

<b>3.3 REFERENCE NO - 15/505114/FULL</b>			
<b>APPLICATION PROPOSAL</b> Change of use of land from agricultural to mixed agricultural/equestrian use. Construction of stabling for housing of horses, strictly private use.			
<b>ADDRESS</b> Land Adj To And Forming Part Of 2 Swedish House Throwley Road Throwley Kent ME13 0PF			
<b>RECOMMENDATION- REFUSE</b>			
<b>REASON FOR REFERRAL TO COMMITTEE</b>  Member call in			
<b>WARD</b> East Downs Ward	<b>PARISH/TOWN COUNCIL</b> Throwley	<b>APPLICANT</b> Mr Paddy Reeves <b>AGENT</b> Agriquestrian Consultants	
<b>DECISION DUE DATE</b> 17/08/15	<b>PUBLICITY EXPIRY DATE</b> 17/08/15	<b>OFFICER SITE VISIT DATE</b>	
<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>
14/505325/FULL	Change of use of land from agricultural use to the keeping of horses (private use only), the erection of a stable block, and the creation of associated hardstanding	Refused	04.03.2015
<i>Summarise Reasons; Poor design would have a detrimental impact on the character of the Kent Downs Area of Outstanding Natural Beauty.</i>			

**1.0 DESCRIPTION OF SITE**

- 1.01 The application site lies within the designated countryside outside of any defined built-up area boundary. The site is a field located within the Kent Downs Area of Outstanding Natural Beauty. It is easily visible from the roadside and is above road level. Already located at the front of the site is an existing small fenced-in sub-station, a mixed native hedge borders the site to the front.
- 1.02 The site lies adjacent to an isolated cluster of development at Throwley Church (grade 1 listed) which contains only a few modern buildings and which is very charismatic of the Kent Downs AONB

**2.0 PROPOSAL**

- 2.01 Planning permission is sought for change of use of land from agricultural to mixed agricultural/equestrian use with the construction of stabling for housing of horses. The proposed siting of the stables would be in the south east corner of the site, adjacent to 2 Swedish Houses and the existing access to/from Throwley Road.
- 2.02 The proposed stable consists of an ‘L’ shaped layout (overall dimensions 10.8m x 10.3m) which includes three loose boxes, a tack room and a fodder/bedding and a feed store. The stable would be clad with horizontal, dark stained feather edged

timber boarding with perspex sliding barred windows under a roof featuring felt tiling in a dark grey finish. The eaves height would be 2.1 metres with a ridge height of 3.3 metres.

2.03 The proposal is very similar to the recent refused application reference no 14/505325 except that the roof pitch has been slightly increased to 27.5 degrees.

2.04 The application is supported by a Planning Appraisal, Design and Access Statement which argues that the site is well screened from the road, but that to increase the roof pitch further will create an even higher visually dominant and un-balanced roof area with greater visual impact. The applicants say that they have attempted to address previous concerns and have considered the Kent Downs AONB advice on Managing Land for Horses. They add that positioning the stables in the alternative location suggested to them will involve construction of an access road at least 40m long which this siting avoids, and that in the proposed siting the existing sub-station with its 1.8m high fencing acts as a visual screen. Photographs of the site have been provided which aim to show the relative impacts of both siting on views towards the church and adjacent listed building and that the alternative siting will cause irreparable harm to the setting of the church. Finally, landscaping is proposed to screen the stables from the road to reduce their impact.

### 3.0 SUMMARY INFORMATION

	Existing	Proposed	Change (+/-)
Approximate Ridge Height (m)	0	3.375m	+3.375m
Approximate Eaves Height (m)	0	2.175m	+2.175m

### 4.0 PLANNING CONSTRAINTS

Area of Outstanding Natural Beauty KENT DOWNS

St Michael’s Church Grade 1 listed.

### 5.0 POLICY AND OTHER CONSIDERATIONS

- Swale Borough Local Plan 2008
- E1 (General Development Criteria)
- E6 (Countryside)
- E9 (Protecting the quality and character of the Borough’s landscape)
- E14 (Development Involving Listed Buildings)
- E19 (Achieving high quality of design and distinctiveness)
- RC9 (The Keeping and Grazing of Horses)

Swale Borough Council Supplementary Planning Guidance “*The Erection of Stables and Keeping of Horses*” which was adopted by the Council following public consultation is a material planning consideration in determining applications, and which is referred to in paragraph 3.149 of the adopted Swale Borough Local Plan 2008). This states at paragraph 2.0 that;

“The design of the popular sectional timber stables which have a pitched roof is usually acceptable. A higher standard of design and materials is required if the buildings fall within a Conservation Area, an Area of Outstanding Natural Beauty, a Special Landscape Area or adjoin a listed building. These are areas

where the visual effect of any new development is of particular concern and therefore extra care in design and siting is required”.

The National Planning Policy Framework came into immediate effect on March 2012 however the development plan policies and adopted guidance do continue to be given significant weight.

Paragraph 115 of the NPPF states that “*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 value.*”

## **6.0 LOCAL REPRESENTATIONS**

6.01 None

## **7.0 CONSULTATIONS**

7.01 Throwley Parish Council - no response received.

7.02 The Environment Agency- low environmental risk and therefore have no comments to make.

7.03 The Environmental Health Manager raises no objection subject to standard conditions for construction hours and details of storage and disposal of manure and associated waste.

## **8.0 BACKGROUND PAPERS AND PLANS**

8.01 Application papers for applications 15/50514 and 14/505325.

## **9.0 APPRAISAL**

9.01 The main considerations in the determination of this planning application are the impact of the proposed stables and use on the openness of the designated countryside and the natural beauty of the Kent Downs Area of Outstanding Natural Beauty (AONB).

9.02 The National Planning Policy Framework came into immediate effect on March 2012, however, the development plan policies and adopted guidance do continue to be given significant weight. Paragraph 115 of the NPPF states that “*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 value.*”

9.03 Furthermore Policy E9 of the Swale Borough Local Plan 2008 confirms that “*the priority is the long term conservation and enhancement of the natural beauty of this national asset over planning considerations.*” As such, as the site lies within the AONB, relevant policies make it clear that protection and enhancement of this area should be foremost when considering this type of application.

9.04 In my opinion the proposed design of the stable block, in particular the low pitched roof with the proposed felt roofing is of a poor design standard and as such will have a negative impact on the AONB. Furthermore, by virtue of the prominent position of the building, the proposal fails to protect or enhance the site and the surrounding

area. I have suggested an alternative far less conspicuous location for the stables but the applicants have again proposed the current site adjacent to the road

- 9.05 The site, and in particular the location of the proposed stable block, is above road level and highly visible from nearby properties and roads, especially on approach from the south. It is of particular importance to achieve a high quality of layout and design that would not have a detrimental impact on the surrounding area. Whilst I do not consider that this small building will have a fundamental impact on the setting of Throwley Church itself, I consider that it will be intrusive and detract from the character and quality of the area, having a detrimental impact on the scenic nature of its surroundings, which will impact on the essential elements of the AONB.
- 9.06 Though the proposal has been revised in this application to show a slightly steeper roof pitch of 27.5 degrees, I am still of the opinion that this low roof pitch creates a substandard design which is not suitable for this area. The Council would, according to its Supplementary Planning Guidance, expect a better quality of design, in particular in relation to the pitched roof; 35 degrees to 45 degrees would normally be considered acceptable. In the AONB a tiled traditional roof is normally the acceptable approach to stabling; not a felted roof.
- 9.07 I do not share the agent's views that the proposed felt tiling would visually appear very similar to that of a slated or tiled roof. In my opinion the stable block fails to meet the criteria as set out in the Swale Borough Councils adopted SPG "The Erection of Stables and Keeping of Horses". In Para 2.0 it states that permission would only be granted if the buildings are of an attractive design and of appropriate materials. This will almost always mean a higher standard of design and materials is required if the building falls in the AONB and/or adjacent to a listed building. The proposed development clearly fails to meet these criteria even with the minor increase to the roof pitch.
- 9.08 In the course of the determination of the application I have considered whether attaching conditions to change the appearance of the building would be sufficient to override the harm it is causing to this sensitive landscape and I have concluded that none would be sufficient. I am of the opinion that if the design is improved to include a steeper pitch roof with better quality materials, then the main design consideration could be overcome.
- 9.09 The stable block in its highly visible location is of an inappropriate design and uses unacceptable materials. As such it has a detrimental impact on the sensitive and protected Kent Downs AONB contrary to National and local policy and therefore I recommend that planning permission be refused. I am firmly of the view that the applicant has failed to address the original reason for refusal under application reference no 14/505325 but that potential does exist to re-site the proposed stables to where they would be less obtrusive and acceptable if better designed.
- 9.10 In my view the applicants have provided no clear justification for the current proposed siting or poor design quality of this proposal. The site is within one of the most remote, unspoilt and sensitive parts of the Borough and I am clear that the Council has amply made its position clear on the quality of development that it expects in such circumstances. I regret that despite advice, this application still falls far short of these standards.

**10.0 RECOMMENDATION- REFUSE** for the following reasons:

The prominent siting and poor design and materials of the proposed stable block would have a detrimental impact on the character of this unspoilt open and attractive rural location and as such is detrimental to the character and appearance of the countryside, the wider setting of the area and the distinct Kent Downs Area of Outstanding Natural Beauty where a higher standard of design and materials is required. The proposal is therefore contrary to policies E1, E6, E9 and RC9 of the Swale Borough Local Plan 2008 and Swale Borough Council Supplementary Planning Guidance 'The Erection of Stables and Keeping of Horses'.

**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 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.