

**PLANNING COMMITTEE – 16<sup>th</sup> August**

**PART 2**

Report of the Head of Planning

**PART 2**

Applications for which **PERMISSION** is recommended

**REPORT SUMMARY**

<b>2.1 REFERENCE NO - 17/500807/FULL</b>			
<b>APPLICATION PROPOSAL</b>			
Change of use of land for the keeping of private horses. Erection of stables and cess pool with associated landscaping and parking			
<b>ADDRESS</b> Land Adjacent To M2 Yaugher Lane Hartlip Kent ME9 7XE			
<b>RECOMMENDATION</b> Grant subject to conditions			
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b>			
The application will not harm the character or appearance of the countryside and AONB, and will not give rise to unacceptable impacts to residential or highway amenity.			
<b>REASON FOR REFERRAL TO COMMITTEE</b>			
Parish Council objection			
<b>WARD</b> Hartlip, Newington And Upchurch	<b>PARISH/TOWN COUNCIL</b> Hartlip	<b>APPLICANT</b> Mr Simon Coaten <b>AGENT</b>	
<b>DECISION DUE DATE</b> 19/05/17	<b>PUBLICITY EXPIRY DATE</b> 03/05/17		
<b>RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):</b>			
<b>App No</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
SW/08/1065	The erection of an agricultural barn on an agricultural field.	APPROVED	20.01.2009
Adjacent site			
SW/14/0205	Change of use of land to keeping of horses with the provision of 2 stables, hay store, tea room, WC, foal box, cesspit, manure heap, horse trailer, vehicle parking, turning head and gated access.	APPROVED	04.07.2014
The above planning application relates to land to the east of the site, although the works have not been implemented and the time period on the application has since expired.			
17/502988/FULL	Erection of timber barn	PENDING CONSIDERATION	N/A
The above planning application seeks planning permission for the erection of a barn on the land			

to the east of the site.

## **1.0 DESCRIPTION OF SITE**

- 1.01 The site forms part of Potters Farm, which is approximately 18 acres in size. It is located to the south of Hartlip, bounded by the M2 motorway to the north, Yaugher Lane to the west, agricultural land to the east and by Potters Wood to the south. The site is located in open countryside, within the Kent Downs Area of Outstanding Natural Beauty (AONB).
- 1.02 The land is currently used for agricultural purposes and has an existing barn situated to the north of the access from Yaugher Lane. I note the land to the east of the site has an expired permission for the change of use of agricultural land for the keeping of horses.

## **2.0 PROPOSAL**

- 2.01 This application seeks planning permission for the change of use of land for the keeping of horses and the erection of stables and a cess pool.
- 2.02 The proposed stables would be located approximately 50m north of the existing barn at the site. The building would be roughly 'L-shaped' and would contain five stables, tack room, feed room, food preparation room and toilet. The submitted Design and Access Statement confirms that the stables would be constructed using plain clay roof tiles and black feather edge weatherboarding. The structure would have a pitched roof with a maximum height of 4.5m, maximum length of 25.4m and maximum width of 12.5m.
- 2.03 A concrete yard will be constructed in front of the stables, and parking for one lorry and five cars would be created to the south of the stables. To the north of the proposed stables will be manure storage, and to the north west of the stables a cess pool will be constructed.
- 2.04 Concern was raised by the Planning Officer regarding the position of stables. The adopted SPG on stabling recommends new structures should be located close to any existing buildings, to ensure the impact on the open character of the land is reduced. The proposed stables were located approximately 50m from the barn at the site, and proposed a long stretch of crushed concrete driveway leading from the access from Yaugher Lane to the proposed stables. The SPG also advises that 1 acre of land per horse should be provided, to ensure the land is not overgrazed. The originally submitted drawings showed only 1.8 acres of land would be used for all aspects of the proposal, not just grazing. Five stables are proposed, and therefore a minimum of 5 acres would be required to serve the stables. The applicant was informed of these concerns, and subsequently amended drawings were submitted relocating the stables to the east of the barn, and showing enough land for the grazing of five horses.

## **3.0 PLANNING CONSTRAINTS**

- 3.01 Area of Outstanding Natural Beauty KENT DOWNS

## **4.0 POLICY AND OTHER CONSIDERATIONS**

- 4.01 The National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG).

- 4.02 Development Plan: Policies CP4, DM14, DM24 and DM27 of ‘Bearing Fruits 2031: The Swale Borough Local Plan 2017’.
- 4.03 Supplementary Planning Documents: ‘The Erection of Stables and Keeping of Horses’.

**5.0 LOCAL REPRESENTATIONS**

- 5.01 Hartlip Parish Council provides the following comments:

*“It is noted that this application is for a private livery and not a commercial livery. HPC therefore wonders why so many car spaces, a kitchen and a cess pit are necessary. With so many car parking spaces, a considerable increase in traffic to the site is anticipated along very narrow country lanes with very few passing places in this AONB. Lorry parking in full view of the road is proposed in an area where rural crime is commonplace. The site is in an isolated location and there are already a large number of stables in the local area. For the above reasons HPC object to this application.”*

**6.0 CONSULTATIONS**

- 6.01 Environmental Health have no adverse comments to make regarding this application.
- 6.02 Natural England has no comments to make on the application.
- 6.03 KCC Highways and Transportation state the development does not meet the criteria to warrant involvement from the Highway Authority.

**7.0 BACKGROUND PAPERS AND PLANS**

- 7.01 Background papers relating to 17/500807/FULL.

**8.0 APPRAISAL**

**Principle of Development**

- 8.01 The site lies within the open countryside and an AONB, where it is recognised that the keeping of horses is an appropriate activity. The principle of the proposed change of use is, in my view, acceptable in this location as the same use was deemed acceptable on the adjacent farmland under approved application SW/14/0205. The stables will only be for private use, not for any commercial business and as such, I consider the change of use from agricultural use to the keeping of horses is acceptable.

**Visual Impact**

- 8.02 I believe the proposed stable building would be of a good standard of design, and would contribute positively to the character and appearance of the area. The use of a pitched roof is, in general, to be encouraged, and the adopted SPG on stabling states, at paragraph 2.0:

*“Planning permission for stables will only be granted if the buildings are of an attractive design and appropriate materials. This will almost always mean that a pitched roof is required.”*

The use of high quality materials on the external surfaces of the building will further contribute to the quality and appearance of the structure.

- 8.03 The SPG also advises siting stables close to existing access roads to avoid the formation of lengthy new access tracks, and close to nearby existing buildings to reduce prominence within views. In this regard, the amended proposal complies with this guidance because the stables are located close to the existing barn on the site and therefore no new access track is required. Also due to the stables amended position to the east of the barn, views of the new structure from Yaugher Lane will be mainly screened by the existing barn. I will include a condition requesting landscaping details, to ensure the proposal is suitably screened. I note no lighting is proposed as part of this application, but include a condition restricting lighting, to ensure the proposal does not harm the character and appearance of the area.

**Residential Amenity**

- 8.04 There are no nearby residential dwellings which would be affected by this development.

**Highways**

- 8.05 The existing access onto the site will be used by the proposal, and following amendments, the long access track to the stables is no longer required. Parking is proposed close to the stables. Overall, I consider the impact on highway safety and amenity is acceptable.

**Other Matters**

- 8.06 Following amendment, a minimum of 5 acres of grazing land will be provided, and as such the proposal is now in line with the SPG. I note a manure store and cess pool is proposed close to the stables. Following no objections from Environmental Health, I consider these are appropriate to store and dispose of waste.

**9.0 CONCLUSION**

- 9.01 This proposal is acceptable in principle in my opinion as equestrian uses are appropriate in the countryside. The visual impact would be limited and acceptable. The impact on residential amenity and highway safety will be minimal, and therefore, I recommend that planning permission be granted.

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

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (2) The external finishing materials of the stables hereby permitted shall be in accordance with the Design and Access Statement, namely black stained featheredge weatherboarding to the walls and plain clay roof tiles.

Reason: In the interest of visual amenity.

- (3) No development beyond the construction of foundations shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include existing trees, shrubs and other features, planting schedules of plants, noting species (which shall be native species and of a type that will encourage wildlife and biodiversity ), plant sizes and numbers where appropriate, means of enclosure, hard surfacing materials, and an implementation programme.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (4) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (5) Upon completion of the approved landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (6) The stables hereby permitted shall only be used for the stabling of horses or ponies for private use and for no other purpose, including any commercial use.

Reason: In the interests of the amenity of the area, and highway safety and convenience.

- (7) The use of the site for the keeping of horses/ponies hereby permitted shall not exceed a density of one horse or pony per acre of available grazing land.

Reason: To prevent over-grazing.

- (8) No burning of straw or manure shall take place on the site.

Reason: In the interests of local amenity.

- (9) With the exception of one trailer for the storage of manure, no external storage of materials or items of any kind including jumps, caravans, mobile homes, vehicles or trailers shall take place on the site.

Reason: In the interests of visual amenity.

- (10) No floodlighting, security lighting or other external lighting shall be installed or operated at the site, other than in accordance with details that have first been submitted to and agreed in writing by the Local Planning Authority. These details shall include:

- A statement of why lighting is required, the proposed frequency of the use and the hours of illumination.
- A site plan showing the area to be lit relative to the surrounding area, indicating parking or access arrangements where appropriate, and highlighting any significant existing or proposed landscape or boundary features.
- Details of the number, location and height of the lighting columns or other fixtures.
- The type, number, mounting height and alignment of the luminaries.
- The beam angles and upwards waste light ratio for each light.
- An isolux diagram showing the predicted illuminance levels at critical locations on the boundary of the site and where the site abuts residential properties.

Reason: In the interests of the character and appearance of the countryside.

**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 was advised of minor changes required to the application and these were agreed and submitted.

The application was considered by the Planning Committee where the applicant/agent has the opportunity to speak to the Committee and promote the application.

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.



