

Shipbourne **561036 152211** **7 November 2007** **TM/07/03880/FL**
Borough Green And
Long Mill

Proposal: Use (part retrospective) of land and buildings for the training of horses, and the construction of an alternative means of access from Puttenden Road, and the erection of 3 x timber stables and feed store for keeping horses ancillary to the domestic use of Puttenden Manor

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

Applicant: Mr And Mrs Bull

1. Description:

- 1.1 This application was deferred from the Area 2 Planning Committee meeting of 9 January for a Members' site inspection. This took place on 31 January 2008. Any issues arising from the site inspection will be discussed in a supplementary report.
- 1.2 The previous report and supplementary report are attached as an Annex.

2. Reason for reporting to Committee:

- 2.1 The application is locally controversial. It is being reported back to Committee following the Members' site inspection

3. Consultees:

- 3.1 Additional representations have been received as follows:
- 3.2 Private Reps: Three of the previous objectors have made additional comments as follows:
- The Members' Site inspection is outside the eventing season.
 - The site was tidied up in anticipation of the Members' Site Inspection.
 - Traffic movements have increased as the event rider has lost her driving licence.
 - Worse case scenario is a riding lesson every hour under floodlights, horses, riders and instructors arriving and departing; cross country clinics.
 - I will be sandwiched between 2 commercial liveryes.
 - Estate is too large to allow officers to monitor the numbers of horses.
 - Acoustic fence will be unsightly and ineffective.

- Puttenden Road is an ancient sunken land which is eroded by the HGVs.
- Nothing has changed since 1992 to allow what will feel like a commercial business park in this location.
- The Officer's recommendation is "on balance" which implies misgivings about the commercial development.
- There is still use of the timber stables for "overflow" with lights on up to 9.30pm.
- Whilst the access may be moved, this is still a commercial use. The conditions imposed in 1992 have not prevailed.
- The equine establishment is visible from a number of properties in Puttenden Road, Claygate Lane, the PROW MT113 and from the footpath at Dene Park (photographs submitted).

3.3 Three letters of support have been received: one owner of 2 of the horses trained at the site, states that they have only visited the site 4 times since 2006, they predominantly watch their horses compete. A second owner visits her horse once a fortnight, she also predominantly watches her horses at competition. A third say they visit Puttenden once a month to watch a lesson or schooling and a few times a year fetch their horses in small horse box to move them home to their own private yard in Sussex for a break, otherwise they go direct to the competition venues.

4. Determining Issues:

4.1 These are as outlined in the previous reports. I would reiterate that in this case, I remain of the view that the grazing of horses on the land is agricultural use and so the number of horses on the wider site (that is, grazing land beyond the red line application site) is not relevant to the determination of this application.

4.2 The 1992 planning permission did not restrict the number of horses grazed on the adjoining farmland.

5. Recommendation:

5.1 **Grant Planning Permission** as detailed by Letter dated 25.10.2007, Location Plan dated 25.10.2007, Drawing M326 SHEET 1 dated 25.10.2007, Drawing PM.01 dated 25.10.2007, Drawing TR-502-07 dated 25.10.2007, Drawing TR-502-07 dated 25.10.2007, Drawing TR-502-07 dated 25.10.2007, Drawing PM.04 dated 25.10.2007, Drawing PM.05 dated 25.10.2007, Arboricultural Assessment TR-540-07 dated 25.10.2007, Drawing 745/2/92(B) dated 25.10.2007, Drawing 745/1/92 dated 25.10.2007, Letter dated 07.11.2007,

Design and Access Statement dated 07.11.2007, subject to the following conditions:

1. The use of the brick built stables for the commercial training of horses shall be limited to one eventing trainer/rider and their use and occupation shall remain at all times within the control of the occupiers of Puttenden Manor.

Reason: In the interests of neighbouring residential amenities and highway safety.

2. Within 1 month of this planning permission, the equestrian use of the timber stables as shown on drawing PM.04 shall cease and thereafter they shall only be used for non-equestrian purposes ancillary and incidental to the residential enjoyment of Puttenden Manor.

Reason: In the interests of neighbouring residential amenities.

3. Within 1 month of this planning permission, full details of the design and construction of the proposed acoustic fence and gates and landscape screening thereof shall be submitted for the approval of the Local Planning Authority, and the work shall be carried out in strict accordance with the approved details within 3 months of the approval of those details and shall be so retained thereafter.

Reason: In the interests of neighbouring residential amenities.

4. Within 3 months of this planning permission, the existing lights and their supporting columns at the manege shall be removed from the site and the alternative external lighting of the manege shall be carried out in strict accordance with the approved details and the lighting shall thereafter be used only between the hours of 0800 to 1900.

Reason: In the interests of neighbouring residential amenities and the rural landscape.

5. Within 1 month of this planning permission, construction details of the alternative access at Puttenden Road (including gate set back, width and surfacing) shall be submitted for the approval of the Local Planning Authority, and the work shall be carried out in strict accordance with the approved details within 3 months of the approval of those details.

Reason: In the interests of highway safety and protection of trees.

6. The use of the existing access to Puttenden Road for any vehicular traffic associated with the commercial use of the stables hereby permitted shall cease upon completion of the alternative access or within 8 months of this decision, whichever is the earlier.

Reason: In the interests of neighbouring residential amenities.

- 7 Before the alternative access to Puttenden Road is first used, details of crown lifting or any other tree works to facilitate access by horse lorries shall be submitted for the approval of the Local Planning Authority, and the work shall be carried out in strict accordance with the approved details before the first use of the access.

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

- 8 The alternative access hereby approved shall not be used until the area of land within the vision splays shown on the approved plans has been reduced in level as necessary and cleared of any obstruction exceeding a height of 1.05 metres above the level of the nearest part of the carriageway. The vision splay so created shall be retained at all times thereafter.

Reason: In the interests of highway safety.

- 9 The turning area shall be constructed in strict accordance with the approved details so that it is available for use at the time of the first use of the new access hereby permitted. The approved turning area shall be retained and kept available for such use at all times thereafter.

Reason: In order that a vehicle may enter and leave the site in a forward direction to ensure the safe and free flow of traffic.

- 10 The approved scheme of hedgerow replacement and maintenance shall be implemented during the first planting season following this planning permission. 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.

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.

- 11 The number of horses stabled on the site in connection with the commercial training of horses hereby approved shall not exceed 8.

Reason: A more intensive use of the site could harm significantly the amenities of the locality and the free and safe flow of traffic on local highways.

- 12 The number of horses accommodated on Puttenden Manor Farm in connection with the commercial training of horses hereby approved shall not exceed 16 including foals. The applicant shall at all times maintain an up-to-date record of these horses. This record shall be kept at the site and, together with the "equine passports" of the horses concerned, shall be made available for inspection by or on behalf of the Local Planning Authority at their reasonable request.

Reason: A more intensive use of the site could harm significantly the amenities of the locality and the free and safe flow of traffic on local highways.

- 13 Within 1 month of this permission, details of storage and disposal of stable waste shall be submitted for the approval of the Local Planning Authority, and the work shall be carried out in strict accordance with those details within 1 month of approval.

Reason: In the interests of residential amenity.

- 14 There shall be no training, livery or riding lessons related to the commercial stables and the associated facilities other than as detailed in the supporting statement date stamped 25.10.07.

Reason: In the interests of neighbouring residential amenities and highway safety.

- 15 No development of the new stable block shall take place until details and samples of materials to be used externally have been submitted to and approved by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not harm the character and appearance of the existing building or the visual amenity of the locality.

- 16 The construction of the new stable block shall be carried out in full accordance with the method statement in the approved arboricultural report date stamped 25.10.07.

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

Contact: Marion Geary