

# Equestrian Planning Permission



Equestrian properties often throw up planning problems, as people often wrongly assume the keeping of horses is akin with agricultural use of the land.

This is not usually the case and care needs to be taken to ensure that necessary planning consents for equestrian use are obtained.

'Agriculture' is defined as:- "horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land) the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes."

If your use of the land with horses falls within this definition, no planning permission for change of use or development will be required. Equestrian areas that fall within agricultural use are:- producing horses/ponies for slaughter, working horses on the land (a rare sight today), and turning horses out for grazing only (no additional feeding or rugging can be provided).

Planning law has introduced six types of 'horse' for the purpose of determining agricultural or equestrian use:-

1. The Working Horse – if used solely for working on the farm, agricultural use will be maintained. This is very rare in this day and age and is perhaps best represented by the modern Clydesdale or Shire kept for farm work on visitor attraction farms for historic interest.
2. Horsemeat – the breeding and keeping of horses for food production only is an agricultural activity.
3. The Grazing Horse – The use of land for the grazing of any type of horse is agricultural. However, as soon as you introduce any form of 'keeping' the horse you will require equestrian use. In practice, agricultural use will only apply to those horses and ponies turned away for a season with no additional feed supplements or rugging. For example, a herd of polo ponies turned away for the winter season. As soon as you introduce any form of feeding (e.g. haylage bales) or rugging of horses, equestrian use would be required.

4. The Racehorse – The keeping of racehorses requires equestrian use and development, unless you are turning them out as a grazing horse (see point 3 above).

5. The Recreational Horse – The keeping of recreational horses for both amateur and professional riders requires equestrian use and development, unless you are turning them out as a grazing horse (see point 3 above). Recreational horses form the greatest majority of horses owned in England.

6. The Residentially Incidental Horse – The keeping of a horse within the curtilage of a dwelling-house may be incidental to the enjoyment of a dwelling-house and not require planning permission. Agricultural use would not need to be considered. Various permitted development rights are available allowing the provision of buildings and enclosures for a 'purpose incidental to the enjoyment of the dwelling-house.'

Consultation with your Local Authority is advisable prior to commencing any form of development or use.