



Public Document Pack

DEVELOPMENT CONTROL AGENDA

**THURSDAY 7 APRIL 2016 AT 7.00 PM
COUNCIL CHAMBER**

The Councillors listed below are requested to attend the above meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Membership

Councillor D Collins (Chairman)	Councillor Riddick
Councillor Guest (Vice-Chairman)	Councillor Ritchie
Councillor Birnie	Councillor R Sutton
Councillor Clark	Councillor Whitman
Councillor Conway	Councillor C Wyatt-Lowe
Councillor Maddern	Councillor Fisher
Councillor Matthews	Councillor Tindall

For further information, please contact Katie Mogan or Member Support

AGENDA

- 13. FLAUNDEN HOUSE STABLES - OBJECTION DOCUMENTS (Pages 2 - 20)**

Flaunden House Stables

Planning Application 4/03481/15/MFA

Document will focus on the following:

Summary

The basis of the deferral at last DCC meeting and what has been done since

Non compliance with the NPPF and saved Local Plan Policy

106 Unilateral undertaking

Continued factual errors – Failure to meet DBLP Policy 22 and illegal current extension

Comments on proposal submitted

Other Issues raised

Flaunden House Stables

Planning Application 4/03481/15/MFA

Summary

Relic Homes have still not demonstrated that they are in compliance with Policy CS5 and saved Local Plan Policy 110 as they have failed to demonstrate that every reasonable effort has been made secure the existing business.

They have specifically not made any attempt to market the existing business and secure continued business use of the buildings being converted. The Viability report submitted is wholly inadequate and does not constitute 'every reasonable effort' (Policy110)

The proposal submitted will result in lower levels of employment and loss of business for surrounding service businesses ie. Vets, farriers, riding instructors etc and therefore fails to support the rural economy (Policy CS5)

They have also failed to undertake an assessment which clearly shows that the buildings, historically used for sport and recreation, are surplus to requirements as required under NPPF (NPPF Para 74)

The current residential property on site is illegal in its current construction and this additional proposal fails to comply with the maximum size permitted for the extension of property in the Green Belt (Policy 22)

In addition they have failed to comply with the earlier request of the DCC to provide a business plan and properly constructed site operation and management plan that will meet the needs of a commercial equestrian business and the relevant operational and safe practice standards or sign the proposed 106 undertaking.

As such this application should be refused.

Flaunden House Stables

Planning Application 4/03481/15/MFA

Basis of deferral at the previous DCC meeting dated 25 February 2016

At the previous DCC meeting the application was deferred with a specific request that the applicant provide a comprehensive business plan for the proposed equestrian business and further details demonstrating the suitability of the site plan and layout to support a commercial equestrian business.

This followed a request from Dacorum Planning that permission be granted by the DCC subject to these conditions and that powers to ensure these were complied with be delegated to the Planning Officer, which was not acceptable to the DCC.

This latest proposal has not met these requirements.

1. Relic Homes have not produced a business plan and Dacorum Planning are still trying to have the responsibility to ensure this is complied with taken away from the DCC and delegated to them by recommending that permission be granted subject to a condition that 'Prior to the commencement of development a Business Plan for the equestrian use must be prepared and approved by the local planning authority' (Planning Officers Report page 41 para 11).

2. Relic Homes have submitted a superficial and unprofessional site layout plan which demonstrates little knowledge or interest in equestrian activities. They have not sought any professional guidance in compiling this and have demonstrated little regard to the commercial success, operational needs, site safety or equine wellbeing. (see attached letter from British Horse Society). To overcome this Dacorum Planning, acknowledging that the current submitted proposal is deficient in this regard, are again trying to take away responsibility for ensuring this is done from the DCC by recommending that the proposal be approved subject to plans being submitted to the local authority to demonstrate the stables and supporting buildings and infrastructure for the operation of the livery yard are in accordance with professional body guidelines (Planning Officers Report page 40 para 6).

3. Similarly the unilateral 106 agreement has still not been signed by Relic Homes, we believe this to be because they are not currently the registered owners of the property, despite taking effective ownership over a year ago. As such they cannot sign the document without first becoming the registered owners (and paying appropriate stamp duty).

This this latest proposal has clearly not complied with the request of the DCC and should be refused, or deferred, until such time as the information requested has been properly compiled. Delegation of this responsibility to the Local Planning Authority was not acceptable previously and their continued desire to approve this project with incomplete and inadequate supporting information only supports further the earlier DCC decision to retain their control of this approval process.

Flaunden House Stables

Planning Application 4/03481/15/MFA

Non compliance with the NPPF and saved Local Plan Policy

At the previous DCC meeting it was initially proposed that the application be refused on the same grounds as an earlier application, namely:

By removing an existing equestrian use, the proposal fails to support the rural economy, contrary to Policy CS5 of the Core Strategy, and has failed to demonstrate that every reasonable effort has been made to secure a business, recreation or tourism- related re-use, contrary to saved Local Plan Policy 110.

This was challenged by the Local Planning Authority on the basis of the additional submissions from Relic Homes, particularly referencing their 'Viability Report' which they argued 'demonstrated that every reasonable effort has been made to secure a business, recreation or tourism-related re-use' so complies with saved Local Plan Policy 110.

An extract, page 13, of this Viability Report is included to clearly demonstrate it's failure to make any mention of the viability of continuing as an equestrian business, which the site is custom made for and has demonstrably been for over 30 years. It's only reference to the equestrian activities is to dismiss this 30 plus year proven history as 'any previous equestrian use must have been on a low key basis'. The full report is available on the planning website

The misclassification of the two buildings proposed for residential conversion as 'agricultural barns' rather than the sports and recreational buildings they clearly are, which should not be built on unless an assessment has been undertaken which has clearly shown the buildings to be surplus to requirements, required by NPPF para 74, is similarly not correct and no effort whatsoever to market the equestrian business, typically constituting 'every reasonable effort', has been made under Policy 110. To the contrary a local demand survey (attached) clearly indicates that these buildings are not surplus to requirement.

For clarification, under the Town and Country Planning Act 1990 agriculture includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land. Neither of these buildings, built in the 1970's and 2010 has ever been used for this purpose.

The basis of this continued misclassification by the Planning Officer, who maintains that 'the buildings were originally built as agricultural buildings' includes; ' the applicant said it was being used to store equipment for agriculture' and during the site visit 'on the 17th March 2015 the smaller barn was being used to store equipment for agriculture' is nonsense based on the wealth of information provided for site history.

Given the above the committee at the previous meeting were correct to again propose refusal of this application on the original grounds of failure to comply with CS5 and Policy 110 and still are.

Flaunden House Stables

Planning Application 4/03481/15/MFA

Non compliance with the NPPF and saved Local Plan Policy

- Extract from Aitchison Rafferty Viability Report (Page 13)

- Flaunden House Stables, Birch Lane, Flaunden HP3 0PT 23 December 2015
- 9.26 It is anticipated that the high street shop investment market will see a broadening investor base and a more diverse spread of requirements. Investor appetite for prime shops remains strong and increased liquidity at the prime end of the market will ensure that prime yields move in further. Renewed investor appetite for the sector is being driven by two themes. The first being a simple improvement in investor's perceptions of the high street retail market, and the second being a rising belief that there are good opportunities to reinvest any proceeds from sales. It was the latter of these two themes that was creating the biggest logjam earlier this year, with many experienced high street retail investors unwilling to sell prime assets as they felt at the time the opportunities at the secondary end of the market were too limited and risky. This has changed over the last few months, with a rising interest in secondary assets.
- 9.27 In terms of retail warehouses, the investment performance of this sector has weakened over the last six months, both on an absolute basis and compared to other retail segments. Research shows that retail warehousing is one of the few sectors of the UK commercial marketplace that has seen rising yields in 2015, with a 25 bps rise this year. However, investor demand remains strong with institutional investors heavily biased towards the best schemes in the best locations. This has led to the emergence of a "two-tier" market with strong demand for the very good assets and softening yields for poorer assets where investor demand is weaker.
- **10.0 VIABILITY OF EXISTING USE**
- 10.1 The Property currently provides a 16.45 acre parcel of land that is utilised for farming and equestrian purposes with the exception of The Coach House, which is in residential use. The top yard and pony barn provide a total of 16 stables and loose boxes and, with the addition of two more stables, the amount of grazing land (which extends to around 14.75 acres) would result in an acceptable horse to grazing land ratio of 1:0.82 acres. As mentioned above, Guidance produced by the Department for Environmental Food and Rural Affairs (DEFRA), and supported by the British Horse Society (BHS) states that, as a general rule of thumb, each horse requires approximately 1.25 - 2.5 acres of grazing of suitable quality, depending on the type of grass, ground conditions, time of year, type of horse and degree of pasture management employed. A minimum ratio of one horse per half acre is generally expected and with the amount of stabling currently in existence, this minimum standard can be achieved.
- 10.2 There is no evidence of any previous viable equestrian business at the Property, and no records of any business operating at the Property at Companies House. No accounts have been produced. Any previous equestrian use must have been on a low key basis.
- **11.0 ALTERNATIVE USE OPTIONS AND ECONOMIC VIABILITY**
- 11.1 Within the scope of this Report we have been instructed to consider the commercial viability of alternative uses for the top barn and main barn to residential, by having consideration to potential demand, economic viability and factors that could affect capital value. We would reiterate that the viability of these alternative uses needs to be considered against the fact that the remainder of the land is to remain in equestrian use and controlled via a Section 106 unilateral undertaking.
- 13 of 21

Flaunden House Stables

Planning Application 4/03481/15/MFA

Local equestrian demand Survey.

Survey of those who would stable their horses at FHS

Name	Number of Horses	Comments
Rebecca Pocock	3	Owner of three horses, finds stabling difficult to find. Also teaches.
Ann Ackerman	1	Previous tenant
Jenny Harding	1	Previous tenant
Details on file	1	Previous tenant
Lauren Keates	1	Previous tenant
Details on file	1	Previous tenant
H Pegg	1	Previous tenant
Details on file	1	
AN Other	5	Prefers not to identify herself, keen to negotiate lease of part of the yard with new owners.
Trish Duggan	1	Would keep horses at Flaunden.
Tracy Hodges	1	Would move back in a flash
Details on file	2	Previous tenant
Carrie Hart	2	Previous tenant
Clare Pitcher	2	Previous tenant
Kathy Dean	1	Previous tenant + horse box
Clara Lawrence	2	Previous tenant (last to leave told to go by 30/4) also groom
Kelly-Jo Pritchard	1	Would love to keep my horse nearby; very hard to find a good yard with such great facilities as Flaunden House Stables
Steven Duncan	3	Previous tenant, live in Flaunden and would love to return to Flaunden Stables
	30	(Minimum number of horses)

Flaunden House Stables

Planning Application 4/03481/15/MFA

Local equestrian demand Survey.

Professionals who would provided services to the yard

Charlotte Osmond
Details on file
Lorna Skinner
Sam Wade
Cathy High
Clare Yetton

Vet
Equine therapist
Physiotherapist
Farrier - lost business since closure of stables
Lost yard work since closure
Lost teaching work since closure

Lessons at the yard

Dick Liversedge
Gerry Ward

Grandchildren had regular riding instruction.
Grandchildren had regular riding instruction

Other comments

Boo & Charles Macleod Matthews

Creating a cross country course in the chess valley close to Flaunden, offering adults and children in the area chance of riding without danger of main road. Not viable without the support of local livery stables.

Diane Howard
Georgina Platts
E. Savage

No more houses
Notable shortage of good livery stables in this area
Great shame another yard is threatened with closure

Flaunden House Stables

Planning Application 4/03481/15/MFA

106 Undertaking to secure a scaled back equestrian activity

Agreement still not signed by Relic Homes

Title deed HD49610 still shows that the owners of the title are Brian and Georgina Turner, subject to the unilateral notice of a contract for purchase in favour of Relic Newberries Ltd.

Relic took effective ownership over 12 months ago

Relic therefore cannot complete the 106 document until they are the registered owners (and have paid the appropriate stamp duty).

106 Agreement provides no guarantee that the 16 stables will be re opened it simply specifies that they cannot 'be used for any purpose other than for commercial use as equestrian stables and associated equestrian uses'. There is every likelihood that they will not be reopened and simply left vacant as is currently the case.

Probable outcome:

A sub scale non viable equestrian business with inadequate infrastructure

Future applications to build storage barns on Green Belt to meet the needs of a constrained equestrian facility

Disinterested owners who's prime interest is development

In due course an application to have the undertaking removed on 'non-viability' grounds and further development

Flaunden House Stables

Planning Application 4/03481/15/MFA

Continued factual errors – Non compliance with saved Policy 22 and illegal current extension

Policy 22 of DBLP - Within the Green Belt the resulting building (including any earlier extensions and alterations or replacement) should be less than 130% of the floor area of the original dwelling.

The original Coach House dwelling pre-2003 was a simple, one bedroom, building (see area in white on plan below) that has been extended without planning permission (area shaded in blue) in recent years, illegally incorporating adjoining stables. An enforcement case has now been set up to investigate this.

The original dwelling size was 68 sq m (details from previous planning application 4/00567/03/FUL attached). Relic Homes' application includes the illegal extension in their existing ground floor plan. Their proposed extension will take the building to 167 sq m, well beyond the 130% permitted.

Both the illegal nature of the existing building and the non compliance with Policy 22 should be resolved before any decision is made on further development.

Flaunden House Stables

Planning Application 4/03481/15/MFA

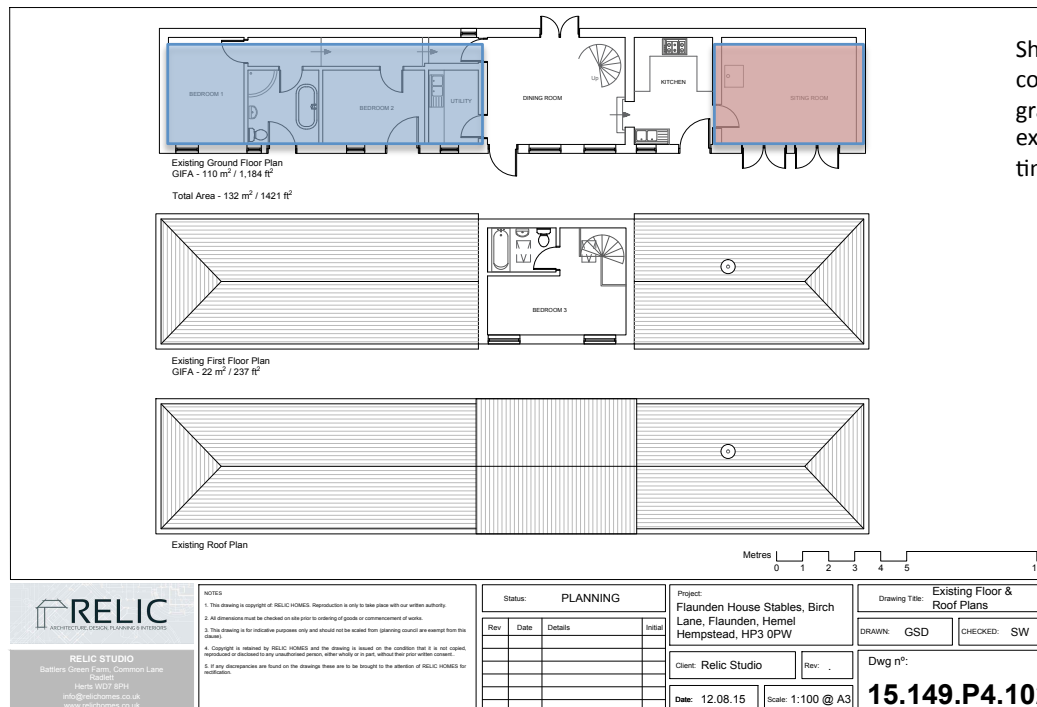
Continued factual errors – Non compliance with saved Policy 22 and illegal current extension

Existing ground floor plan of The Coach House as presented includes illegal extension

New proposed extension will take The Coach House to 167 sq m (246% of original dwelling vs 130% permitted under Policy 22)

This was known by Relic Homes both from their searches on acquisition in December 2015 and from previous objections.

Page 11



Shaded pink - Area converted with planning granted in 2003 – extension granted at that time was never built.

Flaunden House Stables

Planning Application 4/03481/15/MFA

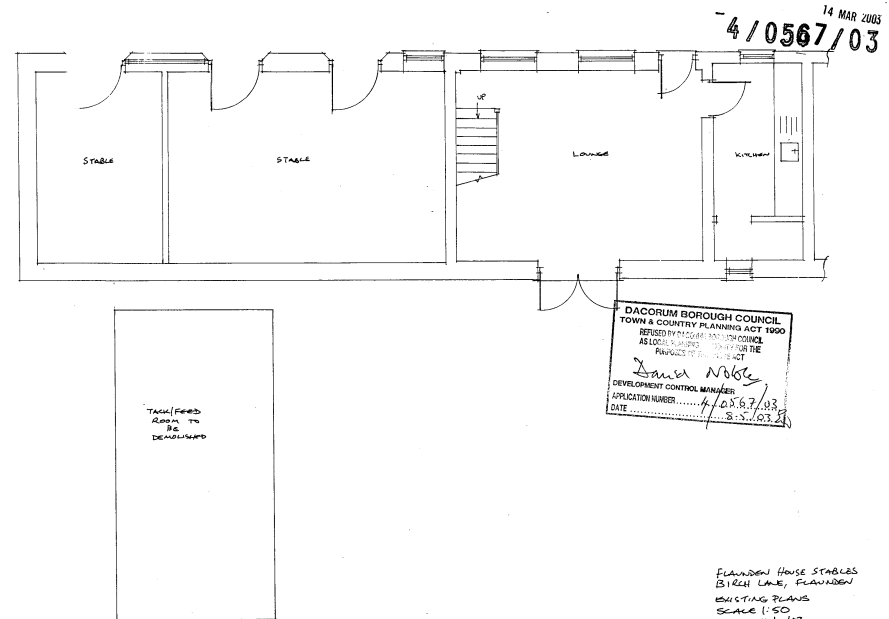
14 MAR 2003
4/0567/03

11. DRAINAGE
a) How will surface water be disposed of (e.g. soakaways, surface drains etc.)?
SOAKAWAYS
b) How will foul sewage be disposed of (e.g. main sewers, cesspit, septic tank etc.)?
MAIN SEWER

12. NON-RESIDENTIAL DEVELOPMENT
a) How many full and part time employees are there:
i) existing? Full Time Part Time Total
ii) proposed Full Time Part Time Total
b) If the proposal involves the storage of hazardous materials, please give details including quantities.
c) How will any effluent or trade waste be disposed of?

13. TYPE OF DEVELOPMENT (All floor space to be measured externally.)
a) How many existing dwellings, as a result of the proposal, will be:
i) retained? 1
ii) lost through demolition, change of use or conversion? Nil
b) Does the proposal involve:
i) new dwelling? YES NO
if yes, please state the number of units.
ii) new buildings? YES NO
if yes, please state the new floor space. sq m
iii) a change of use? YES NO
if yes, please state the new floor space. sq m
iv) extension(s) to an existing building? YES NO
if yes, please state the size of the existing building sq m
extension 63 77 sq m
v) the demolition of buildings? YES NO
if yes, please state the floor space lost. 20 sq m
c) What is the floor space of all buildings existing and proposed by type of use?

Use	Existing	Proposed (sqm)		Floorspace lost (e.g. demolition change of use etc.)
		Retained Floor Space	New Floor Space	
Retail				
Financial & Professional Services				
Catering Establishments				
Offices				
Industry				
Storage / Warehousing				
Other (specify): STABLES				36
Other (specify): TACK/FEED ROOM				20
Total		52	77	56



Flaunden House Stables

Planning Application 4/03481/15/MFA

Comments on site proposal submitted

Following the request of the DCC at the meeting on 25 February, Relic Homes have submitted a layout and plan detailing their proposed configuration as a commercial equestrian facility.

This plan drawing submitted is consistent with the concerns expressed by councillors at the previous DCC meeting with regard to the applicant's lack of both knowledge and interest in the ongoing wellbeing and viability of the equestrian activities or the operational and safety requirements.

The basis for this view includes;

- (i) The parking configuration and provision for safe loading and unloading of horses is ill thought out, impractical and inadequate eg. parking 3 horse boxes within the 'D' is both dangerous to horses and unworkable and the road immediately in front of the stables becomes a public access road to the three residential houses. Trailers and horse boxes, that typically have rear ramps, can not be unloaded in this position
- (ii) The storage areas proposed are not fit for purpose and are unlikely to satisfy current fire or health & safety regulations for a commercial equestrian business
- (iii) The removal of the managers office means there are now no facilities for staff and owners to use, including basic essentials such as wc's, wash basins or changing areas
- (iv) There are no facilities for the storage of essential equipment required for the maintenance of areas such as the manege eg. small tractor and rake etc
- (v) There are no facilities indicated for the storage and management of waste from the site eg. muck, spent bedding etc

A more detailed review of the information provided by Relic Homes is included in a letter from the British Horse Society (attached).

Flaunden House Stables

Planning Application 4/03481/15/MFA

Other issues raised

Appropriateness of historic equestrian business

It is implied that the historic equestrian business was inappropriate in size and failed to comply with Defra guidelines as highlighted in the letter from the British Horse Society the 'General rule' that each horse requires approximately 1.25 to 2.5 acres of grazing is misleading taken in isolation.

The code goes on to say 'a smaller area may be adequate where a horse is principally housed and grazing areas are used for only occasional turnout'.

A livery yard, such as Flaunden House Stables usually turns horses out for exercising for part of the day and also uses the horse exerciser currently on site for supplementary exercise as required. They also use supplementary feed (hay).

The previous, more prescriptive version of the code stated 'a minimum ratio of one horse per half acre is generally accepted, which they were in compliance with (Aitchison Rafferty Viability Report Page 13)

It should be noted that this facility operated for many years with no known regulatory problems and a high level of satisfied clients as witnessed by the local demand survey that includes many previous owners who used the stables and wish to return assuming historic facilities are maintained.

NEWHOUSE FARM

Flaunden, Hemel Hempstead, Hertfordshire.
HP3 0PJ

For Ms E Palmer
Planning Department
Dacorum Borough Council
Civic Centre
Marlowes
Hemel Hempstead
HP1 1HH

3 April 2016.

Dear Ms Palmer,

Flaunden House Stables application 4/03481/15/MFA and additional information and plans sought by the Development Control Committee.

Further to my earlier correspondence I have prepared for the British Horse Society Hertfordshire Committee an assessment of the information in the report and drawings as indicated above to be considered by your Committee on Thursday 7 April and forward this copy for your attention.

I apologise for the delay in sending this to you caused in part by my absence plus the late notice we received via third parties that additional information had been provided by the applicant.

A summary is provided below with more detail and data in the attached Appendix A formatted to align with item 5a of the Development Control Committee agenda to be considered at the meeting.

Summary

We note a form of agreement appears to be available to refurbish and redesign the stables and yard buildings to retain a commercial livery business on the site and land, although there remains a need for additional facilities to replace those lost by the proposed conversion of the commercial barns to domestic dwellings.

There are many examples which show the applicant appears not to have taken the necessary knowledgeable professional advice about the design requirements and necessary facilities of a viable commercial livery business. There are also examples within the proposal and the additional plans and information that are simply not practical and would make it unworkable. For example:

- (i) It would be impossible to load or unload horses from the trailers in the design locations.
- (ii) Changing the design to having the towing vehicle nose in to load and unload horses on site roads with public access creates a potential significant danger and puts at risk the welfare and safety of the horses, employees and potentially any residents or visitors.
- (iii) Other proposals in the plans create additional risks unlikely to satisfy Fire or Health and Safety standards for an equestrian commercial enterprise. *See appendix 2.0 and 4.4.*

(iv) The current proposed design with a lack of basic support facilities for the horse or rider and not even a W/C, wash basin or changing area is unlikely to attract horse or pony owners to consider stabling their animals on this site.

It would therefore be very unfortunate if the Committee were to recommend approval at this stage and we suggest they refuse the amendment and request the applicant to submit a new proposal having first sought professional knowledgeable advice as DEFRA and others strongly recommend.

The earlier offer made by the British Horse Society to provide you and or your colleagues with advice on equestrian issues remains, although we feel very strongly that a professional knowledgeable designer would be a good first step for this applicant to consider. It would be helpful to all if they were also able at the same time to provide a business plan and ideally an outline management plan.

Please feel free to contact the British Horse Society should you require advice on equestrian welfare or associated aspects for this or any other application.

Yours sincerely

John M Rugg
BHS Gold Member

Attachment – Page 1 & 2. of Appendix A

Copies: BHS Hertfordshire Committee (Lynn Myland and Rhoda Harrison)
BHS East of England Regional Development Manager (Janet Holmes)
Flaunden Parish Council

APPENDIX A

To letter dated 3 April 2016 addressed to Dacorum Borough Council, Planning Dept.

Flaunden House Stables application 4/03481/15/MFA and additional information and plans sought by the Development Control Committee.

The following reference documents were consulted when making an assessment of the above planning application plans, additional information and proposals:

HM Govt – Fire Safety Risk Assessment for Animal Premises and Stables

DEFRA - Keeping farmed animals – guidance information about horses kept for both agricultural and other business but non-agricultural purposes – e.g. in livery stables.

National Equine Welfare Council - Equine Welfare Guidelines for Horses, Ponies and Donkeys

Health & Safety Executive – Welfare at Work – Guidance for Employers for Welfare at Work

British Horse Society – Livery Yard Approval Criteria

General

The following information and data is presented in the same format as items to be considered on index item 5a of the Development Control Committee Agenda for 7 April 2016.

It is important to highlight some major issues in the amended proposals and plans that create an unacceptable risk and contravene or fail to recognise regulatory requirements or recommendations for Health and Safety and Fire Risk as can be found below in para 2.0 4.1 4.3 & 4.4

No provision is indicated on the application for the storage and management of waste. No muck heap is shown and other environmental issues such as in 1.2 below will need to be addressed.

1.0 Water

The fact that the applicant's advisor refers to a "metal horse basin" to describe a horse trough appears to reinforce the view of a lack of professional knowledge of equestrian requirements as is also evidenced by throughout the proposal.

1.1 The provision of exterior wall mounted taps at the traditional U configuration 12 stable block and the wooden building with four internal pony boxes satisfies the requirement to be able to fill water buckets for each of the stables in order that the horses and ponies have continual access to drinking water when inside (see *Defra Guidelines*).

1.2 Metal horse troughs outside stables are often used these days to soak hay in nets prior to feeding to horses. We assume the leachate pollutants from this process if undertaken would be dealt with in line with ***Defra Guidelines - disposal of hay soaking residues***.

2.0 Hay and Feed storage

The RICS surveyor, Ms Laura Macqueen, reported the "small stable block providing four pony sized loose boxes" is a wooden construction with a wooden store/tack room.

The application suggests this attached store will be used solely for hay storage.

It is unlikely that this proposal will satisfy the requirements of either the “2007 Fire Safety Risk Assessment for animal premises and stables” nor the “Government’s equine strategy for animal welfare arrangements, from fire”. See also 4.4 below.

We recommend the applicant provides alternative storage for combustible materials and seeks advice on this and other fire safety aspects from Hertfordshire Fire and Rescue Services.

2.1 No clear indication is provided as to where hard feed and supplements will be stored – it is advisable they are kept in a building with metal vermin proof bins.

Tack Room

3.1 It appears sensible to use the space previously allocated to the manager’s office as a tack room and storage for first aid and medicines. There is no indication on the plans of a sink for washing and cleaning of tack and equipment; **presumably this can be provided?**

We assume the manager will also dedicate part of his/her domestic premises for office use and record keeping (**legislation includes horse passport records and other documents**).

3.3 **It is important for a livery yard to have facilities to store and dry horse rugs.**

Most horses will have a minimum of two rugs in use at any one time and whilst dry rugs can be folded and stored on shelves the wet rugs will need a suitable area and methods to hang them whilst they dry. **There will be insufficient space in the proposed tack room.**

(see NEWC Code of Practice)

3.4 It is important the applicant provides adequate and safe storage of all tack and associated equipment as there is an increasing problem with the theft of such equipment. **It is strongly recommended contact is made with Hertfordshire Police Rural Crime Unit on this issue.**

Car and Horse Trailer Parking

4.1 Plans 15.149.97.600 & 15.149.001 indicate car parking provision for 12 motor cars.

It would appear that 7 are reserved for Livery yard staff and clients and 5 reserved for use by potential residential occupants of the Coach House and Barn 1.

4.2 In addition four parked motor vehicles coupled to horse trailers are shown located in bays where the application states it is proposed to temporarily load and unload horses or ponies.

Three occupy the current grassed area in the centre of the U shape stable block and are backed up to a fence and one in the narrow yard alongside the single door to the wooden building with four internal pony stables and backed up the door to the proposed hay store.

4.3 It is apparent that the designer of this temporary loading and unloading arrangement is unaware that horse trailers have a ramp at the rear to load and discharge horses although some trailers have side ramps to unload. **It is impossible to load horses in either of the proposed locations with this vehicle**

configuration with the trailers backed up to a fence or wall or to unload horses using the rear ramp.

4.4 The proposal to temporarily park, unload or load horses or ponies (or hay) from vehicles in a small narrow yard outside the wooden building with four internal pony loose boxes thereby blocking the single door exit to the stables **is a potentially very dangerous practice.**

Fire and Safety legislation and HSE recommendations require that a safe evacuation route be available at all times for horses and staff. This is not only required in case of fire but also in case a horse or pony panics and or bolts and attempts to escape from the building.

4.5 The design of the horse loading and unloading areas will have to be revisited (see 4.6).

It is important the risk and safety issues are assessed and proposals made to provide an alternative safe working area to ensure the safety of the horses, employees, clients and any residents or visitors (particularly children that may be resident or visiting the site).

4.6 The outline dimensions of the motor vehicle and trailer on the plans seem to be smaller than one would expect plus the turning radius used on the drawings appear to be insufficient for a close coupled two wheel horse trailer and motor vehicle that will likely be at least 8.8 metres long and possibly 10.8 meters.

In addition the rear ramp when lowered extends the overall length by a further 1.5 metres. A clear area of about 3 meters is required behind the ramp to provide sufficient room for the horse to stand and walk towards the ramp, enabling it to be led into the trailer.

Note: horses should only be loaded or unloaded in a trailer coupled to a towing vehicle.

Grazing Land

5.1 The site has approx. 16 acres of suitable grazing land and the applicant confirms this will be tied to equestrian use through a section 106 agreement

There appears to be some confusion regarding the ideal versus acceptable grazing land and hopefully the following will be helpful for the officers and members:

5.2 An extract from page 9 of the Officers report quotes:

“As a general rule, each horse requires approximately 0.5 – 1.0 hectares (or **1.25 to 2.5 acres**) of grazing of a suitable quality if no supplementary feeding is being provided (*Code of Practice for the Welfare of Horses, Ponies, Donkeys and their Hybrids* 2009:3)”

5.3 For clarification horses stabled at a livery yard are usually turned out for exercising for some of the day and when brought back in to the stable will be fed supplementary feed (hay).

5.4 The Code then goes on to suggest “A smaller area may be adequate where a horse is principally housed and grazing areas are used only for occasional turnout”.

5.5 Whereas the earlier versions of the code were more prescriptive and stated “a minimum ratio of one horse per half acre is generally accepted”.

This was the case in previous years when over 30 horses were kept at livery at this yard.

5.6 Ideally, irrespective of the number of horses kept on the yard we wish to see the existing horse walker retained as this greatly assists the exercise regime in spells of bad weather and protects the sward and pasture surface.