

4.3 – SE/14/03055/FUL Date expired 17 November 2014

PROPOSAL: The erection of a stable block with a small manure store

LOCATION: Land East Of, Carters Hill, Underriver, Kent

WARD(S): Seal & Weald

ITEM FOR DECISION

This application has been referred to the Development Control Committee at the request of Councillor Thornton to consider the potential impact of the proposed development on the Metropolitan Green Belt.

RECOMMENDATION: That planning permission be GRANTED subject to the following conditions:-

1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

In pursuance of section 91 of the Town and Country Planning Act 1990.

2) The development hereby permitted shall be carried out in accordance with the following approved plans: 01 Revision A.

For the avoidance of doubt and in the interests of proper planning.

3) The materials to be used in the construction of the development shall be those indicated on the approved plan 01 Revision A.

To ensure that the appearance of the development is in harmony with the existing character of the area as supported by Policy EN1 of the Sevenoaks District Local Plan.

4) No development shall be carried out on the land until full details of soft landscape works have been submitted to and approved in writing by the Council. Those details shall include:-planting plans (identifying existing planting, plants to be retained and new planting);-a schedule of new plants (noting species, size of stock at time of planting and proposed number/densities); and-a programme of implementation.

To safeguard the visual appearance of the area as supported by policy EN1 of the Sevenoaks District Local Plan.

5) Soft landscape works shall be carried out before first use of the approved stable building. The landscape works shall be carried out in accordance with the approved details.

To safeguard the visual appearance of the area as supported by policy EN1 of the Sevenoaks District Local Plan.

6) If within a period of five years from the completion of the development, any of the trees or plants that form part of the approved details of soft landscaping die, are removed or become seriously damaged or diseased then they shall be replaced in the

next planting season with others of similar size and species.

To safeguard the visual appearance of the area as supported by policy EN1 of the Sevenoaks District Local Plan.

7) No development shall take place until a scheme for the disposal of manure from the land has been submitted to and approved in writing by the Council. The approved scheme shall be implemented when the stables are first brought into use, and thereafter maintained.

To protect the amenity of the area as supported by policy EN1 of the Sevenoaks District Local Plan.

8) No external lighting shall be installed on the land until such details have been submitted to and approved by the Council. The installation of external lighting shall only be carried out in accordance with the approved details.

To protect the amenity of the area as supported by policy EN1 of the Sevenoaks District Local Plan.

9) No part of the land shall be used for open storage including the storage of items associated with the use of the land for the keeping of horses.

To protect the openness of the Green Belt and the character of the landscape as supported by policy EN1 of the Sevenoaks District Local Plan.

10) No jumps, mobile or temporary structures, buildings or chattels shall be placed on the land outlined in red on drawing number 01 Revision A without the prior approval in writing of the Council.

To protect the openness of the Green Belt and the character of the landscape as supported by the National Planning Policy Framework.

11) The stables hereby permitted shall not be used for any commercial purposes.

To protect the openness of the Green Belt and the character of the landscape as supported by the National Planning Policy Framework.

Note to Applicant

In accordance with paragraphs 186 and 187 of the NPPF Sevenoaks District Council (SDC) takes a positive and proactive approach to development proposals. SDC works with applicants/agents in a positive and proactive manner, by;

- Offering a duty officer service to provide initial planning advice,
- Providing a pre-application advice service,
- When appropriate, updating applicants/agents of any small scale issues that may arise in the processing of their application,
- Where possible and appropriate suggesting solutions to secure a successful outcome,
- Allowing applicants to keep up to date with their application and viewing all consultees comments on line (www.sevenoaks.gov.uk/environment/planning/planning_services_online/654.asp),

- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that improve the economic, social and environmental conditions of the area,
- Providing easy on line access to planning policies and guidance, and
- Encouraging them to seek professional advice whenever appropriate.

In this instance the applicant/agent:

- 1) Was updated of small scale issues which arose during the process of the application and was given time to address it.

Description of Proposal

- 1 The application seeks the approval of the erection of a stable block with an attached manure store. The stable building would be L-shaped and would be sited in the north-west corner of the existing fenced-off section of the site as a whole.
- 2 The stable building would be made up of three stables and the building would be finished in stained timber shiplap cladding and a felt roof. The manure store would comprise a concrete floor and a 1m high fence.
- 3 The fencing that currently makes up the area around the proposed stable building comprises a 1.1m high post and stock proof fencing, and it is proposed to erect a 1.1m high post and rail fence either side of the gate adjacent to the lane. The fencing around the proposed stable building does not require planning permission, since it is less than 2m in height, but permission is sought for the post and rail fence adjacent to the lane.
- 4 Access to the site would continue to be provided from the existing vehicular access from the adjacent lane. Alterations to the surfacing of the area to the front of the gate, does not require planning permission.

Description of Site

- 5 The application site comprises a large field on the northern side of the lane that runs west-to-east from Carters Hill, to the north of The White Rock Inn in Underriver. The levels of the field rise from the south-east corner of the site to the north and west. A natural drain runs along the eastern boundary of the site.

Constraints

- 6 The site lies within the Metropolitan Green Belt and the Kent Downs Area of Outstanding Natural Beauty (AONB).

Policies

Sevenoaks District Core Strategy

- 7 Policies - - L01, L08 and SP1

Sevenoaks District Local Plan

- 8 Policies – EN1 and SR9

Sevenoaks District Allocations and Development Management Plan (ADMP)

- 9 Policies – SC1, EN1, EN2, EN5 and LT2 (significant weight)

Other

- 10 The National Planning Policy Framework
11 Countryside Character Assessment Supplementary Planning Document (SPD)
12 Underriver Village Design Statement
13 Draft Green Belt Supplementary Planning Document (SPD)

Planning History

- 14 None relating to this application.

Consultations

Seal Parish Council – 14.10.14

- 15 ‘The proposed location for this permanent stable block is in the open countryside of an AONB and MGB. It is contrary to the thrust of the proposed Green Belt SPD which states:

Where stables or associated equestrian buildings are proposed they should be designed and constructed in materials appropriate to a rural area and should not be of a size and degree of permanence that they could be adapted for other use in the future.

- 16 Buildings would be appropriate in scale to their setting and would be closely related to existing farm buildings or other groups of buildings that are well screened from public view.
- 17 The application fails in that the buildings are neither closely related to existing farm buildings, or indeed any other buildings. The buildings would be prominent from public view from the immediately adjacent highway and footpath to the south.
- 18 The application is contrary to Policy R8 of the SPD Underriver Village Design Statement which states that domestic stabling should be located away from neighbouring properties or lead to clutter in the countryside.
- 19 The stable block will substantially impact upon neighbouring properties more than the applicant who doesn't live in Underriver contrary to the statement in the application documents.
- 20 The entrance to the site is located in a single track lane which is prone to flooding in winter.

- 21 There are a number of inaccuracies in the planning application documents which question the validity of the proposal, although these are not necessarily relevant to planning policy.
- 22 Contrary to an application statement, there has never been a hard standing or penning on the site and the current enclosure has only recently been erected.
- 23 The manure facility is immediately adjacent to a watercourse, and insufficient detail is shown to protect this from pollutant spill.
- 24 There is no electricity or water supply available to the site.'

Representations

- 25 Nine letters of representation have been received, one neither objecting to nor supporting the application, and eight objecting to the proposal on the following grounds:
 - Impact on the Green Belt;
 - Flooding;
 - Highways safety;
 - No provision of electricity or water;
 - Impact on the AONB;
 - Potential future development;
 - Impact on the character of the area;
 - Timing of the works to erect the fence within the site;
 - No presence of hard standing at the entrance to the site;
 - Contamination;
 - Contrary to the Underriver Village Design Statement;
 - Errors and inaccuracies contained within the submission;
 - The building is not proposed for agricultural purposes;
 - Impact on the conservation area;
 - Size of the field;
 - Parking provision; and
 - Noise, smell and disruption.

Chief Planning Officer's Appraisal

- 26 The main issues in the consideration of the planning application are the potential impact on the Metropolitan Green Belt and the potential impact on the character of the area. Other issues include impact on neighbouring amenity, contamination, flood risk, parking provision and highways safety.

Main Issues

Impact on the Metropolitan Green Belt –

- 27 The NPPF contains a presumption against inappropriate development in the Green Belt. Development is only seen as appropriate if it falls into one of several categories. These categories include the provision of appropriate facilities for outdoor sport and recreation as long as the development preserves the openness of the Green Belt and does not conflict with the purposes of including land within it (para. 89).
- 28 Policy LT2 of the ADMP states that proposals for equestrian buildings, facilities and activities which would meet the following criteria will be permitted:
- a) buildings would be appropriate in scale to their setting and would be closely related to existing farm buildings or other groups of buildings that are well screened from public view;
 - b) for proposals that involve new facilities for the keeping of horses, sufficient grazing land and off road riding areas would be available and would not harm the amenities of surrounding residents;
 - c) the proposal would not have an unacceptable impact on the water environment and sewage disposal, and
 - d) the development would not result in harm to the character of the landscape or the ecological value of the area in which it is situated.
- 29 Proposals for equestrian development in the Green Belt will be permitted where the scale of the development is appropriate to a Green Belt setting, and where the cumulative impact of other buildings, does not harm the openness of the Green Belt.
- 30 Where stables or associated equestrian buildings are proposed they should be designed and constructed in materials appropriate to a rural area and should not be of a size and degree of permanence that they could be adapted for other use in the future.
- 31 Policy SR9 of the Local Plan states that proposals for the use of land for horses and the erection of stables and other associated facilities, will be subject to the principles set out in Appendix 3. Appendix 3 outlines several principles against which proposals will be judged. These include the size of the stables, the amount of land required for each horse and proximity to unrelated residential buildings.
- 32 The Underriver Village Design Statement states that wherever possible, domestic stabling should be located away from neighbouring properties. This would be especially important if they were likely to be used for activities that could cause a nuisance (for example by noise or smell) or lead to clutter in the countryside. Where practicable, they should be sited in natural hollows, behind existing or new natural screening or close to existing buildings. Road access to new agricultural buildings should have good sightlines.
- 33 Finally, the draft Green Belt SPD states that any proposal for equestrian development should comply with the other relevant general policies set out in the

ADMP in addition to policy LT2. The SPD has not been adopted and can only carry limited weight.

- 34 The proposed stable building would comprise three stables, two of which would comply with the minimum standard size currently recommended by the British Horse Society (3.66m by 3.66m). The third stable would be larger than this standard size only in length. However, this would be as a result of the L-shape design which has clearly been proposed to reduce the proposed bulk and built form of the building. The building would also fall within the height recommended for a stable building (3.56m to 4.27m). Given the size of the stable building the manure storage, with dimensions of 2.3m by 2m, would be appropriate to the scale of the overall building. The building would therefore be appropriate in scale to its setting.
- 35 I would acknowledge that the building would not be closely related to existing buildings. The buildings to which the applicant could most closely site the stable building to would be the properties that make up Forge View, to the west of the site. For the reason that these are residential dwellings, in separate ownership, the siting of the stable building adjacent to the houses would not be ideal in this instance. Instead, the stables are sited roughly centrally between the dwellings of Forge View and the agricultural barns that are situated adjacent to the far boundary of the adjacent field to the east, which is outside the application site.
- 36 The stable building would be visible from some local public views, mainly from the lane to the south of the site. However, these views would be restricted, to a certain extent, by the hedgerows that run along the southern and eastern boundaries of the site, and the undulating landscape to the north and east of the site. Any impact the building may have on the open character of the area would also be lessened by the fact that the building would be set 17m back from the lane. A soft landscaping scheme has been included as part of the above recommendation to further soften the appearance of the building where appropriate.
- 37 For pasture, the British Horse Society currently recommends 1 – 1.5 acres per horse. The site area totals about 7.5 acres, which is reduced down to roughly 7.3 acres with the removal of the area fenced off around the stable building. This, however, is still more than sufficient area to serve three horses for pasture. This would also be sufficient to exercise the horses.
- 38 As noted above a natural drain runs along the eastern boundary of the site. The proposed manure storage area would be sited some 15m from this drain. This would be sufficient distance not to result in an unacceptable impact on the water environment. To remove any doubt with regards the removal of manure from the site a condition can be attached to any approval of planning permission requiring further details of the proposed arrangements.
- 39 The proposed stable building would therefore, in my view, represent an appropriate facility for outdoor sport and recreation that would preserve the openness of the Green Belt and would not conflict with the purposes of including land within it. The proposal is therefore in accordance with the policies and guidance listed above.

Impact on the character of the area –

- 40 Paragraph 11 of the NPPF states that great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty.
- 41 Policy LO8 of the Core Strategy states that the distinctive character of the Kent Downs Area of Outstanding Natural Beauty and its setting will be conserved and enhanced. I therefore consider that this policy is broadly consistent with the NPPF.
- 42 The NPPF states that ‘Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.’ (para. 56)
- 43 Policy SP1 of the Core Strategy states that all new development should be designed to a high quality and should respond to the distinctive local character of the area in which it is situated.
- 44 Policy EN1 of the ADMP states that the form of proposed development should respond to the scale, height, materials and site coverage of the area. This policy also states that the layout of proposed development should respect the topography and character of the site and the surrounding area.
- 45 Policy EN1 of the Local Plan states that the form of the proposed development, including any buildings or extensions, should be compatible in terms of scale, height, density and site coverage with other buildings in the locality. This policy also states that the design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard.
- 46 The landscape of the area undulates down into an area of low land in the south-east corner of the site, where it is proposed to locate the stable building. Within the same views of the proposed stable building, views to the west towards the Forge View dwellings and other buildings on Carters Hill are also available.
- 47 This is a rural area where this type of modest development is typically found. The design and finish of the proposed building would reflect this rural character and be wholly appropriate for the area. The same is true of the timber post and stock fencing that has been erected around the site of the stable, the post and rail fence proposed to be erected adjacent to the access gate to the site and the small area of hard standing adjacent to the lane.
- 48 I would therefore conclude that the development would conserve the landscape and scenic beauty of the AONB and would be designed to a high quality and would respond to the distinctive local character of the area in which it is situated. The proposal therefore complies with the policies listed above.

Other Issues

Impact on neighbouring amenity –

- 49 Paragraph 17 of the NPPF identifies a set of core land-use planning principles that should underpin decision-taking. One of these principles is that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

- 50 Policy EN2 of the ADMP states that proposals will be permitted where they would provide adequate residential amenities for existing and future occupiers of the development and would safeguard the amenities of existing and future occupants of nearby properties.
- 51 Policy EN1 of the Sevenoaks District Local Plan requires that any proposed development should not have an adverse impact on the amenities of neighbours and also ensures a satisfactory environment for future occupants.
- 52 The proposed stable building would be sited some 200m from the Forge View properties, which would be the closest to the application site. This substantial distance would ensure that the residential amenities of the existing and future occupiers of nearby properties would be preserved. This would include any potential disturbance from noise and smells coming from the site. The proposal is therefore in accordance with the NPPF, policy EN2 of the ADMP and policy EN1 of the Local Plan.

Parking provision and highways safety –

- 53 Policy T2 of the ADMP states that vehicle parking provision, including cycle parking, in new non residential developments should be made in accordance with advice by Kent County Council as Local Highway Authority or until such time as non-residential standards are adopted.
- 54 Policy EN1 of the Sevenoaks District Local Plan requires that proposed development should ensure the satisfactory means of access for vehicles and provides parking facilities in accordance with the Council's approved standards.
- 55 The site would continue to retain the existing, established, access from the lane, which would be wholly acceptable. In addition, there would be sufficient space on site for the parking and turning of any vehicle entering the site. The proposal therefore complies with policy T2 of the ADMP and policy EN1 of the Local Plan.

Contamination –

- 56 As noted above, the manure storage area would be 15m from the natural drain that runs along the eastern boundary of the site, which would be sufficient distance not to result in an unacceptable impact on the water environment. To remove any doubt with regards the removal of manure from the site a condition can be attached to any approval of planning permission requiring further details of the proposed arrangements.

Flood risk –

- 57 The site is not located within a flood zone and so there is no flood risk posed to the proposed development.

Matters raised by representations received –

- 58 A building does not have to be proposed for agricultural purposes to be deemed appropriate development in the Green Belt.
- 59 The site does not fall within a conservation area. Members will also note that there is no requirement in the relevant policies above for a site for stables to be supplied with water and electricity.

- 60 It is not possible for the Council to consider any possible future development, only the proposal that is currently presented.
- 61 It is, however, possible to take account of the fencing proposed to be erected around the site of the stables since the fencing forms part of the proposed plans. It is also possible to take account of the small area of hard standing adjacent to the entrance gate for the same reason. The timing of these works is therefore not relevant since any planning permission would regularise the situation.
- 62 Finally, any errors and inaccuracies contained within the submission either do not relate directly to the proposed development or can be clarified by further information requested by way of condition. These errors do not prevent the Council from making a decision on this application.

Conclusion

- 63 I consider that the proposed development would be appropriate development in the Green Belt, would conserve the landscape and scenic beauty of the AONB and would be designed to a high quality and would respond to the distinctive local character of the area in which it is situated. Consequently the proposal is in accordance with the development plan and therefore the Officer's recommendation is to approve.

Background Papers

Site and Block plans

Contact Officer(s): Mr M Holmes Extension: 7406

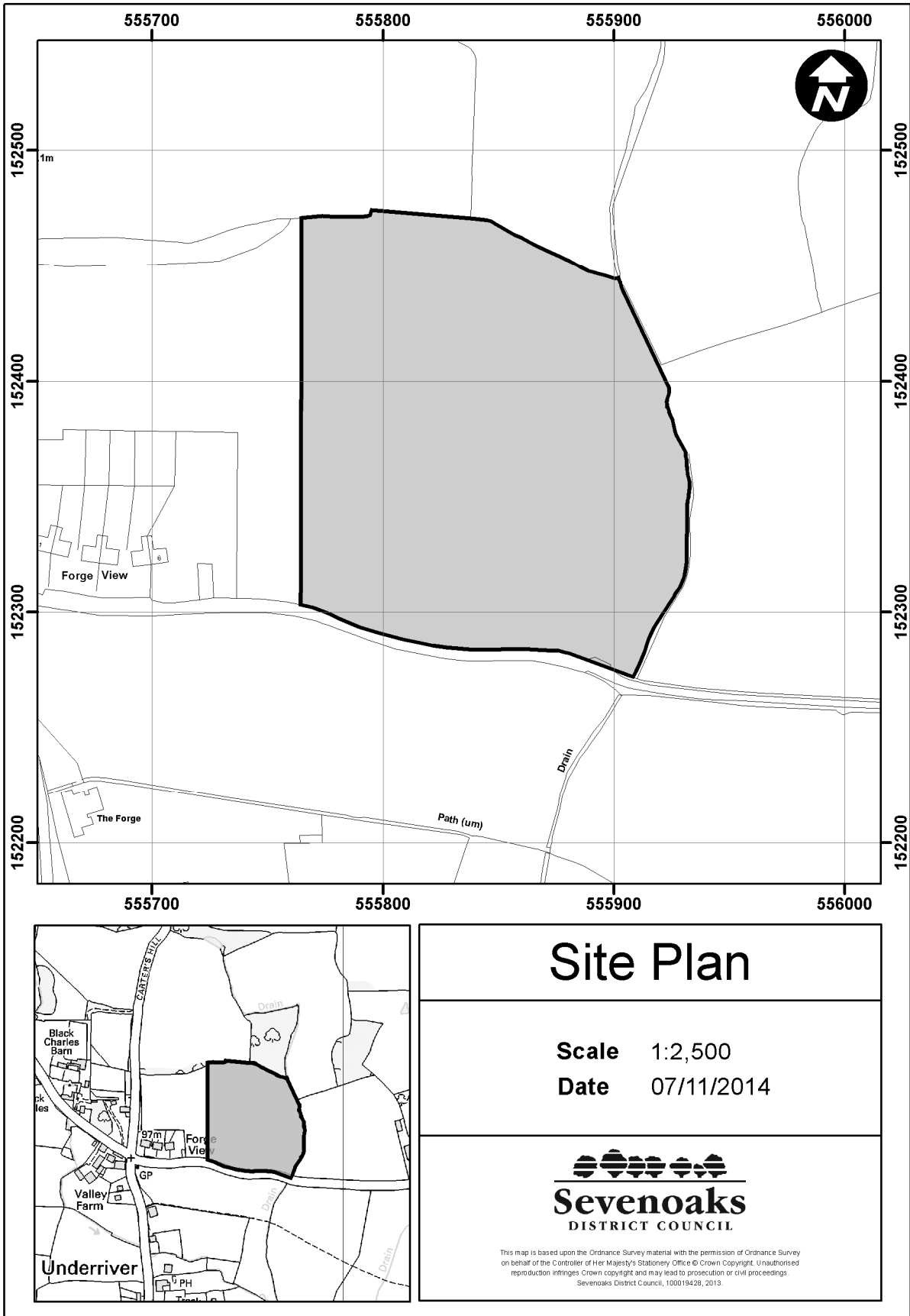
Richard Morris
Chief Planning Officer

Link to application details

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=NCCIWTBK0L000>

Link to associated documents

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NCCIWTBK0L000>



Site Plan

Scale 1:2,500
Date 07/11/2014



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 Sevenoaks District Council, 100019428, 2013.

Block Plan & Location Plan

