



Appeal Decision

Site visit made on 12 September 2023

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 October 2023

Appeal Ref: APP/J0405/W/22/3304082

Addington Equestrian Centre, Addington Estate Roads, Addington, Buckinghamshire MK18 2JR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Sercihan Ucur (Equestrian Investments Ltd) against Buckinghamshire Council.
 - The application Ref: 22/00819/APP, is dated 7 March 2022.
 - The development proposed is the replacement of existing stabling, refurbishing of existing barn style structure for ancillary office accommodation and erection of new restaurant, parking and associated infrastructure.
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Decision

1. The appeal is dismissed, and planning permission for replacement of existing stabling, refurbishing of existing barn style structure for ancillary office accommodation and erection of new restaurant, parking and associated infrastructure is refused.

Main Issues

2. The main issues relevant to this appeal are:
 - the suitability of the site as a location for the proposed development, with particular regard to the requirements of the Development Plan;
 - the effect of the development upon the character and appearance of the surrounding area;
 - the effect of the development upon biodiversity and ecology; and
 - the suitability of the proposed development for equestrian activity.

Reasons

Suitability of the site

3. The appeal site consists of an existing equestrian facility within the countryside. Although the appeal site is near to a settlement, this is relatively small in nature. Furthermore, the wider surrounding area is generally open countryside. This means that the services and transport links on offer within the vicinity are of a level typically associated with a rural area.
4. The proposed development includes the provision of a restaurant. The evidence before me indicates that this element of the proposal is intended to operate on all days, irrespective of whether equestrian activities are taking place, or the scale of any events that are taking place. This means that potentially the

restaurant could operate independently of the equestrian centre. The proposed restaurant building has a relatively large footprint. This means that it could potentially accommodate many covers simultaneously. This part of the development could operate independently of the equestrian facility.

5. Although the appeal site is located near to a small village, the nature of the environs of the appeal site are such that there are a limited number of public transport routes within the vicinity. The result of this is that such means of travel is unlikely to be an option for most patrons of the proposed restaurant.
6. In addition, given the rural nature of the appeal site's location, and its relationship with nearby settlements, it is also unlikely that future patrons would seek to travel to and from the appeal site on foot, or by methods such as bicycles. This is due to the distances that people would need to travel and the fact that the surrounding road network does not feature separate, dedicated, environments for pedestrians and cyclists.
7. Therefore, the lack of such a welcoming environment is likely to encourage travelling by private cars. In consequence, the proposed development would be reliant upon private vehicles as a means of travel.
8. It has been suggested that the proposed restaurant would utilise a reduced service and menu during periods of time that the equestrian centre is non-operational.
9. I have had regard to this suggestion. However. There is no mechanism before me that would ensure that this activity would take place at the suggest intensity throughout the life of the development. In result, there is a likelihood by which the proposed restaurant could operate at the full occupancy on a continual basis. This would give rise to the previously described adverse effects. In result, this suggestion does not overcome my previous concerns, even though the equestrian centre is not within a town centre.
10. The proposed development is located a significant distance away from the nearest large settlements, from which many customers may emanate. Although I have had regard to this point, there is a likelihood that the proposed development could well be attractive to patrons from a wider catchment area given the surrounding area's character.
11. This means that there is a likelihood that people would wish to travel a greater distance to partake of the services on offer within the proposed restaurant, even though other options may be more convenient.
12. I understand that some other equestrian centres feature restaurants. Whilst this is a matter of note, it is not clear from the evidence before me where these are located and their relationships with nearby settlements. In result, the presence of developments elsewhere do not overcome my concerns with regards to the specific proposal before me.
13. I therefore conclude that the proposed development would not be in a suitable location. The development, in this regard, would conflict with the requirements of Policies S1, S2, S3, S7, D6 and E5 of the Vale of Aylesbury Local Plan (2021) (the Local Plan). Amongst other matters, these seek to ensure that developments must comply with the principles of sustainable development; strategic growth and investment will be concentrated in sustainable locations; new development in the countryside should be avoided; employment

development will generally be supported in sustainable locations; and main town centre uses should be primarily located within defined town centres.

Character and appearance

14. The appeal site is located adjacent to a small settlement. However, most of the land surrounding the appeal site consists of open countryside. This means that the character and the appeal site can be described as being open and generally having limited forms of development.
15. By reason of the nature of the proposals, there would be a significant increase in the overall level of built form, irrespective of the materials from which the buildings are constructed from.
16. This would predominantly arise from the erection of the new stable buildings and the proposed restaurant. Although some existing buildings are proposed to be demolished, the new buildings would have a greater footprint and mass. In addition, the proposed development would also result in the provision of a greater amount of hardstanding.
17. Although some buildings are proposed to be demolished, the appeal scheme would result in the provision of new structures in parts of the appeal site that are predominantly open. Therefore, the increase in built form, in the form of the proposed restaurant and stable buildings, would result in an erosion of the site's currently open and less developed character. Therefore, within this context, the proposed development would be incongruous.
18. This adverse effect would be exacerbated by the height of the proposed restaurant building. This would be significantly larger than some of the other structures on the site. In consequence, this building would create a more urbanised appearance, which would conflict with the predominantly rural and open character of the surrounding area. This would occur irrespective of the materials from which the development would be constructed.
19. In addition, the proposed development would include a car parking area adjacent to the restaurant building. This would result in an increase in the overall level of hardstanding at the appeal site, given that this would be sited on an existing grassed area. In consequence, the proposed development would contribute to a more engineered appearance. This would create a discordant form of development.
20. In addition, there is a likelihood that the proposed development would also feature some external lighting. Furthermore, light would emanate from within the proposed buildings. Should this occur, and owing to the times where the lighting would be used, it is likely that the proposed development would also have an adverse effect upon the area's less developed character even during periods of darkness.
21. Furthermore, owing to the general open character of the wider area, the overall increase in built form would be readily perceptible from several different vantage points within the surrounding area. Some of these viewpoints would be a notable distance away from the appeal site. This means that the post development and its adverse effects upon character of the surrounding area would be acceptable to potentially a great number of people. These factors would ensure that the proposed development would be a strident addition to the landscape.

22. Although the alterations to the office building would be unlikely to have an adverse effect upon the character and appearance of the surrounding area, this does not overcome my previous concerns.
23. I therefore conclude that the proposed development would have an adverse effect upon the character and appearance of the surrounding area. The development, in this regard, would conflict with the requirements of Policies BE2, NE4, NE5 and D6 of the Local Plan. Amongst other matters, these seek to ensure that developments have regard to the local distinctiveness and vernacular character of the locality; minimise impact on visual amenity; light spill and potential glare and the impact on the night sky is minimised; and be well designed.

Biodiversity and ecology

24. The proposed development is located within the countryside. The appeal site also features several areas of green space, which would be removed by the proposed development. In addition, the evidence before me indicates that there are several ponds within the wider area and that some of these are the habitat for great crested newts.
25. It has been suggested that the proposed development could deliver some improvements in the level of biodiversity. However, the development would also result in the removal of some areas of grass within the appeal site owing to the location of the proposed buildings and engineering works.
26. Although the appeal site is predominantly grassland, the wider area could potentially be a habitat for several different species. Therefore, it is likely that the proposed development would result in diminished areas of habitats and space for roosting and foraging.
27. However, the extent of such loss has yet to be established. Although it may be possible to impose a condition to deliver improvements, it is uncertain as to whether this could be achieved within the appeal site.
28. Therefore, it is not possible to establish whether any replacement biodiversity would represent an enhancement over the existing situation or would merely replace that which is to be lost through the building process. This is a particular concern given that the development plan seeks to ensure that new developments deliver biodiversity improvements following their implementation.
29. Therefore, the lack of certainty regarding how the loss of existing undeveloped areas would be mitigated and the extent of any potential increase in the level of biodiversity means that the proposed development would breach the aforementioned policies.
30. I understand that the proposed development could include items such as planting a more diverse seed mix; installing bat and bird boxes; and habitats for species, such as invertebrates and hedgehogs. However, it is unclear as to the extent of the existing biodiversity. In result, it is not possible to establish whether these measures would deliver the necessary improvements to biodiversity.
31. In addition, the proposed development would also result in the loss of potential areas which may support great crested newts. In the absence of any survey, it

is not possible to establish the extent of the activity and therefore this scenario cannot be discounted. This would amount to a breach of the development plan.

32. I have given consideration as to whether it would be possible to impose a condition which would secure mitigation for great crested newts. However, without certainty regarding the extent of any such activity it is therefore not possible to draught a condition with sufficient precision in order to be reasonable. This would mean that any such conditions would conflict with the statutory tests relevant for the imposition of planning conditions. Therefore, this suggestion does not overcome my previous concerns.
33. I therefore conclude that the proposed development would have an adverse effect upon biodiversity and ecology. The development, in this regard, would conflict with the requirements of Local Plan Policies C2 and NE1. Amongst other matters, these seek to ensure that developments have regard to the impact on land of ecological value; and achieve a net gain in biodiversity on minor and major developments by protecting, managing, enhancing and extending existing biodiversity resources.

Suitability of the site for increased equestrian activity

34. In considering this appeal I have been directed towards Policy C2 of the Local Plan. Amongst other matters, this seeks to ensure that new developments involving equestrian activity being suitable for the keeping of horses and capable of supporting the number of animals proposed, having taken account of the arrangements for site management.
35. The proposed development would result in a substantially larger set off buildings. This would mean that potentially the proposed development would accommodate a greater number of horses than is currently the case. However, the evidence before me does not indicate how this increase would be serviced through the operation of the development.
36. Some stabling would be lost through demolition. However, even allowing for this reduction in existing facilities, there would be a notable increase in the potential number of horses that could be stabled on the site.
37. It is likely that this increase in the number of horses being resident on the site would result in a greater need for the exercising of these horses. It is unclear from the evidence before me how this would be achieved on the site. Furthermore, it is likely that the stabling of a greater number of horses on the site would require larger amounts of items, such as foodstuffs, being stored on the site. It has not been demonstrated how this would be achieved.
38. In result, it is not clear how matters such as increased noise would be addressed should the development proceed. This would mean that the proposed development has the potential to have an adverse effect upon the living conditions of the occupiers of the neighbouring properties.
39. In addition, it is unclear how the development would be serviced through the potential increase in vehicle numbers. This would mean that the proposed development would potentially generate additional noise and disturbance. This could potentially cause harm to the living conditions of the occupiers of neighbouring properties.

40. This matter is of concern given that the appeal site is near to some dwellings within the nearby settlement. In result, the creation of additional noise within the appeal site could give rise to the previously described adverse effects. Although the equestrian centre is already in operation, this does not forego the need to provide evidence regarding the effects of a scheme through the planning process.
41. I therefore conclude that it has not been demonstrated that the appeal proposal does not facilitate the increase in activity. The development, in this regard, would conflict with the requirements of Local Plan Policy C2. Amongst other matters, this seeks to ensure that developments have regard to the environmental effects of the development in terms of noise, smell, light pollution or other disturbances; and make adequate provision for the exercising of horses.

Other Matters

42. Concerns regarding the manner in which the planning application was considered by the Council fall outside the scope of this decision.
43. It has been suggested that the proposed development has local support. Although this is a matter of note, it is only one of all the matters that must be considered and therefore does not overcome my previous concerns.

Conclusion

44. The scheme would conflict with the development plan taken as a whole. There are no material considerations, including the Framework, which indicate the decision should be made other than in accordance with the development plan. Therefore, for the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR