

REPORT SUMMARY

REFERENCE NO - 15/501877/FULL			
APPLICATION PROPOSAL Development of a block of 9 stables in one building together with surfacing with road stone of an established access track, creation of 9 parking spaces and ancillary works.			
ADDRESS Still Acres Touring And Camping Park, Longend Lane, Marden Kent TN12 9SE			
RECOMMENDATION Permission granted			
SUMMARY OF REASONS FOR RECOMMENDATION The proposed development is considered to comply with the provisions of the Development Plan			
REASON FOR REFERRAL TO COMMITTEE Recommendation is contrary to Parish Council comments			
WARD Marden And Yalding Ward	PARISH/TOWN COUNCIL Collier Street	APPLICANT Mr And Mrs Still	
		AGENT Synergy Planning And Property Consultants Ltd	
DECISION DUE DATE 09/06/15	PUBLICITY EXPIRY DATE 09/06/15	OFFICER SITE VISIT DATE 08/06/15	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
13/1837–	Non material amendment involving relocation of the wardens mobile home being sited 10 metres to the south east of the approved position	Approved	21/11/13
13/0316:	Change of use of land for the keeping of horses for recreational use (excludes area of land the subject of 11/0009 below)	Granted	20/8/13
11/0009	Change of use to caravan park for 30 tourist pitches with ancillary shower block and refuse store. This permission was subject to conditions requiring, amongst other things,	Granted	28 June 2012

	(a) cessation of the grass track racing use, (b) only one static caravan for wardens use only and no more than 30 touring caravans at any one time (c) limitations on the time and type of occupation of the caravans		
--	---	--	--

MAIN REPORT

1.0 DESCRIPTION OF SITE

1.1. The application site is located south west of the small settlement of Collier Street. The site lies in open countryside but is not subject to any specific landscape designation. Planning permission was granted in 2012 to use the site as a caravan park for 30 pitches (ref: MA/11/0009) which has now been implemented with several horses being kept on the land.

1.2 The site is bordered by Longend Lane to the south with the Paddock Wood to Ashford railway immediately to the south of the road, with open land in agricultural/equestrian use to the north, east and west of the site. This is flat, open countryside characterised by large fields, bordered and interspersed by established hedging and shaws of trees. There is sporadic residential development in the surrounding area, most notably to the south west of the site off Longend Lane and to the west with housing accessed from Collier Street (B2162).

1.3 Access from Longend Lane is via a gated access and hardcore track running northwards towards the proposed site. Public Footpath KM246 shares the access point before diverting away north and west from the line of the track. The track crosses grassland with hedging and trees to the west before arriving at a timber chalet occupied by the site warden which was permitted in 2014 (14/0799).

1.4 The site is within Flood Zone 2 and the comments by the Environment Agency are set out below.

2.0 PROPOSAL

2.1 It is proposed to erect a block of 9 stables for commercial use in the NE corner of the site to the east of the existing timber chalet. The stables have an L shaped plan with a concrete hardstanding in front and parking for 9 vehicles. It is also proposed to surface the existing access track across the field from Longend Lane.

3.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Development Plan: Maidstone Borough-Wide Local Plan 2000: Saved policies ENV28, ENV46

4.0 CONSULTATIONS

4.1 Parish Council:

“Our previous concerns remain, the concerns that representatives of the parish voiced to the Stills when they visited them: There are no bridleways in the Parish for horse riders and no real evidence that this kind of stabling is needed. We now have further concerns that they are applying for yet more car parking areas and more roadways. Anyone in the equine world...particularly farriers, will tell you the market is shrinking...not only because of costs, but because young people aren't into horse-riding anymore. Sad but true... hardly a week goes past without some report on horses being abandoned or, as we can vouch for, dumped dead.

Further comments dated 6/7/15 “wish to see this application refused. If MBC are minded to approve we wish to see the application referred to the planning committee.

The application is quite disconcerting as the applicants are applying for a very large L shaped stable block on an extremely large concrete hardstanding area. The construction would appear to be providing yet another permanent building on this site which is gradually undergoing large scale development in stages. The positioning of the stable block on the farthest corner of the plot also requires a very long track giving access from the entrance in Longend Lane and the owners are seeking planning permission to turn this track into a road.

There has already been substantial development at this green field location with the new caravan site, toilet block, associated waste processing plant and warden's mobile home which I note is now referred to on the plans as a warden's chalet. We also note the absence of any caravans using the Park which is significant as we are now well into the holiday season.

Despite the letter from Synergy, the clients' Planning and Property Consultants, claiming that two people have enquired about stabling there is no justification for the further development of this location and no evidence of need in an area susceptible to flooding where there are no bridleways”

4.2 Environmental Health –

RECOMMENDATIONS: No objections subject to the following conditions:

Manure storage

“Prior to the commencement of the development, details of where and how manure is to be stored and ultimately disposed of shall be submitted to and approved in writing by the Local Planning Authority. Once the use commences, this shall be carried out in accordance with the approved details. No manure or waste materials shall be burned upon the land within the application site.

Run-off

No development approved by this permission shall be commenced until a scheme for the disposal of run-off from the stable, hardstandings, manure heaps, stable washings and hay soaking areas has been submitted to and approved by the Local Planning Authority and these works shall be completed in accordance with the approved details before the first use of the building(s) or land.

4.3 KCC Highways:

No objections. It is not expected that this proposal will create a significant increase in traffic accessing the site, and sufficient parking and turning space is provided. For these reasons I

do not wish to raise objection on behalf of the local highway authority subject to the following:

- Warning signs to diagram 550.1 with distance plate to diagram 510 of the Traffic Signs and General Directions are required each end of Longend Lane to warn that accompanied horses are likely to be in the road ahead. This work should be provided under a S278 Agreement prior to the use commencing.
- Provision and permanent retention of the vehicle parking spaces and turning facilities shown on the submitted plans prior to the use of the site commencing

4.4 ENVIRONMENT AGENCY -

No objection to the proposed development, subject to informatives. We do however recommend the following:

Please note that the site lies on weald clay geology in flood zone 2, therefore care must be taken to avoid discharges and spills to the ground.

The Environmental Permitting Regulations make it an offence to cause or knowingly permit any discharge that will result in the input of pollutants to controlled waters.

We also recommend that consideration be given to use of flood proofing measures to reduce the impact of flooding when it occurs. Flood proofing measures, where relevant, include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels.

Please note that a 1 in 100 year flood event does not mean that a flood will occur once every 100 years but that it has a 1% chance of happening in any given single year.

We note that no information has been submitted for foul drainage. We have the following comments to make: Stables produce highly polluting run-off from contaminated yards, manure heaps, stable washing and hay soaking. Such run-off should be directed to a sealed effluent tank.

It is good practice to collect horse manure along with bedding materials and store it as manure heaps or so called "temporary field heaps". Temporary field heaps should be sited where there is no risk of run-off polluting watercourses. They should be at least 10 metres from a watercourse and 50 metres from a well, spring or borehole that supplies water for human consumption or for use in farm dairies. Permanent manure stores should have an impermeable base that slopes so that run-off can be collected easily in a sealed underground tank. The best option for the disposal of manure is spreading on land where it is of agricultural benefit. If you are spreading your own manure and effluent you need to be aware of limitations on land spreading and nitrates directive/ nutrient management scheme restrictions on amount of land spreading/ nitrates input on farm land.

Waste onsite: The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011

5.0 BACKGROUND PAPERS AND PLANS

A supporting Planning Statement has been submitted. Plan nos. 14/113/01B and 14/113/030 – proposed landscaping. Photographs have been submitted confirming that the use of the land for keeping horses has been implemented.

6.0 APPRAISAL

6.1 Principle of Development

Proposals for domestic or commercial stables should be assessed against Policy ENV46 of the adopted Local Plan. Applications for stabling should be considered against a range of criteria, the most relevant being as follows::

- Wherever possible new stables should be grouped with existing buildings
- The design should be sympathetic to its surroundings in terms of scale, materials, colour and details
- The proposal should be accompanied by an integral landscaping scheme
- The proposal should contain an area designed for the reception of soiled bedding materials and provision for foul and surface water drainage

In this case a previous permission (MA/13/0316) permitted the use of the land for the keeping of horses. This took the form of 9 paddocks, each occupied by a small field shelter or stable. It is now proposed to group the stables together in one block situated in the north-east corner of the field, to the east of the former grass track circuit. In terms of landscape impact this is considered to be preferable to scattering the structures over a wider area by concentrating the development in the corner of the site furthest away from Longend Lane.

Equestrian uses are generally considered to be appropriate in rural areas subject to satisfactory details of siting, design, materials, etc. In this case the proposed form of development will assist in maintaining the open character of the area and locating the stables 450m from the road where they will not be seen as a prominent feature in the wider landscape.

6.2 Visual Impact

The site is in a relatively isolated rural location comprising open, flat grassland but is well screened from Longend Lane to the south by mature vegetation. The proposed stable block would be situated in the NE corner of the site approx. 450m from the road. There is an existing hedge along the north and east boundaries which will be retained.

Although the caravan park and stables would be located in the northern part of the site the area will retain its open character and the clutter of siting 9 individual field shelters or stables scattered around the field will be avoided. The visual impact of the stables when viewed from the south will be mitigated by additional landscaping to the south, comprising hawthorn, ash, maple and oak. The proposed materials to be used include dark-stained timber boarding and a tile effect pitched roof. The maximum height of the stables would be 4m to the ridge.

Access to the stables would be via an existing track which was in use when the grass track circuit was in operation. It is proposed to retain the original alignment of the track but

improve the surface with roadstone. No objections are raised to proposed resurfacing of the track.

6.3 Residential Amenity

The nearest dwelling is approx. 300m to the south of the proposed stables adjacent to the E boundary. Environmental Health has advised on the requirements regarding manure storage/burning and has recommended appropriate conditions to safeguard amenity and minimise potential noise and smell nuisance.

6.4 Highways

It is proposed to provide a hard surface to an existing track across the field from the access onto Longend Lane to the site of the proposed stables. No objections have been raised to the proposed access and parking area by the Highway Authority subject to conditions regarding warning signs regarding horses in the road which would be provided under a S278 Agreement.

Parking for 9 vehicles is proposed in front of the proposed stable block with a small hard surfaced area to provide turning facilities within the site which are considered to be acceptable

6.5 Landscaping

It is proposed to retain the existing vegetation which provides screening along the site frontage to Longend Lane and along the north and eastern site boundaries. The existing screening will be supplemented by additional landscaping to the south of the proposed stable block comprising indigenous species such as hawthorn, ash, maple and oak. Whilst this will take several years to mature there is considered to be adequate existing screening along the site boundaries. An appropriate landscaping condition is recommended to ensure that the existing and proposed screening is maintained.

6.6 Flooding

The site is within Flood Zone 2 but the Environment agency has raised no objections.

7.0 CONCLUSION

Stables are generally considered to be an appropriate form of development in rural areas, subject to satisfactory design, siting, and materials. The proposal will result in a net reduction in clutter by concentrating the previously permitted 9 individual stables/field shelters in one stable block, set well back into the site 450m from Longend Lane.

It is recommended that in order to avoid a proliferation of structures on the land the applicant enters into an undertaking to ensure that the smaller field shelters and stables which were permitted under ref. MA/13/0316 are not erected on the land in addition to the proposed stable block to minimise the visual impact and safeguard the visual amenities of the area.

There is adequate existing landscaping to screen the site from the surrounding area and new planting is proposed to the south of the stables to provide additional screening from Longend Lane. The stables would be situated approx. 300m from the nearest adjoining dwelling and would not result in a material loss of amenity due to noise, smell etc.

No highway objections have been raised subject to conditions relating to warning signs and retention of parking spaces.

8.0 RECOMMENDATION –

Subject to the applicant giving an undertaking in the form of a S106 Agreement not to erect the small field shelters and stables permitted under ref. MA/13/0316 dated 20/8/13 in addition to the block of 9 stables hereby permitted in order to prevent a proliferation of structures on the land and to safeguard the visual amenities of the area, in such terms as the Head of Legal Services may advise, the Head of Planning and Development be given delegated powers to grant planning permission subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In accordance with the provisions of S91 of the Town & Country Planning Act 1990, as amended by S51 of the Planning and Compulsory Purchase Act 2004

2. The development shall not commence until written details and samples of the materials to be used in the construction of the external surfaces of any buildings and hard surfaces have been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials;

Reason: To ensure a satisfactory appearance to the development.

3. The development shall not commence until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, using indigenous species which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and long term management. The landscape scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines.

Reason: To ensure an appropriate appearance and setting to the development

4. No more than 9 horses shall be kept on the site at any time and the site shall not be used for any riding lessons or training purposes;

Reason: In the interests of visual amenity, animal welfare and potential effects of the use on the highway network.

5. No additional buildings or temporary structures including horse jumps shall be erected, placed or allowed to remain on the land unless the prior written approval of the Local Planning Authority has been obtained;

Reason: To safeguard the character and appearance of the countryside.

6. No external lighting shall be installed at the site;

Reason: To safeguard the visual amenities of the countryside.

7. Warning signs are required at each end of Longend Lane to warn that accompanied horses are likely to be in the road ahead. This work should be provided under a S278 Agreement prior to the use commencing.

Reason: in the interests of highway safety

8. The vehicle parking spaces and turning facilities shown on the submitted plans shall be provided prior to the use of the site commencing and permanently retained,

Reason: in the interests of highway safety

9. Prior to the commencement of the use of the stables hereby permitted, details of where and how manure is to be stored and ultimately disposed of shall be submitted to and approved in writing by the Local Planning Authority. Once the use of the stables has commenced, this shall be carried out in accordance with the approved details. No manure or waste materials shall be burned upon the land within the application site.

Reason: in the interests of the residential amenities of the area.

10. No development approved by this permission shall be commenced until a scheme for the disposal of run-off from the stable, hardstandings, manure heaps, stable washings and hay soaking areas has been submitted to and approved by the Local Planning Authority and these works shall be completed in accordance with the approved details before the first use of the building or land.

Reason: in the interests of the residential amenities of the area.

11. The development shall be carried out in complete accordance with the approved plans – dwg. nos. 14/113/01B and 14/113/03A

Reason: To ensure the quality of the development is maintained.

INFORMATIVES

1. It is the responsibility of the applicant to ensure , before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

2. You are also advised to contact KCC Highways regarding compliance with condition 7 (warning signs) and the prior completion of a S278 Agreement.

Case Officer: Tim Bloomfield

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.