

2.3 REFERENCE NO - 16/505211/FULL			
APPLICATION PROPOSAL			
Change of use of land for the siting of a mobile home and the construction of a new brick built tack building and lean to on to the stables, as amended by additional information submitted on 4 th October 2017 and 18 th December 2017.			
ADDRESS Syndale Equestrian Centre Seed Road Newnham Kent ME9 0NA			
RECOMMENDATION – Grant subject to conditions			
REASON FOR REFERRAL TO COMMITTEE: Parish Council Objection			
WARD East Downs	PARISH/TOWN COUNCIL Newnham	APPLICANT Mr & Mrs P Mead AGENT Acorus Rural Property Services	
DECISION DUE DATE 06/03/18	PUBLICITY EXPIRY DATE 25/10/17		
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
17/504797/FULL	Retrospective application for new access.	Approved	14/11/2017
Enforcement Notice issued 18/04/2016	Without planning permission, the alterations to an existing field entrance, the installation of metal entrance gates and the laying of hard-surfacing, the approximate position of which is highlighted in yellow on the plan.	Appeal Dismissed	01/12/2016
SW/05/1405	Change of Use to keeping and grazing of horses, and as a livery yard with single storey stable block and storage area.	Approved	03/02/2006

1.0 DESCRIPTION OF SITE

1.01 The site is located on the southern edge of Newnham along Seed Road. The site is elevated from Seed Road with a thick screen of trees and hedgerow along Seed Road side and tall established trees and hedgerows bordering the other 3 sides. The site is surrounded by open countryside and whole site is within the Kent Downs Area of Outstanding Natural Beauty (AONB). Seed Road itself is also designated as a Rural Lane on the proposals map of the newly adopted Local Plan.

1.02 The site benefits from a 2006 planning permission for the erection of stables and use as a livery yard, submitted to and approved for previous site owners who lived nearby. The site has recently been purchased by the applicants who live in Sittingbourne.

2.0 PROPOSAL

2.01 The application as first submitted was simply for the change of use of land for the siting of a mobile home to supervise a full time livery equine business at this site. The mobile home is to be sited to the west of the stable block approximately 50m along at track from the recently approved access off Seed Road to provide accommodation to the owner and primary worker of the equine business and her family.

2.02 The mobile home is to enable a change to the business plan currently being offered here, which over the next three years will move to providing a full livery service for a reduced number of horses. The application is supported by a report which explains that;

- The site extends to 11 acres
- It includes 12 stables, 4 stables on skids, a store, an old classroom and a manege
- There are up to 20 horses at any one time
- It is proposed to offer more full livery services from the site, with DIY liveries being phased out by year three
- The site requires full time security and supervision but the applicant currently live a twenty minute drive away
- Since purchasing the site the applicants have invested heavily in it
- There is a need for one full time worker to live on the site for animal welfare reasons
- The applicants have prepared a business plan which suggests that once established the business could show a profit of over £4,000 per year

2.03 Since submission of the application, and in the light of enquiries which have revealed a number of unauthorised storage containers and new field shelters erected within the site, the application now also seeks permission for a new brick built room to securely house the tack required by the business. The building is to be positioned to the north of the existing smaller 3 stable block and the “classroom” building. This store is to measure 3m in width and 3m in depth with a pitched tiled roof to 2.1m to the eaves and 3.1m to the roof ridge.

2.04 A lean to extension is also to be constructed to the east of the original stable block building, to be constructed of timber posts and fibre cement roof panels. It is to measure 10.7m in length and 3.8m in width and provide shelter for feed and hay.

2.07 It is further proposed that in line with the business plan to provide a full livery service for 11 horses the additional stables/field shelters and containers on the site are to be removed.

3.0 PLANNING CONSTRAINTS

Area of Outstanding Natural Beauty KENT DOWNS
Potential Archaeological Importance

4.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF) Para 28, 115, 196
Development Plan: Bearing Fruits 2031: The Swale Borough Local Plan 2017
policies DM3, DM12, DM14 and DM24
Planning Supplementary Documents: The Erection of Stables and Keeping of Horses

5.0 LOCAL REPRESENTATIONS

5.01 I have received two letters of support from local residents saying, in summary;

- fully support this application- hard enough to earn a living today but to live so far away from your premises especially when livestock is involved must be hard
- to allow this application would enhance the future for this family.

- a positive move to be encouraging our younger qualified members of the community to be setting up appropriate facilities for the equestrian sport
- vast improvements have been made and this planning application will enable the applicants to continue investing in the improvements knowing that by living on site they are finally able to create a safer & more secure environment.

5.02 I have also received one letter of objection saying, in summary;

- In principle not against temporary planning permission for a mobile home to enable the applicant to carry out her business, but I do not want it used as a back door to get planning permission for a dwelling in a position where otherwise it would be denied as it is in the AONB.
- concerns about sustainability if the business increases in size due to the limited grazing and the issues of the access.
- The original PP was for 9 stables, there now appear to be 18 plus a manege.

5.03 Swale Footpaths Group commented that they didn't think this would affect footpath ZR 295.

6.0 CONSULTATIONS

6.01 Newnham Parish Council (August 2016) commented;

"We believe the current use is for 9 stables with DIY livery, NPC considers a change of use would be required.

No business plan has been made available.

The area is an AONB and Para 115 NPPF states "Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.

Swale Borough Council's Planning and Development Guideline No 7 entitled The Erection of Stables and Keeping of Horses paragraph 12.2 states "security is a problem which should be addressed at the early stages of planning... the existence of stables requiring supervision cannot be used to justify the erection of a dwelling in an area where this would not normally be permitted".

However, should SBC grant permission we respectfully request that any permission is of a temporary nature only, in order that the business can be proven. Secondly, that any permission is made personal to the current proprietors, including occupation of the mobile home, and is not transferable on the sale of the business."

6.02 Following the submission of additional information in October 2017 they commented that their concerns remained the same as previously stated.

6.03 Following the revised information submitted in December 2017 they maintained their objection stating they;

"felt the new additions to the plan would improve the facilities. However, this additional information does not detract from their original objections which included that:

Newnham Parish Council objects to siting of mobile homes in conservation areas and AONB. There was still no business plan provided with the application. However, if SBC are minded to give approval, we would like a condition attached which makes the approval personal only to the applicant and should the business fail the mobile home to be removed.”

- 6.04 The Council’s Rural Planning Consultant was supplied with a confidential Business Plan and commented that;

“(the) proposal is understood to be for a temporary 3 year consent to enable the applicants’ existing equestrian business to be developed from a mainly DIY livery venture (currently 10 horses are stabled) to a mainly full livery yard, utilising the majority of the 15 stables available on the premises.”

- 6.05 He further stated that;

“Financial information submitted on behalf of the applicants indicate that the unit has not yet been able to provide sufficient income for a full-time livelihood, however a transition to providing mainly full livery services is predicted to achieve an adequate return on this regard. It appears unlikely that this could be achieved, however, without a residential presence on site, giving horse owners confidence that their animals will be attended to in the event of any emergency arising, day or night. These functional concerns are more fully set out in the applicants’ agents’ Statement. It is not possible for this level of care and security to be provided at present, from the applicants’ current home in Sittingbourne.

Clearly the success of the proposal will largely depend on the ability to attract and retain sufficient full livery customers. The applicants appear confident that they have identified a good level of demand in this regard, from existing contacts, but of course it would only really be possible to judge this in practice once they were able to live on site.”

Following submission of revised and additional details in October 2017 he commented that the revised business plan shows a slightly smaller overall net profit to that envisaged last year, but otherwise the advice remains as set out in 2016

- 6.06 The County Archaeological Officer confirms that no archaeological measures are required in connection with the proposal.
- 6.07 The Environmental Health Manager has confirmed that he has no objections to this application although he has recommended details should be provided as to site layout, with particular reference to source of power, animal waste storage, drainage and sewage facilities plus locations of any non-mains on-site sewage treatment.

7.0 APPRAISAL

- 7.01 This site has operated as a livery yard since 2005 when planning application SW/05/1405 was granted permission subject to various conditions that included:
1. 9 stables (plus a hay store and 2 tack rooms)
 2. Required access ONLY from the “Tapster car park entrance” and NO OTHER access to the site to be used
 3. No more than 1 horse or pony per acre of grazing land to be kept on the site

4. The site shall only be for a livery yard and no event or show is to be held
 5. With the exception of 1 trailer for manure no external storage of items or materials inc jumps/caravans/mobile homes/vehicles or trailers to be stored on site
- 7.02 Over time the number of stables and containers on the site has increased to the point currently where the increase is unacceptable and unsustainable given the facilities and size of the site.
- 7.03 I consider that given the size of the site, its position within the AONB and the previous planning approval at the site, that up to an absolute maximum of 11 horses could be accommodated here, especially given the availability of grazing land. Given that there is currently a previously approved 9 stable block with additional storage facilities already on site that can be utilised the retention of a maximum of not more than two further stables can be supported by the Council, as this will provide an isolation block for sick horses taking the full livery service.
- 7.04 Further discussions with the applicants have taken place regarding the future livery service and how this can be accommodated without the unauthorised buildings, stables and containers that are currently on the site. Amended drawings were received on 18th December 2017 and these show the provision of a brick built secure building located close to the isolation block which will be for tack. Additionally a timber framed lean-to is to be provided as cover for the feed and hay etc the business would require. This is to be sited to the east of the stable block building. With these in place the remaining unauthorised buildings, stables and containers would need to be removed from site over the first 12 months and this has been agreed by the applicant. A plan showing buildings to be removed has also recently been submitted.
- 7.05 The original submission and business plan was initially based on accommodating up to 15 horses on a full livery basis, and this in turn supported the need for a mobile home on the site. However, given the issues regarding the unauthorised stables and containers on the site this would not be possible. Therefore, revised figures and projections were submitted which showed how the business would function and prosper given a maximum of 11 horses being on site. Following a review by our Rural Consultant, he has concluded that a viable business can be run on this basis sufficient to support a temporary mobile home being located on the site.
- 7.06 The site is located within the AONB and as such is afforded the highest status of protection. The mobile home is proposed to be located to the south of the site adjacent to the track that runs from the access and it would be located with a very limited view from outside the site. A thick and established boundary hedge runs adjacent to Seed Road. Additionally the reduction in the number of horses on the site will result in the land not being overgrazed or the appearance of the land becoming substandard contrary to its status.
- 7.07 Additionally, this is a temporary permission and, as such, after 3 years were the applicants to be able to prove that a viable business can be run from the site then the temporary accommodation could be replaced with more suitable permanent accommodation alternatively if the business was found not to be viable then the mobile home would need to be removed .
- 7.08 Access to the mobile home will be via the newly approved entrance off Seed Road which was granted planning permission as the applicants are being prevented from using the previously approved access to the site.

7.09 I note the objections to the application, notably from the Parish Council, but their objection to all mobile homes in conservation areas and AONB should not be given significant weight as each application must be considered on the individual merits of the specific individual case. Additionally a business plan has been provided with the submission (though it is confidential due to financial information contained within) and this has been assessed by the Council's Rural Planning Consultant prior to him providing his expert advice. Finally, I agree with the Parish Council that conditions do need to be attached to any permission to ensure that in recommending a temporary permission it provides the applicants time to develop and establish a successful business here and indeed should that not be the case a condition has been attached to require the removal of the mobile home. Additionally a condition has been recommended which requires that the permission is made personal only to the applicant.

8.0 CONCLUSION

8.01 The application seeks to provide temporary residential accommodation on this site to enable a full service livery business to be established from the current equestrian business operating at the site. The additional benefits of the scheme ensure the removal of unsightly storage and unauthorised structures/buildings from the site, particularly important given its location being within the Kent Downs AONB. This is a temporary permission to give the business time to grow but also so the situation can be reassessed in 3 years time.

9.0 **RECOMMENDATION** – GRANT Subject to the following conditions:

CONDITIONS

- (1) Within 12 months of the siting of the mobile home all the storage containers and the stables and buildings highlighted on Drawing named Plan 1: Buildings/Storage Removal dated 06.02.18 shall be removed from the site.

Reason: In accordance with the terms of the application and in the interests of the amenities of the area

- (2) The mobile home hereby permitted shall be removed and the site restored to its previous condition on or before 1st March 2021.

Reason: In order that the position may be reviewed at the end of the period stated.

- (3) The approved mobile home shall only be stationed on the site in accordance with the details shown on the submitted drawings Plan 200-01 received on 18th December 2017.

Reasons: In accordance with the terms of the application and in the interests of the amenities of the area

- (4) This permission shall endure solely for the benefit of Mrs Mead and only whilst she is solely or mainly employed at Syndale Equestrian Centre at Seed Road, Newnham and for no other persons.

Reason: As permission has only been granted in recognition of the special circumstances of Mrs Mead.

- (5) Prior to the occupation of the mobile home details of the site layout, with particular reference to source of power, animal waste storage, drainage and sewage facilities plus the locations of any non-mains on-site sewage treatment shall be submitted to and approved by the Local Planning Authority. These approved details shall then be implemented and retained as such thereafter.

Reason: In the interests of

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

Offering pre-application advice.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance

The applicant/agent had the opportunity to present the application to committee

The applicant/agent was provided formal pre-application advice.

INFORMATIVE

- (1) Conditions (4), (5), (10), (11) and (12) of the original planning permission SW/05/1405 continue to have full force and effect.

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.



	<p>ITEM 2.3 16/505211/FULL - Syndale Equestrian Centre, Seed Road, Newnham ME9 0NA Scale: 1:2500 Printed on: 19/2/2018 at 15:31 PM by AngelaA</p>	<p>ASTUN TECHNOLOGY © Astun Technology Ltd</p>
--	--	---