

NEW FOREST NATIONAL PARK PLAN
RECREATIONAL HORSE KEEPING WORKING GROUP
BACKGROUND INFORMATION PREPARED BY NPA

HORSE RIDING AND THE NEW FOREST

Horse riding is a popular recreational activity in the New Forest. In the region of 3,500 horses are kept for recreational purposes within and immediately surrounding the National Park and those who visit the New Forest primarily to ride make up some 2% of all visitors. Recreational horse keeping also supports local businesses and can make an important contribution to farm diversification schemes. Farriers, saddle makers, carriage makers and shops selling specialist equipment all benefit from the interest in horse riding in the New Forest.

THE KEY ISSUES RAISED IN THE CONSULTATION

The consultation draft National Park Plan policies on recreational horse keeping attracted a significant response during the 12 week consultation period (including a petition signed by approximately 7,200 names). The vast majority of comments were made in response to policy DC12 and the explanatory text to which most people objected.

The National Park Authority's summary of the range of comments raised and suggestions made during the consultation is given below.

1. Comments

Comments on the intentions of the policy

- Accept that new development should not have an unacceptable landscape impact, and this applies to equestrian development just as any new development.
- The equestrian policies have failed to have proper regard to the second statutory National Park purpose of promoting understanding and enjoyment, and the related socio-economic duty.
- There was some support for the intentions of DC12 to protect agricultural land and reduce the visual and environmental impacts of horse keeping on the landscape

Wording

- Negatives such as "*no increased riding pressures on the Open Forest*" and "*no loss of run back grazing land*" are unreasonable and should be deleted.

Evidence base

- Do not accept there has been any loss of back up land due to recreational horsekeeping.
- Although there is localised evidence of landscape problems, there is no evidence that horse keeping damages biodiversity or causes erosion.

Comments related to commoning

- Agree with any policy that supports the future viability of commoning, safeguards the existing stock of land available as back up grazing and prevents further loss.

The policy in relation to other documents

- The existing need for planning permission for the change of use of recreational horse keeping was accepted by some.
- According to DEFRA, only horses which are either used to farm agricultural land or are farmed for their meats or hides can be classed as agricultural. The Plan's definitions are therefore at odds with DEFRA.
- The Plan appears to be contrary to the *Strategy for the Horse Industry in England and Wales* (December 2005).

Points about assessing recreational horse keeping

- The main change between the NFDC Local Plan Policy and these proposals is the increase in the required land from 0.3 ha to 1 ha. The impact of this will be a reduction in the number of horses kept in the New Forest and detriment to their health.
- In quoting stocking densities, horse size and nutritional requirements should be qualified.
- One horse per hectare is too much for most of our native breeds. Supplementary feeding, rugging and dividing paddocks are essential.
- Advice as to what constitutes the keeping of horses does not stand up to scrutiny. Average pasture will maintain two horses per hectare.

Animal welfare

- The policy will have an adverse impact on animal welfare.
- DC12 is contrary to the Animal Welfare Act 2006.

Field Shelters, Stables and Manages (DC13 and DC14)

- There are many cases where allowing stabling blocks can have a positive impact on the accompanying grazing land.
- There is no case for prohibiting concrete floors in field shelters (DC13).
- The increased restriction on stables and maneges in the open countryside is not justified.
- DC14 is more restrictive than the existing NFDC Local Plan policy.
- Maneges actually reduce riding pressures on the Open Forest and should therefore be supported.
- A less restrictive approach should be taken in DC14 to allow stables and maneges outside residential curtilages. Policy NF-R8 has been working satisfactorily for the last decade and does not need to be changed.
- Some support for a less restrictive DC14 that permits stables and maneges outside residential curtilages where this would reduce riding pressures on the Open Forest.

2. **Suggestions**

A framework

- The Plan should make it clear that the NPA is not dictating to owners how to keep their horses, it is simply setting out a framework for use when an application is required.
- The required information to accompany the planning application is a good framework, but the Biodiversity Report should only be required in areas of particular sensitivity.

Comments questioning why there is a policy on horse keeping

- Policy should not be limited to horse keeping, but should apply to any change of use to recreational use that has a negative landscape impact or results in the loss of back up grazing land.
- It is not clear why recreational horse keeping requires its own policies when DC1, 2, 7, 8, 15, 16 and 20 would adequately control any proposals.

Suggested change of wording

- DC12 should be amended to "*Recreational horse keeping will only be permitted where it maintains the environmental quality and countryside character of the New Forest.*"

The new policy in relation to the NFDC policy/guidelines

- The Authority should revert back to the NFDC guidelines in respect of the change of use from agricultural land to recreational horsekeeping.
- The material change of use from 'grazing' to 'keeping' is complex and the Plan is too prescriptive. The aim appears to bring in greater planning control than has hitherto been the case. The new criteria radically alter the scope of the policy, with implications for hundreds of horse owners.

Planning permission

- There should be a presumption in policy DC12 that planning permission will be granted.
- There should be no retrospective enforcement of alleged breaches of planning prior to the date of the Park Plan being formally implemented.

Good practice guidelines/supplementary planning document

- If it is the method of horse keeping that is causing problems, rather than horse keeping per se, impacts could be reduced through a New Forest Good Practice Guide.
- The Authority should progress *PA10 – Producing land management guidance for the keeping of horses aimed at recreational users and equestrian businesses*. With this in place, DC12, DC13 and DC14 would not be required.
- No evidence is given for how the stocking density or other indicators were derived, or where exceptions may be made for commoning purposes (DC12). This clarity and detail might be provided in the form of a Supplementary Planning Document.

ANNEX 1

THE EXISTING RECREATIONAL HORSE KEEPING POLICIES AND GUIDANCE RELEVANT TO THE NEW FOREST NATIONAL PARK

National guidance

PPS7: Sustainable Development in Rural Areas, ODPM, 2004

National Parks have been confirmed by the Government as, “...*having the highest status of protection in relation to landscape and scenic beauty. The conservation of the natural beauty of the landscape and countryside should therefore be given great weight in planning policies and development control decisions in these areas.*” – paragraph 21

“Horse riding and other equestrian activities are popular forms of recreation in the countryside that can fit in well with farming activities and help to diversify rural economies. In some parts of the country, horse training and breeding businesses play an important economic role. Local planning authorities should set out in their LDDs their policies for supporting equine enterprises that maintain environmental quality and countryside character.” - paragraph 32

Regional guidance

Draft Regional Spatial Strategy for the South East (2008)

Policy C1: The New Forest National Park

“High priority will be given to conserving and enhancing land and its specific character within the New Forest National Park. The local planning authority and other partners should also develop supportive sustainable land management policies, both inside the National Park and within the zone of ‘New Forest commoning activity’, including protection of grazing land outside the National Park which is needed to support National Park purposes.”

Current Local Plan policies covering the New Forest National Park

The local planning policy framework for the National Park is currently contained within the adopted Local Plans for New Forest District, Salisbury District and Test Valley Borough. All of these Local Plans contain policies to covering the need for planning permission for recreational horse keeping, which are summarised below.

| <i>New Forest District Local Plan First Alteration (Adopted 2005)</i> | |
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| Policies on Horse Keeping | Issues to do with recreational horse keeping and erosion of the Forest; landscape impact and run back grazing land available to commoners outlined, followed by specific policies – set out below: NF-R5: New commercial riding establishments or livery stables, or extensions to existing premises will not be permitted due to erosion on tracks used by riding schools and areas near livery yards. NF-R6: Recreational horse-keeping only permitted where the planning |

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| | authority is satisfied the proposals will not lead to increased riding pressures on the Open Forest or involve the loss of back up grazing land. As a guideline, the supporting test states that the keeping of horses occurs where there is less than 0.3 hectares of land per horse. |
| Policies on stables, field shelters etc | NF-R7: Permission will be granted for stables and field shelters provided the building is sensitively sited, modest in scale and constructed of appropriate materials. NF-R8: Outdoor maneges will be permitted provided they do not result in any detrimental impact on the landscape and ecology of the Park and they do not involve the installation of floodlights. Indoor maneges not permitted. |

Salisbury District Local Plan (Adopted 2003)

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| Policy on Horse Keeping | The Plan states that, "...the Forest is suffering from problems of erosion caused by horse-riding." The Local Plan seeks to prevent any increase in the number and size of riding establishments using or likely to use the New Forest. HA-11: Further riding establishments or the enlargement of existing facilities which would increase the use of the New Forest will not be permitted. |
| Policies on field shelters etc | HA-12: Within or adjoining residential curtilages in the New Forest proposals for private non-commercial stables, loose-boxes or field shelters will be permitted. In isolated locations, only field shelters will be considered acceptable. In both circumstances permission will only be granted to proposals which are small in scale and of appropriate materials, design and siting. |

Test Valley Borough Local Plan (Adopted 2006)

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| Policy on Horse Keeping | The importance of recreational horse keeping to the rural economy is noted. The Plan also notes that riding can contribute to erosion, have impacts on wildlife interests and lead to pressure for stabling and shelters that have a detrimental impact on the character and appearance of the countryside. "...the Council will take account of the capability of the land to support the intended number of animals. The British Horse Society recommends approximately two horses per hectare for permanent grazing..." (1995). Policy ESN-25: Applications for development linked with the keeping of horses will be permitted providing it will not be detrimental to the character of the environment; the site is capable of supporting the proposed number of animals; there is safe access to the highways for all vehicles; there is safe access to the existing rights of way network; and there will be no adverse impact on landscape quality, nature conservation or the rights of way network. |
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ANNEX 2

APPROACH TAKEN BY OTHER PLANNING AUTHORITIES

The vast majority of local planning authorities have planning policies specifically addressing equine development. Some planning authorities also use Supplementary Planning Guidance / Documents (SPG/SPD) to provide greater detail on horse keeping. Many of these policies focus on the landscape impact of equestrian development, the design and siting of associated buildings and the land available for grazing. Set out below are a number of examples of the approach taken by local planning authorities (some of the examples used have since been superseded).

| Authority & Plan | Summary of Approach |
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| <i>Sevenoaks District Local Plan (adopted 2000): Annex 3 Horses and Stabling</i> | A full planning application is required for the use of land for keeping horses for non-agricultural purposes and for buildings to stable them. Appendix 3 sets out the principles against which equine development proposals are to be judged, including the scale and function of the proposed facilities, the visual impact of development, the design standard, potential loss of agricultural land and local highway impacts. Maximum dimensions for stables, minimum areas of grazing per horse, and suitable boundary treatments are included in the guidance. |
| <i>South Bucks District Local Plan (adopted 1999) Policy R5</i> | Policy R5 states that proposals for the use of land for equestrian purposes will be permitted where (among other factors) the design of buildings is appropriate; the proposals would not be detrimental to landscape character, adequate ancillary grazing land remains available, and access to bridleways is available. Planning conditions may be imposed to ensure jumps and other structures are removed when not in use. The Council will normally seek a legal agreement to ensure that adequate grazing land remains available. The Council will seek to minimise the impact of equestrian developments by ensuring there is not such a concentration of horse related uses in the locality as to affect the character of the area. |
| <i>Tandridge District Local Plan (adopted 2001)</i> | The Plan (policy RT7 and supporting text) refers to guidance from the British Horse Society recommending between 0.6 ha and 0.8 ha of grazing pasture per horse where no stabling is provided. The Council will consider limiting the number of horses stabled, either by a planning condition or Section 106 Agreement. Sand schools will be resisted where they would adversely affect the quality and character of the countryside |
| <i>Reigate and Banstead Borough Council: Horsekeeping SPG (adopted 1998)</i> | Horsekeeping SPG which expands on the Local Plan policy. The guidance is designed to inform those applying for planning permission of the criteria against which their proposals will be considered. The guidance sets out the Council's requirements for considering buildings connected to the keeping of horses for developments in the countryside and the Green Belt. Within the Area of Outstanding Natural Beauty (AONB) stricter policies relating to landscape character apply. |

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| <p>Ashford Borough Council: <i>Stables and Maneges SPG</i> (adopted 2004)</p> | <p>Guidance on the development of stables and/or maneges to ensure they are sympathetically designed. The advice also seeks to avoid harming landscape character, particularly within Areas of Outstanding Natural Beauty. Stables should be located in one block rather than a dispersed form and should ideally be located close to the owner's dwelling to minimise landscape impact and provide security.</p> |
| <p>Gateshead Council: <i>Development Control Practice Note: Horsiculture / Keeping Horses</i> (adopted 2008)</p> | <p>Clarifies that the grazing of horses on agricultural land does not require planning permission, but that, "...<i>anything beyond the grazing of horses would require planning permission...</i>" This includes stables, jumps and the change of use of the land to the 'keeping' of horses. The note confirms that visual impact, the loss of agricultural land, impacts on residential amenity, impacts on biodiversity and impacts on highway safety will be considered. The number of horses, boundary treatments and landscaping may be conditioned if planning permission is granted.</p> |
| <p>Dartford Borough Council: <i>A Guide to Horse Policy</i></p> | <p>Guide confirms that a full planning application is normally required for the use of land for keeping horses for non-agricultural purposes and for buildings to house them. Guidelines for the size of stables, the siting of stables, the area of grazing available per horse, the use of sympathetic fencing, stable management, access and parking are included in the guide.</p> |
| <p>Harrogate Borough Council: <i>Guidelines for Equestrian Development in the Nidderdale AONB</i> (adopted 2007)</p> | <p>Guidelines for horse owners and equestrian businesses planning new equestrian development within the Area of Outstanding Natural Beauty. The objectives of the guidance cover the need to protect and enhance the AONB; the promotion of high quality design; the need to protect sites of nature conservation value; encouraging appropriate planting, encouraging the use of appropriate materials; and facilitate the development of appropriate equine businesses. The guidance seeks to avoid sub-division of field where possible and promotes w grazing densities to maintain the diversity of grassland.</p> |

ANNEX 3

STATUTORY BACKGROUND FOR ALL NATIONAL PARKS

Section 61 of the Environment Act 1995 establishes the two statutory purposes (and related duty) that relate to all National Parks in England and Wales, namely:

- (a) conserving and enhancing of the natural beauty, wildlife and cultural heritage of the National Park; and
- (b) promoting opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

The Act also confirms that in pursuing the two statutory Park purposes, National Park Authorities, "...*shall seek to foster the economic and social well-being of the local communities within the National Park.*" – Section 61(1)

Section 62(2) of the Environment Act 1995 states that if it appears that there is a conflict between the two statutory purposes, greater weight shall be attached to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park (often known as the '*Sandford Principle*'). The Act also places a duty on all relevant authorities, including statutory undertakers and local authorities, to have regard to the statutory Park purposes in carrying out their functions.

Planning Policy Statement 7 (Sustainable Development in Rural Areas, ODPM, 2004) states that National Parks, "...*have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty. The conservation of the natural beauty of the landscape and countryside should therefore be given great weight in planning policies and development control decisions in these areas.*" – paragraph 21

National Park Management Plans and LDF Core Strategies

Under Section 66(1) of the Environment Act 1995 each National Park Authority is required to prepare and publish a National Park Management Plan. The central role of the Management Plan is to guide the delivery of the National Park purposes. The Government's *National Park Management Plans – Guidance* (Countryside Agency, 2005) states that, "*National Park Management Plans are Plans for National Parks, not just Park Authorities. All those with interests in a National Park should take account of the Management Plan's vision of the area...The National Park Management Plan is the single most important document for each National Park...it is the overarching strategic document for the National Park.*"

National Park Authorities are also the sole local planning authorities for their National Parks, with responsibility for producing policies for spatial planning, including minerals and waste, appropriate to the National Park purposes. All planning authorities are required to produce a Local Development Framework outlining the spatial planning strategy for their local area.

ANNEX 4

DRAFT POLICIES IN THE DRAFT NATIONAL PARK PLAN

Please note the policies are copied here for ease of reference only. Their inclusion should not be taken as the Authority restating the policies. The Authority fully expects to review these policies in the light of the working groups discussions and other suggestions for ways in which the relevant policies can be amended and improved.

Conservation and Enhancement Policies (page 53 – 63)

CP3.4 Resist the loss of agricultural land and back-up grazing through development or change of use.

This includes changes to private recreational use, including recreational horse keeping, but does not preclude the restoration of semi-natural habitats on former agricultural land.

Development Control Policies (pages 103 – 125)

Recreational Horsekeeping

The following policies set out more detail on the control of recreational horsekeeping and associated development. They develop the Plan's strategic policies, in particular resisting recreational horsekeeping where it involves the loss of agricultural land and back-up grazing land.

The policies should be read in conjunction with all strategic policies, in particular CP3.4.

Policy DC12: Recreational horse keeping

Recreational horse keeping will only be permitted where it can be demonstrated that there will be:

- i. no adverse impact on the landscape or any nature conservation interests;
- ii. no increased riding pressures on the open Forest; and
- iii. no loss of run back grazing land.

Horse riding is a popular recreational activity in the New Forest but there can be associated harmful impacts which include:

Erosion of the Forest: recreational horse riding is known to cause wear and tear on Forest tracks and associated damage to vegetation and nature conservation interests;

Landscape impact: of pony paddocks, fencing, buildings, maneges, jumps and floodlighting, which both individually and cumulatively can be intrusive and harmful to the landscape character of the New Forest; and

Loss of run back grazing land: the proliferation of recreational horse keeping can reduce and displace the supply of grazing land available to New Forest Commoners.

In order to demonstrate compliance with this policy, the following information will need to accompany each application:

- Proposed stocking density
- Grassland Management Scheme (to prevent overgrazing)
- Fencing details and plans
- Landscaping details and plans
- Proposals for any buildings (now or in the future)
- Waste storage details
- Biodiversity survey and report
- Availability of off road riding in the area (other than on the open Forest)

The distinction between grazing and keeping horses is not always clear and it continues to generate confusion as to when planning permission might be required.

Of itself, **grazing** of agricultural land by horses for the purposes of an agricultural trade or business does not normally require planning permission - it is not considered to constitute a material change of use. In this context, grazing means that a horse can sustain itself by feeding off the land and does not require supplemental feeding (except perhaps in extreme weather conditions). A horse will normally need at least one hectare of grazing land to sustain itself in grass feed.

Conversely, the **keeping** of horses is considered to be a **recreational** use of land rather than an agricultural use and does require planning permission (as it constitutes a material change of use of the land). As a guideline, the keeping of horses occurs when there is a stocking density of less than one hectare per horse. Other key indicators include the following:

- The subdivision of a former single field into multiple pony paddocks ;
- The existence of maneges, stables and field shelters ('portable' or otherwise);
- Other on site equine equipment, such as horse jumps and schooling rings;
- Corrals for tacking up horses (normally by the field gate);
- Regular supplementary feeding; and
- Horses being regularly 'rugged' throughout the winter

Agricultural land can be used temporarily for a number of different uses, including horse keeping, horse riding and horse training, for up to 28 days in any one calendar year without the need for planning permission.

Policy DC13: Field shelters

Field shelters will only be permitted where:

- it can be shown that the land has a lawful horse keeping or agricultural (horse grazing) use;
- they are simple in appearance and modest in scale with the long side of the building left open (concrete floors and hard standings will not be permitted)

Policy DC14: Stables and maneges

Stables and maneges will not be permitted in the open countryside. They will only be permitted in residential curtilages or immediately adjoining a residential curtilage where both the land and the property are in the control of the applicant. Replacement of existing stables and maneges on lawful horse keeping sites will be permitted where it can be shown that the proposed development offers a positive environmental improvement that would help to protect and enhance the landscape.

The Authority will seek to limit the proliferation of any further equine buildings and related developments within the National Park in order to conserve and enhance the New Forest landscape.

In the case of proposals for new field shelters and replacement stables and maneges, applications will need to be accompanied by the information referred to above.

In cases where it is considered appropriate to grant planning permission for recreational horse keeping and/or associated equine developments, such consents will be subject to planning conditions to enable the Authority to retain effective control over the future use of the site. These conditions are likely to include:

- Restrictions on stocking densities
- Removal of permitted development rights (fencing and hardstandings)
- Prohibition of any floodlighting or use of 'portable' buildings