

Delegated Report

Planning Application

Planning Application No: 20230274

Location: Warren Farm, Swillers Lane, Shorne, Gravesend

Description: Demolition of existing barn and erection of a new barn for storage including three stables and a tack room

Applicant: Mr K Gozzett

Site Visit Date: 27 February 2023

Submitted Documents/Plans

Application form
Cover Letter
Design and Access Statement
Drawing no. 03 (existing elevations)
Drawing no. 02 (existing floor plan)
Drawing no. 01 (site location plan and existing block plan)
Drawing no. 05 (proposed barn floor plan)
Drawing no. 06 (proposed barn elevations)
Drawing no. 04 (proposed barn block)

Relevant Planning History

20230017	Change of use of part of existing holding to a mixed use for agriculture and the keeping and exercising of horses and construction of a sand-school	Pending consideration	
20171312	Application for determination as to whether prior approval is required for the proposed change of use of an agricultural building for the storage of agricultural vehicles to a three bedroom single dwellinghouse under Class Q(a) and (b) with associated building operations of the Town and Country Planning (General Permitted Development) (Order) 2015.	Prior approval is required and is refused	29.01.2018
20160159	Consultation for use of land as a caravan club site.	No objection	10.03.2016

20150989	Temporary stationing of caravan on the land.	Temporary consent	02.12.2015
20150925	Application for determination as to whether prior approval is required for the design, external appearance and exterior works associated with the proposed conversion of the barn to residential use under Class Q(b) of the Town and Country Planning (General Permitted Development) (Order) 2015.	Prior approval not required	03.11.2015
20150470	Application for determination as to whether prior approval is required for the proposed change of use of the agricultural brick barn to a dwelling under Class Q(a) of the Town and Country Planning (General Permitted Development) (Order) 2015.	Prior approval not required	01.07.2015
20140706	Determination as to whether prior approval is required for the erection of a replacement agricultural barn.	Prior approval not required	24.09.2014
20130682	Application for prior approval for change of use of former agricultural building to Class C1 bed and breakfast facility.	Inappropriate procedure	25.10.2013
20120033	Conversion of agricultural building into a four bedroom dwelling.	Refused	16.03.2012
20080920	Conversion of agricultural building into a dwelling and alterations and extension to the agricultural barn to the south-east to provide implement and general farm storage, animal shelter and three open car parking spaces.	Refused	19.01.2009
19880395	The erection of a brick built single storey agricultural building for use in apple grading and packing, storage, honey extraction and hive repair, toilet and washing facilities and general agricultural activities, more particularly described in the application form and the submitted plan	Prior approval not required	08.07.1988
19870618	Section 53 determination as to whether planning permission is required for erection of a wooden sectional building measuring 1500	Refused	16.11.1987

sq ft and the erection of a purpose
built brick building

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS11 - Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 - Development & Design Principles

Gravesham Local Plan: First Review (1994)

- C17 – Horse Riding and Stables
- P3 – Vehicle Parking Standards

Paragraph 33 of the NPPF (2021) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2021), the Council will also seek to replace these.

National Planning Policy Framework (2021)

- Section 2 – Achieving sustainable development
- Section 4 – Decision-making
- Section 8 – Promoting healthy and safe communities
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 13 – Protecting Green Belt land
- Section 15 – Conserving and enhancing the natural environment

Supplementary Planning Guidance

- SPG 4 - KCC Parking Standards (2006);
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

Ward Councillor

I would remind you that permission was recently refused for conversion of the existing barn to a residential property. The existing building was considered unsuitable for conversion, and the proposed dwelling would have been larger than the existing barn.

We now have an application to demolish the existing barn, which presumably was surplus to agricultural requirements, and to replace it with a larger barn that would be easier to convert to a residential dwelling, and which would circumvent the reasons given for the previous refusal.

If this new barn is genuinely needed for agricultural purposes, I would not be inclined to object to it. However, it must be conditional that permitted development rights are withdrawn and that the building cannot be converted to residential use at a future date.

Shorne Parish Council

We note previous applications for residential development of the site and that current application ref 20230017, for a large sand school but no associated buildings, awaits determination. Within that application reference is made to a small stable building, number of horse bays not stated, having been erected in 2017. This can be seen on the aerial view to the north of the present proposal. It is unclear whether that building is currently used as a stable or if it is being replaced by the present application. The present proposal is to replace the existing barn structure with a metal clad commercial barn building on a brick plinth, to include a 3-bay stable, tack store and general storage area.

The Parish Council has the following concerns about this proposal:

- Size increase: The existing barn is approximately 120sqm in area, the proposed barn will be 160 sqm, which is 33% larger. As such there will be greater visual impact and impact on openness in the Green Belt.
- Land area for 3 horses: The land associated with the proposal is very small and does not provide any area for grazing or exercise of horses. The location of sufficient land that is specifically associated with and permanently available for the proposal is not clear.
- Associated dungheap and drainage: The location of the area for storage of dung/soiled straw is not indicated, consideration is also needed of containment and drainage, and control of any water run-off outside of the property. The proposed barn has gutters and drainpipes but there is no drainage or soakaway indicated on the plans.
- Turning area and hardstanding: A turning area and hardstanding area are needed for vehicles accessing the barn e.g. to remove accumulated waste to off-site. These need to be shown on the plans but further reduce the area available for the horses.
- Suitability of proposed building for keeping horses: The metal structure will be subject to considerable heat gain in summer (and will be very cold in winter), no permanent cross ventilation is shown for when the metal windows are closed. The door to the stables is approximately 2.1m high.
- Proposed colour: The proposed colour is stated as dark green but we usually suggest Khaki Green (RAL 100 60 20 BS 12B21) for local agricultural buildings.
- Storage of bulk feed and hay/straw, in-use storage and preparation of feed: Bulk feed etc is usually stored in a separate, well-ventilated building due to risk of mould development and fire risk, no such building is shown on the plans. An area for storage of in-use feed, and for feed preparation, needs to be identified in the stable area.
- Services to be provided to the building need defining: The services to be provided to the building need to be defined. A handwash basin and location for basic medical supplies are needed. No toilet/shower facilities are shown or needed as the building is associated with the existing house at Warren Farm.
- Exterior lighting: There is no exterior lighting indicated or therefore permitted.

Suggested conditions to be attached, including routine conditions for stables:

- Removal of existing containers on the property if these are redundant (otherwise they need planning permission), no other storage outside of the new building, no storage of equipment and materials except in connection with on-site agricultural operations.
- Preventing residential use or future conversion to a dwelling.
- Removal of permitted development rights.
- Preventing commercial use including as livery stables.

- Any permission should be personal to the applicant and immediate family and/or only in connection with residents of Warren Farm and for horses kept permanently on the property.

Neighbouring properties

The application has been advertised by site notice and individual letters to five neighbouring properties. No letters of representation have been received.

Officer's Analysis

Proposal

Demolition of existing barn and erection of a new barn for storage including three stables and a tack room. The building will be approx. 23.4m wide, 8.2m deep and 5m high. It will be metal clad with a dark green metal sheet roof; black metal gutters and downpipes and red facing brick plinths. Internally there will be three stables, a tack room and a storage area.

It will replace a barn that measures 19.5m in width, 5.93m in depth and 2.8m to the eaves (5m to the pitch).

The applicant has experienced thefts from the holding and wishes to provide a more secure building to allow plant and machinery to be kept under cover.

Green Belt

The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Para. 147 of the National Planning Policy Framework 2021 (NPPF) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Para. 148 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Para. 149 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt with the exception of (a) buildings for agriculture and forestry.

Whilst there are horses and alpacas kept on the land currently, this is for grazing purposes and therefore the land is considered to be in agricultural use.

The proposal for a new barn on the land, in terms of the Green Belt, is acceptable.

Design, Character and Appearance

The application site is a farm that currently accommodates a small flock of alpacas and a larger flock of sheep as well as some land having been divided and fenced-off for horse grazing. It extends to 6.3ha (15 acres) in area. Although the building will be larger than the existing, it is a type which is commonly seen in rural areas and is not out of scale with other such buildings. The location is to the edge of the site adjacent to the lane and well screened. The increase in size of the building is justified by providing three stables in addition to a storage area that will enable equipment that is currently in the open is stored away therefore resulting in an improvement to the appearance of the site. A concern has been raised about the proposed dark green colour and a khaki green has been suggested. Given the location and use of this building a green colour is appropriate however it is not deemed reasonable/necessary to prescribe the exact shade.

Landscape Character

The application site is located within the Shorne Woodlands Landscape Character Area where the key characteristics include undulating topography, chestnut coppice woodland and traditional village greens. There is a varied building style and age. The condition is good and sensitivity moderate. The guidelines are to conserve and reinforce. The proposed barn will replace an existing barn on the edge of the site and therefore will not have a detrimental impact on the appearance of the wider landscape and therefore accord with policy CS12 of the Gravesham Core Strategy 2014.

Horse riding and stables

Policy C17 of the Gravesham Local Plan 1994 states that proposals for the recreational use of land in the countryside for horse-riding, riding schools and the erection of stables will only be permitted if they are compatible with the agricultural, landscape and transport policies of the plan. Where the proposals are accepted in principle, the Council will expect stables and horse shelters to be properly designed and constructed of sound materials appropriate to the countryside and to be in an acceptable location within the site. The use of the land has already been accepted as grazing land and therefore agricultural. The proposed barn/stables will be finished in metal cladding and painted dark green and therefore will blend well into the landscape and countryside location. The proposals therefore accord with this Policy.

Neighbouring Amenity

The nearest property is over 23m away from the proposed barn on higher land. Due to the distances involved and the fact this is a replacement building there will be no detrimental impact in terms of loss of outlook, privacy, sunlight or daylight.

The proposal therefore accords with policy CS19 of the Gravesham Core Strategy 2014 and para. 130f of the National Planning Policy Framework 2021.

Environmental Protection

A concern has been raised regarding the size of the site for the horses. The applicant's agent has confirmed that the extent of the land in the applicant's ownership is approx. 6ha and is used for mixed grazing. As a rule of thumb the site should be able to accommodate approx. 7 grazing horses (more if feed is brought to site). Another concern is the storage of waste and drainage. Both of these can be dealt with by appropriate planning condition. The Parish Council has also raised issue with the design of the building and its appropriateness for animals given heat gain in the summer and cold in the winter. The applicants have stated that the internal walls are unlikely to be 'floor to ceiling' and will therefore allow cross ventilation. The windows are likely to be louvered or tiltable. The storage arrangements within the barn are not a planning matter and nor are the services to the barn. In terms of external lighting a condition is recommended to ensure none is installed without first obtaining permission from the LPA.

Subject to appropriate conditions the proposal accords with policy CS19 of the Gravesham Core Strategy 2014.

Ecology and Biodiversity

The application site is located within a local wildlife site. The proposed replacement barn will be location in the same position as the existing barn, albeit slightly larger and therefore any loss to biodiversity would be minimal. Policy CS12 states that opportunities to enhance, restore, re-create and maintain habitats will be sought and therefore a condition is recommended to this effect to which the applicant has agreed.

Parking and Highways

The proposal will not result in any significant additional vehicular movements. The access is existing and will not change; therefore no objection is raised on highways grounds.

Other material considerations

Concerns have been raised from the Parish Council that the applicant's may try to change the use of the building to residential once it has been built. This could be achievable under Class Q of Schedule 2, Part 3 of the General Permitted Development Order 2015 and would not be acceptable in terms of the impact on the Green Belt and local character. Therefore a condition is recommended to remove this right to ensure planning permission is required for such a change of use.

The stables are to be used for personal use only and there are no plans to provide livery. A planning condition can be imposed to control this.

Conclusion

The proposed barn, subject to appropriate conditions, will have no detrimental impact on the Green Belt, landscape character, amenities, parking or highway safety and therefore accords with the above mentioned policies and is recommended for approval.

Recommendation:

Permission

(For detailed conditions / reasons for refusal and informatives, see draft Decision)

Case Officer:	Mrs Alison Webster	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	16 May 2023	Dated:	17 May 2023