RH5 6RP



Not to scale

App No: 22/P/01898
Appn Type: Full Application
Case Officer: Lisa Botha

8 Wk Deadline: 04/01/2023

Parish: Shere
Agent : Mr Copping
WS Planning & Architecture
5 Pool House
Bancroft Road
Reigate
RH2 7RP

Ward: Tillingbourne
Applicant: Mr & Mrs Margree
C/O WS Planning & Architecture
5 Pool House
Bancroft Road
Reigate, Surrey
RH2 7RP

Location: Land to the east of Abinger Fields,, Sutton Place, Abinger Hammer, Dorking, RH5 6RP

Proposal: Change of Use from agricultural land to equestrian use including the erection of a stable building and sand school.

Executive Summary

Reason for referral

This application has been referred to the Planning Committee because more than 10 letters of objection have been received, contrary to the Officer's recommendation.

Key information

The site is located within the Green Belt, within the Surrey Hills Area of Outstanding Natural Beauty (AONB) and an Area of Great Landscape Value (AGLV). The site is located in a rural area comprising of open fields and detached dwellings lining the road. The site itself comprises an open field which extends to the rear of Chase Cottage and Abinger Field extending northwards alongside Sutton Place.

This application is for a change of use from agricultural land to equestrian use including the erection of a stable building and sand school.

Site area: 1.69 ha

Sand school:

Stable building:

Summary of considerations and constraints

The proposed development would fall within the exceptions of Green Belt development under paragraph 149 and 150 of the NPPF and as such would represent not inappropriate development within the Green Belt.

The change of use of the land for equestrian use and the engineering operation to install the proposed sand school, would enable the land to be used for outdoor recreation and would preserve the openness of the Green Belt and not conflict with the purposes of including land within it.

The proposed stable building would provide an appropriate facility in connection with outdoor recreation and would preserve the openness of the Green Belt and not conflict with the purposes of including land within it.

The stable building would be appropriately scaled and designed for its intended purpose and its rural setting. The sand school would have no fencing and would be constructed with a surface material which would have an 'earthy' colour to help it blend into its setting.

Neither the sand school or stable building would be out of character in this rural area. Sufficient grazing land would be provided on site.

The impact on the AONB and AGLV would be minimised due to the siting and design of the proposed stable building and sand school and no materially harmful impact would occur as a result of the proposed development.

No external lighting is proposed.

Due to the location of the sand school and stable building, no materially adverse impact on the amenities of neighbouring properties would occur.

No concern is raised with regard to highway safety, capacity or policy.

The proposal is therefore recommended for approval, subject to conditions.

RECOMMENDATION:

Approve - subject to the following condition(s) and reason(s) :-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: J004325-DD-01, J004325-DD-2, J004325-DD-3, J004325-DD-4, J004325-DD-5, J004325-DD-6, J004325-DD-7 received on 09/11/22.

Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of proper planning.

3. No development shall take place until a scheme to enhance the nature conservation interest of the site has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved.

Reason: To increase the biodiversity of the site and mitigate any impact from the development.

4. No development shall take place until details of the sustainability measures to be included in the development have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials in accordance with Sustainable Design and Construction Supplementary Planning Document (March 2011). The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development.

5. The development hereby approved shall not be first brought into use unless and until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

6. No development shall take place until details of the proposed sand school surfacing material has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and samples.

Reason: To ensure that the external appearance of the sand school is satisfactory in this sensitive location.

Informatives:

1. If you need any advice regarding Building Regulations please do not hesitate to contact Guildford Borough Council Building Control on 01483 444545 or buildingcontrol@guildford.gov.uk

Officer's Report

Site description.

The site is located within the Green Belt, within the Surrey Hills Area of Outstanding Natural Beauty (AONB) and an Area of Great Landscape Value (AGLV). The site is located in a rural area comprising of open fields and detached dwellings lining the road. The site itself comprises an open field which extends to the rear of Chase Cottage and Abinger Field extending northwards alongside Sutton Place.

Proposal.

Change of Use from agricultural land to equestrian use including the erection of a stable building and sand school.

Relevant planning history.

Reference:	Description:	Decision Summary:	Appeal:
23/P/00606	Erection of an outbuilding (retrospective application).	Pending	N/A
22/P/01405	Erection of an agricultural barn for the storage of hay, logs and farm equipment.	Approve 25/10/2022	N/A
20/P/01850	Demolition of 2 No. ancillary outbuildings and replacement with a new single outbuilding for purposes ancillary to the enjoyment of the host residential property.	Approve 22/12/2020	N/A

Consultations.

County Highway Authority: No objection on safety, capacity or policy grounds. A condition is recommended to ensure vehicles can enter and exit the site in forward gear.

Surrey Hills Area of Outstanding Natural Beauty Officer: Concern regarding loss of agricultural land. Concern raised with regard to the permission granted under 22/P/01405 for an agricultural building for which the land now sought for equestrian use was based, without this land the fields would likely be agriculturally unviable. Concern regarding the position of the stables and sand school on the brow of the slope which would be more conspicuous in the landscape from surrounding lanes than before; as such the proposal would harm the Surrey hills AONB.

Third party comments:

36 letters of representation have been received raising the following objections and concerns:

- unacceptable detrimental impact on the AONB
- unacceptable detrimental on Green Belt land

- inappropriate development spread across the Green Belt
- unacceptable detrimental on AGLV
- unacceptable uplift on property (Officer note: the proposal needs to be assessed against criterion b of para.149 of the NPPF and not criterion c)
- out of keeping and unacceptably large
- the surface of the sand school is unlikely to be earth covered (Officer note: the details of the material could be subject to a condition if considered necessary)
- increase in traffic and narrow road leading to the site not suitable for equestrian vehicles
- increase in smell and insects
- increase in noise
- lighting of fires to burn dung (Officer note: should a issue arise, this would be a matter for the environmental health officers to assess)
- unacceptable creation of a precedent (Officer note: each application will need to be considered on its own merits)
- impact on local wildlife
- no consideration has been given for access - deliveries, horseboxes, emergency vehicles etc.
- no demand for a new equestrian facility (Officer note: this is not a material planning consideration)
- no public benefit
- loss of view from neighbouring properties (Officer note: there is no right to a view)
- concern over lighting (Officer note: no lighting is proposed as part of this proposal)
- no fence is proposed around the sand school, but is likely to be erected after permission is granted, and the proposal might become a commercial venture (Officer note: the application can only be assessed based on what is currently proposed, should permission be required for further development this would be the subject of a subsequent application)

Planning policies.

National Planning Policy Framework (NPPF):

Chapter 2: Achieving sustainable development

Chapter 4: Decision-making

Chapter 6: Building a strong, competitive economy

Chapter 12: Achieving well-designed places

Chapter 13: Protecting Green Belt land

Chapter 14: Meeting the challenge of climate change, flooding and coastal change

Chapter 15: Conserving and enhancing the natural environment

The Guildford Borough Council Local Plan: Strategy and Sites 2015 - 2034

The Council is able to demonstrate a five year housing land supply with an appropriate buffer.

This supply is assessed as being 6.46 years based on most recent evidence as reflected in the GBC LAA (2002). In addition to this, the Government's recently published Housing Delivery Test indicates that Guildford's 2021 measurement is 144%. For the purposes of NPPF footnote 8, this is therefore greater than the threshold set out in paragraph 222 (75%). Therefore, the Plan and its policies are regarded as up-to-date in terms of paragraph 11 of the NPPF.

S1 Presumption in favour of sustainable development

P1 Surrey Hills Area of Outstanding Natural Beauty and Area of Great Landscape Value

P2 Green Belt

D1 Place Shaping

Guildford Borough Local Plan: Development Management Policies 2023

Guildford's Local Plan Development Management Policies (LPDMP) was adopted by the Council on 22 March 2023. This now forms part of the statutory development plan and the policies are given full weight.

D4 Achieving High Quality Design and Respecting Local Distinctiveness
D5 Protection of Amenity and Provision of Amenity Space
D12 Light Impacts and Dark Skies
D14 Sustainable and Low Impact Development
D15 Climate Change Adaptation
E10 Animal-related Development

Supplementary planning documents:

Residential Extensions and Alterations 2018
Climate Change, Sustainable Design, Construction and Energy 2020

Planning considerations.

The main planning considerations in this case are:

- The principle of development and impact on the Green Belt
- Loss of agricultural land and the provision of sufficient grazing land
- Impact on character
- Impact on AONB and AGLV
- Impact on neighbouring amenity
- Impact on trees
- Sustainability
- Biodiversity

The principle of development and impact on the Green Belt

The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 150 of the NPPF states that certain forms of development are not inappropriate in the Green Belt, provided that they preserve its openness and do not conflict with the purposes of including land within it; this list includes a material change in the use of the land (such as changes for use for outdoor sport and recreation) and engineering operations.

The proposed change of use would be required for outdoor recreation and the provision of a sand school would constitute an engineering operation. Therefore, provided these forms of development preserve the openness of the Green Belt, and do not conflict with the purposes of including land within it, they would represent not inappropriate development within the Green Belt.

Furthermore, paragraph 149 of the NPPF, the construction of new buildings within the Green Belt should be regarded as inappropriate development. However, there are exceptions to this, including the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport and outdoor recreation as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. This assessment will be made below.

Policy E10 seeks to ensure that proposals for animal related developments are acceptable in terms of scale, location, design and the character of the area that they would not unacceptably impact nature conservation, would re-use existing building (where feasible) or avoid isolated buildings or buildings in visually prominent locations, have no adverse impact on neighbouring amenity and are adequate for their intended purpose. The policy goes on to state that the cumulative adverse impacts of development in the vicinity and the wider area will also be considered. Compliance with this policy will be assessed in the report below.

The proposed use of the land would be limited to exercising and grazing horses, and as such the site would preserve the openness of the Green Belt and would not conflict with any of the purposes of including land within it as the land is not required to check unrestricted sprawl of a large built up area, the proposal would not result in neighbouring towns merging into one another, would assist in safeguarding the countryside from encroachment by retaining its visual and spatial openness, would not affect the setting or special character of historic towns and would have not discourage the urban regeneration. Whilst it is noted that the change of use in the land may result in some equestrian paraphernalia being present on site, it is not considered that this would materially impact the visual aspect of the Green Belt, particularly with the existing boundary hedges and trees. As such, the proposed change of use is considered to represent a form of development that is not inappropriate in the Green Belt.

Similarly, the proposed sand school which would be located to the rear of the residential curtilage of Abinger Field, would constitute an engineering operation and does not propose any fencing to enclose it; as such it would have limited impact on the openness of the Green Belt in terms of spatial or visual impact, particularly as the surface material of the sand school is proposed to be of an 'earthy' colour. Furthermore, the screening provided from hedges / trees around the field itself, as well as that provided by the host dwelling and the landscaping around the residential curtilage of the site would also further reduce the visual impact of the stable building from views.

The proposed stable building would be used in connection with the proposed change of use of the land for outdoor recreation. The stable building would be located close to the residential curtilage of the host dwelling and adjacent to the proposed sand school, and as such would not be located in more isolated or open parts of the site and be visually contained. Whilst the stable building would be located on an elevated part of the site, the public view of the proposed stable building would be limited to those from the north-west, with views of the sand school also screened to some extent by the stable building.

The screening provided from trees along field boundaries, as well as that provided by the host dwelling itself would also further reduce the visual impact of the stable building from views. The proposed stable building would also be limited in terms of its scale to that which is considered appropriate for the keeping of horses and be appropriately designed; as such the proposed stable building is considered to preserve the openness of the Green Belt and would not conflict with the purposes of including land within it.

No objection is therefore raised to the proposed development in this regard.

Loss of agricultural land and the provision of sufficient grazing land

The NPPF (Chapter 15) recognises the intrinsic character and beauty of the countryside and the wider benefits from natural capital and ecosystem services, including the economic and other benefits of the best and most versatile agricultural land. The footnote states that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. The best and most versatile agricultural land includes land in grades 1, 2 and 3a of the Agricultural Land Classification. The site is located on land classified as Grade 4 / non agricultural land and as such no concern is raised with regard to the loss of the best and most versatile land. It is also important to note that the proposed development is largely related to a change of use of the land with only a small area subject of operational development; and as such almost all of the land could be put back into agricultural use without the need for planning permission.

The Department for Environment, Food and Rural Affairs' (Defra) Equine Code of Practice for the Welfare of Horses, Ponies, Donkeys and their Hybrids (December 2017) states that as a general rule, each horse requires approximately 0.5-1 hectares of grazing of a suitable quality if no supplementary feeding is being provided. The site has an area of approximately 1.67 hectares. The proposal seeks permission for a stable building with two stables and a tack room, the larger of the two stables could be converted into two stables providing stabling for 3 ponies. The stable sizes would meet the minimum floor area sizes for ponies and sufficient grazing could be provided on site, as such the proposed development is considered acceptable in this regard.

Impact on character

The proposed stables and sand school would be located to the rear boundary of the residential curtilage of Abinger Field, the host property. The building would have a mirrored 'L-shaped' footprint and would comprise a stable, tack room and stable / storage room. The building would sit just to the north of the proposed sand school. The stables would be appropriately scaled for its intended purpose with a maximum height of 3.77m and a footprint of 50 sq m with an adjacent concrete yard area. The building would have an appropriately rural appearance with a pitched roof, wooden boarding and corrugated sheet for the roof.

The land slopes up from the north to the south across the application site and as such the stable building and sand school would be located on rising ground, which continues to rise to the south of the proposed development by another metre. The building would therefore be visible from views from the north from the road, however, due to its set back from the road itself, in combination with the limited height of the proposed building and the trees along field boundaries, the stable building would not be highly prominent in the landscape. Furthermore, whilst the building would be visible, this does not therefore translate into it being harmful.

The building would be appropriately scaled and designed for its intended purpose and would be located just to the rear of the residential curtilage of the dwelling and therefore is not considered to be located in an isolated position; as such it is considered that the proposed stable building would not result in any harmful on the rural character of the area.

The proposed sand school would be located to the rear of the stable building and close to the rear boundary of the host dwellings garden. Taking into account the proposed location of the sand school, together with its construction, which is intended would have an 'earthy' colour and that there would be no fencing, it is not considered that it would have anything but a limited visual impact from distant views. Furthermore, such facilities are largely limited to rural locations, and as such would not be an unexpected feature in a rural landscape. A condition is recommended to agree any fencing that might be proposed in the future in order to ensure that it is appropriate to its rural setting.

The proposed development is therefore considered acceptable in this regard.

Impact on AONB and AGLV

The Surrey Hills AONB Management Plan 2020 is a material planning consideration. In terms of planning management policies, the AONB Management Plan seeks to ensure that development respects the spatial landscape character of the locality, seeks to provide high quality design and prevent harm to public views into or from the AONB. The site is located on an elevated position; however, the public views of the site are limited, and the views achieved would be of an appropriately designed stable building for its rural setting, with a sand school with minimal visual impact due to the lack of any form of enclosure.

Whilst it is noted that the AONB officer considers that the building would be located in a conspicuous location when viewed from the surrounding lanes, Officers consider that despite some limited views of the stable building from the nearby lanes, that the building itself (which would predominantly screen the sand school from distant views) and would not be an unexpected feature within a rural location, would be of an appropriately domestic scale and use appropriate materials, would not be materially harmful to public views into or out of the AONB, and as such the proposed development is considered to respect the aims of the AONB Management Plan.

One of the aims of the agricultural management policies of the plans states that development leading to a loss of farmland will normally be resisted unless there is an overriding public interest. As noted above, the site has not been identified as being the best and most versatile agricultural land and as such should not prevent development; it is also noted that the majority of the site which would not be subject to operational development could be reinstated as agricultural land if necessary and as such it is not considered that any overriding public interest is required to be demonstrated. Another of the aims of the recreation, health and wellbeing management plan policies seeks to encourage facilities that enhance people's health, enjoyment and understanding of the Surrey Hills, whilst conserving or enhancing the landscape character and biodiversity. The proposed development would provide facilities to enhance the owners health and enjoyment of the Surrey Hills whilst conserving the landscape character and biodiversity of the site.

No external lighting is proposed as part of this development. However, taking into consideration its sensitive location in an elevated position within the AONB and AGLV a condition is recommended to prevent any external lighting from being installed without first obtaining planning permission. This would enable the impact of the proposed lighting to be considered should the applicant wish to install lighting at a later date.

The AONB Officer did however raise a concern that permission had recently been granted for an agricultural barn for the storage of hay, logs and farm equipment and that the land which is now subject to this application was used to justify the provision of a barn. However, that application related to an adjacent field and as such it is considered that the justification for the barn remains unaffected by this proposal.

Impact on neighbouring amenity

The application is located in a relatively isolated position, with the nearest neighbouring properties being Chase Cottage to the west and Greenways further to the west. In terms of Chase Cottage, the proposed stable building would be located at a distance of approximately 55m from the dwellinghouse and 23m from its rear boundary; as such this separation distance, together with the scale of the proposed stable building would prevent any adverse impact to the amenities of the occupants of this neighbouring property. Similarly, the sand school is located approximately 45m from the neighbouring dwelling, Chase Cottage and would be located beyond its northern side boundary. Chase Cottage is orientated with its rear elevation facing south-east and as such would not obtain direct views towards either the stable building or the sand school.

Greenways is located approximately 88m to the west of the proposed stable building with an intervening road in between. Taking into consideration the separation distance involved and the scale of the building, no materially harmful impact would occur to the occupants of this neighbouring dwelling. Similarly, the sand school proposed to the rear boundary of Abinger Field which would be largely screened by the host dwelling, and would have a limited visual impact by virtue of the lack of enclosure proposed around it would also not result in any materially harmful impact on the amenities of the occupants of Greenways.

Whilst concerns of noise and smell have been raised, it is not considered that a building comprising up to three stables and a sand school for private use would result in any materially harmful impact and that any impact would not be mitigated to a great extent due to the separation distances proposed; however, should such issues arise this would be a matter for the Council's environmental health officers who would investigate to establish whether a statutory nuisance had arisen.

As such, it is not considered that the proposed development would therefore result in any adverse impact on the amenities of neighbouring residents.

Highway / parking considerations

The proposed development would not result in the creation of any new access to the site. An existing field access is located onto Sutton Place and would enable vehicles to enter the site from the lane. The County Highway Authority has assessed the proposed development and has raised no objections on safety, policy or capacity grounds; however, a condition is recommended by the County Highway Authority to ensure that vehicles can enter and exit the site in forward gear for safety reasons.

The proposed equestrian facilities would be for private use and as such it is not anticipated that any material increase in vehicle movements to and from the site itself would occur as a result of the proposed development.

No objections are therefore raised to the proposed development in this regard.

Impact on trees

An arboricultural impact assessment and arboricultural method statement was submitted with the application; however, the siting of the proposed stable building and sand school do not relate to those of the submitted drawings. Nonetheless, the submitted information details that no trees would need to be removed to enable the proposed construction of the stable buildings, sand school or for construction purposes; and as such no concern is raised in this regard.

Sustainability

A Climate Change, Energy and Sustainable Development questionnaire was completed and submitted in accordance with policy D2 of the Local Plan. It states that:

- there will be no use of primary materials
- no more than the required quantity of materials will be ordered and stored on site, therefore minimising wastage of materials
- locally sourced planed rebated board will be used for the stables which will be FSC certified timber
- the stables and sandschool will not be connected to electricity
- no mechanical heating or artificial lighting is proposed
- there will be no mains water use on site
- the hardstanding and turning area will be gravel to enable drainage

A condition is recommended to secure the above details.

Biodiversity

Policy ID4 requires new development to deliver gains in biodiversity. As such, a condition is recommended to secure a net gain in biodiversity on the site.

Conclusion.

The proposed development would represent development that is not inappropriate within the Green Belt. The proposal would not result in the permanent loss of the best and most versatile agricultural land and sufficient grazing would be provided on site. The proposal would be in keeping with the character of the area, would not result in any materially harmful impact on the AONB or AGLV and would not result in any materially adverse impact on neighbouring amenity. The proposal would not result in any loss or harm to trees and sustainability measures have been considered as part of the proposed development that will be secured by condition. The proposed development is therefore recommended for approval, subject to conditions.