

Equestrian development guidance



East Devon Area of
Outstanding Natural Beauty
Partnership



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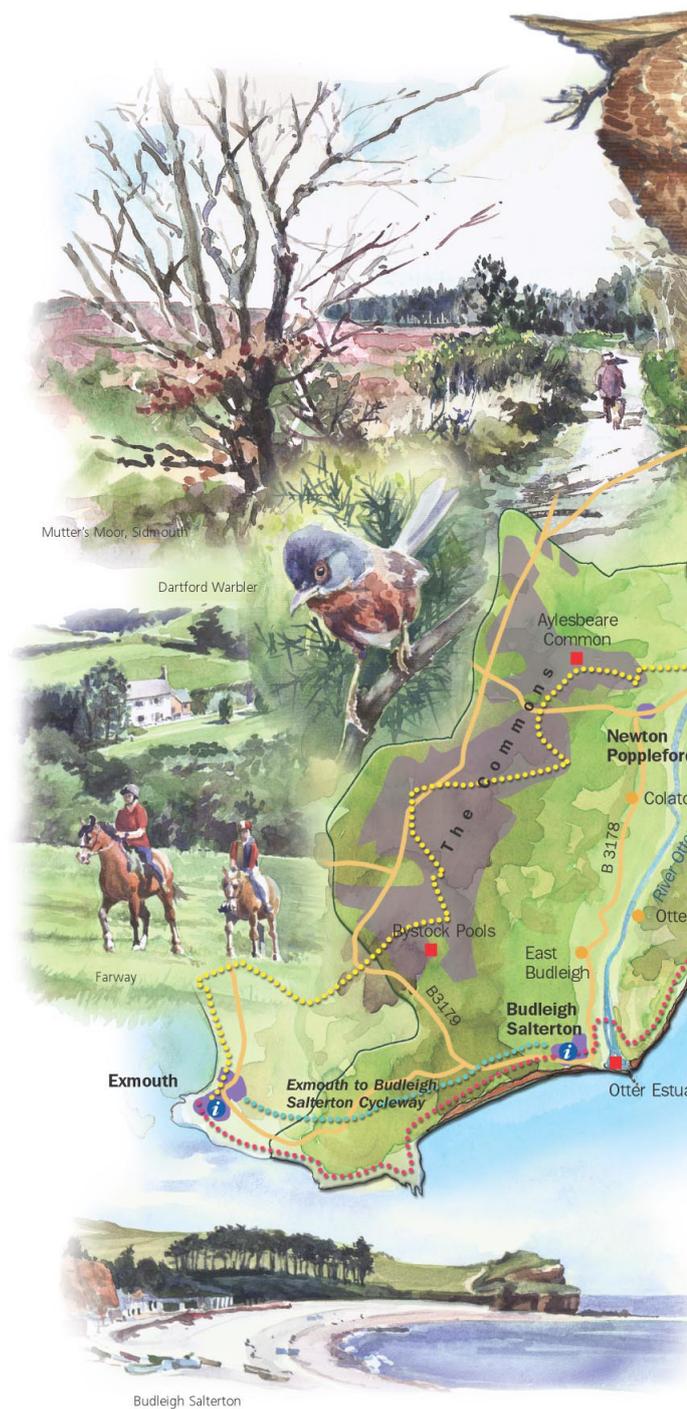
Background

This guidance has been produced to support planning policies contained in East Devon District Council's adopted Local Plan. It has been adapted from an earlier British Horse Society supported publication 'Horses, the Landscape and You; Equestrian guide to keeping horses in protected landscapes'. These guidelines have been produced in consultation with The British Horse Society.

Purpose of the guidance

This guidance provides information for horse owners and equestrian businesses that may be considering new equestrian development. It will be used by AONB officers when making comments on planning applications for equestrian development in East Devon Area of Outstanding Natural Beauty (see map right).

The guidance should be seen as providing good-practice advice from the East Devon AONB Partnership. It will be of value to anyone considering equestrian related development, whether or not planning permission is required. Equally, it has relevance for proposals outside the AONB. Whilst not a statutory document, the AONB Team will use these guidelines when consulted on planning applications. It is stressed, however, that East Devon District Council are the planning authority and as such are responsible for determining planning applications. The AONB Team will, nonetheless, continue to stress the relevance and importance of the document and encourage its application in the planning process. The AONB Team will also encourage wider adoption of the guidance by East Devon District Council.





Map of East Devon Area of Outstanding Natural Beauty

The aim of the guidance is therefore to:

- Provide design related advice and give greater clarity in respect of the provision of new stables, field shelters, riding arenas, storage areas and other forms of equestrian related development, whilst ensuring the safety, health and welfare of horses is taken into account;
- Promote an outcome where all new equestrian related developments are sympathetic to their surrounding environment in terms of siting and appearance and
- Promote an outcome where the landscape character, environmental quality, wildlife and amenity interest of the district is not harmed by inappropriate equestrian related development.

Planning policy context

The National Planning Policy Framework (NPPF) refers to the presumption in favour of sustainable development stating:

- 11 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 12 This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. It is highly desirable that local planning authorities should have an up-to-date plan in place.
- 13 The National Planning Policy Framework constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration in determining applications.

Equine related activities

Horse riding and other equestrian activities are popular forms of recreation and sport in the countryside that can fit well with farming activities and help to diversify rural economies. In some parts of the country, horse training and breeding businesses play an important role in the local economy. Local planning authorities should set out in LDDs their policies for supporting equine enterprises that maintain environmental quality and countryside character.

These policies should provide a range of suitably located recreational, leisure and sports facilities and, where appropriate, for the needs of training and breeding businesses. They should also facilitate the reuse of farm buildings for small-scale horse enterprises that provide a useful form of farm diversification.

Local planning policy

Development proposals are judged against the relevant policies of the development plan for an area. In East Devon, this currently made up of the adopted East Devon Local Plan. In addition, there is the Devon Minerals and Waste Local Plans. The new Local Plan was adopted on 28 January 2016.

Local plan policies

On 28 January 2016, East Devon District Council adopted the East Devon Local Plan. Whilst there are no specific policies relating to equestrian development in the Local Plan, there are a number of related policies detailed further in the 'Supporting Evidence' document to this guidance. For details on the Local Plan visit eastdevon.gov.uk/planning/planning-policy.

Will I need planning permission?

Planning permission is normally required to use land for keeping horses for non-agricultural purposes and for associated development. This includes stable blocks, hard standing and exercise arenas, hay barns, feed stores, tack rooms, new gateways, tracks or access points on to highways, permanent jumps, lighting and engineering works such as earth moving. Sub-dividing agricultural land into paddocks for horses is likely to be regarded as a material change of use, and as such is likely to require planning permission. The provision of permanent field shelters is also likely to require planning permission.

In a limited number of cases, proposals may be considered 'permitted development' under planning regulations, which, subject to certain criteria, do not require the submission of a planning application. 'Grazing' [of] horses is deemed an agricultural use and does not require planning permission.

It is stressed, however, that commentary on matters relating to when and if planning permission may be required is supplied on an advisory basis only and it is not, and is not intended to be, a statement of planning law. Anyone contemplating any use of land for horse related activities or change of use of land or creation of buildings or fences or new surfaced areas or other development, should satisfy themselves, potentially taking professional planning or legal advice, of the possible need for planning permission. In addition, any development could need Building Regulation approval.

What is the difference between 'grazing' and 'keeping' horses?

The use of land for grazing horses or ponies does not require planning permission so long as the majority of the animal's food is obtained from the land being grazed.

However, if the grazing is part of a commercial activity, such as livery or if other activities take place on the land, this will require planning permission. There is current legal precedent, 'The Sykes Test', that helps to illustrate this finer point. The Sykes Test suggests that if the predominant purpose is for the horses to survive off the land from the grass (which could include feeding hay made on the holding), this equates to 'grazing'. However if the predominant purpose is simply to provide a location for horses to live and they receive supplementary feeding from elsewhere outside the holding, then that is regarded as the 'keeping' of horses on the land.

Should I seek advice on planning?

As planning policies, case law, and regulations change from time to time, it is always advisable to contact the local planning department and taking independent advice can be appropriate to discuss what you have in mind.

As well as providing valuable advice, it may well save you time and money. Local planning authorities can, and do, order the removal of unauthorised developments.



Outdoor arenas/ manege and other outdoor exercise arenas

The construction of outdoor all weather exercise areas or manege is an increasingly popular development for both personal use and equestrian business. Factors driving this increase are related to safety due to increasing traffic levels, lack of access to a complete bridleway network and the need to exercise and train horses and riders on a year round basis. A manege often requires additional fencing, earthworks and drainage. It will also usually require a change of use for the land and therefore planning permission will be needed.

Fields used for exercising horses on a regular basis could also constitute a change of use that would require planning permission. A sign of regular use would be the keeping of jumps in the field. The construction of permanent jumps for cross country courses also requires planning permission. Temporary field jumps would not require planning permission but it would be expected that such equipment is stored out of sight or is unobtrusive when not in use.

Consideration

Guidance

Siting	<ul style="list-style-type: none">• Avoid areas requiring excessive earth moving, for example slopes and undulating ground for manege. Avoid artificial mounding of soil• Where possible outdoor exercise areas should be located adjacent to existing development, utilising existing access arrangements, and not in open fields/highly visible locations• Consider your neighbours, aim to minimise visual and noise impacts
Design/materials	<ul style="list-style-type: none">• Seek to minimise the impact through the use of appropriate materials• Fencing should be kept to a minimum and post and rail timber• Surfacing should be permeable and where this is not possible appropriate drainage should be provided
Landscaping	<ul style="list-style-type: none">• New tracks should follow contours of the land – darker, porous surfacing materials are best• Surface dressing should blend with the surrounding landscape, ideally match local soil colour. Avoid the use of synthetic materials particularly in AONBs• Where practical, plant locally growing native trees/hedge plants• Remove/move temporary fences and jumps whenever possible• Within AONBs there will be an additional requirement to ensure any development results in the conservation and enhancement of the character and quality of the landscape
Lighting	<ul style="list-style-type: none">• Outdoor lighting/floodlighting be minimal and is unlikely to be acceptable in sensitive areas such as Areas of Outstanding Natural Beauty• Where lighting is accepted as essential, it should be designed so that no glare is caused upwards or outside the ménage area, and there is no light spill outside the ménage area. In addition the use of such lighting will be controlled by conditions restricting times of operation and the use of demountable or other form of removal lighting columns should be considered



Indoor arenas

The provision of new large scale indoor arenas will not generally be looked upon as acceptable from an AONB team perspective. The conversion of existing buildings to indoor arenas may be seen as more appropriate, provided that the existing building is suitable for the proposed use, capable of conversion and the proposed use would not cause harm to the surrounding area. Planning authorities may give consideration to the replacement of existing buildings, provided that the new buildings are no larger or higher than the existing and there are positive benefits to the built/landscape character.

Consideration

Guidance

Siting	<ul style="list-style-type: none">• Locate within existing built pattern and not in open field or away from existing structures• Respect existing building hierarchy/layout• Avoid artificial mounding of soil or excessive earth moving
Design/materials	<ul style="list-style-type: none">• Match local design/built form where appropriate• Choosing the right natural materials and colour of roof can be enormously effective in helping to blend your new building into the surrounding landscape
Landscaping	<ul style="list-style-type: none">• Consider opportunities to include mitigation measures to reduce the impact of existing development• Within AONBs there will be an additional requirement to ensure any development results in the conservation and enhancement of the character and quality of the landscape
Lighting	<ul style="list-style-type: none">• Outdoor lighting should be minimal. If required, angle lighting to the ground and use night sky friendly lamps not left permanently on

Riding schools and liveries

The use of land for riding schools or trekking centres is generally considered to be an appropriate use within the open countryside as outdoor sport and recreation.

Accordingly the construction of buildings to provide essential facilities for riding schools and pony trekking centres does not usually represent inappropriate development. However, the construction of new buildings for non-essential associated facilities may not generally be considered an appropriate use by planning authorities and will be judged by whether very special circumstances or material considerations outweigh any harm caused by the proposed development.

PA/loud speaker systems are likely to be resisted unless it can be demonstrated their operation would be such that they would have no detrimental noise impact on the surrounding area. The same principle applies to lighting.

Proposals for either full or DIY livery uses should use the advice in this document as a guide. In addition, particular care should be taken in DIY livery uses to provide sufficient on-site parking. In addition it should be noted that this type of use will not generally justify the provision of a new dwelling on the site.

Consideration

Guidance

Siting	<ul style="list-style-type: none">• New developments should be located adjacent to existing buildings
Design/materials	<ul style="list-style-type: none">• Respect local design and where appropriate seek to match the built form
Landscaping	<ul style="list-style-type: none">• Consider hedge/screening using local species to mitigate any impact on the character of the landscape• Within AONBs there will be an additional requirement to ensure any development results in the conservation and enhancement of the character and quality of the landscape
Lighting	<ul style="list-style-type: none">• Licensing requirements will need to be adhered to for riding schools (see appendix 1)• The impact of lighting and noise will be factors that influence the decision making process – seek to address these and reduce impact on the locality• The transport and traffic aspects of proposals will need to address capacity of existing on-site parking and the surrounding road network• Hours of operation for riding schools will usually be determined on a case by case site specific basis through planning conditions





Field shelters

Field shelters do not have doors. New field shelters are commonly timber constructions that require planning permission if they are fixed in a permanent position and have solid floors. The local planning authority should be consulted regarding mobile/temporary shelters and whether or not planning permission is required.

Consideration	Guidance
Siting	<ul style="list-style-type: none">• Field shelters should be located to respect local landscape pattern – avoid skyline locations• Ideally locate adjacent to existing buildings• As a general rule locate on field boundaries• Open field locations are not acceptable for permanent or mobile structures
Design/materials	<ul style="list-style-type: none">• Respect local design and where permanent shelters are proposed seek to match the local vernacular/built form
Landscaping	<ul style="list-style-type: none">• If permanent, consider hedge/screening using local species• Within AONBs there will be an additional requirement to ensure any development results in the conservation and enhancement of the character and quality of the landscape

Stabling and associated buildings/development

tables may be provided by the re-use of existing buildings, for example changing the use of a farm building to provide stabling for horses. As a general rule such a change of use would require planning permission whether the development is for a single stable or a number of stables and associated uses. Development should take account of wildlife, historical and agricultural interests before works and as a design consideration.

The construction of new buildings for the stabling of horses will generally require planning permission unless the stables are erected within the domestic curtilage of dwelling houses and the horses are kept for the personal enjoyment of the residents of the house". Stables may be considered permitted development where horses are used in agriculture on holdings over five hectares in size.

Consideration

Guidance

Siting

- Locate within or adjacent to existing farmsteads or settlement pattern and building hierarchy
- Avoid exposed skyline locations

Design/materials

- Where appropriate re-use of existing buildings may be preferred
- Flat roofs will not be encouraged – use a mono or pitched roof
- Be aware of wildlife. Surveys may be required for existing buildings. Barn owl boxes, swallow/house martin ledges or bat bricks will be valuable additions

Landscaping

- Maximise use of existing land form and vegetation to screen/integrate development
- Avoid loss of existing vegetation
- Within AONBs there will be an additional requirement to ensure any development results in the conservation and enhancement of the character and quality of the landscape





Boundaries: trees, hedges and fences

Fencing, hedges and new tree planting can play an important part in managing your land effectively. The key is ensuring boundaries and field sub divisions are right for your horse and in sympathy with the surrounding landscape. A well-managed hedge provides natural shelter from the weather and is one of the best boundaries for horses and wildlife. If you need manufactured fencing, consider what this will look like in relation to the area you live in. What material would be both effective and blend in to the surrounding countryside?

Internal fencing is sometimes necessary to limit grazing areas or to rest areas of land. Consider how this will look for the time it is in place. The increasing sub-division of fields, fenced with a variety of materials detracts the character of an area and gives an impression of clutter and over intensive use of the land.

Consideration

Guidance

Boundaries

- Try to reduce visual impacts on the landscape by using common local or traditional materials
- Avoid or minimise sub division of fields. If you have to sub divide fields look to mirror the lines of existing field boundaries and use low visibility/mute coloured materials
- If electric tape is necessary it comes in a variety of colours; use muted natural colours with black/brown posts to temporarily sub-divide fields and keep well maintained
- If a post and rail wooden fence is used, unpainted, half round rails and round posts are preferable to sawn timber. Hedge planting with appropriate native species can reduce impact
- Manage your hedgerows to prolong their life and increase their stock proof nature ideally by traditional hedge laying or trimming every two to three years

Welfare

- Horses can damage trees by chewing and stripping bark/branches that may result in the death of a tree. Provide mineral licks to reduce this risk

Grazing and pasture management

Pasture is vitally important to any horse owner. It provides both essential food and an area in which a horse can roam and graze. Well kept pasture land ensures an adequate supply of year round forage and benefits plants and wildlife. Overgrazed land presents the horse owner with problems, affects the health of your horse and looks unsightly.

The more land available to each horse will generally mean less pressure on the pasture but good management can help to reduce problems. The British Horse Society recommends a ratio of two horses per hectare on permanent grazing (1 to 1.5 acres per horse). A number of factors will affect this recommendation, such as:

- size and type of horse/pony
- length of time spent stabled or exercised off the pasture
- time of year
- quality of the pasture, underlying soil and topography
- number of other grazing animals on the pasture

Where the British Horse Society minimum standard of grazing is not available, planning authorities may take this into consideration in respect of the intensification of use, proposals for the erection of buildings, hard-standings etc.

Consideration

Guidance

Field management

- Plan ahead – think about your horse to pasture ratio
- Ryegrass is not the best pasture for horses. They need low calorie high fibre forage of a mixed grass pasture
- Try not to graze a field below 2.5cm in the winter to reduce poaching/run off
- Mixed grazing with sheep/cattle can reduce parasites and worms, improve control of weeds and create a better pasture structure
- Remember not everything in the field other than grass is a weed. Many species are palatable to your horse and beneficial to wildlife
- It is essential that you remove poisonous plants, especially ragwort and manage invasive species that horses will not eat
- Move feed areas and mineral licks regularly to avoid creating muddy areas
- Avoid using inorganic fertilizers, they reduce plant/wildlife diversity
- Land management on designated sites (e.g. County Wildlife Sites) will need to demonstrate that wildlife interests have been taken into account



Public
Bridleway



Rights of way and highways

Landowners have a responsibility to maintain access along bridleways and not to introduce obstructions. Where public rights of way are fenced on land used for horses, care must be taken to protect the amenity for walkers and other users of the network. Barbed wire should not be used in these circumstances. Proposals for new equestrian business should take into account the bridleways, byways and minor roads and level of provision in the area as well as the need for customers/suppliers to access the business by car or other transport means. Matters such as access and egress from the highway, sight lines, hedgerow openings and public safety should all be carefully considered.

Your proposals may require a Design and Access Statement. A Design and Access

Statement is a concise report accompanying certain applications for planning permission and applications for listed building consent. They provide a framework for applicants to explain how the proposed development is a suitable response to the site and its setting, and demonstrate that it can be adequately accessed by prospective users. Design and Access Statements can aid decision-making by enabling local planning authorities and third parties to better understand the analysis that has underpinned the design of a development proposal. The level of detail in a Design and Access Statement should be proportionate to the complexity of the application, but should not be long.

Consideration

Guidance

Rights of way

- Do not introduce obstructions and do not use barbed wire on public routes

Transport/traffic

- Thought should be given to the parking provision for vehicles on the site. Where the proposed stables are located next to existing buildings, applicants should try, where possible, to utilise existing parking arrangements
- Applicants will have to demonstrate that consideration has been given to the traffic which would be generated by the proposed use and the affect that this would have on the highway access, and the suitability, safety and capacity of the surrounding road network

Landscape

- Where areas for car parking and hard standing around stables and access routes are to be created, proposals should use the minimum amount of land for this use as possible
- Where appropriate, the use of crushed stone, gravel, rolled gravel or 'grasscrete' may be more acceptable than more urban style materials such as tarmac

Waste management

Keeping a horse will undoubtedly produce waste. As a horse owner you have a 'duty of care' that requires all waste to be stored and disposed of responsibly. Large or badly kept muck heaps are not only unsightly but can have a detrimental effect if runoff is allowed to pollute the ground or a water course. If waste is to be taken from your holding it must be handled or dealt with by individuals or companies that are appropriately authorised and a record kept of all wastes transferred through a system of waste management notices. Local authority Environmental Health teams can provide further advice, as can the Environmental Agency.

Consideration

Guidance

Waste management

- Make sure you plan – muck does pile up. What are you going to do with your horse manure?
 - Consider the type of bedding you use for your horse. With compostable materials it is recommended they are well rotted before being used for spreading on land
 - Seek advice on spreading bedding materials from the Environment Agency to ensure you stay legal
 - The use of rubber matting in stables can reduce the need for large quantities of bedding and thereby cut down the amount of waste produced
 - If you plan to have a lot of horses consider creating a sealed base and underground tank to collect water run-off from your muck heap
 - Make sure that temporary heaps are not located over field drains and that any run off cannot seep into water courses
 - Ensure that all feed bags, twine, plastics and packaging are disposed of correctly; Store in a secure place and ensure it is collected by a authorised contractor and recycled where possible
 - Burning or burying plastics on land is illegal
-

Welfare

- Regularly removing dung from paddocks removes harmful parasites (worms) excreted in manure, encourages horses to graze more evenly using the whole field and reduces the establishment of weeds and rank grass



Appendix – licensing arrangements for riding establishments

Overview

A riding establishment is a business that hires out horses or ponies for riding or a riding school. If you want to run a riding establishment you'll need to apply for a licence with the local authority, East Devon District Council (EDDC). You may find it useful to read EDDC's horse riding establishments guidance notes which cover the areas you will need to consider.

Restrictions

You must be over 18 to apply for a licence. You won't be given a licence if you've committed any animal health or welfare offences, or if you've been banned from:

- running a riding establishment
- running a pet shop
- keeping animals, including in a boarding kennel or cattery

You must not leave anyone under 16 years old in charge of the riding establishment. Any riders under 16 must be supervised, unless you're satisfied that they are competent to ride without supervision.

How to apply

If you want to run a riding establishment you will need to apply for a riding establishment licence with EDDC.

Inspections

Before you get a licence your premises will be inspected by a vet and a council officer and you'll need to pay the vet's fee.

Before EDDC can give you a licence you'll need to show that you have suitable qualifications and experience of horse management, and that your horses are:

- in good health and physically fit
- suitable to be hired out and used for riding
- provided with adequate food, drink and bedding
- regularly exercised
- safeguarded in an emergency

You'll also need to show EDDC that:

- precautions will be taken to reduce the spread of contagious or infectious diseases
- veterinary first aid equipment and medicines will be provided and maintained
- any horse inspected by an officer and found to need veterinary attention will not be returned to work until you have obtained a veterinary certificate confirming the horse is fit for work
- you hold indemnity insurance that covers you for any injuries that result from people riding your horses

You must also keep a register of all horses at the riding establishment and make the register available for inspection at all reasonable times.

EDDC can refuse to give you a licence if they do not feel the conditions for the animals are

right. They may ask for additional conditions if they think the welfare of the animals or the safety of the public require them.

EDDC therefore strongly recommend you contact them for a visit to advise you on what you need to do to comply with the licence requirements while you are still planning the business.

Renewing your licence

A riding establishment licence is valid for one year. You will need to apply to renew your riding establishment licence each year if you want to keep running the business.

Changing your licence

You will need to make an application if you want to make changes to your riding establishment licence.

Displaying your licence

You must display your licence or a copy of it at the riding establishment so that it can be read by anyone visiting the premises.

Legislation

Riding Establishments Act 1964
Riding Establishments Act 1970

Public register

If you would like to view the public register for riding establishment licences please contact EDDC.

Trade and other associations

Association of British Riding Schools (ABRS)
British Dressage
British Equestrian Federation (BEF)
British Equestrian Trade Association (BETA)
British Horse Society (BHS)

Further details

For further details on licensing for riding establishments in East Devon please see eastdevon.gov.uk/licensing/animal-licensing/riding-establishments/

Further information

Useful contacts

East Devon District Council

Planning:	01395 517475, eastdevon.gov.uk/planning
Licensing:	01395 517410, eastdevon.gov.uk/licensing
Environmental Health	01395 517456, eastdevon.gov.uk/environment
Countryside:	01395 517557, eastdevon.gov.uk/countryside

British Horse Society bhs.org.uk

Pony Club UK pcuk.org

Devon CC Highways 0845 1551004

Environment Agency 08708 506 506

Natural England 0300 060 1110

Historic England 0370 3330607

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Blackdown Hills AONB, 01823 680681

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The AONB Team takes no responsibility for inaccuracies or changes in legislation or planning that come into effect after the publication of this document and are pending inclusion subject to any future revision.

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These guidelines have been
produced in consultation with
The British Horse Society



