

<b>Plaxtol</b> Borough Green And Long Mill	<b>560907 155601</b>	<b>16.01.2006</b>	<b>TM/05/04208/FL</b>
Proposal:	Erection of stables, storage building and new sand school including change of use of agricultural land to recreational purposes		
Location:	Orchard House Basted Borough Green Sevenoaks Kent TN15 8PS		
Applicant:	Mr + Mrs M Payne		

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**1. Description:**

- 1.1 The proposal is to erect a stable block comprising 4 stables, tack room, 2 hay stores and two tractor garages.
- 1.2 The block will be "U" shaped with a central yard. It will have a ridge height of 3.3m and is shown to be built of wood cladding with a roof of black felt tiles. It will be partly dug into the ground by approx. 1m.
- 1.3 The stables are shown to be sited on land which is currently agricultural along side a boundary hedge to Plough Hill.
- 1.4 Manure and waste straw is proposed to be stock piled in a muck heap behind the stables and periodically either removed from the site or spread on agricultural land in the same ownership. Foul sewage is stated to be discharged to a sewer.
- 1.5 Also proposed along this same boundary hedge is a sand school of 40m by 20m to be enclosed by 1m high post and rail fencing. The sand school will also be partly dug down by approx 1m.
- 1.6 Access will be as the existing farm/house driveway and will lead to a new driveway, trailer parking and turning areas.
- 1.7 Since the application was submitted, there have been works carried out to the access involving a gate and the addition of gravel to the driveway.
- 1.8 The applicant has submitted a supporting statement as follows:
  - *The family currently owns 1 horse and 2 ponies. A second horse may be considered that will be suitable for the husband.*
  - *The facilities are to store essential hay, bedding, tractor and equipment that is in proportion to the needs of 3 or 4 horses and other livestock such as sheep, as we have no wish to have other temporary storage facilities.*
  - *I have no need or desire to run any kind of equestrian business. In fact this would not be viable given the small scale of the proposed plans.*

- *We enjoy amateur competing. I need a flat and suitable surface on which to school my horse and preferably fenced to provide added safety for my daughter. Schooling in muddy sloping fields in winter or on hard ground in the summer is less than satisfactory and can result in more transportation that necessary to hire other facilities.*
- *15 acres for up to 4 horses may appear excessive but at least half of the land is to make hay and graze other livestock such as sheep. We had the opportunity to buy the acreage at a good price and felt we could avoid over-use and poaching of the land that is all too often seen. We are also keen to keep the land “poly tunnel” free so that the landscape around us is not spoilt by acres of agricultural plastic.*
- *We have lived in Crouch (adjacent) for 18 years and for 10 of these years I have rented local stables and sand schools. On two occasions I have contributed capital sums to put in facilities that have either been rendered redundant by new owners or sold. I currently rent several stables, grazing and a sand school in West Peckham purely for personal use, but have found it difficult to meet work and family commitments with the horses in a different place. (Part of these premises is now up for sale.) There are also related security issues for valuable livestock and equipment when you are not “on site”. These are the main reasons that we have bought a property with sufficient land to meet our requirements.*
- *When making the application we have been careful to consider the views of our immediate neighbours in terms of location of the stables and our desire to blend the stables into the landscape.*

## **2. The Site:**

- 2.1 The site is in the MGB and SLA. It lies over an Aquifer and is an Area of Archaeological Potential.
- 2.2 The site is a former farmhouse on the southern side of Plough Hill. It is now associated with 5.5 ha of grazing land. The occupancy is no longer restricted to agricultural community as a certificate has been issued that this was breached for the requisite period of time.
- 2.3 The area for the stables and sand school slopes up from east to west and is set above a tree/hedgerow embankment by approx. 1.2m.
- 2.4 The site is screened from Plough Hill by a banked hedgerow. However, it is sited at the upper slope of a valley and as a consequence will be visible from significant areas to the SW of the site.

### **3. Planning History:**

3.1 05/02179/LDCE Certified 07.09.2005

Lawful Development Certificate Existing: Breach of agricultural occupancy condition pursuant to planning permission ref. MK/4/53/137 for farmhouse

3.2 TM/90/858 Granted 06.09.1990

Two storey extension incorporating bedroom and new living accommodation. Single storey rear extension to kitchen.

3.3 MK/4/53/177 Granted 21.05.1953

Dwelling

3.4 MK/4/53/137 Granted 12.05.1953

Outline Application for Farmhouse

### **4. Consultees:**

4.1 EA: No objection provided only clean uncontaminated water is discharged to soakaway and that any damaging effluent from stable washings is dealt with adequately. Hay soaking and manure leachate is not to be discharged to a soakaway but in accordance with the EA pollution prevention guidelines for stables.

4.2 MKW: No response

4.3 County Archaeologist: No comment

4.4 PC: Objections. The size and visual impact of the proposal will have a detrimental affect on the valley and surrounding countryside. There is no indication in the application as to whether the stables and sand school are a commercial venture or are for the personal use of the applicant. The size of the proposal would tend to indicate to this Council that it is possibly for commercial use as we do not feel that, with a quoted site area (which would appear to be the red plus blue areas) of 7.1 Ha, a sand school is not necessary for four horses. The location on Plough Hill (a quiet lane) can only be accessed via very narrow (single track) lanes from either direction or horse boxes bringing in animals to use the sand school would be very disruptive to local traffic. Even with the existing relatively light traffic usage Plough Hill can become almost grid-locked with vehicles trying to go both ways as there is only one passing place (apart from dwelling entrances) in the 400m length of the hill. A large horse-box slowly negotiating the hill would almost be bound to generate such a situation. This Council therefore objects to the proposals as they stand. If the application is approved it should only be on the basis of private use by

the applicant with conditions preventing visiting horses using the facilities. A full landscaping proposal should also be required before implementation of any approval.

- 4.5 KCC (Highways): The existing field/farm access is open, with no gate shown on the plans. However, should any new gate be proposed it shall be suitably set back to provide adequate waiting space for the largest vehicle, likely to regularly visit the site. On inspection it was noted that the entrance surface may require some strengthening to accommodate delivery vehicles, horse boxes and cars. Applicant to be advised to liaise with highway manager regarding works that may affect the integrity of the public highway. Applicant to be reminded that surface water from the site shall be dealt with on site and not discharged onto the public highway. In principle, I raise no objections to this proposal, which shows no livery or business use.
- 4.6 Private Reps: Site Notice and (3/0S/1X/0R) One letter states that there are no objections provided the stables, hay stores and tractors are for the use only of the residents of Orchard House.
- 4.7 DHH: No objections provided manure and stable waste is stored and disposed of as described in the application.

## **5. Determining Issues:**

- 5.1 The main determining issues associated with this application relate to the impact that the proposal will have upon the character and appearance of the countryside, adjacent residential amenity and the highway network.
- 5.2 Open recreation uses are acceptable in the Green Belt, subject to the size and siting of buildings and other factors. The main requirement is that the buildings need to be small scale and essential.
- 5.3 The applicant's family currently have 1 horse and 2 ponies and it could be argued that the fourth stable provides flexibility for a further horse to be housed for family use.
- 5.4 The tack room is small scale and essential. The proposed building includes facilities in connection with the maintenance of the rest of the holding - tractor garaging and hay stores. These would be justified for the area of land farmed and the applicant's intention to make them integral to the stable block does give an opportunity for them to be sited in better screened location than could otherwise be the case.
- 5.5 PPS7: Countryside states that the use of the countryside for outdoor rural sport and recreation uses is generally acceptable. Policy SR2 of the KSP states that for sports and recreation facilities in the countryside, any built development should be small in scale, ancillary to an outdoor recreation use and unobtrusively located.

- 5.6 Policy P6/13 of the TMBLP indicates that proposals for the use of land for the keeping of horses or the erection of stables will be permitted provided that there is no adverse impact on the character of the countryside either individually or cumulatively in terms of design and location of buildings and other structures, or inadequate or inappropriate landscaping or screening.
- 5.7 The stable block is proposed to be erected 15m from a boundary hedgerow. This will provide relatively good screening from Plough Hill and will provide a backdrop to the stable buildings when viewed from across the valley which will help to reduce their visual prominence. Use of dark cladding and dark roofing materials will help to reduce visual prominence. The stable block will also be partly dug-in to the land. The excavation will result in arisings that could be used to provide a landscaped bund with native planting to help to screen the building. Therefore, on balance, I am of the opinion that the stable block will not have a significantly detrimental impact upon the character of the countryside. The design is in-keeping with the existing stables and is rural in nature.
- 5.8 The proposed sandschool would be fenced with a post and rail fence. This is rural in nature, and given that the sandschool will also be partly dug down and viewed against a hedgerow backdrop, I am of the opinion that the proposal will not be detrimental to the surrounding countryside, provided that native replacement landscaping is provided around the sandschool
- 5.9 Policy P6/13 of the TMBLP states that proposals for stables should not have any adverse impact upon the residential amenity due to smells, excessive noise, lighting, traffic generation or activity at unsocial hours.
- 5.10 The nearest residential property is sited approximately 45m to the NW from the proposed stable block and muck heap and therefore I am satisfied that the proposal will not cause an adverse impact on residential amenity in terms of smells or excessive noise. A condition could be used to prevent any flood lighting from being provided, which would restrict activity from occurring at unsocial hours. I am of the opinion that the proposal will not result in a significantly detrimental impact upon residential amenity.
- 5.11 Policy P6/13 states that proposals should not result in any hazard to road safety. There is sufficient parking and turning on site. Bearing in mind that the use is to be private and limited to 4 horses/ponies, I am of the opinion that the use of horseboxes to transport horses off the site is unlikely to be frequent enough to cause harm to highway safety. There are no KCC objections from a highway safety point of view subject to private use.
- 5.12 The applicant owns a significant amount of land where the horses can be exercised and the application includes a sand school. I am satisfied that the horses involved with the use will not result in a significantly detrimental impact on highway safety.

5.13 The applicant has shown where they propose to position a muck heap. As this is on an aquifer, the concerns of the EA need to be addressed by a condition requiring prior approval of method of dealing with any potentially polluting effluent eg, discharge to sewer, a sealed effluent tank or a private sewage treatment plant. The EA will be consulted on the submitted details.

5.14 In light of the above considerations, I am of the opinion that the proposal will not be detrimental to the rural or residential amenity of the surrounding locality, subject to conditions.

## **6. Recommendation:**

6.1 **Grant planning permission** as detailed by drawings 1063/1/A; 1063/2/A; 1063/3/- and letters received 16.01.06 and 21.02.06. subject to the following:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission. (Z013)

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990.

2 No external lights shall be installed unless otherwise agreed in advance in writing by the Local Planning Authority. Lights shall be retained in the form approved in the scheme thereafter.

Reason: To protect the local visual and residential amenities.

3 The stables hereby permitted shall be used solely for private stabling of no more than four horses all of which must be owned/used by the owner/occupier of the application site and not for commercial stabling or in connection with a riding school/livery. (F008\*)

Reason: Commercial use could harm significantly the amenities of the locality and the free and safe flow of traffic on local highways.

4 The roofing materials used externally shall accord with the approved application and the external timber walls and joinery shall be stained black or dark brown, unless otherwise agreed in writing by the Local Planning Authority. (D003\*)

Reason: To ensure that the development does not harm the visual amenity of the locality.

5 No manure, bedding or any other waste shall be burned on site nor shall it be stored within 30m of any neighbouring residential dwelling.

Reason: To prevent nuisance to neighbours by virtue of smell, vermin and flies.

6 The development hereby permitted shall not commence until a scheme for preventing pollution of the ground water environment including details of

associated drainage works has been submitted to and approved by the Local Planning Authority. The approved details shall be carried out before first use of the development hereby permitted and retained thereafter.

Reason: In the interests of pollution prevention.

- 7 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping and boundary treatment. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or shrubs removed, dying, being seriously damaged or diseased within 10 years of planting shall be replaced in the next planting season with trees or shrubs of similar size and species, unless the Authority gives written consent to any variation. (L003)

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

- 8 Any gateway to the access shall be set back 5.0 metres from the edge of the highway. (H013)

Reason: To enable vehicles to stand off the highway whilst any gates are being operated.

- 9 The use shall not be commenced, nor the premises occupied, until the area shown on the submitted layout as vehicle parking space has been provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space. (P004)

Reason: Development without provision of adequate accommodation for the parking or garaging of vehicles is likely to lead to hazardous on-street parking.

- 10 No building shall be occupied until the area shown on the submitted plan as a turning area has been provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order), shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved turning area. (P011)

Reason: Development without provision of adequate turning facilities is likely to give rise to hazardous conditions in the public highway.

- 11 The development hereby permitted shall not be used until the access drive is first be surfaced with paviers, tarmacadam, concrete or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary.

Reason: To avoid deleterious material on the highway in the interests of highway safety

Informative:

- 1 With regard to works within the limits of the highway, the applicant is asked to consult The Highway Manager, Kent Highways, Joynes House, New Road, Gravesend, Kent, DA11 0AT. Tel: 08458 247 800.

Contact: Marion Geary