

**Shipbourne**                      **561036 152211**                      **18.07.2006**                      **TM/06/02415/FL**  
Borough Green And  
Long Mill

Proposal:                      Change of use (part retrospective) of land and buildings as Equine Training establishment, and use of 4 no. timber loose boxes for the stabling of horses in association with the use of Puttenden Manor as a dwelling, with access from Puttenden Road

Location:                      Puttenden Manor Puttenden Road Shipbourne Tonbridge Kent TN11 9QY

Applicant:                      Mr And Mrs Bull

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## **1. Description:**

### 1.1 The application is for

- The retention of the 4 timber stables, as 3 loose boxes and a feed room, for a proposed use by the occupants of Puttenden Manor.
- The regularisation of the existing use of 8 brick built stables, sand school and yard, as shown on the attached site plan and photographs, as a commercial training stables.

### 1.2 In both cases, access will be along the existing access drive from Puttenden Road, which is also used lawfully by the farm.

### 1.3 This application relates in part to retention of a commercial use of the stables and manege that started in Summer 2005. The use is by an event rider who has no connection with the owners of Puttenden Manor other than by using the stabling premises, apparently paying rent for grazing of the fields. The eventer owns one horse herself, the other 9 are owned by third parties and she rides them on behalf of the owners at a series of national events.

### 1.4 The agent has submitted a supporting statement, summarised as follows:

- *Planning permission TM/92/0307, permitted the construction of a new brick built stable complex at Puttenden Manor Farm, to include 11 stables, and shavings, tack, wash and feed rooms, along with an outdoor riding arena or manege/sand school. Access was permitted to be from the residential access drive to Puttenden Lane, also used lawfully for Puttenden Manor Farm.*
- *This consent also required that the use of the existing 3 looseboxes for the stabling of horses to cease but did not restrict the hours of use, traffic movements or the size of vehicles to be used.*

- *The development was carried out and used for their own domestic purposes by subsequent site owners though without the southern wing of the consented block with 8 loose boxes and a tack room.*
- *Between 1996 and 1998 the stables were used for the training of racehorses, unrelated to Puttenden Manor Farm, on a commercial basis.*
- *The applicants bought Puttenden Manor in 2002. Since 2004 the premises the subject of this planning application, have been used by a trainer and International Event rider using the 8 brick stables and a tack room/office in the main block and the 4 timber loose boxes stabling and storage. She is an International Event rider whose long term goal is to be selected and take part in the 2012 Olympics.*
- *She uses the yard to principally bring on and train horses belonging to other third parties who do not ride.*
- *Specialist training for problem horses has also been taking place - the horse is kept at the yard on a temporary basis to facilitate school training with or without its owner/rider present for individual sessions. On average there can be up to 4-5 in a year only staying for a few weeks.*
- *The total number of horses on the holding varies but on average is around 12-14. The horses stabled never go above 10 in number. Some of these are only stabled for part of the winter when the condition of the adjacent fields on which the horses are grazed does not support grazing horses.*
- *The tenant's lorry is a non HGV horse lorry which resides at the yard when not in use. The 2 staff cars are parked on site with possible day movements for errands etc.*
- *Schooling of horses in the sand school takes place most of each day depending on weather conditions.*
- *Apart from the tenant there is one groom working full time at the yard with several other temporary staff to cover during competition (event) days or days off etc.*
- *The normal working hours are 8 am to 6 -7 pm (depending on season).*
- *Lorry/horsebox movements are determined largely by the Calendar for events March 2006 – October 2006 and the degree of success. Roughly one every weekend during the Events season, with some midweek. With the more distant locations, the practice is to stay over for 1 or 2 night(s) at the event. The timing of the movements of the horsebox leaving varies but it is rarely before 6am and arrival back at the yard is rarely after 10pm. Staff cars arrive and leave about an hour before or after this time.*

- *For external training (cross country, show jumping and dressage etc where other facilities are required) there would be 2 outings per week, normally within the working day.*
- *There are occasional requirements for veterinary treatment when a horse can be taken to the veterinary surgery. Owners' lorries visit the yard to collect or drop off horses for training or going to or from off- season grazing; variable, but on average, from 0 to 2 per week.*
- *Other visits include; Feed deliveries (once weekly or bi weekly as per season and more often in winter months); Farrier every 5-6 weeks; an equine Dentist every 6 months; an equine Physio once a month; the Vet, on average 4 visits per month plus emergencies; Owners of horses being ridden by the tenant; out of season 4-5 visits per horse by distant owners (during season most owners see their horses at events); Owners of horses in for specialist training; this can be up to 5-6 visits per month depending on problem.*
- *Traffic movements for the week 10-16 July inclusive, being one of the busiest weeks in the Eventing Calendar, have amounted to an average of 7 vehicle movements from the site a day. This comprises 2 arrivals and departures per day by staff, 2 arrivals and departures per day by the horsebox, and sundry other movements, including a visit by the Farrier.*
- *This is a very low key use of the access, the land and the stables.*
- *Traffic generated by lawful farm etc uses should be so distinguished.*
- *The proposed use of the site and buildings is supported PPG2 (Green Belt) as an appropriate recreational use in the Green Belt, and particularly the terms of paragraph 3.6 in respect of stables for outdoor sport and recreation.*
- *PPG 2 confirms that the re-use of buildings for outdoor sport and recreation should not prejudice the openness of Green Belts since the buildings are already there. The use of land and buildings for outdoor sport and recreation can help to secure the continuing stewardship of land, especially by assisting farmers in diversifying their enterprises.*
- *PPS7 (Sustainable Development in Rural Areas) supports the re-use of appropriately located and suitably constructed buildings in the countryside. Farm diversification contributes to the continuing viability of farm enterprises. Equine-related activities are popular forms of recreation in the countryside that can fit in well with farming activities and help to diversify rural economies. In some parts of the country, horse training and breeding businesses play an important economic role. Local planning authorities should have policies for a range of suitably located recreational and leisure facilities and for the needs of*

*training and breeding businesses. They should facilitate the re-use of farm buildings for small-scale horse enterprises (that is enterprises involving up to ten horses) that provide a useful form of farm diversification.*

- *TMBLP Policy P6/13 supports proposals for the keeping of horses and the erection of stables which are well located in relation to the bridleway network, incorporate suitable and adequate land for the exercise of horses and adequate storage for manure.*
- *In the above circumstances, we believe that this proposal is acceptable and worthy of support.*

## **2. The Site:**

- 2.1 The site is associated with a Grade II listed dwelling known as Puttenden Manor.
- 2.2 It comprises a brick built stable block of 8 stables and a tack room/office and storage shed, 3 loose boxes with a storage areas and a manege. Vehicular access is to Puttenden Road, close to its crossroads junction with Hamptons Road.
- 2.3 The access also serves the host dwelling and the agricultural land of Puttenden Farm plus 3 other dwellings that are conversions of former farm buildings of Puttenden Manor Farm.

## **3. Relevant History:**

- 3.1 TM/81/182                      Approved 02.06.1981  
Change of use and conversion of barn to provide residential accommodation ancillary to Puttenden Manor.
- 3.2 TM/82/381                      Approved 29.07.1982  
Conversion of part of stable block to one dwelling.
- 3.3 TM/82/719                      Approved 07.09.1982  
Change of use and conversion of barn to dwelling without complying with condition (iii) (Sealed Cesspool) of application TM/81/182.
- 3.4 TM/83/1296                      Approved 12.03.1984  
Demolition of barns/outbuildings.
- 3.5 TM/85/489                      Approved 08.07.1985  
Details of conversion of part of stable block to dwelling submitted pursuant to outline permission TM/82/381.
- 3.6 TM/87/1151                      Approved 28.08.1987  
Use of residential accommodation as independent dwelling unit (removal of condition (ii) of permission TM/81/82 occupancy).

- 3.7 TM/87/1296            Approved 30.12.1987  
Conversion of barn to dwelling.
- 3.8 TM/87/1297            Approved 07.01.1988  
Conversion of barn to dwelling (Listed Building Application).
- 3.9 TM/88/504            Approved 25.04.1988  
Erection of double garage and boundary walls.
- 3.10 TM/88/505            Approved 03.05.1988  
Erection of double garage and boundary walls.
- 3.11 TM/88/1315            Approved 31.08.1988  
Conversion of part of stable block to dwelling.
- 3.12 TM/88/1316            Approved 31.08.1988  
Listed Building Application Conversion of part of stable block to dwelling including removal of parts of stables and barn.
- 3.13 TM/88/1784            Approved 30.11.1988  
Conversion of stables to garage.
- 3.14 TM/88/1785            Approved 30.11.1988  
Listed Building Application: Conversion of stables to garages.
- 3.15 TM/92/311            Application Not Required 29.04.1992  
Notification of proposed erection of agricultural barn under permitted development rights.
- 3.16 TM/92/307            Approved 22.05.1992  
Erection of stable and creation of manege.
- 3.17 TM/93/0085RM        Approved 24.03.1993  
Details of materials submitted pursuant to condition (ii) of permission TM/92/0307 (erection of stable and creation of manege).

#### **4. Consultees:**

- 4.1 KCC (Highways): This application is to formalize part of the current use of the site for low level specialist training of horses, with a total of up to 10 horses being stabled and the site sharing the existing access with the farm: parking and turning manoeuvres are carried out within the site. Although the site has been operating as a commercial business, I have no records of problems associated with the use. Therefore, based on the supporting details of the current usage supplied by the applicants, traffic movements are fairly low even based on one of the busiest times in the applicants' calendar. On balance, I therefore raise no objections. Further information suggests that neighbours have experienced problems with the current commercial use and the use of other existing access points, although I have no

records of this. Under KVPS, theoretically, commercial stables could attract a requirement for one parking space per stable. In this instance, four parking spaces are shown, plus parking for a horse box; however, although not identified, room for further parking seems to be available within the site.

- 4.2 PC: The site is in an AONB, an SLA and abuts an SNCI. Puttenden Manor and outbuildings are listed Grade II. Planning permission was granted in 1992 for the erection of stables and the creation of a manege to replace the original stables that had been converted to residential use. The permission was for the private stabling of horses by the owner and not for commercial stabling. The PC *objects* to the application. Commercial use would harm significantly the amenities of the locality and the free and safe flow of traffic on local highways contrary to Policy P6/14/4. Commercial use of the site would damage the character and amenity of the established residential use contrary to Policy P6/13/2. The increase of traffic to serve a commercial enterprise on the site would have a detrimental and harmful impact on the ecology of the adjoining land and lanes contrary to Policy P6/12/9 regarding noise, light, traffic impact and P6/12/6 re adverse impact on nature conservation and protected species. The use would have a minimal impact on the rural economy but a greater adverse impact on the character of the rural area. The application does not accord with Policy SS8 and it is also contrary to EP7 of the Adopted Kent Medway Structure Plan 2006. The proposed change of use to commercial use would cause material harm within the AONB: Policy P3/5 states that major commercial development will not be permitted unless there is a proven national interest or a lack of alternative sites; likewise, there is no proven benefit to the above application and there are alternative sites within the borough. The decision should be made on the basis of Precautionary Principle. Should any permission be granted, SPC would like the following conditions: That the number of horses allowed to be stabled on the site to be used for an Equine Training Establishment should not exceed 8. That the outdoor sand school is not lit after 4 pm GMT or 6 pm in British Summertime. That external lighting to the barn and stables on the site outlined in red on the plan should be time sensitive. The site is elevated and not screened. Among the nocturnal mammals, birds and insects that currently inhabit the holding and surroundings, many are protected species. The adjacent semi-natural ancient wood known as Shipbourne Wood is a designated SNCI. New Government guidelines make it an offence to pollute the night sky with electric lighting. All HGVs servicing or visiting the site should use the strategic route of Hamptons Road. Large vehicles have an adverse impact on the character of Puttenden Road which is an ancient and narrow sunken lane and in many places, a car and large vehicle cannot pass. Verges are at risk of erosion and the large hedgerow trees risk damage from tall or wide vehicles. All permitted development rights be removed from Puttenden Manor and Puttenden Manor Farm. Further development would result in gross over development of the site.
- 4.3 Private Reps + Art 8 and LB setting Press/Site Notice (6/ R/1X/1S). One letter of support states: our house is sited on the entrance/exit of Puttenden Manor, we get the full extent of the through traffic, without double glazing. The current use and

comings/goings of the stables are no more than a regular equestrian family, in fact less so. The site is beautifully maintained and the horses are a pleasure to be seen and the characters involved very courteous and pleasant. We are not disturbed by the activity and wonder about the alleged unneighbourly hours.

4.4 Objections are as follows:

- Longacre House and its entrance should be labelled on the site map accompanying these documents to see how close the residents are to Puttenden Manor Stables.
- The stables were not rented out between 1996 and 1998 for the purpose of training racehorses. There were often long periods when nobody was there at all. The stables were used very infrequently for a 'friend' to train Point to Point horses after the daughter of the owners of Puttenden Manor broke her leg in approx 1999. The limited use of the equine resources was very restricted as hay was produced annually.
- Hitherto it was only the Williams family who had their own horses. There was a groom who lived on site so there was no need for as much vehicular movements on the residential access. Their daughter, who was in full time education, was bringing on horses and competed in the school holidays.
- There are far more horses on the site than there have ever been. The application as currently proposed is significantly different from the previous development application in that it is for a fully-fledged business as opposed to limited domestic use.
- The only time the access from Puttenden Road, past my house, is used for farming purposes would be to manage the field at the end of this drive. Since 1989, access to the fields has been via the gates between the fields and the public highway and NOT via the driveway shared by Puttenden Manor and the other three residential properties there. A farmer would **NOT** access these fields from the drive past my house. It would just not make sense. Furthermore it would only be one tractor managing the field at the end of the drive or even harrowing the sand school. Not a fleet of tractors going past my house more or less continually. Farmers do not bring with them hoards of horseboxes, owners and the other equine menagerie that goes with a full blown eventing business.
- The traffic figures are grossly underestimated. The current equine activity is having an enormous adverse impact on the residential amenity due to the excessive noise and traffic activity at totally unacceptable hours. This activity continues 7 days a week. I have lost the quiet enjoyment of my property.
- Diesel horseboxes wake me up any thing from 5am onwards. My bedroom is approximately 18 feet from the entrance to the gates to the stables, where the

horseboxes stop and wait with engines running while the gates are opened and closed.

- On August Bank Holiday Monday, the horsebox left at 7.45am. On a Sunday morning I have been woken up at 4.50am by Sam Jennings arriving at the stables. I was again woken up when she left in her horsebox at 6.14am.
- There are the daily vehicle movements of Sam Jennings and her grooms including trips out for lunch and the fact that there are not any toilet facilities.
- The main arguments put forward for the application tend to relate to recreational use of the land, which would be met by domestic usage or by usage of other local riders using the facilities, but would not seem to be met by the proposed commercial usage for training horses rather than making them available for local riders.
- A commercial development would place additional strain on narrow local roads that are already becoming busier due to other local commercial developments being allowed.
- The crossroads suffers from restricted views in certain directions, is driven across at high speeds, and is not easy to use for traffic emerging from Puttenden Road. The use of narrow, country lanes by large horse transportation and delivery vehicles, that bring in bulk deliveries of feed and shavings, and by horses being exercised is an enormous source of conflict between road users.
- Puttenden Road is too narrow in several places for it to be considered safe for this increase in heavy vehicular activity. The sight lines are extremely poor. There are often accidents at the crossroads due to excessive speed in Hamptons Road combined with very poor sight lines. These factors contribute to the dangerous nature of the manoeuvre of large, slow, long vehicles exiting from Puttenden Manor driveway. The current level of the vehicular usage of Puttenden Manor driveway adds enormously to the dangerous nature of this crossroads.
- Many times I have tried to access my house by Puttenden driveway to meet with a horsebox. I have had to reverse into the road to allow the horsebox out. It is only a question of time before this sort of thing results in an accident.
- The detailed conditions attached to the planning permission granted in 1992 are still appropriate and should be maintained. The 1992 planning application made it quite clear that the stables would be solely for private stabling of horses owned by the applicant and not for commercial stabling, or in connection with a riding school/livery run by people who live elsewhere.



- A change of use to commercial use for these premises would allow an expansion of equine operations, which is inappropriate for the site. It would also open the way to further development of these buildings, potentially for other commercial purposes or for housing, which would be wholly out of keeping with the surroundings.
- This site is close to an attractive listed building (Puttenden Manor) and in an Area of Outstanding Beauty.
- In fact, even without the commercial activity going on in the stables, there is a substantial increase in the amount of traffic, which will continue to increase. In 1992, there was also a limit of 10 horses set.
- The use of the existing loose boxes should have ceased upon completion of the new stables.
- There are two other commercial riding establishments within ½ mile.
- An equine business involves many, many people (vets, farriers, horse dentists, physios, stable hands, saddlers, owners, sponsors, publicity agents (there is even a picture of my house in the national magazine 'Horse' dated April 2006 with Sam Jennings leading 2 horses) and a substantial increase in traffic, horseboxes, trailers and cars.
- This is a private road for use by the residents. The residents are held liable to maintain this private access. This is a private drive, annually shut by gates at the top of this residential access for a minimum of 24 hours, so maintaining its privacy.
- Riding lessons are given in the sand school and the necessity to raise their voice to enable the pupil to hear the instructions means that these voices are also heard within my house, and from my garden, every word can be heard.
- Horses are ridden out very frequently and as the riders are high up, they always look over into the courtyard.
- The floodlighting to the sand school in close proximity to the house, and bearing in mind that we are supposed to be in the countryside and in an area of Outstanding Natural Beauty, it is unpleasant and polluting.
- On winter evenings these lights are invariably on every day from 4pm onwards.
- I am very concerned with the 'wording' of the Planning Application regarding the 4 loose boxes. It reads as though permission is being sought to turn them into 'residential'.

- This breach of Planning and the adverse affect has already gone on for far too long.
- The owners of Puttenden Manor are oblivious to the noise etc. as all the main rooms of the Manor House are not on the side of the shared driveway.
- The Coach House is rented out and I feel that the comments of the tenants should not, be taken into account for obvious reasons - they will be vacating the property soon.

4.5 DHH: A complaint has been received about an alleged noise nuisance caused by the early morning departure of a horse box from Puttenden Manor. In view of this, I would suggest a condition be put in place to limit the hours of vehicle movements associated with the commercial establishment to 07:00 - 21:00. The Horse Policy should be applied to this application, in particular relating to the disposal of waste.

## **5. Determining Issues:**

5.1 The site is outside settlement confines. It lies in the MGB and AONB. The host dwelling and a number of outbuildings are listed grade II.

5.2 PPG2 (Green Belts) refers to re-use of rural buildings and requires no greater impact on the openness of the Green Belt and purposes for including land in it, compared to the previous use. It states that recreational uses in the GB can be supported by small-scale essential facilities.

5.3 PPS7 (Sustainable Development in Rural Areas) notes that equestrian activities are popular forms of recreation in the countryside that can fit in well with farming activities and help to diversify rural economies. In some parts of the country, horse training and breeding businesses play an important economic role. Local planning authorities should support equine enterprises that maintain environmental quality and countryside character and they should also facilitate the re-use of farm buildings for small-scale horse enterprises (up to 10 horses) that provide a useful form of farm diversification.

5.4 Policy SS8 of the KMSP 2006 requires development in the countryside deriving from a re-use of a building to be acceptable on environmental, traffic and other planning grounds. Policy EP7 of the adopted KMSP 2006 refers to development of employment uses in the countryside but only where this accords with Policy SS8.

5.5 Policy P4/11 of the TMBLP requires development to not harm the particular character and quality of the local environment. Policy P6/13 requires equine development to have no adverse impact on residential amenity due to excessive noise, traffic generation or activity at unsocial hours. Policy P6/14 requires re-use of rural buildings to be acceptable in terms of residential and rural amenity and in terms of highway impacts.

- 5.6 The planning permission for the stables and manege in 1992 was on the basis of private use of the then owners of Puttenden Manor who had a school aged daughter who was interested in eventing. The horses were to be cared for by the parents and groom(s) who would live on site.
- 5.7 Puttenden Manor is now owned by different parties to those who obtained the 1992 planning permission.
- 5.8 The premises are now used commercially and are not used ancillary to the occupation of the initial host dwelling or indeed any other adjacent dwelling.
- 5.9 It is necessary to look at the original planning permission to assess the degree of change that results from the commercial use that currently takes place.
- 5.10 The 1992 permission was granted on the basis of the stables having up to 10 horses and being used by an amateur eventer and her family and live-in staff. There would have been traffic visits by farriers, vets, equine dentists etc in the same manner as is now the case.
- 5.11 However, the 1992 planning permission was granted on the basis that the eventer and the groom(s) would have been a resident of the host dwelling and all of the horses used would be owned by her or by her immediate family. The use was private and hence the commercial riding lessons and the schooling of "problem horses" that now occur would have been prevented from taking place by conditions imposed on that planning permission.
- 5.12 Commercial use would typically introduce a significantly different character to the use of the stables and manege compared to an ancillary hobby use.
- 5.13 This would include the following:
- Vehicular comings and goings associated with the training of problem horses, namely, the arrival and departure of horse lorries and the arrival and departure of the owners needing riding lessons.
  - Additional noise and disturbance from riding lessons associated with the training of problem horses.
  - Vehicular comings and goings and additional noise and disturbance associated with owners visiting the site to look at their horses.
  - Vehicular traffic of eventer and her grooms, all of whom live off site.
  - Vehicular traffic and additional noise and disturbance associated with owners' horse lorries visiting the site up to twice a week to temporarily take their horses elsewhere.

- 5.14 In summary, comings and goings and overall activity are likely to increase with a commercial use such as noise and disturbance from car doors slamming, car radios, conversations between tenant and owner and raised voices during riding lessons etc. Vehicular traffic levels are likely to increase overall. The type of traffic will change with proportionally more horse lorries visiting the site. The use of the existing access will increase which has relatively poor sight lines and the proximity with the Hamptons Road crossroads and a multi-purpose use, shared with 4 residential dwellings.
- 5.15 Based upon the representations of objectors summarised above, the commercial use has resulted in more activity and disturbance overall; more activity and disturbance at unneighbourly hours; additional traffic using the access; more frequent use of the access by large vehicles and traffic at unneighbourly hours.
- 5.16 Hence those with an intimate local knowledge and experience of the site as it operates confirm that the problems identified above have actually occurred at this site from the use that the applicants are seeking to regularise.
- 5.17 The vehicular comings and goings resulting from this character of use are particularly problematic in terms of local amenities as the access used passes close to 3 residential properties and also that of the applicant. Due to the location of the gates, it appears that there is a tendency for vehicles including diesel horseboxes to idle close to bedroom windows at unsocial hours whilst gates are being operated. One solution to this particular problem would be to create an alternative access to Puttenden Road to serve the stables that does not have such an undesirable juxtaposition with residential dwellings. This has been discussed informally with the agent but this has not materialised as an aspect of the proposal in the current planning application.
- 5.18 Local residents have contradicted some of the agent's points made in the supporting statement. For example, the commercial racehorse training in terms of its character and period of time is not agreed. However, I can advise Members that the use at that time did not result in any complaints to the LPA, which is evidently not the case in terms of the commercial use which now operates.
- 5.19 The planning permission in 1992 resulted in 10 stables and 1 isolation box, all for non-commercial use. This application is for a total of 11 loose boxes, 8 for commercial use and 3 for non-commercial use.
- 5.20 The agent refers to support for rural recreation in the MGB but this is a commercial venture not a hobby. As the objectors and the PC point out, the use of the site for the recreational benefits of third parties is limited to possible riding lessons or owners visiting their horses.
- 5.21 There is no evidence submitted that the commercial use helps to secure countryside stewardship by the owner of the farm or is some other essential economic aspect of diversification to serve the farm's business plan. On the

contrary, it is understood that there is no rental income from the use of the stables, only from the grazing of the fields.

- 5.22 The agent's quote from PPS7 relating to re-use of farm buildings for small scale horse enterprises does not strictly relate to this proposal as there is no evidence that the relevant buildings have ever been used for agricultural purposes.
- 5.23 The breach of planning control has increased noise and disturbance to local residents due to the extra activity and the extra traffic using the shared access.
- 5.24 Members will note that DHH advises a restriction on the commercial use to between the hours of 0700 to 2100. Such a condition is extremely unlikely to be complied with by the eventer - the agent states that activity can be between 0500 and 2300 but local residents report horse boxes sometimes leaving before 0500. Bearing in mind the need for the eventer to reach distant venues for competitions etc, this is not compatible with the suggested hours from DHH that would be necessary to safeguard residential amenities in his view.
- 5.25 Members will note that KCC(Highways) raises no highway safety objections.
- 5.26 Planning permission should therefore be refused and I am also of the view that it is expedient to take enforcement action to protect the amenity of residential properties in the vicinity.

## 6. Recommendation:

- 6.1 **Refuse Planning Permission** as detailed by letter dated 17.07.2006; site location plan, site plan and photographs date stamped 18.07.2006, for the following reason:
- 1 The commercial use that operates introduces a significantly different character to the use of the stables and manege with increased noise and disturbance to local residents due to the extra activity and the extra traffic including horseboxes or trailers using the shared access. The development is thereby contrary to Policies SS8 and EP7 of the Kent and Medway Structure Plan 2006 and Policies P4/11, P6/13 and P6/4 of the Tonbridge and Malling Borough Local Plan 1998.
- 6.2 An Enforcement Notice **is issued** as set out below and copies **be served** on all interested parties.

The Notice to take effect not less than 28 days from the date of service, subject to:

- The concurrence of the Chief Solicitor, he being authorised to amend the wording of the Enforcement Notice as may be necessary.
- In the event of an appeal against the Notice, the Secretary of State and the appellant to be advised that the Local Planning Authority is not prepared to

grant planning permission for the development the subject of the Enforcement Notice.

### **Breach Of Planning Control Alleged**

Change of use from mixed residential and agricultural use to a mixed residential, agricultural and commercial use.

### **Reasons For Issuing The Notice**

It would appear to this Authority that the above breach of planning control has occurred within the last ten years. The commercial use that operates introduces a significantly different character to the use of the stables and manege. There are consequent increased noise and disturbance to local residents due to the extra activity and the extra traffic including horseboxes and/or horse trailers using the shared access. The development is thereby contrary to Policies SS8 and EP7 of the adopted Kent and Medway Structure Plan 2006 and Policies P4/11, P6/13 and P6/4 of the Tonbridge and Malling Borough Local Plan 1998.

### **Requirement**

To cease the commercial use of the stables and manege and to revert the stable and manege use back to being incidental and ancillary to the residential or agricultural use of Puttenden Manor.

### **Period For Compliance**

Three calendar months from the date the Notice becomes effective.

## **6.3 Further Proceedings**

In the event of the Enforcement Notice not being complied with and subject to satisfactory evidence, the Chief Solicitor **be authorised** to commence any proceedings which may be necessary under Section 179 of the Town and Country Planning Act 1990 (as amended) to secure compliance with the Enforcement Notice.

Contact: Marion Geary