



Application: 20220473

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015 (AS AMENDED)**

NOTIFICATION OF GRANT OF PERMISSION TO DEVELOP LAND
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To: **Miss Katie Roberts
Stables Cottage
Hermitage Road
Higham
Rochester
Kent
ME3 7NE**

TAKE NOTICE that the **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Acts, has **GRANTED PERMISSION** for development of land situate at:

**Stables Cottage
Hermitage Road
Higham
Rochester
Kent
ME3 7NE**

and being **Retention of existing stables buildings (with 7 stables, tackroom, kitchen/WC, solarium and wash bay) and the construction of 12 new stables to increase the number of horses kept on the land from 19 to 21, together with storage and communal seating/social buildings, 2 storage containers for manure, and the change of use of agricultural land to form a new hardstanding for vehicular access to the stables and a new parking area for 11 cars.** Your application dated 14th November 2022 is permitted subject to the following:-

1. The proposed new hardstanding for vehicular access to the stables and new parking area hereby permitted shall be implemented in accordance with drawing no. SO4 Revision P2 (Existing Plan with Proposed Entrance Gate and Associated Parking Area) and the details approved through conditions 3 to 9 inclusively on this decision notice, within 6 months of the date of this permission.

Reason: In pursuance 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 and particulars:

Covering Letter dated 12 April 2022
Application form
Drawing no. S02 Rev. P1 (Elevations)
Drawing no. S03 Rev. P1 (Site Plan and Elevations)
Drawing no. S04 Rev. P2 (Existing Plan with Proposed Entrance Gate and Associated Parking Area)

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Within three months of the date of this decision, a plan shall be submitted to and approved in writing by the Local Planning Authority, showing full details of hard landscaping and surface finishes for the development, including details of reinforced grassed, porous access drives and car parking areas, together with any screening or boundary treatment by walls, fences or other means and any steps. The scheme shall be constructed in accordance with the approved details and completed, in its entirety, prior to the first use of the development hereby permitted.

Reason: In order to protect and enhance the appearance and character of the site and locality in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

4. Within three months of the date of this decision, a soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority, including the following:
- o Details and position of reinstated and proposed hedgerow planting, including on the front boundary, which shall be of native species and set back to allow for visibility.
- Any identified trees or plants that die, are damaged, removed or become diseased within five years from the first occupation of the dwelling hereby permitted shall be replaced with a species of a similar size and species during the next available planting season. The landscaping works shall be carried out in accordance with the approved details before any part of the development is brought into use in accordance with the agreed implementation programme. The completed scheme shall be managed and/or maintained in accordance with an approved scheme of management and/or maintenance.

Reason: In the interests of visual amenity and to ensure a satisfactory standard of appearance upon the completion of the development in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.

5. Within three months of the date of this decision, a Biodiversity Method Statement will be submitted to and approved in writing by the Local Planning Authority, and shall include the following:
- Risk assessment of potentially damaging construction activities;
 - Identification of 'biodiversity protection zones' shown on appropriate scale plans;
 - Location, timing, and details of the practical measures (both physical measures and sensitive working practises) to avoid or reduce impacts on habitats and species during construction. These will include precautionary working methods for protected and priority species including reptiles, badger, hedgehog and breeding birds;
 - Contingency plans should a protected species be encountered during works;
 - Details of those responsible for implementing the biodiversity method statement and lines of communication;
 - Any times during construction when specialist ecologists need to be present on site to oversee works or undertake monitoring;
 - Use of protective fences, exclusion barriers and warning signs, where required.

The approved BMS will be adhered to and implemented throughout the construction period in accordance with the approved details.

Reason: To protect habitats and species from adverse impacts during construction in accordance with Policy CS12 of the Gravesham Local Plan 2014.

6. Within three months of the date of this decision, details of how the development will offset biodiversity loss/enhance biodiversity will be submitted to and approved in writing by the Local Planning Authority. This will include the following:

- New native species-rich hedgerow (protected from horse-grazing until established and with connectivity to existing hedgerow);
- Enhancement of existing hedgerow;
- Wildflower grassland and scrub planting in non/lightly grazed areas;
- Nest boxes for priority / declining bird species on stables;
- Bat boxes on suitably high buildings within the wider land ownership;
- Insect and hedgehog boxes within new hedgerow / landscaped areas;
- Planting of native climbers along walls and fences

The approved measures will be implemented and retained thereafter.

Reason: To enhance biodiversity on the site in accordance with Policy CS12 of the Gravesham Local Plan 2014.

7. Prior to the installation of any external lighting, details shall be submitted to and approved in writing by the Local Planning Authority. Any external lighting plan must demonstrate that the lighting has been designed in accordance with the Bats and artificial lighting guidance note (2018 or as amended) produced by the Bat Conservation Trust and the Institution of Lighting Professionals. Details should include the type and locations of external lighting, as well as the expected light spill in lux levels to demonstrate that areas to be lit will not adversely impact biodiversity. All external lighting will be installed in accordance with the approved specifications and locations set out in the plan and will be maintained thereafter. No additional lighting shall be installed without the prior permission in writing of the Local Planning Authority.

Reason: In order to limit the impact of the lighting on wildlife and amenity with regard to Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.

8. Within three months of the date of this decision, full details of the parking area shall be submitted to and approved in writing by the Local Planning Authority. This will include surfacing and the full size and extent of parking spaces, which shall be kept to a minimum in terms of its extent and shall not exceed 11 spaces as approved. The parking spaces shall be implemented as approved. These facilities shall be retained for use at all times thereafter.

Reason: In the interests of visual amenity and to ensure satisfactory parking arrangements upon the completion of the development in accordance with Policies CS11 and CS19 of the Gravesham Local Plan Core Strategy 2014.

9. Within 3 months of the date of this permission, full details of the arrangements for the storage and disposal of waste relating to the equestrian use shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the size of the containers proposed and the storage and disposal of the bedding, stable waste and manure (and include the means of enclosure where necessary). These arrangements shall be fully implemented and operated at all times in accordance with the approved details. Such arrangements shall not include burning any waste bedding, stable waste and manure on the site, or storing any such waste in the open.

Reason: In the interests of public health and safety and local amenity and pursuant to Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

10. There shall be no open storage or waste on the site at any time.

Reason: In the interests of the visual amenity of the site and surrounding rural area, in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

11. Not more than 21 horses or foals shall be stabled in the buildings or kept on the land at any one time.

Reason: In order that any increase in the number of horses to be stabled or kept on the land may be the subject of a separate planning application which the Local Planning Authority would wish to consider on its merits having regard to the impact on local amenity and the requirements of saved Policy C17 of the Gravesham Local Plan First Review 1994 and Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

12. The stables hereby approved shall only be used by the applicant and owner of Stables Cottage and for those with livery at the yard and shall be not used or hired out for external or commercial purposes without the prior approval in writing by the Local Planning Authority.

Reason: To ensure that any alterations to the permitted scheme may be the subject of a planning application that the Local Planning Authority would wish to determine on its own merits in order to control commercial activity in the Green Belt and consider the impact on amenity, in accordance with Policies CS02 and CS19 of the Gravesham Local Plan Core Strategy 2014.

INFORMATIVES:-

1 WORKS OF CONSTRUCTION

Hours of work of construction site plant, equipment and machinery, should be restricted to not earlier than 7.00 a.m. and not later than 6.00 p.m. weekdays and Saturday working should be restricted to not earlier than 8.00a.m. and not later than 1.00 p.m. No work shall be carried out on Sundays, Bank or Public Holidays.

i. Suitable sound attenuation shall be used at all times in respect of all plant, machinery and equipment in operation on site in order to aid prevention of noise nuisance. Compliance with BS 5228: Part 1: 1984 and subsequent amendments regarding the use of equipment on site will be required in appropriate cases.

ii. A suitable method of control shall be used in order to aid prevention of dust nuisance arising from work activities on site.

iii. Burning of waste materials shall not be carried out on site. Such materials are to be stored in a suitable receptacle, as far from residential accommodation as reasonably practicable, pending disposal off site.

iv. Adequate arrangements shall be made to remove all waste material from the site on a regular basis and to dispose of it at a suitably licensed waste disposal site.

2 MAINS DRAINAGE

The foul sewage shall be removed by means of the mains drainage system and not by the use of non-mains sewerage systems, unless connection to the drainage system is not reasonably practicable. If foul sewage is to be removed using non-mains sewerage systems, a sewage treatment plant or septic tank system will be considered in preference to a cesspool. Such a

system may require the prior consent of the Environment Agency under the terms of the Water Resources Act 1991. Applicants are therefore advised to discuss their requirements with the Environment Agency at the earliest opportunity. It should be ensured that the septic tank or cesspool is of adequate capacity to serve the proposed development and suitable access and hardstanding area shall be maintained to it on site.

3 DEVIATION FROM APPROVED PLANS

It is possible that any proposed deviation from the approved plans could be classed as a 'material' change requiring a further application/permission. In the event that any change is proposed, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

4 BUILDING REGULATIONS CONSENT

The granting of planning permission is independent from the granting of Building Regulations consent (which may, or may not, be required). In the event of a change to the scheme granted planning permission being required to satisfy the Building Regulations, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

5 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 38 of the National Planning Policy Framework (NPPF) 2021, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

Dated: 10 February 2023

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Wendy Lane MRTPI
Assistant Director (Planning)
Planning Service

NOTIFICATION TO APPLICANT

APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If this is a **householder application*** which has been refused and you want to appeal against your Local Planning Authority's decision then you must do so within **12 weeks of the date of this notice**.
- For all other applications, refused or permitted, if you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice.
- **For further information regarding Appeals and to make an application please click the relevant link:**
<https://www.gov.uk/appeal-householder-planning-decision>

<https://www.gov.uk/appeal-planning-decision>

- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

***Householder applications**

These are:

- (a) applications for planning permission for development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse, or
- (b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development

but does **not** include –

- (i) an application for change of use;
- (ii) an application to change the number of dwellings in a building.

PURCHASE NOTICES

If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor can he/she render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.