

4.6 21/01444/HOUSE

Revised expiry date 10 September 2021

Proposal:

Stable block comprising 3 No loose boxes, hay store and tack/feed store.

Location:

Cockerhurst House, Redmans Lane, Shoreham KENT
TN14 7UB

Ward(s):

Crockenhill & Well Hill

Item for decision

The application has been referred to Development Control Committee by Councillor Waterton on the basis that the very special circumstances submitted with the application would benefit the openness of the Green Belt and the character of the landscape. In addition to this, the Parish Council did not object to the application.

RECOMMENDATION: That planning permission be REFUSED for the following reasons:

The proposal would be inappropriate development in the Green Belt and would not preserve the openness of the Green Belt, contrary to the National Planning Policy Framework and policies GB3 and LT2 of the ADMP. The very special circumstances submitted do not clearly outweigh the harm to the openness of the Green Belt.

National Planning Policy Framework

In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

Description of site

- 1 The application site comprises of a detached dwelling located within Redmans Lane. There are neighbouring properties surrounding the application site, with the site being located within the Parish of Shoreham.

Description of proposal

- 2 Stable block comprising 3 no loose boxes, hay store and tack/feed store.
- 3 Previously refused applications 20/02415/FUL and 20/03332/FUL were also refused based on the harmful impact to the Green Belt. The 20/02415/FUL application was proposed to be located outside of the residential curtilage, when the 20/03332/FUL and the current location are located within the residential curtilage. The differences between the proposed stables is the size and location. The proposed stable is larger in scale than the previously refused 20/03332/FUL.

Relevant Planning History

- 4 97/01237/HIST - Erection of new stables as amended by plans received with letter dated 30.09.97 and additional site plan received on 28.11.97 - Granted 13/01/1998
- 5 20/02415/FUL - Erection of a stable - Refused 28/10/2020

The reasons for refusal were as follows:

1. The proposed stable block would constitute as inappropriate development in the Metropolitan Green Belt as it would not preserve the openness of the Green Belt and conflicts with the purposes of including land within it. The proposal does not comply with Policy LT2 of the ADMP, aims and objectives of the NPPF and the guidance within the Sevenoaks Development in the Green Belt SPD.

2. By reason of the scale and bulk of the development, the proposal would not conserve and enhance the character and appearance of the Area of Outstanding Natural Beauty. The proposal conflicts with Policy EN5 of the Sevenoaks Allocations and Development Management Plan and Policy LO8 of the Sevenoaks District Core Strategy and the aims and objectives of the NPPF.

- 6 20/03332/FUL - Stable block comprising 3 stables, hay barn and two small store rooms - Refused 12/01/2021

The reason for refusal was as follows:

1. The proposal does not comply with Policy LT2 of the Sevenoaks Allocations and Development Management Plan as the stable block would result in inappropriate development in the Green Belt and would not preserve the openness. The very special circumstances permitted would not outweigh the harm to the Green Belt.

- 7 21/00887/HOUSE - Stable block comprising three stables with associated landscaping and fencing - Withdrawn before decision.

Policies

- 8 National Planning Policy Framework (NPPF)
- 9 Para 11 of the NPPF confirms that there is a presumption in favour of sustainable development, and that development proposals that accord with an up-to-date development plan should be approved without delay.
- 10 Para 11 of the NPPF also states that where there are no relevant development plan policies, or the policies which are most importance for determining the application are out-of-date, permission should be granted unless:
 - The application of policies in this framework that protect areas or assets of particular importance provided a clear reason for refusing the development proposed⁷ or
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
 - Footnote 7 (see reference above) relates to policies including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.
- 11 Core Strategy (CS)
 - SP1 Design of New Development and Conservation
 - SP11 Biodiversity
- 12 Allocations and Development Management Plan (ADMP)
 - SC1 Presumption in Favour of Sustainable Development
 - EN1 Design Principles
 - EN2 Amenity Protection
 - EN5 Landscape
 - GB3 Residential Outbuildings
 - LT2 Equestrian Development
- 13 Other
 - Development in the Green Belt Supplementary Planning Document (SPD)
 - Sevenoaks Residential Extensions Supplementary Planning Document (SPD)

Constraints

14 The following Constraints apply:

- Metropolitan Green Belt
- Area of Outstanding Natural Beauty
- Biodiversity Opportunity Area

Consultations

15 Shoreham Parish Council:

Support - "Shoreham Parish Council supports this development as it has been supported previous similar applications but would once again seek that a condition is imposed to ensure that the stable built will remain as such and will not be converted into residential dwelling in the future."

16 SDC Tree Officer:

"I can inform you that there are no protected trees located at this property and it is not situated within a Conservation Area. Several trees would have been removed to make way for the proposed access road. These are of limited amenity value as they are of poor form, and in poor health and cannot be seen from the main road. The siting of the stable block should not impact on those trees located nearby. Providing care is taken to minimise any damage to the adjacent trees, I have no objection to the proposed development. Should you be of mind to grant consent, I recommend that landscaping be a condition of consent being granted."

Representations

17 No comments received.

Chief Planning Officer's Appraisal

18 The main planning considerations are:

- Impact on the Metropolitan Green Belt
- Impact on the Area of Outstanding Natural Beauty
- Impact on the character of the area
- Impact on neighbouring amenity
- Very Special Circumstances

Impact on the Metropolitan Green Belt

- 19 As set out in paragraph 149 of the NPPF, new buildings in the Green Belt are inappropriate development. There are some exceptions to this, such as “c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building”
- 20 Under the last application, a different part of the NPPF was applicable. As the proposals are now for a building within the residential curtilage of Cockerhurst House, paragraph 149c) is applicable.
- 21 Paragraph 147 states that where a proposal is inappropriate development in the Green Belt, it is by definition harmful and should not be approved except in very special circumstances.
- 22 Paragraph 148 of the NPPF advises we should give substantial weight to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm, is clearly outweighed by other considerations. Therefore, the harm in principal to the Green Belt remains even if there is no further harm to openness because of the development.
- 23 Openness is an essential characteristic of the Green Belt and is different from visual impact. Openness is about freedom from built form although it can have a visual element. Even if there is absence of harm to openness, there can be harm in principal to the Green Belt from inappropriate development.
- 24 At a local level, 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.
- 25 Proposals for equestrian development in the Green Belt will be permitted where the scale of the development is appropriate to the Green Belt setting

and where the cumulative impact of other buildings does not harm the openness of the Green Belt.

- 26 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.
- 27 Policy GB3 of the ADMP refers to residential outbuildings located within the residential curtilage and allows the addition of residential outbuildings, which continue to respect the openness of the Green Belt and are ancillary to the main dwelling.
- 28 Assessment against policy and impact on openness
- 29 The application site is surrounded by soft and hard landscaping along the boundaries of the site in particularly the front elevation and therefore is considerably shielded from the wider landscape. There is an existing stable block and field shield present in close proximity to the proposed stable on land in the same ownership as the application site. However, the field shelters are not located within the residential curtilage and are not within the red line boundary of this application.
- 30 The proposal is located within the residential curtilage, the proposal should be assessed under Policy GB3 of the ADMP, which is for residential outbuildings within the Green Belt. The policy refers to the ancillary use of the outbuilding, in which has been confirmed by the applicant as being ancillary and for the incidental use of the applicant and the recreational use of her horses.
- 31 The scale and bulk of the proposed outbuilding is also key to the assessment as the NPPF requires that the building can only be appropriate if it is a proportionate addition to the original house. The Development in the Green Belt SPD refers to a limit of 40sqm of footprint for residential outbuildings. The proposed stables have a footprint of approximately 93sqm (or 65sqm if the proposed overhang is not included).
- 32 The proposal would considerably exceed the guidance which accompanies GB3. The proposals would therefore not be proportionate to the original dwelling, and would be inappropriate by definition.
- 33 In addition to this assessment under GB3, Part a) of policy LT2 confirms that buildings would be potentially acceptable as long as they are to an acceptable scale in the setting and related to existing buildings on the site. The proposal would be located within the residential curtilage in which an existing stable block is located and therefore would be related to existing buildings.
- 34 The proposed stable, in comparison to the previously refused schemes, would continue to be of a significant scale and bulk. Therefore, the proposal would

continue to have a significant impact on the Metropolitan Green Belt and would further erode the openness. The proposal would therefore not comply with Policy LT2 of the ADMP.

- 35 Overall the proposed development cannot be concluded to be appropriate development in the Green Belt. It is inappropriate by definition and harmful to the openness of the Green Belt.
- 36 Whether there are very special circumstances in this case is assessed at the end of this report.

Impact on Area of Outstanding Natural Beauty

- 37 The Countryside and Rights of Way Act 2000 states that the Local Planning Authority should conserve and enhance Areas of Outstanding Natural Beauty. Designating an Area of Outstanding Natural Beauty protects its distinctive character and natural beauty and can include human settlement and development.
- 38 There are therefore two considerations directly related to a site's AONB status when determining a planning application. Firstly, does the application conserve the AONB and secondly, if it does conserve the AONB does it result in an enhancement. A failure to achieve both of these points will result in a conflict with the requirements of the Act.
- 39 Policy EN5 of the ADMP states that the Kent Downs and High Weald Areas of Outstanding Natural Beauty and their settings will be given the highest status of protection in relation to landscape and scenic beauty. Proposals within the AONB will be permitted where the form, scale, materials and design will conserve and enhance the character of the landscape and have regard to the relevant Management Plan and associated guidance.
- 40 The application site is located within an Area of Outstanding Natural Beauty. The proposal would result in a large outbuilding to the site, on a piece of open land to the front of the dwelling. However, due to the large scale of the application site, the proposal would sit comfortably and not result in an overdevelopment. The design and materials of the building are characteristic of this rural setting. The proposal would also result in the addition of bird boxes and soft landscaping to the site and would therefore conserve and enhance the AONB. These could be secured by condition if the application were otherwise acceptable.
- 41 The proposal complies with Policy EN5 of the ADMP.

Impact on the Character of the Area

- 42 The relevant policies relating to design and the character of the area are SP1 of the Core Strategy and EN1 of the ADMP.

- 43 The proposed stable would impact the street scene as it would be located close to the boundary. However, due to the existing and proposed front boundary treatment and the existing equestrian use, which is already present in the locality of the area, the proposal would not be out of keeping with the established visual character of the area.
- 44 The proposal would consist of a stable block, which consists of 3 stable rooms, a hay store and a tack/feed room. The stable would be large in scale and would also result in the addition of hardstanding, which is to extend off the existing. However, due to the large scale of the site, the stable would sit comfortably on the site, respect the spacing to the boundary. The stable would also be located on a site where an existing stable is located and a paddock in close proximity. The scale of the stable can also be questioned in whether it is classed as recreational use, however this has been confirmed by the applicant.
- 45 The proposed materials of the stable would be in keeping with the materials present within the locality of the area. The proposed materials of the hardstanding would also be acceptable as they would match the existing hardstanding on the site.
- 46 The proposal complies with Policy EN1 of the ADMP and SP1 of the Core Strategy.

Impact on residential amenity

- 47 Policy EN2 of the ADMP and Sevenoaks' Residential Extensions SPD are relevant in the consideration to this application.
- 48 There are neighbouring properties surrounding the proposed development, however due to the considerable distance between the two and the presence of existing equestrian uses nearby the proposal would have very little impact the neighbour's residential amenity.
- 49 The proposal complies with Policy EN2 of the ADMP.

Case of Very Special Circumstances

- 50 Para 148 of the NPPF states that when considering any planning application, we should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by any other considerations.

- 51 In this case the harms have been identified as:
- The harm in principle from inappropriate development in the Green Belt, which must be given significant weight
 - The harm to the openness of the Green Belt which is also given significant weight
- 52 The possible very special circumstances have been identified as:
- The removal of existing field shelters
 - Inadequate facilities in the existing stables
 - In reviewing the very special circumstances put forward by the applicant, the inadequate facilities of the existing stables hold little weight as the applicant has not suggested that there are no other alternatives available, such as upgrading existing facilities, which would not cause harm to the Green Belt. The existing stable would still remain on site and would not be removed as part of the scheme and therefore would still continue to harm the Green Belt due to an additional bulk being added.
- 53 In regard to the removal of the two field shelters. This is not located within the residential curtilage of the site and at a distance away from the main dwelling. Therefore, these shelters would not constitute residential buildings. Their location and scale result in different impacts on the Green Belt and it is not considered that their removal provides sufficient benefit to clearly outweigh the Green Belt harms identified, which must be given substantial weight.
- 54 Therefore, the very special circumstances would not clearly outweigh the harm to the Green Belt.

Other Issues

- 55 The Tree Officer was consulted on the scheme and raised no objection to the proposal subject to the existing trees not being damaged by the proposal. The Tree Officer also recommends the addition of a landscaping condition if the scheme is granted.
- 56 The application site is also located within a Biodiversity Opportunity Area. The proposal would include the addition of three bird boxes to the site, which would enhance the ecology of the site.

Community Infrastructure Levy (CIL)

- 57 The proposal is not CIL liable.

Conclusion

- 58 The proposals are inappropriate development in the Green Belt and harmful to openness. This harm is given substantial weight and this harm is not clearly outweighed by very special circumstances in this case.

Background papers

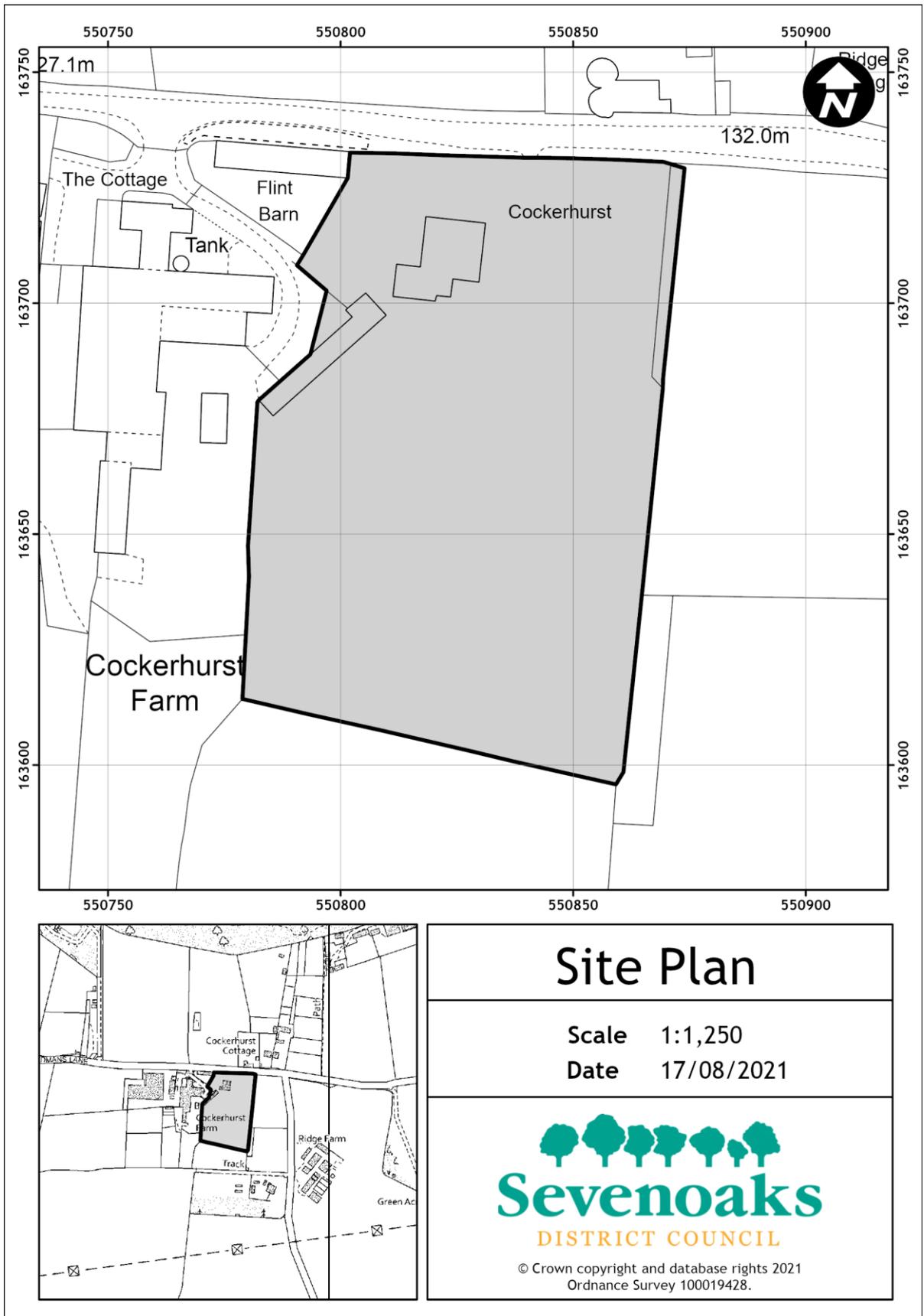
Site and block plan

Contact Officer(s): Louise Cane 01732 227000

Richard Morris
Chief Planning Officer

[Link to application details:](#)

[Link to associated documents:](#)



Site Plan

Scale 1:1,250
 Date 17/08/2021



© Crown copyright and database rights 2021
 Ordnance Survey 100019428.

