

REPORT SUMMARY

REFERENCE NO - MA/14/0335			
APPLICATION PROPOSAL Construction of stables and sand school.			
ADDRESS The Coach House, Green Lane, Chart Sutton, Maidstone, Kent ME17 3ET			
RECOMMENDATION GRANT			
SUMMARY OF REASONS FOR RECOMMENDATION The proposal would not result in harm to the visual or other quality of the environment, or any other material harm, and is in accordance with Development Plan and national planning policy.			
REASON FOR REFERRAL TO COMMITTEE Recommendation is contrary to the views of Chart Sutton Parish Council who have requested that the application be reported to Planning Committee in the event of a recommendation for approval.			
WARD Boughton Monchelsea and Chart Sutton	PARISH/TOWN Chart Sutton	COUNCIL	APPLICANT Mr T Jephart AGENT Howe and Rickman
DECISION DUE DATE 06/05/2014	PUBLICITY EXPIRY DATE 24/04/2014 and 05/06/2014	OFFICER SITE VISIT DATE 03/04/2014	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
MA/13/0944	Change of use of land from agriculture to create sand school in association with existing stables.	Approve subject to conditions	22/01/2014
The proposal would not result in harm to the visual or other quality of the environment, or any other material harm, and is in accordance with Development Plan and national planning policy.			
MA/12/0505	Change of use of land from agricultural to the keeping of horses and erection of replacement stables.	Approve subject to conditions	02/10/2012
The proposal would not result in harm to the visual or other quality of the environment, or any other material harm, and is in accordance with Development Plan and national planning policy.			
MA/11/1868	Change of use of existing buildings from a mixed use as a single dwellinghouse (Use Class C3) and children's day nursery (Use Class D1) to a single dwellinghouse (Use Class C3) and ancillary residential accommodation (annexe)	Approve subject to conditions	16/01/2012
The proposal would not result in harm to the visual or other quality of the environment, or any other material harm, and is in accordance with Development Plan and national planning policy.			

MAIN REPORT

1.0 DESCRIPTION OF SITE

1.01 The proposal site is located in open countryside within the Low Weald (Linton Park and Farmlands landscape character area as defined in the Maidstone Landscape Character Assessment 2012 and the Greensand Ridge Special Landscape Area as defined in the Maidstone Borough-Wide Local Plan 2000. The site is in the parish of Chart Sutton below the Greensand Ridge escarpment which is located to the north. The site comprises level land currently in use as garden land serving the existing property, The Coach House, and land to the south east of the dwelling which is currently in use as paddock. These areas are separated by a post and rail fence which is to be retained.

1.02 The proposal site as indicated within the red line on the site location plan denoting the extent of the site is more or less restricted to the land on which the proposed development would be sited, however the blue land indicating land within the ownership of the applicant identified on the site location plan to the north of the site also includes The Coach House and associated outbuildings and garden land, as well as paddocks and fields. The site is adjoined by agricultural land to the south and east. The site boundaries to the south and east are marked by a variety of post and rail fencing and mature native and non-native hedges, one of which (the southern boundary) contains substantial trees including a mature Oak of significant amenity value. The western boundary of the site is defined by an existing building and a close boarded fence and gate which is set back from the highway. The northern boundary of the site is open to the blue land identified on the site location plan.

1.03 The site is located to the east of Green Lane, a single-track unclassified rural lane which is subject to the national speed limit in the vicinity of the site. The site has two vehicular accesses to the public highway, one in the north and one in the south.

1.04 The site, whilst in a relatively isolated rural setting, is located in the south of a small group of four residential properties of varying age and design. The nearest of these are Sutton Barn, which is located at a distance of approximately 80m to the north west of the site on the opposite side of the highway, and Brookside, which is located approximately 90m to the north of the site, and separated from it by a tennis court and the dwellinghouse associated with the proposal site.

1.05 As set out above, planning permission has previously been granted for the erection of replacement stables in the location of a pre-existing structure under MA/12/0505 and a sand school under MA/13/0944 to the north of the current proposal site. The former consent has been implemented, however the latter has not.

2.0 PROPOSAL

2.01 The application seeks planning permission for the erection of a stable block and sand school on the land. The stables would be sited in the western part of the site adjacent to the southern boundary of the site to the south of The Coach House. It would be set back from the boundary of the site with the public highway by 22m. The sand school would be sited to the north east of the stable block, some 37m from the highway.

2.02 The stable building would in fact be relocated from its existing location to the north west of The Coach House to the location proposed under the current application; therefore the gross amount of stabling on land within the ownership of the applicant would not increase.

2.03 The stable building has the dimensions set out in the table below, and is of a standard timber boarded construction. The building takes the form of two asymmetric mono-pitched wings, each providing three stables which can also be used for ancillary storage of feed, tack, etc. The building would be located 1.3m to the north of the southern site boundary, which comprises Leylandii in this location, and 1.1m to the west of the post and

rail fence referred to in paragraph 1.01 above. The building would face north towards The Coach House.

2.04 The sand school would be located to the north east of the stable building in a field. The sand school would measure 48m by 25m, and would be oriented along an east-west axis. The structure would be located a minimum of 13m to the north of the southern site boundary, which comprises a native hedge and post and rail fence in this location, and a minimum of 12.5m to the east of the post and rail fence referred to in paragraph 1.01 above.

2.05 No details have been provided of the construction of the sand school, however this matter can be dealt with by way of a pre-commencement condition requiring the submission, approval and implementation of constructional cross sections and materials including the proposed means of enclosure.

3.0 SUMMARY INFORMATION

	Existing	Proposed	Change (+/-)
Site Area (ha)	N/A	0.5ha	N/A
Approximate Ridge Height (m)	3.0m	3.0m	N/C
Approximate Eaves Height (m)	2.3m	2.3m	N/C
Approximate Depth (m)	11.0m	11.0m	N/C
Approximate Width (m)	9.85m	9.85m	N/C
No. of Storeys	1	1	N/C
Net Floor Area	108.35m ²	108.35m ²	N/C
Parking Spaces	>4	>4	N/C
No. of Residential Units	N/A	N/A	N/A
No. of Affordable Units	N/A	N/A	N/A

4.0 PLANNING CONSTRAINTS

4.01 The land is within the Local Plan designation of the Greensand Ridge Special Landscape Area, however it is not subject to any other national or local environmental designations. It is not in an area recorded by the Environment Agency as being prone to flood, and there are no public rights of way or heritage assets in close proximity to the site.

5.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)
 National Planning Practice Guidance (NPPG)
 Development Plan: Maidstone Borough-Wide Local Plan 2000 ENV6, ENV28, ENV34, ENV46
 Supplementary Planning Documents: Maidstone Landscape Character Assessment 2012
 Draft Maidstone Borough Local Plan: SP5, DM10, DM30, DM41
 Other: Kent Downs AONB Management Plan

5.01 The key policies by which applications of this type should be judged are ENV28, which restricts development in the open countryside to a few clearly defined exceptions including equestrian development, and ENV46, which specifically relates to equestrian development, and states that this type of development should be considered against the following criteria:

- 1) the conversion of existing buildings should be used in preference to new built development; and

- 2) new stables and associated buildings should be grouped with existing buildings on the site wherever possible; and
- 3) all new development is of a design which is sympathetic to its surroundings in terms of scale, materials, colour and details; and
- 4) the proposal is accompanied by an integral landscaping scheme including boundary treatments which reflect the landscape character of the area; and
- 5) the proposal contains an appropriately sited and designed area for the reception of soiled bedding materials and provision for foul and surface water drainage; and
- 6) adequate provision is made for the safety and comfort of horses in terms of size of accommodation and land for grazing and exercising; and
- 7) adequate provision is made for the security of the site in terms of the location of the proposed site in relation to the owners of the animals; and
- 8) sites should have easy access to bridleways and/or the countryside; and
- 9) the proposal will not have an adverse impact upon the local highway network; and
- 10) the proposal will not have an adverse impact on the enjoyment of the neighbouring properties; and
- 11) the proposal will not have an adverse impact on nature conservation interests.

5.02 In addition to the above, policy ENV34 requires that in the determination of applications for development within SLAs are required to be assessed in the context of protection and conservation of the scenic quality and distinctive character of the area, and for priority to be given to the landscape over other considerations.

6.0 LOCAL REPRESENTATIONS

6.01 A site notice was displayed at the site access on 3rd April 2014.

6.02 No representations were received as a result of the publicity exercise.

7.0 CONSULTATIONS

7.01 Chart Sutton Parish Council wish to see the application refused, and reported to Planning Committee in the event of a recommendation for approval on the grounds that *“the Council feel that assuming that the plans provided are to scale, if planning were to be approved it would be an overcrowded site. There does not seem to be sufficient room for the stables and sand school in the proposed position according to the drawings received.”* The representation was received on 15th April 2014.

7.02 The Maidstone Borough Council Landscape Officer raises no objection to the proposal subject to the development being carried out in accordance with the recommendations of the arboricultural report received on 20th May 2014.

7.03 The Kent County Council Biodiversity Officer raises no objection to the proposal, making the following detailed comments:

7.03.1 The site primarily comprises short amenity grassland with limited potential to support protected species. The hedgerows and trees that are present along the site boundaries have the greatest potential ecological value but these do not appear to be directly affected by the proposed development and no lighting is proposed, which further reduces the potential for ecological impacts.

7.03.2 One of the principles of the National Planning Policy Framework is that *“opportunities to incorporate biodiversity in and around developments should be encouraged”*. Enhancements to the ecological value of the site could be sought in the form of a grassland buffer to the hedgerow that is subject to minimal mowing or grazing.”

8.0 BACKGROUND PAPERS AND PLANS

8.01 The development is shown on annotated site location plan and drawing number 3/0214/1, supported by a design and access statement, all received 3rd March 2014, an arboricultural report received 20th May 2014, and site location plan and block plan received 19th June 2014.

9.0 APPRAISAL

Principle of Development

9.01 As stated above, the application is for the change of use of the land, including the erection of a stable building on the land to provide shelter for the animals and a sand school. The animals to be kept on the land are in the ownership of the applicant, and are for the use of an occupier of The Coach House, which is located within blue land adjacent to the proposal site as identified on the site location plan. It is considered that the proposal is broadly in accordance with the requirements of policy ENV46 of the Maidstone Borough-Wide Local Plan 2000, and therefore the principle of the use is acceptable in local policy terms.

Visual Impact

9.02 The visual impact of the proposed development would be limited by virtue of its modest height and simple form, and the existing screening to the site boundaries with land in other ownership. The stables, whilst large in terms of floor area, are low set and of a suitable timber construction, and are well grouped in terms of their relationship with the existing buildings associated with The Coach House, and would replace existing structures in less appropriate locations on the land. Whilst the comments of the Parish Council are noted, it is not considered that the proposal would result in a cramming of the site; rather, it would result in a development that is well related to the existing dwellinghouse, and reduce dispersal of built form across land in the ownership of the applicant, which in the SLA in particular is to be welcomed.

9.03 Given the specific circumstances of this case, being that the building is already erected elsewhere on the land and therefore the exact appearance, including materials, is known, it is considered that a materials condition requiring the stables to be constructed from the fabric of the existing building is appropriate. It is also considered reasonable and necessary in the circumstances of this case, in order to prevent a proliferation of similar forms of development which would be undesirable in terms of their cumulative impact on the quality of the landscape, to impose a condition preventing the implementation of the extant permission for a sand school elsewhere on the applicant's land. Similarly, in order to safeguard the character and appearance of the open countryside conditions should be imposed requiring the written consent of the Local Planning Authority for the introduction of any external lighting or additional hard surfaces serving the development.

Residential Amenity

9.04 The proposed development is located at some distance from the nearest dwellinghouses not associated with the application, as described in paragraph 1.04 above. As such, it is not considered that the proposal would result in harm to residential amenity.

Highways

9.05 The proposal site is served by an existing access to the public highway, and adequate on site parking and turning to serve the proposed use. These will remain unchanged as a result of the proposal.

Landscaping

9.06 The site is adequately landscaped to boundaries with land in the ownership of parties other than the applicant, and whilst the site is open to the north and blue land, the boundaries of the blue land has screening. Although a small fruit tree is to be lost as a result of the proposed development, all landscaping to the boundaries of the site and the blue land, including the mature Oak to the southern site boundary, is to be retained. The Maidstone Borough Council Landscape Officer has raised no objection to the proposal, as set out above in paragraph 7.02.

Other Matters

9.07 No details of the storage and disposal of manure and other waste that may result from the use have been provided, however it is considered that these matters can be dealt with by way of conditions.

9.08 In order to prevent an otherwise unacceptable livery or other commercial equestrian use from being established on the site, a condition should be imposed restricting the use to private use (as specified in the application documentation) as the implications of a commercial use, which may be unacceptable in highways or other respects, has not been fully assessed in the consideration of this application.

9.10 With regard to the security of the animals, the site is located adjacent to the residence of the applicant, so a presence on site is likely to be maintained. However, in accordance with the terms of the Local Plan policy, it is considered necessary to attach a condition to the permission restricting the use of the land to the keeping of horses in the ownership of the occupiers of the dwelling (The Coach House) in order to safeguard against the separation of the ownership of the existing dwelling and the proposal site, and the inadvertent allowing of unrestricted use of the land for equestrian purposes.

9.11 It is considered that the scale of the proposal site and the blue land is such that adequate land is available for the horses to exercise and graze properly, and is reasonably secure.

10.0 CONCLUSION

10.01 For the reasons set out above, the proposal is considered to be in accordance with the provisions of the Development Plan (Maidstone Borough-Wide Local Plan 2000) and national planning policy and guidance, and it is therefore recommended for approval subject to conditions.

11.0 RECOMMENDATION – GRANT Subject to the following conditions:

CONDITIONS to include

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

annotated site location plan and drawing number 3/0214/1, supported by a design and access statement, all received 3rd March 2014, an arboricultural report received 20th May 2014, and site location plan and block plan received 19th June 2014;

Reason: To ensure the quality of the development is maintained and secure the character and appearance of the open countryside and Special Landscape Area.

3. No development shall take place until large scale cross sections of the sand school hereby permitted, including details of the construction of the riding surface and the means of enclosure (which shall be of post and rail construction) have been submitted to and approved in writing by the Local Planning Authority. The sand school shall be constructed in accordance with the approved details and maintained thereafter;

Reason: To ensure an acceptable quality and appearance to the development and safeguard the character and appearance of the open countryside and Special Landscape Area.

4. The use of the land for the keeping of horses hereby permitted shall only be used for the private keeping of horses in the ownership of the occupiers of the property known as 'The Coach House' as identified outlined in red on the attached plan, and when no longer used for these purposes shall cease and all associated paraphernalia removed from the land. The land shall not be used in connection with any business or commercial operation, including livery use.

Reason: To prevent a residential development for which there is no policy support and to secure the safety and security of the animals, and the introduction of an inappropriate commercial use onto the site in an unsustainable location which would be harmful to the enjoyment of neighbouring properties by their occupiers.

5. The development hereby permitted shall not commence until details of a scheme for the disposal of contaminated run-off from manure heaps, and hay soaking areas and surface water have been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials and maintained as such thereafter;

Reason: To prevent pollution of the aquatic environment.

6. The development hereby permitted shall not be implemented in the event of the consent granted under MA/13/0944 being implemented, and in the event of the development hereby permitted being implemented the development permitted under MA/13/0944 shall not be implemented. In the event of either permission being implemented, the existing 15m mast shall be removed from the site;

Reason: To prevent an unacceptable proliferation of structures and thereby ensure a satisfactory setting and external appearance to the development, and secure the character and appearance of the open countryside and designated heritage assets.

7. The stables hereby permitted shall be constructed from the materials forming the stables permitted under MA/12/0505, which shall be dismantled in the

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implementation of MA/14/0335 and the land returned to its previous condition and all materials not used in the implementation of MA/14/0335 shall be removed;

Reason: To prevent an unjustified proliferation of development which would result in harm to the visual amenity, character and appearance of the open countryside and Special Landscape Area.

8. No lighting whether permanent or temporary shall be installed on the site without the prior written consent of the Local Planning Authority;

Reason: To safeguard the character and appearance of the open countryside and Special Landscape Area and neighbouring amenity.

9. No hardsurface shall be placed or allowed to remain on the land, unless the prior written approval of the Local Planning Authority has been obtained;

Reason: safeguard the character and appearance of the open countryside and Special Landscape Area.

Informatives:

For the avoidance of doubt, the approved position of the sand school is that shown on the site location plan and block plan received 19th June 2014.

Enhancements to the ecological value of the site should be sought in the form of a grassland buffer to the hedgerow that is subject to minimal mowing or grazing.

Case Officer: Catherine Slade

- 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.