



DELEGATED OFFICER REPORT

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| App Number: | 201418 |
| Site Address: | Broadacre Place, Broadcommon Road, Hurst, RG10 0RE |
| Expiry Date: | 12 August 2020 |
| Site Visit Date: | 1 July 2020 |
| Proposal: | Full application for the proposed permanent retention of existing mobile home to provide groom's accommodation |
| Recommendation: | Approval |

PLANNING CONSTRAINTS/STATUS

- Countryside
- Flood zone 1 (adjoining Flood Zone 2 along the north eastern boundary)
- Overhead Cable Buffer Zone (adjoining to the south)
- Veteran trees along frontage
- Bat consultation zone
- Heathrow Aerodrome wind turbine safeguarding zone
- Non classified road (Broadcommon Road)
- Local Plan Update Submitted Sites
- Main Rivers Consultation Zone

PLANNING POLICY

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|--|---|
| National Policy | National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG) |
| Core Strategy 2010 | Policy CP1 – Sustainable Development Policy CP3 – General Principles for Development Policy CP5 – Housing Mix, Density and Affordability Policy CP6 – Managing Travel Demand Policy CP7 – Biodiversity Policy CP9 – Scale and Location of Development Proposals Policy CP11 – Proposals Outside Development Limits |
| Managing Development Delivery Local Plan 2014 | Policy CC01 – Presumption in Favour of Sustainable Development Policy CC02 – Development Limits Policy CC03 – Green Infrastructure, Trees and Landscaping Policy CC04 – Sustainable Design and Construction Policy CC06 – Noise Policy CC07 – Parking Policy CC09 – Development and Flood Risk Policy CC10 – Sustainable Drainage Policy TB07 – Internal Space Standards Policy TB21 – Landscape Character Policy TB23 – Biodiversity and Development |
| Other | Borough Design Guide Supplementary Planning Document Affordable Housing Supplementary Planning Document Sustainable Design and Construction Supplementary Planning Document CIL Guidance |

PLANNING HISTORY

| App No. | Description | Decision/Date |
|----------------|---------------------------------------|--------------------------|
| F/1996/64623 | Use of land for keeping of ponies and | Approved 13 January 1997 |

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|--------------|--|---------------------------|
| | construction of barn for stables, tack and harness room | |
| F/1997/65625 | Erection of barn | Refused 24 August 1998 |
| F/1998/68224 | Erection of wall and gates (retrospective/with enforcement) | Refused 8 October 1998 |
| C/99/1020616 | Appeal against refusal of F/1998/68224 | Dismissed 18 August 1999 |
| F/1998/68504 | Erection of barn | Refused 2 February 1999 |
| F/2001/4399 | Stationing of mobile home | Refused 28 December 2001 |
| F/2002/6112 | Erection of barn and formation of manege | Approved 10 July 2002 |
| F/2007/3050 | Erection of equipment store, mess room and WC an increase in height of entrance gates | Approved 19 February 2008 |
| F/2008/1419 | Erection of equipment store, mess room and WC and relocation of existing hay barn | Approved 31 July 2008 |
| F/2009/1060 | Temporary stationing of mobile home for grooms accommodation (seasonal for five years) | Approved 29 July 2009 |
| F/2015/0887 | All weather polo pony exercise track (lapsed) | Approved 19 June 2015 |
| F/2015/0917 | Temporary stationing of mobile home for grooms accommodation (seasonal for five years) | Approved 20 August 2015 |
| 182579 | Installation of an all-weather exercise track for use by polo ponies | Approved 13 November 2018 |

| CONSULTATION RESPONSES | |
|-------------------------------|---|
| WBC Ecology | No objection. |
| WBC Env. Health | No comments received. |
| WBC Highways | No objection. |
| WBC Equestrian Consultant | Some queries were raised, which have been resolved by the submission of additional information. |
| WBC Trees and Landscaping | No objection, subject to hedgerow enhancement by condition. |
| WBC Cleaner and Greener | No comments received. |
| WBC Drainage | No objection, subject to drainage details. |
| Thames Water | No comments received. |

| REPRESENTATIONS | |
|----------------------------------|--|
| St Nicholas Hurst Parish Council | No objection although it is recommended that approval be temporary for five years. <u>Officer comment:</u> Refer to 'Principle of Development'. |
| Ward Member | No comments received. |
| Neighbours | |

APPRAISAL

Proposal

The proposal involves the retention of an existing mobile home used as a rural worker's dwelling, or groom's accommodation for the care and upkeep of up to seven polo ponies. It is currently subject to a five year temporary permission in F/2015/0917, ending 20 August 2020. The relevant conditions of that permission are:

2. Occupation

The occupation of the polo groom's mobile home hereby permitted shall be limited to a person solely or mainly working, or last working, on the site in a capacity as a groom for polo ponies.

3. Personal consent

The use hereby permitted shall be personal to Miss Lisa Spiers and shall not enure for the benefit of the land, and the use hereby permitted shall be discontinued and the mobile home removed from the site on the date when Miss Lisa Spiers cease(s) to occupy the land, should this cessation occur prior to the expiry of this temporary permission.

4. Temporary use period

The use hereby permitted shall be discontinued and the land restored to its former condition on or before 20th August 2020 in accordance with a scheme of work that shall have first been submitted to and approved in writing by the local planning authority.

Site Description

The site is located on the south western side of Broadcommon Road, south of the village of Hurst. On the site are a collection of five equestrian buildings adjacent to the main entrance (mobile home, stables, hay barn, storage and shed) with high fencing and hedgerow to the laneway. An exercise track is located to the east of these buildings. The remainder of the site and surrounding area consists of open farmland.

Principle of Development

Existing use

The use of the land for the keeping of ponies and access onto the site was granted by F/1996/64623 in January 1997. An application for a mobile home for groom's accommodation was approved by F/2009/1060 in July 2009, conditioned as follows:

- Condition 2: Maximum of 12.5m (L) x 3.7m (W) x 3.7m (H)
- Condition 3: Occupation by a groom for polo ponies and their dependents only
- Condition 4: Personal permission for Lisa Spiers
- Condition 5: Seasonal use only between 15 March and 15 October
- Condition 6: Discontinuance of use by 29 July 2014

It was extended for a further five years by F/2015/0917 in August 2015, which also included a marginally larger mobile home (1-bedroom and study), which is the existing

building to be retained under this proposal and which brought about the deletion of Condition 2. Additional changes included the removal of resident dependents in Condition 3, the deletion of the seasonal use limitation in Condition 5 and the extension of the temporary use to 20 August 2020 in Condition 6.

There are currently four other buildings on the site, as follows:

- A barn (stables, tack room and harness room) in the north eastern corner approved by F/1996/64623 in January 1997 at the commencement of the equestrian use
- A barn for the storage of feed and equipment was first approved in the south eastern corner by F/2002/6112 in July 2002 before its relocation to the north western corner in F/2008/1419 in July 2008
- An equipment store, mess room and WC was originally approved in the north western corner (F/2007/3050) before being relocated to the south eastern corner F/2008/1419 in July 2008
- A small shed near the entrance to the site appears on satellite imagery from 2010 and does not appear to have planning permission

A menage was approved by F/2002/6112 in July 2002 (but not implemented) and a polo pony exercise track to the east of the buildings was granted by 182579 in November 2018. Based on the above, the principle of (year round) residential use is established but it is temporary in nature, with the current five year period ending on 20 August 2020.

Location with the Countryside

By virtue of its location outside the settlement boundary and in the countryside, Policy CP11 of the Core Strategy 2010 applies, which aims to protect the quality of the environment. It permits development outside of development limits but only where it is sustainable, contributes to diverse and sustainable rural enterprises, does not lead to excessive encroachment or expansion away from the original buildings and is within a suitably located building appropriate for conversion. The explanatory notes state that proposals for agricultural/equestrian workers dwellings will need to comply with this policy and PPS7 (withdrawn with the commencement of the NPPF).

A similar provision applies in paragraph 79 of the NPPF. It notes that new housing should be avoided where it is isolated in the countryside, unless it is essential for a rural worker to live permanently at or near their place of work in the countryside, amongst others.

The site is isolated in its location and it has maintained an equestrian use first established in 1997 and which has been supported by a rural worker's dwelling from 2009. As such, the principle of a year round on-site groom has already been established and the assessment of the subject application therefore requires consideration of whether permanent retention is reasonable, having regard to the care and upkeep of polo ponies.

There is presently no stipulation that resident dependants can occupy the mobile home, this stipulation having been removed in F/2015/0917. Given the proposal seeks to retain the existing 1-bedroom mobile home, there is no change to this arrangement. It is also worth noting that the reason for the imposition and continued application of the condition was to allow an assessment of the effect on the residential amenities of the surrounding area and not the character of the area.

An excerpt from the 2015 appraisal is helpful in outlining the scope of arrangements on the site:

The property is owned by the applicant, Ms. Lisa Spiers, who we understand purchased the property in 2003 with the sole intention of providing stabling and paddocks for her polo ponies. Lisa is in full time employment and as such employs a permanent groom to manage the ponies...her ponies are being stabled throughout the year at the property whereas previously they were only stabled during the summer season.

The reasoning for the permanent retention of the mobile home is notes the following:

In view of the applicant's commitment to the sport and her need for a permanent all year-round presence at the site, she is seeking to establish a permanent dwelling based on her continuing functional need. The investment she has made in the facilities are significant and include the recent construction of an exercise track which enables her to maintain her string of ponies at the site throughout the year.

Since the NPPF was published and through additional guidance in the Planning Practice Guidance dated July 2019, applications for a rural worker's dwelling need to be considered against the following criteria:

- a) Whether there is an essential need for a rural worker
- b) The extent to which there is confidence of long-term financial viability
- c) Whether the dwelling relates to farm succession
- d) Whether existing buildings or dwellings can be made to meet the need
- e) Whether the details (siting etc) are acceptable

Essential need is determined by probability, frequency and severity of any problems with horses and whether a resident worker would resolve these problems. Whether it requires the worker to live on site depends on the scale of the enterprise and the consequent frequency and timescale of potential problems.

The essential need has previously been demonstrated through the two previous temporary permissions which were both supported by equestrian appraisals. However, the permanent retention requires further consideration.

In the assessment of F/2009/1060 for the first five year temporary period, it was recognised that there was a viable business and a justified need for an on-site groom for the polo ponies. This included that there was a functional need for specialised care of polo ponies that was distinctly different to other horses and that there was a record of thefts in the past. The seasonal permission first approved in 2009 also allowed for the grazing on the site to recover during the winter months.

The review of this permission in F/2015/0917 reached the same conclusions against the less onerous tests of the NPPF (rather than the former planning practice guidance). It was also noted that thefts all but ceased following the occupation of the groom. There was no consideration of why there was no longer a need for the off season recovery of pasture. However, year round polo playing means that the ponies would need to retain optimum fitness over the winter months rather than being fattened through the off season. In doing so, there is no overuse of the pasture over these months.

The stables building was originally approved with six boxes but the agricultural appraisal refers to seven ponies. One of the corner stables is sufficiently sized to accommodate two ponies. As such, 6-7 horses is a reasonable 'string of horses' for polo playing where there is a high turnover of ponies during any match.

The DEFRA Code of Practice for the Welfare of Horses December 2017 states that each horse requires approximately 0.5-1 hectare of grazing of a suitable quality if no supplementary feeding is being provided. This would total a minimum of 3.0-3.5 hectares for 6-7 horses. A smaller area may be adequate where a horse is principally housed and grazing areas are used only for occasional turnout.

The grazing area at Broadacre Place measures 2.5 hectares, even when accounting for the exercise track, which has a 0.275 hectare paddock within its interior. Whilst an expenses sheet provided with the application shows that supplementary feeding is being provided (hay and hard feed), it does not appear to adequately account for the discrepancy.

In response, the equestrian consultant has noted that polo use (summer grass polo and winter arena polo) has requirements that are very particular to polo and which vary from the care required for normal horses. Due to their athleticism and in order to carefully regulate their diet, polo ponies are not grazed in the same way that 'common or garden' livery horses are grazed and as such, the requirement of 0.5 hectares per horse is generally considered to be excessive.

In order to prevent the ponies injuring themselves, they are principally housed within their stables and/or kept in small fenced areas known as corrals (areas) of about 15m x 15m whereby grass is minimal but it allows the pony time outside. The ponies diet is strictly controlled through concentrate feed as well as measured amounts of hay. The ponies are exercised on the canter track at the property as well as playing polo, which is regularly. Sometimes ponies may be allowed to graze in larger fields but this is only for restricted amounts of time, namely a matter of hours, and this can only occur when grass conditions are acceptable otherwise the ponies can easily become bloated which leads to Colic and other complications. The requirement to contain the ponies in secure stabling/corrals prevents them from galloping around open pastureland and inevitably injuring themselves in addition to being able to regulate their diet all of which is done in order for their own welfare. The reasoning provided by the consultant is not disputed and any shortfall with respect to the Defra guidelines is permanently acceptable.

The applicant has also provided evidence of 11 thefts, attempted thefts or property damage on the site, and details of expenses to cover for upgrades of the property. These incidents occurred from 2004 onwards and with the exception of one attempted theft, are notably are all prior to the establishment of the groom's accommodation in 2009. The same theft details were provided and accepted as part of the original approval for the mobile home and in the continuation of the temporary period in 2015 and the lack of any further incidents demonstrates the effectiveness of the mobile home as a deterrent. This weighs in favour of the permanent retention of the grooms accommodation.

Moving to the functional on-going need for a groom to be accommodated on site, the Standard Man Days requirement for the polo ponies is 407 days or 1.46 persons when using the industry-recognised Equine Business Guide (EBG) 7th Edition. It demonstrates that there is a continued need for one groom (and not more than one groom) on the site and the mobile home is sufficiently sized to accommodate this arrangement. The figure

takes account of grassland management and a 30% deduction of economies of scale when accounting for seven ponies. The final figure of 1.46 persons is largely agreed between the Council and the applicant's consultant and it is therefore concluded that there are no apparent changes to the circumstances surrounding the need for ongoing maintenance.

An assessment of comparable existing accommodation has been undertaken as part of the equestrian appraisal. It is recognised that the accommodation should ideally be in the immediate vicinity of the site to account for the nature of the work, including surveillance, care and monitoring of horses, theft prevention and to account for varied/long hours associated with long distance travel and pre and post arrangements associated with the sport. In this respect, there are no 1-bedroom or studio rental or for sale properties within one mile of the site, including any in Hurst. Expanding the search criteria provides several 1-bedroom properties in Twyford, Woodley, Winnersh and Wokingham. However, these properties do not allow for the requirements that on site accommodation provides. The appraisal also concludes that the price of a 1-bedroom mobile home, which is existing and connected to services, is not comparable to the minimal price for a 1-bedroom property in the near vicinity of the site. On this basis, it is agreed that there is no reasonable existing accommodation that could be used.

Financial viability is of some relevance although in this case, it is recognised that the polo activities are for leisure and not business. Even so, the polo use has existed since 1997 and is now year round at Offchurch Bury Polo Club with field polo in the summer and arena polo in the winter. The applicant has played for 28 years, is a current semi-professional membership of Binfield Heath Polo Club and there is a desire to continue playing. There have also been four approvals, with three permanent buildings and a £45,000 exercise track constructed on the site since the first planning permission. Unaudited financial details of ongoing costs have also been provided and they demonstrate a significant (and reasonable) annual outlay. This represents a clear investment in terms of time and capital, in the property. On this basis, the outlay for personal leisure purposes is not disputed and the viability of the scheme is accepted.

There is also a need to explain siting. The mobile home will be retained in its existing location and there are no other feasible locations for the home, without affecting access or expanding into the paddock areas. It is in close proximity and has a clear view to the stables at night and paddocks during the day. On this basis, the siting is acceptable.

There is a continued need for a groom, there is a lack of alternative accommodation and the harm to the character of the area is acceptable (as noted below). There is also a clear personal desire to continue playing polo. In conclusion, the groom's accommodation has served two trial periods between 2009 and 2020 and there is no overwhelming reason to oppose the permanent retention of the mobile home this time around. However, other conditions remain, including a personal permission and the removal of the mobile home where it no longer complies with this requirement.

Site sustainability

Policies CP1, CP6, CP9 and CP11 of the Core Strategy permit development where it is based on sustainable credentials in terms of access to local facilities and services and the promotion of sustainable transport. This is expanded in paragraph 4.57 in the Core Strategy, which aims to prevent the proliferation of development in areas away from existing development limits as they are not generally well located for facilities and

services and would lead to the increase in use of the private car. It is also reiterated in Paragraphs 78 and 102, 103 and 108 of the NPPF.

Given the conclusion that the permanent need for accommodation for an on-site worker is justified, the erection of a rural worker's dwelling in this location would be viewed as sustainable as it would result in a reduction in the number of vehicle movements to and from the farm.

Loss of rural land

The dwelling would be confined to the existing curtilage of farm buildings such that there would be no loss of equestrian land.

Character of the Area

Policy CP3 of the Core Strategy states that development must be appropriate in terms of its scale, mass, layout, built form, height and character of the area and be of high quality design. R1, RD1 and RD2 of the Borough Design Guide SPD require that development contribute positively towards and be compatible with the historic or underlying character and quality of the local area.

The first development on the site dates from 1997 and there have been additional buildings over the preceding years. The estimated footprint and volume increases are as follows:

| App No | Building | Footprint | % | Volume | % |
|---------------|-----------------------|-------------------|----------|--------------------|----------|
| Original | Vacant paddock | 0m ² | | 0m ³ | |
| F/1996/64623 | Stables | 127m ² | | 400m ³ | |
| F/2002/6112 | Hay barn with ménage | 270m ² | 112 | 1127m ³ | 181 |
| F/2008/1419 | Store | 425m ² | 234 | 1710m ³ | 327 |
| F/2009/1060 | Temporary mobile home | 470m ² | 270 | 1860m ³ | 365 |
| F/2015/0917 | Permanent mobile home | 480m ² | 278 | 1865m ³ | 366 |
| N/A | Add wooden shed | 495m ² | 290 | 1910m ³ | 377 |
| 201418 | Permanent dwelling | 495m ² | 290 | 1910m ³ | 377 |

The planning assessment for the two previous temporary permissions recognised that through its siting amongst other buildings and its setback away from Broadcommon Lane, no character concerns were noted. The application involves the retention of the existing mobile home and there is no additional built form associated with the proposal. As such, there is no net change to the character of the area, with the exception that the permanent retention of the built form where the equestrian use continues. Furthermore, with no change to the total area of the equestrian unit, it is concluded that there has been no increase in the number of ponies or any intended increase in the future.

On this basis, and subject to the considerations and conditions in 'Principle of Development' above and in 'Trees and Landscaping' below, no objection is raised on character grounds.

Housing Amenity

Policy TB07 of the MDD and R17 of the SPD require adequate internal space to ensure the layout and size achieves good internal amenity. The Technical housing standards – nationally described space standard specify a minimum internal floor area of 39m² for

single occupancy and 50m² for double occupancy. A dwelling should be provided with a double bedroom, which is 11.5m² and the Borough Design Guide specifies a minimum of 23m² for living spaces.

The mobile home measures 38m², the bedroom has an area of 10m² and the living room measures 18m². Whilst there are departures with each standard, the mobile home is existing and intended for occupation by a worker attached to the farm. On this grounds, a reduced size is reasonable, particularly given the departures are minor and there is no undue impact upon the usability of the space.

R16 of the SPD also requires a minimum depth of 11m for private amenity space. There is no defined garden space but the site benefits from a grass lawn area forward of the building is also alongside a paddock to the south. This is sufficient in terms of maintaining a level of external amenity for the occupant.

Neighbour Amenity

The reason for the imposition of the temporary condition was to allow an assessment of the effect on the residential amenities of the surrounding area. No resident complaints have been received in this time. Given the modest nature of the mobile home, its existence for ten years and distances to neighbour properties, there remain no concerns in terms of access to light, visual and acoustic privacy or dominance/sense of enclosure.

Highway Access and Parking Provision

Policy CC07 and Appendix 2 of the MDD Local Plan stipulates minimum off street car and cycle parking standards. One car space is shown on the plans alongside the mobile home but there is sufficient space for parking across the site such that no objection is raised. Likewise, cycle storage can be accommodated within the equipment store or shed near the entrance, which is satisfactory. There are no changes to the access and entrance onto Broadcommon Road.

Landscaping and Trees

Policy CC03 of the MDD Local Plan aims to protect green infrastructure networks, promote linkages between public open space and the countryside, retain existing trees and establish appropriate landscaping and Policy TB21 requires consideration of the landscape character.

The site is located in Wokingham District Landscape Character Area (WDLCA) I4 'Hurst Farmed Clay Lowlands'. It is a landscape of moderate character and sensitivity with a low capacity for change. It is a sparsely settled area associated with farmsteads where the dominant land use is rough grazing paddocks for horses and ponies. Fences are often supplemented by overgrown hedgerows and shelterbelts including a variety of species and include standard trees of wide age range. The lanes are characterised by overgrown gappy hedgerows creating areas of enclosed character.

Key features include;

- A pastoral landscape defined by small scale regular and irregular shaped fields divided by post and rail fencing and overgrown hedgerows
- Horse and pony keeping evident through the large number of grazing and exercise paddocks with associated features

- A peaceful landscape with intimate character due to the absence of settlement and intricate pattern of winding rural lanes

The landscape strategy is to conserve and enhance rural pastoral and intimate character that includes the enhancement of hedgerow boundaries and the management of horse/pony paddocks that include important management of the sward.

The site has hedgerows and trees to the boundaries including the wider paddocks. There are no protected trees on the site but the boundary hedgerows and trees should be enhanced as part of any full planning application, and the hedge mixes based on the variety of species found in the district, and should include a minimum of 7. The hedges should include standard Oak trees planted at 20m centres and care must be taken to ensure that these trees are left to grow and not flailed with the hedge.

The Trees Officer previously asked for native hedge enhancement to the boundary with Broadcommon at 10m centres and this was required in Condition 3 of application 182579. It required planting to be carried out in the first planting and seeding seasons following the occupation of exercise track. Details of boundary treatments and landscaping were discharged as part of 183363, approved on 7 January 2019. The first season following occupation would therefore be spring 2020. It is also in front of the exercise track and would serve limited benefit in screening the mobile home. As such, there is no reasonable basis for the replication of this condition to be reimposed in this application given there is no increase in built form and initial growth from planting in spring 2020 would so far be limited. Any non-compliance with the condition would form part of enforcement proceedings in the future.

Ecology

The mobile home is unlikely to host roosting bats and the wider site is unlikely to be used by protected species. As such, there would be no objections on ecology grounds.

Affordable Housing

Policy CP5 of the Core Strategy, Policy TB05 of the MDD Local Plan and the Affordable Housing SPD specify an affordable housing rate of 40% for any development involving five dwellings or more or where it is located on land with a total area of 0.16 hectares or more. The site area is larger than 0.16 hectares but when accounting for the existing permanent mobile home, there is no net increase in the number of physical dwellings on the site and therefore no requirement for affordable housing.

Building Sustainability

The retention of the mobile home is acceptable on building sustainability grounds.

Waste Storage

Waste storage is unchanged from existing.

Flooding and Drainage

The site and access is within Flood Zone 1 and the proposal represents no additional flood risk or vulnerability. It is therefore acceptable in terms of Policy CC09.

The built footprint within the site is unchanged and the Council's Drainage Officer has requested further SuDS drainage details to prevent increased flood risk from surface water run-off. However, the mobile home has existed for ten years and the drainage impact arising from permanent retention is negligible and no objections are raised in terms of Policy CC10.

Contamination

There is no known contamination of the site.

The Public Sector Equality Duty (Equality Act 2010)


The Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief.

There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development. The dwelling is elevated above the ground but because it relates to the retention of an existing mobile home for use by the groom, it is an acceptable arrangement on access grounds.

Community Infrastructure Levy

It is anticipated that the application would not be liable for CIL payments because it does not involve a net increase of dwellings or a net increase in the residential floor space in excess of 100m².

| RECOMMENDATION | |
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| Recommendation: | Approval |
| Pre Commencement Conditions Agreed | None |
| Case Officer: | Simon Taylor |
| Date: | 11 August 2020 |
| Earliest date for decision: | 9 July 2020 |

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| Recommendation agreed by: (Authorised Officer) |  |
| Date: | 12.8.2020 |