

2.2 REFERENCE NO - 21/501846/FULL			
APPLICATION PROPOSAL			
Change of use of land from agricultural to equestrian; removal of existing stables and erection of replacement stables, tack store and hay store, and creation of riding arena.			
ADDRESS Little Place Farm Yaugher Lane Hartlip Kent ME9 7XE			
RECOMMENDATION Grant subject to conditions			
SUMMARY OF REASONS FOR RECOMMENDATION			
Having considered the relevant planning policies and comments from statutory consultees, I am of the view that the proposal would be acceptable in principle. I also consider that due to the scale and proposed choice of materials, the proposal would have no significant detrimental impact on the character and appearance of the undesignated countryside setting.			
REASON FOR REFERRAL TO COMMITTEE			
Hartlip Parish Council Objection			
WARD Hartlip, Newington And Upchurch	PARISH/TOWN Hartlip	COUNCIL	APPLICANT Ms Richardson & Mr Bearup AGENT Woodstock Associates
DECISION DUE DATE 16/11/21		PUBLICITY EXPIRY DATE 20/10/21	
Relevant Planning History			
Ref No.	Description	Decision Date	Decision
19/501445/AGRIC	Prior Notification for a proposed clear span steel framed apex building to be used for storage of hay, straw and general farm machinery. For it's prior approval to: - Siting, design and external appearance	24.04.2019	Prior Approval Refused
19/505557/AGRREQ	Prior Notification for the erection of a general purpose agricultural storage building. For it's prior approval to: - Siting, design and external appearance.	01.05.2020	Appeal Against Non Determination (APP/V2255/W/20/32 46376) Appeals A and B allowed and prior approval granted for both Appeals A and B
19/505587/AGRREQ	Prior notification for the erection of a forestry machinery building incorporating a log store and forestry workshop. For it's prior approval to: - Siting, design and external appearance.	14.05.2020	Appeal against Non Determination (APP/V2255/W/20/32 46378) Appeals A and B allowed and prior approval granted for both Appeals A and B

1. DESCRIPTION OF SITE

- 1.1 The application site comprises of a large, open, agricultural field. Little Place Farm covers an area of 33.7 hectares, however for the purposes of this application the site has been subdivided and the red edge line as shown on the site location plan shows a much smaller area of 1.48 hectares. This is to ensure that the change of use to equestrian use relates only to the area as outlined in red and that the larger holding remains in agricultural use. Furthermore, the size of the application site outlined in red was increased over the course of this application to ensure a sufficient area was maintained for the grazing of horses.
- 1.2 There are some land level changes on site, particularly to the west where the land slopes downwards. To the northwest, there are two new agricultural buildings used for the storage of forestry machinery, a log store and forestry workshop. These agricultural buildings are located within the applicants holding but sited outside of the red line boundary. These were granted on appeal as set out above.
- 1.3 To the north, there are several agricultural fields planted with Christmas trees at various stages of growth. These are not within the applicants ownership, however there is a separate access track through these fields leading from Meresborough Lane to the application site.
- 1.4 To the south east of the site lies Oak Barn Farm which consists of a cluster of agricultural buildings and a livery stables. There are also some residential dwellings in this location.
- 1.5 Further south lies the M2, however this is not visible from the application site on account of the M2 boundary treatment. On the opposite southern side of the M2 the area is designated as an Area of Outstanding natural Beauty.

2. PROPOSAL

- 2.1 The application seeks planning permission for the change of use of land from agricultural to equestrian use including the erection of a new stable block for the keeping of three horses, hay store and creation of a riding arena.
- 2.2 The stable block will have an L-shape footprint. It measures 14m in length from north to south and 16.6m measured from east to west. The stable block has a width of 3.5m and a height to eaves of 2.5m with a pitch roof reaching to 3.3m at the apex. The materials include timber weatherboarding, timber windows and doors and a green mineral roof felt. The stable would be sited so the existing access that runs along the northern site boundary can be used to deliver hay and feed.
- 2.3 An all-weather open menage is also proposed that would measure 20m x 60m surrounded by a 1.2m post and rail fence.

3. PLANNING CONSTRAINTS

- 3.1 Potential Archaeological Importance

4. POLICY AND CONSIDERATIONS

- 4.1 The National Planning Policy Framework (NPPF):

Chapter 2 (Achieving sustainable development), Chapter 6 (Building a strong competitive economy), Chapter 14 (Meeting the challenges of climate change, flooding and coastal change), Chapter 15 (Conserving and enhancing the natural environment).

4.2 Development Plan: Bearing Fruits 2031 (2017) adopted:

ST1 (Delivering sustainable development in Swale), CP1 (Building a strong, competitive economy), CP 4 (Requiring good design), DM3 (The rural economy), DM6 (Managing transport demand and impact). DM 14 (General development criteria), DM 19 (Sustainable design and construction), DM 21 (Water, flooding and drainage), DM27 (The keeping and grazing of horses), DM 31 (Agricultural land)

4.3 Supplementary Planning Documents:

Planning and development Guideline No. 7: The Erection of Stables and keeping of horses

5. LOCAL REPRESENTATIONS

5.1 Hartlip Parish Council – Objection

22.05.2021 and 09.08.21: *HPC has been concerned about this site for some time and has communicated with Swale Borough Council in this regard following complaints by residents. No record can be found either on the planning portal or in HPC records of permission having been granted for the erection of any stables on this site. No doubt you will advise HPC if that is not correct.*

If there is no permission for what is presently there, then a retrospective application for the original stables should be sought before further development is considered.

The Parish Council is most concerned about the proliferation of stables and their associated accesses etc around the village which should be taken into consideration in the greater whole in protecting the landscape especially in and around the AONB. The stables are set well back from the road and encroach into the open countryside significantly harming that countryside.

The Parish Council objects to this application as it would have done when the stables were originally erected had it had the opportunity to do so.

11.10.2021: *Following receipt of revised drawings, having considered this matter carefully this does not change the views of the Parish Council to those expressed in the Parish Council communication of 9 August 2021 and the Parish Council objects to these revised proposals.*

6. CONSULTATIONS

6.1 Natural England – No objection (01.06.2021 & 15.08.2021)

6.2 Flood and Water Management (11.06.2021)

Kent County Council as Lead Local Flood Authority have reviewed the application and regard the development as low risk with the following advisory comments:

Stable buildings will usually have to be compliant with Building Regulations; your

authority should therefore be satisfied that adequate and appropriate drainage has been provided. Potentially contaminated water from manure storage, used bedding or washdown areas should only be directed to a dedicated foul water system. It will be unacceptable to direct this runoff to a watercourse or soakaway.

- 6.3 KCC Highways and Transportation – Does not warrant involvement from the Highway Authority. (15.06.2021)
- 6.4 Environmental Heath - No objection (16.06.2021)
- 6.5 KCC Biodiversity Officer – No objection (02.07.2021)

No ecological information has been submitted with this application. As a result of reviewing the data we have available to us (including aerial photos and biological records) and the information submitted with the planning application, we advise that the proposed development has limited potential to result in ecological impacts and as such we are satisfied that there is no requirement for an ecological survey to be carried out.

We have taken this view because the proposal is located on short grassland which is regularly grazed by horses and the proposal will not result in the loss of any hedgerows – therefore we are satisfied that the proposal is unlikely to result in a loss of suitable habitat which may be used by protected species.

7. BACKGROUND PAPERS AND PLANS

- 7.1 Existing Plans: RI/21/111.02C & RI/21/111.05C
- 7.2 Proposed Plans: RI/21/111.02C, RI/21/111.03C, RI/21/111.04C, RI/21/111.05C

8. APPRAISAL

Principle of Development

- 8.1 This application seeks the change of use of existing agricultural land to equestrian use for the keeping of a maximum of three horses. The use of the site and associated stables are not to be used for commercial purposes and would be occupied solely by the applicants existing horses. The keeping of horses is considered an appropriate use of land in the rural environment and routinely sits side by side with agricultural land in the countryside. Similar uses are found at nearby sites, including stables and riding arenas. Given that the stables will only be for private use, I consider the change of use from agricultural use to equestrian is acceptable.

Visual Impact

- 8.2 A general objection has been raised by the Parish Council about the existing stables, the impact of the works when viewed from public vantage points, the cumulative impact of the proposal and impacts of the works on the wider AONB (which does not form part of the application site). To help address these concerns, the applicant has reduced the number of proposed stables from 4 to 3 which is the number of horses in the applicant's ownership. Regarding the existing stable, I recognise that this does not have planning permission however it is a small, redundant, timber stable which would be removed as part of this application. In terms of the visual impact upon the wider area, the view across

these fields is interrupted by the recent construction of large agricultural buildings which now obscure the views north from the site, furthermore this site is set back and not clearly visible from public vantage points.

- 8.3 Turning to the AONB, this is located to the south of the application site, on the opposite side of the M2 approximately 250m as the crow flies. The M2 forms the northern boundary of the AONB and due to the height and density of trees along the M2 coupled with the distance to the application site, I am confident that the site is not clearly visible from the AONB. Furthermore, there are no public rights of way within close proximity of the site or in the AONB which would allow for clear visibility of the site.
- 8.4 Turning to design, the SPG relating to the keeping and grazing of horses states that 'planning permission will only be granted for stables if the buildings are of an attractive design and appropriate materials'. The guide goes on to say that this will almost always be that a pitched roof design is required. In response to this the proposed buildings have been designed with pitched roofs and the stable block incorporates an overhang on the front facing elevation.
- 8.5 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 building to reduce prominence within views. In this regard, whilst the stable is sited away from existing buildings the proposed development would make use of an existing track. I conclude that in respect of siting, means of construction, design and/or external appearance, the proposed development would be acceptable.

Residential Amenity

- 8.6 The siting of the stables is more than 150m from the nearest neighbouring property. On the basis that the riding arena would be used for domestic purposes only and not for commercial use, I do not believe domestic use would have a negative impact on residential amenity.
- 8.7 In terms of grazing horses, the Councils SPG recommends that a minimum of 1 acre of grazing be provided per horse. The application site comprises 3.6 acres, which is sufficient for the grazing for 3 horses.

Highways

- 8.8 The existing access arrangements would remain unchanged. Currently, there is a shared vehicle access point situated on the western side of Yaughar Lane. An existing path runs along the northeastern side boundary of the application site and this arrangement would remain unchanged. Initially, the red site outline showed an access through the centre of the agricultural fields, however this was amended to realign with the existing access/pathway.
- 8.9 Turning to traffic generation, this is likely to be relatively modest given that the proposed stables are not to be used for commercial. A safeguarding condition for private use (no.4) has been added to ensure this. Two parking bays are proposed which is sufficient to this requirement. I conclude that here would be no detrimental impact on

the public highway and there are no planning reasons on highways grounds to warrant refusal of the application.

Biodiversity

- 8.10 There would be no significant impact on biodiversity/ecology at the site. KCC Biodiversity have been consulted and are satisfied that the development has limited potential to result in ecological impacts.

9. CONCLUSION

- 9.1 Having considered the relevant planning policies and comments from statutory consultees, I am of the view that the proposal would be acceptable in principle. I also consider that due to the scale and proposed choice of materials, the proposal would have no significant detrimental impact on the character and appearance of the countryside and/or landscape.

10. RECOMMENDATION

GRANT Subject to the following conditions:

CONDITIONS to include

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 development hereby approved shall be carried out in accordance with the following drawings: RI/21/111.02C, RI/21/111.03C, RI/21/111.04C, RI/21/111.05C

Reason: In the interests of residential amenity.

3. No external lighting, whether temporary or permanent, shall be placed or erected within or adjoining the development hereby approved at any time.

Reason: In the interest of residential amenity and to protect the amenity of the countryside.

4. The development hereby permitted shall only be used for private use and shall at no time be used for any business or commercial purpose whatsoever, including for livery, or in connection with equestrian tuition or leisure rides.

Reason: In the interests of residential amenity and to prevent the introduction of a commercial use onto the site.

5. The timber weatherboard cladding on the stables hereby permitted shall be stained black.

Reason: In the interests of visual amenity.

6. No development beyond the construction of the arena surface shall take place until a scheme of soft landscape works to the south and west boundaries of the riding area, 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, and an implementation programme.

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

7. 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 first use 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.

8. 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.

INFORMATIVES

The Council's approach to the application

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), July 2021 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

The application was considered by the Planning Committee where the applicant/agent had 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.

