



# Delegated Report

## Planning Application

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**Application no:** 20220470

**Location:** White Horse Farm Equestrian Centre White Horse Lane Meopham  
Gravesend DA13 0UE

**Description:** Retrospective application for the use of land for the siting of a caravan

**Applicant:** Mr M Nuttal

**Site Visit Date:** 12 May 2022

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### Site Description and Surroundings

White Horse Farm Equestrian Centre is located just beyond Harvel Village Meopham that lies to the north-west and is close to the Harvel village green in White Horse Lane. It comprises an area of 15 hectares (37 acres).

The extent of and spread of buildings on the site is shown in the Google Earth aerial view below dating from 2020. The red roofed building is White Horse Farmhouse (formerly Upper Marsh Croft)



The centre is a riding school, with two indoor arenas and an outdoor arena as well as offering livery and has considerably diversified and expanded over the years offering dressage training, carriage driving instructions, horse riding holidays and a shire horse experience and has access to bridle paths for cross country. There is also a carriage business offering horse drawn carriages for hire for any event (weddings/funerals etc.)

The riding school originated on this site following a planning permission in 1999 when permission was given

CONDITION – Delegated Report (Blank)

for the conversion of what was then a range of old farm buildings (including some dilapidated buildings) and a farmyard on a holding that extended then to 10.5 hectares (26 acres) including pastureland and woodland but which at that time was not a working farm. It was for the relocation of the former Tollgate Riding Stables that were based at Northumberland Bottom Northfleet whose site had been acquired for the construction of the Channel Tunnel Rail Link. Old Pond farmhouse that adjoined the site to the southeast had been fragmented away from the holding and itself had been replaced by a new farmhouse (then Upper Marsh Croft), a large and extended two storey chalet style dwelling, following an earlier permission in 1975, although that dwelling, now renamed White Horse Farmhouse, is now owned and occupied by the current applicant.

Within the riding school site and to the right of the vehicle entrance to the site is a single storey barn building now converted into a dwelling for an equestrian manager in 2005.

To the southeast of the riding centre at land next to Kitching Croft Shaw are agricultural buildings and surrounding land extending to some 7.8 hectares (19 acres) that have been converted into equestrian use following a permission in 2011. In 2019 there was a permission for a new hay barn and erection of a barn associated with the use of the site as a Shire Horse Breeding Facility and this site forms part of the overall Equestrian Centre.

Whitehorse Road, whilst not now a classified highway, is a local distributor route linking with Harvel Road to the south and thereafter with the A227 Wrotham Road at Vigo Village. The current vehicle entrance into the White Horse Farm Equestrian Centre is shown in the case officer photo below (12 May 2022).



To the west of the site are open fields used as paddocks for horse grazing. The site is enclosed by fencing and hedgerows.

The application site is within the Green Belt and an Area of Outstanding Natural Beauty (AONB).

### Relevant Planning History and Historical Context

There is an extensive planning history relating to The White Horse Riding Centre and associated adjoining land (including Old Pond Farm - Upper Marsh Croft and land at Kitching Croft Shaw)

| Ref No   | Description and Site                                                                                                  | Decision   | Date       |
|----------|-----------------------------------------------------------------------------------------------------------------------|------------|------------|
| 19750006 | Outline application for the erection of farmhouse farm office and garage ( <i>Old Pond Farm - Upper Marsh Croft</i> ) | Permission | 29.05.1975 |

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                 |                              |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|------------------------------|
| 19760778 | Details pursuant to conditions (i), (ii), (iii), (iv) and (v) in respect of details of detached farmhouse, farm office and garage ( <i>Old Pond Farm - Upper Marsh Croft</i> )                                                                                                                                                                                                                                                                                                                                                             | Approved                                                        | 12.01.1977                   |
| 19870731 | Retention of a mobile home ( <i>at Pond Farm</i> )                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Temporary Permission until 31.03.1991                           | 07.03.1988                   |
| 19980637 | Change of use of farm buildings and land to Riding School comprising 38 stables, of which 9 would be new stables; use of existing buildings for office, storage, trailer and machine store, mess room and ancillary facilities; erection of building and lean-to for indoor riding school and feed store; construction of outdoor sand school and formation of car park. ( <i>at Pond Farm</i> )                                                                                                                                           | Permission                                                      | 03.03.1999                   |
| 19980734 | Re-instatement of building for agricultural use ( <i>at Pond Farm</i> )                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Permission                                                      | 12.02.1999                   |
| 19990681 | Revised application for the change of use of farm buildings and land to Riding School comprising a total of 38 stables, of which 17 would be new stables; demolition of 2 open fronted pole barns and use of remaining agricultural buildings for stables, office, storage, trailer and machine store and other ancillary facilities; erection of new building for use as indoor riding school with attached feed store; construction of outdoor sand school and formation of car park. ( <i>at Pond Farm</i> )                            | Refused<br><br>Appeal Dismissed<br><br>(APP/K2230/A/00/1036950) | 14.01.2000<br><br>22.05.2000 |
| 20000071 | Further revised application for the change of use of farm buildings and land to Riding School comprising a total of 38 stables, of which 17 would be new stables; demolition of 2 open fronted pole barns and use of remaining agricultural building for stables, offices, storage, trailer and machine store and other ancillary facilities; erection of new building for use as indoor riding school with attached feed store and attached stalls; construction of outdoor sand school and formation of car park ( <i>at Pond Farm</i> ) | Refused                                                         | 14.04.2000                   |
| 20000586 | Application for the erection of a single portal frame structure to form an indoor riding school and feedstore in substitution of the building and lean-to that was previously permitted under planning permission reference GR/98/637 ( <i>Tollgate Riding School - Pond Farm</i> )                                                                                                                                                                                                                                                        | Permission                                                      | 22.12.2000                   |
| 20000853 | Erection of agricultural barn with private accessway ( <i>at Kitching Croft Shaw</i> )                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Prior Approval is Required<br><br>Permission                    | 03.01.2001<br><br>05.12.2001 |
| 20020802 | Application for the approval of the revised landscaping scheme as required under condition (9) of planning permission reference number GR/1998/637 ( <i>Tollgate Riding School - Pond Farm</i> )                                                                                                                                                                                                                                                                                                                                           | Approved                                                        | 25.11.2002                   |

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|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|------------------------------|
| 20030651 | Application for the variation of condition 2 of planning permission reference number GR/00/586 (for the erection of an indoor riding school and feedstore) which restricts the use of the building to equestrian activities, to allow the use of the building as a dog training centre in addition to equestrian activities ( <i>at White Horse Riding Centre</i> )                                                                | Withdrawn                                           | 01.09.2004                   |
| 20040092 | Siting of a mobile home for an equestrian manager and construction of a cesspool ( <i>at White Horse Riding Centre</i> )                                                                                                                                                                                                                                                                                                           | Withdrawn                                           | 01.09.2004                   |
| 20040723 | Erection of a block of four stables attached to existing stable block and relocation of three car parking spaces ( <i>at White Horse Riding Centre</i> )                                                                                                                                                                                                                                                                           | Permission                                          | 21.06.2005                   |
| 20040724 | Reconstruction of building to provide a dwelling for equestrian manager ( <i>at White Horse Riding Centre</i> )                                                                                                                                                                                                                                                                                                                    | Permission                                          | 21.06.2005                   |
| 20050568 | Application for the variation of conditions (17) & (18) attached to planning permission reference number GR/1998/0637 relating to use as a riding school, to allow the muck removal trailer to be relocated ( <i>at White Horse Riding Centre</i> )                                                                                                                                                                                | Refused                                             | 05.12.2005                   |
| 20050585 | Erection of part two storey and part single storey extension on northern side elevation to form a games room, two cloakrooms, boot room and hall at ground floor level with two bedrooms and bathroom/wc at first floor level; erection of a conservatory on southern side elevation and erection of a detached double garage and tool store ( <i>Upper Marsh Croft</i> )                                                          | Refused<br><br>Appeal Dismissed (AP2005/000 29/REF) | 07.09.2005<br><br>15.11.2006 |
| 20051086 | Erection of part two storey and part single storey extension on northern side elevation to form a games room, two cloakrooms, boot room, hall and porch at ground floor level with a bedroom and ensuite bathroom/wc at first floor level; erection of a conservatory on south side elevation and erection of a detached garage and tool store ( <i>Upper Marsh Croft</i> )                                                        | Refused                                             | 18.01.2006                   |
| 20060276 | Erection of single storey extension on the northern side elevation incorporating three dormer windows in the proposed roof slopes to provide games room, two cloakrooms, boot room, hall and porch at ground floor level with bedroom and ensuite bathroom in the proposed roof space; erection of a conservatory on the south side elevation and erection of a detached double garage and tool store ( <i>Upper Marsh Croft</i> ) | Permission                                          | 18.07.2006                   |
| 20060832 | Erection of a detached building to provide cattle shed ( <i>at Kitching Croft Shaw</i> )                                                                                                                                                                                                                                                                                                                                           | Permission                                          | 06.11.2006                   |
| 20071099 | Application for approval of the facing materials as required by condition 3 of planning permission reference number GR/2004/724 ( <i>at White Horse Riding Centre</i> )                                                                                                                                                                                                                                                            | Approved                                            | 11.02.2008                   |
| 20080174 | Erection of a storage barn ( <i>at White Horse Riding Centre</i> )                                                                                                                                                                                                                                                                                                                                                                 | Permission                                          | 18.04.2008                   |

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|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|------------------------------|
| 20080627 | Construction of a new vehicular access on to a classified road and relocation of parking area ( <i>at White Horse Riding Centre</i> )                                                                                                                                                                                                                                                                                                                        | Permission                                        | 16.09.2008                   |
| 20090836 | Application for the approval of condition 2 of planning permission reference number 20080627 relating to the boundary treatment either side of the new entrance, surfacing of access and drive, design and detailing of entrance gate, landscaping for the entrance to the site and boundary treatment of the site to the highway ( <i>at White Horse Riding Centre</i> )                                                                                    | Approved                                          | 06.01.2010                   |
| 20100124 | Application for variation of condition 2 of planning permission reference number 20040724 for reconstruction of building to provide a dwelling for equestrian manager, to substitute revised drawing no 288/SK13B which reflects dwelling as built ( <i>at White Horse Riding Centre</i> )                                                                                                                                                                   | Permission                                        | 24.03.2010                   |
| 20100418 | Application for variation of condition 5 attached to planning permission reference number 20040724 relating to the restriction on the enlargement of the Equestrian Manager's dwelling ( <i>at White Horse Riding Centre</i> )                                                                                                                                                                                                                               | Refused<br><br>Appeal Allowed<br>AP2010/00017/REF | 07.07.2010<br><br>21.12.2010 |
| 20110169 | Change of use of agricultural buildings and surrounding land to equestrian use ( <i>at Kitching Croft Shaw</i> )                                                                                                                                                                                                                                                                                                                                             | Permission                                        | 15.08.2011                   |
| 20120541 | Erection of orangery to replace existing conservatory ( <i>Upper Marsh Croft - White Horse Farmhouse</i> )                                                                                                                                                                                                                                                                                                                                                   | Permission                                        | 17.08.2012                   |
| 20120827 | Erection of an orangery on south-eastern elevation ( <i>Upper Marsh Croft - White Horse Farmhouse</i> )                                                                                                                                                                                                                                                                                                                                                      | Permission                                        | 21.11.2012                   |
| 20130028 | Application for Lawful Development Certificate for the proposed erection of a single storey rear extension to form enlarged living room and enlarged games room ( <i>Upper Marsh Croft - White Horse Farmhouse</i> )                                                                                                                                                                                                                                         | Certificate Granted                               | 07.02.2013                   |
| 20130276 | Retention of the pole barn over existing horse wash down area ( <i>at Kitching Croft Shaw</i> )                                                                                                                                                                                                                                                                                                                                                              | Permission                                        | 03.06.2013                   |
| 20130663 | Application for variation of conditions 2 and 22 attached to planning permission reference number 19980637 for change of use of farm buildings and land to riding school; to allow the use of land and buildings for riding and/or carriage driving lessons between 09.30 - 20.30 hours Monday to Friday and 08.30 - 20.30 Saturday and Sundays ( <i>at White Horse Riding Centre</i> )                                                                      | Permission                                        | 17.09.2013                   |
| 20140902 | Erection of a new indoor riding and carriage driving school, extension of the existing outdoor sand school and the change of use of the existing indoor school to provide stabling for shire horses and storage of carriages, and the change of use to allow the keeping of horses, carriages and equipment in connection with a Carriage Hire business, and use of tracks on the land for off-road carriage driving ( <i>at White Horse Riding Centre</i> ) | Permission                                        | 19.03.2015                   |

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|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------|
| 20150677        | Application for the approval of conditions 3, 6, 7, 9, 10, 11 and 12 attached to planning permission reference number 20140902 relating to details and samples of the external facing materials, arrangements for the storage and disposal of waste bedding, stable waste and manure, external lighting and sound system, landscape maintenance plan, a timetable details when the existing shipping containers on the site shall be removed, details of the proposed slab levels and details of the alignment and surfacing of the off-road carriage tracks <i>(at White Horse Riding Centre)</i> | Approved                    | 06.08.2015        |
| <b>20150962</b> | <b>Continued use of land for siting of a caravan (at White Horse Riding Centre)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>Temporary Permission</b> | <b>20.11.2015</b> |
| 20160707        | Construction of a horse walker and lunging ring <i>(at White Horse Riding Centre)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Permission                  | 07.02.2017        |
| 20170124        | Application for the approval of conditions 4 and 7 attached to planning permission reference no. 20160707 relating to details of a landscaping scheme, specifically relating to the screen planting around the horse walker and the water drainage provision <i>(at White Horse Riding Centre)</i>                                                                                                                                                                                                                                                                                                 | Approved                    | 04.04.2017        |
| 20170126        | Application for the removal of condition 5 attached to planning permission reference number 20160707 relating to the construction of a horse walker and lunging ring; to allow the horse walker and lunging ring to be used for the carriage hire business and equestrian use <i>(at White Horse Riding Centre)</i>                                                                                                                                                                                                                                                                                | Refused                     | 19.01.2018        |
| 20171304        | Retrospective application for the provision of a new entrance and adjacent walls at the vehicular and pedestrian access <i>(at White Horse Riding Centre)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                      | Permission                  | 10.12.2019        |
| 20191202        | Erection of a new hay barn and erection of a barn (to include separate stallion box, 5 shire horse pens, classroom, museum area and toilets), continue the equestrian use of an existing barn (for 5 Shire Horse pens and wash down area) associated with the use of the site as a Shire Horse Breeding Facility <i>(at Kitching Croft Shaw)</i>                                                                                                                                                                                                                                                   | Permission                  | 30.01.2020        |
| 20200039        | Application for the approval of conditions 2 attached to planning permission reference no. 20171304 relating to details of a soft landscaping scheme in front of the entrance gate walls <i>(at White Horse Riding Centre)</i>                                                                                                                                                                                                                                                                                                                                                                     | Approved                    | 05.03.2020        |
| 20200255        | Erection of a new hay barn and erection of a barn (to include separate stallion box, 5 shire horse pens, classroom, museum area and toilets), continue the equestrian use of an existing barn (for 5 Shire Horse pens and wash down area) associated with the use of the site as a Shire Horse Breeding Facility <i>(at Kitching Croft Shaw)</i>                                                                                                                                                                                                                                                   | Permission                  | 30.04.2020        |
| <b>20220470</b> | <b><i>This Application</i></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                             |                   |

## Proposal

The proposal is a retrospective application for the use of land for the siting of a caravan.

### Drawings and Documents

Application Form and Certificates

Design and Access Statement from Graham Simpkin Planning Ltd, April 2022 (ref 3599.PN)

Photographs of caravan

Drawing No 3599 01: Site Location Plan

Drawing No 3599 02: Existing Block Plan

Drawing No 3599 03: Proposed Block Plan

### Details of the Development

The caravan is 11.4m by 3.9m and is located to the east of the original indoor school and to the west of the open frontage storage shed within the yard.

The caravan is connected to an existing cesspool for drainage, it is connected to the mains water and electricity supplies. The access to the caravan is through the existing yard at the riding centre. Car parking is available within the dedicated car parking area serving the site. Pedestrian access is through the yard.

It is indicated that the caravan is for use by the head groom and his partner who is also a groom, at White Horse Riding Centre.

It is stated in the Design and Access Statement:

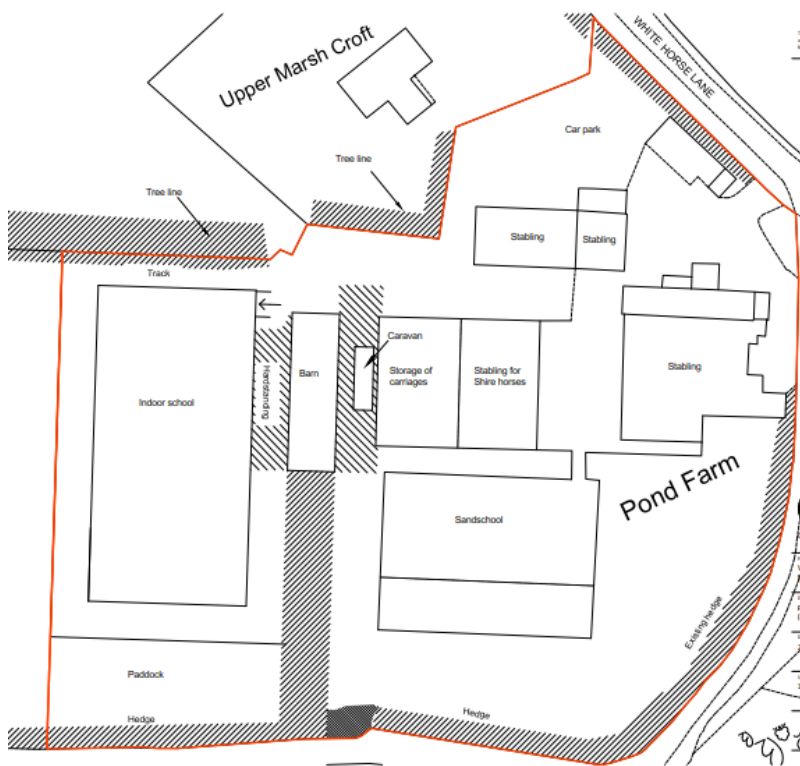
*The applicants took over a business in July 2015 known as Drayhorse Shires who are based near Ashford, and this added 12 carriage horses and 10 carriages to their hire fleet for weddings, funerals and special events. It has also increased the number of staff to 7 full time.*

*This application follows previous temporary permissions, but this time is for the permanent provision of on-site living accommodation for staff who previously lived at the site near Ashford when they were employed by Drayhorse Shires. Their position at White Horse Riding Centre is dependent on the provision of living accommodation at the site.*

*The use is to continue to site a caravan to provide living accommodation for essential staff members who need to reside on-site. The grooms need to start work early in the morning on an event day, between 3:00-4:00 am to prepare the horses including feeding/watering, washing, brushing loading into the lorry. This is a time-consuming activity that can take up to 3 hours. The horses then have to be ready to leave the site for a summary of 2-4 hours depending on the distance to the venue on arrival the horses need to be cleaned and brushed and harnessed into the carriage, the grooms need to change into their livery. This can take at least 2 hours. The team is then ready for the job which will often commence at 10:00 am.*

*The grooms also need to be available on-site to look after the horses including feeding and to provide attention if they are sick or injured. These are special horses that are distinct from the horses used and kept elsewhere on the site for riding purposes.*

*The working hours are long and anti-social, and it would not be possible to recruit staff without the availability of on-site living accommodation. The provision of off-site accommodation could not meet the functional need to care for the horses, which remains the case in 2022.*



The existing caravan is located on an existing hardstanding area between existing buildings as shown on the extract from the applicants proposed block plan as shown opposite.

Its appearance is shown in the case officer photograph below (May 2022)



It is apparent that there is another mobile on the site the other side of the indoor school that is the subject of current enforcement investigations.

## Development Plan and other Relevant Planning Policies and Guidance

The Development Plan for Gravesham comprises: -

- *The Gravesham Local Plan Core Strategy (September 2014)*
- *Remaining Saved Policies of the Local Plan First Review (1994), and*
- *The Kent Minerals and Waste Local Plan 2013 - 2030 (July 2016, revised 2020)*

### Local Planning Guidance

#### **Gravesham Local Plan Core Strategy, September 2014**

The Core Strategy sets out the Council's spatial vision and strategic objectives for the Borough to 2028 and the policies which will deliver them. It identifies the main areas where major change is likely to take place and allocates sites which are key to achieving the strategy.

The application site is shown as being within the **Green Belt** (Policy CS02) and the North Downs **Area of Outstanding Natural Beauty** (Policy CS12) and is adjacent to a **conservation area** (policy CS20) in the Gravesham Local Plan Policies Map. Whitehorse Road is a **local distributor** in the highway network (Policies T1-T5). The site is close to a **local wildlife site** (Policy CS12).

The most relevant policies from the adopted Core Strategy in relation to this development are as follows:

- Core Strategy Policy CS01: Sustainable Development
- Core Strategy Policy CS02: Scale and Distribution of Development
- Core Strategy Policy CS07: Economy, Employment and Skills
- Core Strategy Policy CS11: Transport
- Core Strategy Policy CS12: Green Infrastructure
- Core Strategy Policy CS18: Climate Change
- Core Strategy Policy CS19: Development and Design Principles
- Core Strategy Policy CS20: Heritage and the Historic Environment

## **Gravesham Local Plan First Review 1994**

The Gravesham Local Plan First Review was originally adopted in November 1994. The following remaining saved policies are relevant to the consideration of this application:

Policy C17: Horse Riding and Stables  
Policy TC3: Development Affecting Conservation Areas  
Policy T1: Impact of Development on the Highway Network  
Policy T4: Development outside the Built-Up Area  
Policy T5: Access to the Identified Highway Network  
Policy P3: Policy for Vehicle Parking Standards

## **Review of the Local Plan**

Paragraph 33 of the NPPF (2021) sets out those 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 it 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 adoption and the need to ensure a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan First Review (1994) generally conform with the National Planning Policy Framework (2021), the Council will also seek to replace these in due course.

## **Gravesham Local Plan Regulation 18 Stage 2 Consultation Part 2: Draft Development Management Policies Document October 2020**

The Council published in 2020 a Regulation 18 (stage 2) consultation on its proposed Development Management Policies Document, replacing the 2018 Stage 1 version, which will in due course form part of and update the Gravesham Local Plan. Under paragraph 48 of the NPPF 2021, policies in this document may be accorded weight in the decision-making process with this varying according to its stage of preparation; the extent to which there are unresolved objections; and the degree of consistency of policy with those in the Framework. As the Development Management Policies Document is at an early stage and the fact that the consultation has only recently concluded, the policies therein should at this stage be given very limited weight. It should be noted, in any event, that many of the relevant policies reflect those set out in the Framework and for the purposes of this application these should be relied on instead.

The following draft policies from the Regulation 18 (Stage 2) Development Management Policies Document (2020) show the direction of travel the Council is going and are considered as being relevant to the consideration of this application albeit the weight that these emerging policies may be accorded at this stage is very limited.

Proposed Policy GB 5: Extensions, Replacement Buildings and Ancillary Development in the Green Belt  
Proposed Policy INF 2: Transport Design Principles  
Proposed Policy INF 3: Understanding and Mitigating Transport Impacts  
Proposed Policy INF 5: Electric Vehicle Charging Points  
Proposed Policy GI 5: Landscape Character  
Proposed Policy GI 6: Biodiversity  
Proposed Policy HER 3: Conservation Areas

## **National Planning Policy Guidance**

### ***The National Planning Policy Framework (NPPF)***

The following paragraphs in the National Planning Policy Framework (NPPF) July 2021 are specifically highlighted as being of importance to the consideration of the application proposals, but it should not be taken that these are the only parts of the NPPF that need to be considered. Reference to the national planning guidance is also considered in the analysis section of this report.

- Section 2, Paragraphs 7 - 14: Achieving Sustainable Development
- Section 4, Paragraphs 38 - 59: Decision Making
- Section 9, Paragraphs 104 - 113: Promoting Sustainable Transport
- Section 12, Paragraphs 126 - 136: Achieving well-designed places
- Section 13, Paragraphs 137 - 151: Protecting Green Belt land
- Section 14, Paragraphs 152 - 173: Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Section 15, Paragraphs 174 - 188: Conserving and Enhancing the Natural Environment
- Section 16, Paragraphs 189 - 208: Conserving and Enhancing the Historic Environment.

### ***The National Planning Practice Guidance (NPPG)***

Planning Practice Guidance (<http://planningguidance.planningportal.gov.uk/>) supports and clarifies areas in the NPPF. It contains guidance on assessing housing need; design; public consultation; open space provision in new development; travel plans, transport assessments and statements in decision-taking; health and wellbeing; water supply, wastewater and water quality; light pollution; determining a planning application; the use of planning conditions and viability, amongst other things. The NPPG gives guidance on what is a material planning consideration in determining a planning application indicating that the impact of a development on the value of a neighbouring property or loss of private rights to light could not be material considerations.

The NPPG includes more detailed advice on the use of planning conditions (replacing the cancelled Circular 11/95). It indicates that when used properly, conditions can enhance the quality of development and enable development proposals to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects of the development. The objectives of planning are best served when the power to attach conditions to a planning permission is exercised in a way that is clearly seen to be fair, reasonable and practicable. It is important to ensure that conditions are tailored to tackle specific problems, rather than standardised or used to impose broad unnecessary controls.

### **Supplementary Planning Guidance and other Documents**

The Council has adopted a number of Supplementary Planning Guidance documents, Development Briefs and Conservation Area Appraisals. These elaborate on saved policies in the Gravesham Local Plan First Review and policies in the Gravesham Local Plan Core Strategy and are material considerations in determining planning applications. In addition, the Council has adopted a number of documents that have been produced by Kent County Council also as Supplementary Guidance.

The following documents are relevant to the consideration of this application:

- Kent Design Guide (SPG 5 published December 2005, adopted July 2006)
- Adopted Kent Vehicle Parking Standards (SPG 4 published in 2003 and adopted in 2006)
- Kent County Council Supplementary Planning Guidance SPG1: Landscape Character (adopted July 2006)
- Gravesham Landscape Character Assessment, May 2009 (a technical document which underpins Local Plan Core Strategy Policy CS12)
- Kent Downs Area of Outstanding Natural Beauty Management Plan, Third Revision 2021 to 2026.

### **Legislation**

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended states that, with respect to buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

## **Consultations, Publicity and Representations**

### ***Internal Consultations***

#### **GBC Regulatory Services - Environmental Protection**

We have no comments with regards to this application.

## GBC Conservation Architect

No comments received

## Ward Councillors

No comments received

## ***External Consultations***

### Meopham Parish Council

No objection providing:

1. If permanent permission were granted, they would recommend the caravan be repainted in a more appropriate colour to reduce its impact.
2. If it's stated purpose changes the caravan to be removed.

### KCC Heritage and Conservation

No comments received

### KCC Public Right of Way

Public Rights of Way NS247 lies to the north and east of the site and may be affected by the application. The Public Rights of Way network map below shows the definitive line of this path.



It is important to advise the applicants that a public right of way must not be stopped up, diverted, obstructed or the surface disturbed and there must be no encroachment on the current width, at any time now or in future. This includes any building materials or waste generated during any of the construction phases. Please note that no furniture or fixtures may be erected on or across Public Rights of Way without the express consent of the Highways Authority.

### Kent Downs AONB Unit

The local planning authority has a legal duty to take account of the purposes of AONB designation in determining the application i.e., the conservation and enhancement of the area's natural beauty. In addition to consideration of the proposal against the local authority's development plan, account should be taken of paragraphs 176 and 177 of the NPPF and the principles and objectives of the Kent Downs AONB Management Plan, Third Revision 2021 to 2026. The Management Plan is adopted by all the local authorities in Kent as their policy for the management of the AONB and for the carrying out of their functions in relation to it. The national PPG confirms that AONB Management Plans can be a material consideration in determining planning applications.

The caravan is well related to the existing buildings and the yard which helps to minimise landscape and visual impacts. Nevertheless, the nature of mobile homes/caravans is such that they rarely meet the key test of conserving and enhancing the scenic and landscape beauty of the AONB. The photographs submitted with the application show that the external materials/colour of the caravan is a pale cream. Should the Council be minded to grant permission, we would welcome consideration of a requirement to paint the caravan an appropriate darker, neutral colour, particularly in view of the proposed permanent stationing of the caravan. (Such a requirement was attached by condition to seasonal workers caravans at Mansfield Farm, Bridge, Canterbury – condition 03 of permission CA/20/02170 – 'Within four months from commencement of the development, the caravans shall be painted dark green (S 7020- G50Y) or dark brown (S 8010-Y10R) and maintained as such'). The application submission also fails to address the policy implications of the proposal on the AONB. Paragraph 176 of the NPPF requires the AONB to be enhanced as well as conserved. Should the Council be minded to approve the application, we would therefore also request that consideration be given to requiring landscape enhancements across the wider site.

### Dickens Country Protection Society (DCPS)

Any consent should remain conditional, and the development only being occupied by employees of the White Horse Riding Centre or its successors. If no longer required for this purpose the caravan should be removed, in order to protect the countryside and to conform to Green Belt Policy.

### ***Publicity and Representations***

Neighbour notification sent to 13 adjacent properties and the application was advertised by a site notice and press notice as development affecting the character or appearance of a conservation area, development affecting a public right of way and under Article 15.

The expiry date for any comments was 03 June 2022.

No representations have been received.

### **Planning Analysis and Assessment**

#### Introduction

This mobile home has been on site since 2015 when temporary planning permission was granted for the continued use of land for siting of a caravan at White Horse Riding Centre. The permission expired in November 2020. A planning condition that was imposed stated:

*The occupation of the existing caravan shall be limited solely to Groom(s) employed at White Horse Riding Centre, White Horse Lane, Meopham, Gravesend, Kent, DA13 0UE and shall be for a limited period*

*expiring on 20 November 2020. On or before that date its use for accommodation shall cease and the caravan shall be permanently removed from the site.*

**Reason:** *The permanent stationing of the caravan on the site would be inappropriate development in the Green Belt and in order to comply with Policy CS02 of Gravesham Local Plan Core Strategy (2014).*

The Council's rural planning consultant commented at the time:

*The application relates to a well-established equestrian centre based on some 15 ha of land where there is a fairly large complex of stabling, riding arenas, and associated storage buildings with further extensions approved under 20140902.*

*The three main elements of the centre comprise riding/schooling lessons, carriage driving lessons, and horse/carriage hire for wedding, funerals and other events.*

*It is the latter element for which the grooms' accommodation is sought. The centre has recently taken over another business (Drayhorse Shires, formerly based in Ashford) which provides horse and carriage hire for weddings and other events covering London, Kent, Sussex, Essex, Surrey and Hertfordshire, adding a further 12 carriage horses and 10 carriages now based at the Meopham premises.*

*The two grooms in the caravan have particular responsibilities for the care of these horses, as well as work responsibilities at the site that require attendance very early in the morning, as explained in the application submissions.*

*In the circumstances, I suggest the proposal should not be seen as one for a permanent rural worker's dwelling as envisaged in particular under para 55 of the NPPF. Rather, I would suggest that this proposal can be seen as a non-permanent, modest-scale form of operational accommodation, sited completely within its working environment, that meets a particular current requirement at the premises, over and above the general security and attendance for the other elements of equestrian activity at the site that is afforded by the applicant's own permanent dwelling, just to the south of the building complex.*

*In this context, any consent (relating as it does to the use of land for stationing a caravan) could be subject to a condition requiring its removal as and when it is no longer used for, or required for, this particular purpose.*

This current application seeks a permanent permission for the mobile home.

### The Key Issues

The key issues in the consideration of this planning application are:

- Principle of the Development
- Appropriateness of the development in the Green Belt
  - Impact on Openness
  - Very Special Circumstances
- Design and Layout and Impact on the Character and Appearance of the Area including the adjoining conservation area
- Impact on the Landscape
- The Amenity of Future Occupiers
- The Amenity of Neighbouring Properties
- Highways, Access and Parking
- Other Material Planning Considerations

### Principle of the Development

Policy CS01 (Sustainable Development) of the Gravesham Local Plan Core Strategy (LPCS) indicates that when considering development proposals, the Borough Council will take a positive approach that reflects

the presumption in favour of sustainable development contained in the National Planning Policy Framework and in the Core Strategy.

Policy CS02 (LPCS) sets out the Borough's objectively assessed need for housing over the Plan period (up to the year 2028) and finds that there is a need for at least 6,170 new dwellings during the period. Evidence now available shows that the Council is not able to demonstrate a five-year housing supply (a 3.27 year supply has most recently been calculated within the statement published [here](#)), and as the delivery of housing was substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Core Strategy Policy CS02 must be regarded to be out of date, as required by the Paragraph 11(d) of the NPPF. This requires that in regard to housing development, planning permission should be granted unless:

- i. "the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In the Gravesham context, the policies referred to in paragraph 11(d)(i) above are those set out in the NPPF at footnote 6 (rather than those in development plans) relating to any of the following:

- Habitats sites (and those sites listed in NPPF paragraph 181)
- Sites of Special Scientific Interest
- Green Belt
- Local Green Space
- Areas of Outstanding Natural Beauty (AoNB)
- Irreplaceable habitats
- Designated heritage assets (& other heritage assets of archaeological interest, see NPPF footnote 68); and
- Areas at risk of flooding or coastal change

Whilst in determining applications for planning permission involving housing, the Council will apply a weighted balance in favour of granting planning permission in accordance with relevant case law and guidance, this would not override the application of policies that protect areas or assets of particular importance as in this case the site is within the Green Belt and an AoNB

#### Appropriateness of the development in the Green Belt

The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by preserving the open and permanent characteristics of Green Belts (paragraph 137 of the NPPF 2021). Paragraph 147 of the NPPF 2021 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. '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 (Paragraph 148).

Local Planning Authorities should regard the construction of new buildings as inappropriate in the Green Belt (paragraph 149 of the NPPF 2021), though there are exceptions to this. Nevertheless, the proposal relates to the change of use of the land for the siting of a mobile home/caravan rather than a built development, and therefore paragraph 149 is not considered relevant in this case.

However, paragraph 150 of the NPPF 2021 sets out that material changes in the use of land can be appropriate development in the Green Belt, provided that they preserve its openness and do not conflict with the purposes of including land within it. The development comprises the stationing of a mobile home and associated development. It is considered that this use of the land introduces a significant man-made structure into this rural location and adding to the built-up nature of the site and causing detriment to the openness of the Green Belt and the purpose that this land is included within it. On this basis, it is considered that the proposal would not be in line with the requirements of paragraph 150, and would therefore amount to inappropriate development, which is, by definition, harmful to the Green Belt. As such, it would be contrary to Policy CS02 of the Gravesham Local Plan Core Strategy 2014 and to paragraph 150 of the NPPF 2021.

## *Impact on Openness*

Paragraph 137 of the NPPF 2021 states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It also states that the essential characteristics of Green Belts are their openness and permanence. Paragraph 001 of the Planning Practice Guidance on Green Belts looks to assess the impact of a proposal on the openness of the Green Belt by taking into account the spatial and visual aspects of a development, its duration and remediability, and the degree of activity levels generated (Reference ID: 64-001-20190722).

There is no specific definition of "openness" in the NPPF, and the concept of what is considered as openness has only really emerged from case law (such as the case of *Timmins and Anor v Gedling Borough Council* [2014]). Effectively, 'openness' is epitomised by the absence of built development (i.e., land that is not built on) and it follows therefore that any new built development is likely to have an adverse impact on the openness of the Green Belt, but whether that impact is greater or lesser on sites where there is already built development will be dependent on an assessment on a case-by-case basis. It is a different concept to "visual impact". Although openness may be considered in a visual sense, the visual impact of a development in the Green Belt may be harmful through the siting, design and materials used. The presence of landscaping or screening may serve to mitigate the visual impact of a development including built development but there might still be an impact on openness.

The development, by its nature, involves a form of inappropriate development at the application site that erodes the openness of the Green Belt.

However, it is acknowledged in this case that the mobile home is located on an existing hardstanding area on the site that was already there before the mobile was sited in this location. The mobile is located between two large buildings that form part of the overall equestrian centre complex and are significant man-made structures in themselves. There is large extent of built development on this site. The mobile is not widely visible from public viewpoints being obscured from White Horse Road by the existing dwelling and its outbuildings at White Horse Farmhouse and from the public footpath to the rear (north and east) by screening by hedges. The siting of the mobile and the equestrian operation leaves little scope for any paraphernalia around it associated with the residential occupation.

The occupation of the mobile is by persons associated with the operation of the equestrian centre and thereby there would not be a significant or noticeable difference in the activity levels at the site, and the comings and goings associated with its residential occupation in comparison to its equestrian use.

On balance it is considered that there would be a marginal/limited impact on openness.

## *Very Special Circumstances*

Referring to paragraphs 147 and 148 of the NPPF 2021, inappropriate development in the Green Belt should not be approved except in very special circumstances and that very special circumstances will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The question of need for the mobile home was considered in the context of the previous application in 2015 by the Council's rural planning advisor who considered that the proposal could be seen as a non-permanent, modest-scale form of operational accommodation, sited completely within its working environment, that meets a particular current requirement at the premises, over and above the general security and attendance for the other elements of equestrian activity at the site that is afforded by the applicant's own permanent dwelling.

The applicant's agent advises in the current supporting statement:

*In accordance with paragraph 84 of the Framework, the accommodation is needed to enable the continuation of the business which has expanded in the past as a result of taking over another business operating in the same sector.*

*The development is sustainable because the staff are able to live on-site and this avoids the necessity for*

*them to travel to and from work. It has an economic benefit in enabling the expansion of this rural business; it has a social role by providing accommodation at the workplace thereby enabling the head groom and his partner to be together whilst fulfilling their functional role in looking after horses at this site. In terms of the environmental role, the accommodation is provided within the site where there are already existing buildings and, in this location, it will minimise impact on the surrounding countryside.*

*The Framework, at paragraph 80, recognises the need to avoid isolated homes in the countryside, unless there is (amongst others) an essential need for a rural worker to live permanently at or near their place of work in the countryside. Although this envisages a permanent form of accommodation, the subject proposal involves a mobile form of accommodation, is of a modest scale, sited entirely within its working environment, and will ultimately meet a particular requirement at the premises.*

*Regarding the site's location in the Green Belt, paragraph 150 permits certain forms of development including the material change in the use of the land, subject to preserving the openness of the Green Belt and not conflicting with the purposes of including land within it. In respect of the former, no operational development is proposed, and it will allow the siting of a single caravan on existing lawful hardstanding that is to be positioned against existing, and much larger permanent built form. It is not considered that, in the context of the lawful use of the wider site, the caravan is materially affecting openness, nor harming the visual amenities of the area. On the latter point, judged against the five purposes of including land in the Green Belt, as the caravan is to remain tucked between built form on an existing previously developed site it is considered that no conflict with the purposes can be demonstrated.*

*The Framework also recognises the importance of protecting and enhancing the natural environment. At paragraph 174 it states that planning permission should be refused for major developments in designated areas except in exceptional circumstances. However, this proposal represents only a minor form of development that facilitates the continued use of the premises for business purposes thereby maintaining a rural business within this protected area.*

*Whilst it is acknowledged that there is other living accommodation within the wider site, this was provided to enable the equestrian manager to live on-site to supervise the equestrian business and riding on-site. This additional accommodation is to meet different requirements specifically for the grooms dealing with the shire horses and carriage hire business. This job requires different skills, particularly as the applicants are instigating a programme to breed shire horses which involve an on-site presence during cooling down. As previously successfully demonstrated, there is a continued functional need for accommodation to meet the specific circumstances on the site. This need cannot be met by the existing lawful living accommodation on-site because that was provided for a different role.*

*There are no available houses close enough to the site to meet the functional needs of this business for on-site living accommodation...*

*...The need still exists to accommodate horse groomer(s) within the wider application site as their working environment, and as the application does not entail any permanent built form development, subject to a condition requiring its removal as and when it is no longer used for, or required for, this use, it is not considered that a permanent permission would result in any harm over and above a further temporary permission.*

*Even accepting that the mobile is inappropriate development in the Green Belt and acknowledging that the development has some, albeit limited, impact on the openness of the Green Belt it is considered that there are identified needs at this site that can justify permission for the mobile and that demonstrate the existence of 'very special circumstances' that in this case can give support in the planning balance to set aside the policy concerns that might otherwise have resulted in a recommendation for refusal, but it is necessary to consider that strict controls are in place to ensure that the mobile is there only to fulfil a functional need only for so long as is necessary and its occupation is restricted.*

#### Design and Layout and Impact on the Character and Appearance of the Area including the adjoining conservation area

*The design and built form of the development needs to be considered against the Council's Core Strategy Policy CS19 (Development and Design Principles) that sets out detailed criteria. Policy CS19 states that the design, layout and form of new development will be derived from a robust analysis of local context and*

character and will make a positive contribution to the street scene, the quality of the public realm and the character of the area.

At a national level the NPPF sets out that the creation of high quality beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve and add to the overall quality of the area, not just for the short term but over the lifetime of the development (paragraphs 126 and 130 of Part 12 - Achieving well designed places)

Paragraph 130 of the NPPF also indicates that developments need to respond to local character and history and reflect the identity of local surroundings and materials or establish a strong sense of place, using streetscapes and buildings to create attractive, welcoming and distinctive places to live. Paragraph 134 of the NPPF advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

In this case the mobile home is a use of the land rather than a building and although the structure is a man-made structure there is not a design objection per se but the use needs to be considered in terms of its impact on the landscape quality of the area. There have been comments in relation to its exterior appearance from the Kent Downs AONB Unit and this is referred to in the next section of this report.

In respect of the impact on the character and appearance of the adjacent Harvel Village conservation area, the boundary of which comes up to the edge of The Green but is separated from the application site by a track leading to Prickett Shaw, this aspect was considered in the original planning application in 2015 and the Council's conservation architect who noted that the caravan was concealed by existing buildings and raised no adverse comments in respect of the setting of heritage assets in the vicinity. As such the development would not be at variance with Policy CS20 (Heritage and the Historic Environment) of the Gravesham Local Plan Core Strategy, saved policy TC3 of the Gravesham Local Plan First Review 1994 or section 16, Paragraphs 189 - 208: Conserving and Enhancing the Historic Environment of the NPPF.

### Impact on the Landscape

The site is within the Harvel Wooded Downs Landscape Character Area (LCA), and as such, Policy CS12 of the Gravesham Local Plan Core Strategy September 2014 is relevant. This policy states that the overall landscape character of the Borough will be conserved, restored and enhanced and that the Gravesham Landscape Character Assessment will be taken into account in determining applications.

In the Gravesham Landscape Character Assessment, May 2009 (a technical document which underpins Local Plan Core Strategy Policy CS12) the key characteristics of the Harvel Wooded Downs Landscape Character Area are:

- Varied topography with steep valley sides and plateaux
- Ancient woodland, chestnut coppice and small paddocks and pasture
- Traditional historic settlement of Harvel set around village Green
- Occasional traditional farmsteads
- Haphazard mosaic of residential plots and small holdings set within the woodland
- There is a comprehensive network of winding, often sunken, narrow lanes throughout the area. Footpaths and byways run throughout the area, particularly to the west.

Its condition is described as moderate, and it is stated:

*The uncharacteristic and sporadic settlement of small plots within coppice woodland is a dominant element within the area creating an incoherent landscape. There are many visual detractors, including derelict buildings and caravans, overgrown gardens, poor fencing, disjointed fencing materials and fly tipping. The visual unity is significantly interrupted, although the wooded nature of the area conceals much of the visual clutter from wider views.*

The sensitivity of the landscape is also described as moderate, and it is stated:

*There are several contrasts in distinctiveness throughout the area. Away from the plot lands the woodland, narrow lanes, traditional settlements and farmsteads are very distinct and contribute towards a strong*

*sense of place. However, in contrast, the more recent plots and buildings are indistinct and enclosed by mismatched fencing or suburbanised walls, gates and railings. Some of these incongruous elements are also replacing more traditional features through the modernisation of vernacular buildings. There is a distinct sense of place and continuity is historic.*

Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy requires development to conserve and enhance the character of the local built, historic and natural environment, integrate well with the surrounding local area.

The site is also within the Kent Downs Area of Outstanding Natural Beauty (AONB). Paragraph 176 of the NPPF specifies that 'great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty....'

Under the Countryside and Rights of Way Act, local authorities are required to prepare an AONB Management Plan which must "formulate the policies for the management of the AONB and for carrying out their functions in relation to it". The Kent Downs AONB Unit has produced a Management Plan on behalf of the local authorities within the AONB. The Management Plan has been adopted by all local planning authorities in the Kent Downs. The Kent Downs AONB Management Plan seeks to take a landscape led approach framed by sustainable development goals (Policy SD1) and conserve and enhance local character, qualities and distinctiveness of the Kent Downs AONB (Policy SD2).

The Kent Downs AONB unit were consulted on this planning application, and they consider that the caravan is well related to the existing buildings and the yard which helps to minimise landscape and visual impacts but that the nature of mobile homes/caravans is such that they rarely meet the key test of conserving and enhancing the scenic and landscape beauty of the AONB.

The siting of the mobile in the landscape is shown in the case officer photograph below, which is hedged between large modern structures.



The Kent Downs AONB Unit do however suggest that if permission is given the mobile, which currently is a pale cream colour, is painted a more appropriate darker, neutral colour, particularly in view of the proposed permanent stationing of the caravan.

They also comment that the application submission also fails to address the policy implications of the proposal on the AONB. Paragraph 176 of the NPPF requires the AONB to be enhanced as well as conserved. They also request that consideration be given to requiring landscape enhancements across the wider site.

Subject to the controls identified the development is therefore not considered to be harmful to the character and appearance of the countryside and the Harvel Wooded Downs Landscape Character Area nor contrary

to Gravesham Local Plan Core Strategy Policies CS12 and CS19 or harmful to the Kent Downs Area of Outstanding Natural Beauty (AoNB).

### The Amenity of Future Occupiers

Policy CS19 (LPCS) requires that all development should be 'fit for purpose' and be 'adaptable to allow changes to meet the need of users' and that 'the design and layout of new residential development, including conversion, will accord with the (SPG2) adopted GBC Residential Layout Guidelines'.

The Supplementary Planning Guidance Note 2 Residential Layout Guidelines referred to above sets out the Council's standards in relation to private garden areas and internal space standards, amongst other things.

The mobile home in this case whilst a little cramped would nevertheless provide adequate or perhaps basic living conditions for the occupiers albeit that there is little or no amenity space but on balance this aspect would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy.

### The Amenity of Neighbouring Properties

In considering any proposals for development it is important to ensure that it does not cause demonstrable harm to the amenity of any existing residents or property such that it will materially harm their living conditions. It is also important to assess the quality of any residential environments that are proposed as part of the scheme. Policies seeking to protect amenity and ensure acceptable future living conditions are included in the Local Plan Core Strategy.

The NPPF (Paragraph 127) also assists and seeks to ensure developments will function well, do not undermine the quality of life and create attractive and comfortable places to live, work and visit and seeks to "secure high-quality design and a good standard of amenity for all existing and future occupants of land and buildings".

Safeguarding residential amenity, in terms of privacy, daylight and sunlight and ensuring that all development proposals are fit for purpose and adaptable to meet the need of users are important considerations referred to in Local Plan Core Strategy Policy CS19.

The Supplementary Planning Guidance Note 2 Residential Layout Guidelines also sets out requirements not to just protect future residents/occupants of new development but also those existing residents that might be affected by the development.

In this case there would be no significant impacts on residential amenities of neighbour properties. The existing dwelling adjoining the site (White Horse Farmhouse) is close to mobile but separate by large outbuildings and fencing.

On balance this aspect does not conflict with Policy CS19 of the Gravesham Local Plan Core Strategy or the NPPF.

### Highways, Access and Parking

The proposed development needs to be considered against Gravesham Local Plan Core Strategy Policy CS11 (Transport) which states that new development should mitigate their impact on the public highway and that transport assessments should be provided and implemented to ensure delivery of travel choice and sustainable opportunities for travel. Furthermore, it states that sufficient car parking in new developments will be provided in accordance with adopted standards which will reflect the availability of alternative means of transport accessibility to services and facilities. This approach to development is also supported by saved policies in the Local Plan First Review Policy T1 (Impact of Development on the Highway Network), Policy T5 (New Accesses onto Highway Network) and Policy P3 (Policy for Vehicle Parking Standards).

At a national level the NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability objectives. The NPPF clearly states at Paragraph 109 that development should only be prevented or refused on highway grounds if there would

be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The application site is served by the same access that provides vehicular access to the Equestrian Centre. This feeds on to a reasonably wide local road, White Horse Road which is a local distributor road in the highway network.

The access is sufficiently wide and there is adequate visibility and the additional residential use of the mobile home which would be occupied by personal employed on the site would not result in material harm to highway safety or necessarily any material increases in traffic generation. There are sufficient areas of hardstanding within the site for parking of vehicles associated with the residential use of the mobile home.

Therefore, on balance the development would not result in material harm to highway safety and accords with Gravesham Local Plan Core Strategy Policy CS11 (Transport), saved policies in the Local Plan First Review Policy T1 (Impact of Development on the Highway Network), Policy T5 (New Accesses onto Highway Network) and Policy P3 (Policy for Vehicle Parking Standards) and section 9, Paragraphs 104 - 113: Promoting Sustainable Transport of the National Planning Policy Framework (NPPF).

The development would not affect the nearby public rights of way NS247 that lies to the north and east of the site but an informative would be required as recommended by the KCC Public Rights of Way Officer.

### Other Material Planning Considerations

#### *Ecology and Biodiversity*

The development does not have any material ecology or biodiversity implications.

#### *Archaeology*

The development does not have any archaeological implications.

#### *Drainage and Flood Risk*

The site is not within a flood risk area.

#### *Human Rights*

The application has been considered in the light of the Human Rights Act 1998 and it is considered that the analysis of the issues in this case, as set out in this report and recommendation below, is compatible with the Act.

### **Conclusions and Overall Balancing Exercise**

The existing mobile home on the site was originally granted permission in 2015 on a temporary basis until the end of 2020 and with the occupation of the existing caravan to be limited solely to Groom(s) employed at White Horse Riding Centre. It is likely that the recent Covid pandemic has led to a delay of a 'renewal' application coming forward and it is apparent that the Equestrian operation at this site which has been here since 1999 had suffered during the pandemic and is now beginning to return to pre-2020 levels of operation.

The equestrian activities on this site have expanded in more recent years to include a range of operations including the original riding school, which is now served with two indoor arenas and an outdoor arena as well as offering livery and now has dressage training, carriage driving instructions, horse riding holidays and a shire horse experience and has access to bridle paths for cross country and there is also a carriage business offering horse drawn carriages for hire for any event (weddings/funerals etc.) which took over a similar operation, Drayhorse Shires, who were based near Ashford, and this added 12 carriage horses and 10 carriages to the White Horse Farm Equestrian Centre hire fleet for weddings, funerals and special events and also increased the number of staff to 7 full time.

The mobile was put on this site in 2015 as there was a functional need to have a groom residing on the site

due to the fact that the grooms need to start work early in the morning on an event day. The provision of off- site accommodation could not apparently meet the functional need to care for the horses, and which, according to the applicant, remains the case in 2022.

The site is within a Green Belt area and an Area of Outstanding Natural Beauty, and the above planning analysis sets out that while the mobile remains as inappropriate development in the Green Belt there is a marginal or limited impact on openness and in any event, there are sufficient very special circumstances in this case to set aside the planning policy constraint, but subject to strict controls on the use of the mobile home and its removal if the need no longer exists in the future.

In respect of the impact on the character and appearance of the adjacent Harvel Village conservation area, the Council's conservation architect previously noted that the caravan was concealed by existing buildings and raised no adverse comments in respect of the setting of heritage assets in the vicinity.

The Kent Downs AONB unit were consulted on this planning application, and they consider that the caravan is well related to the existing buildings and the yard which helps to minimise landscape and visual impacts but that the nature of mobile homes/caravans is such that they rarely meet the key test of conserving and enhancing the scenic and landscape beauty of the AONB.

They consider that the if permission is given the mobile, which currently is a pale cream colour, is painted a more appropriate darker, neutral colour, particularly in view of the proposed permanent stationing of the caravan.

They also comment that the application submission also fails to address the policy implications of the proposal on the AONB. Paragraph 176 of the NPPF requires the AONB to be enhanced as well as conserved. They also therefore request that consideration be given to requiring landscape enhancements across the wider site.

Similar comments are offered by Meopham Parish Council who raise no objection.

Subject to the controls identified the development is therefore not considered to be harmful to the character and appearance of the countryside and the Harvel Wooded Downs Landscape Character Area nor contrary to Gravesham Local Plan Core Strategy Policies CS12 and CS19 or harmful to the Kent Downs Area of Outstanding Natural Beauty (AONB).

The mobile home in this case whilst a little cramped would nevertheless provide adequate or perhaps basic living conditions for the occupiers albeit that there is little or no amenity space but on balance this aspect would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy.

There would be no significant impacts on residential amenities of neighbour properties. There have been no neighbour objections in response to the publicity given to the proposal.

The development would not result in material harm to highway safety and there are no other overriding material planning considerations.

It is acknowledged that the national planning practice guidance (NPPG) indicates that it will rarely be justifiable to grant a second temporary permission (except in cases where changing circumstances provide a clear rationale, (Paragraph: 014 Reference ID: 21a-014-20140306) and while a permanent permission can be granted in this case it would be justified in seeking the removal of the caravan if the need no longer exists at some stage in the future.

It is therefore considered that the development would not materially conflict with local or national planning policy and on balance therefore there are no objections to the development, and it is recommended that planning permission be granted subject to conditions.

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## Recommendation:

The recommendation is for **PERMISSION**, subject to the following conditions, reasons and informatives

## CONDITIONS AND REASONS

1. The development hereby permitted shall accord with the following approved details, plans and specifications:

Application Form and Certificates

Design and Access Statement from Graham Simpkin Planning Ltd, April 2022 (ref 3599.PN)

Photographs of caravan

Drawing No 3599 01: Site Location Plan

Drawing No 3599 02: Existing Block Plan

Drawing No 3599 03: Proposed Block Plan

and those approved pursuant to any conditions contained herein after and there shall be no deviation therefrom.

**Reason:** In order to ensure the development is implemented on the basis of the scheme as submitted and assessed in the interests of proper planning and in accordance with Policy CS19: Development and Design Principles of the Gravesham Local Plan Core Strategy (September 2014).

2. The occupation of the existing caravan (mobile home) shall be limited solely to Groom(s) employed at White Horse Farm Equestrian Centre, White Horse Lane, Meopham, DA13 0UE, and for no other purpose. Should the need for the caravan (mobile home) no longer exist in the future it shall be permanently removed from the site.

**Reason:** The caravan (mobile home) on the site is inappropriate development in the Green Belt and would not normally accord with Policy CS02 of Gravesham Local Plan Core Strategy (2014) or section 13, Paragraphs 137 - 151: Protecting Green Belt land of the National Planning Policy Framework (NPPF). However, in this case this development can be seen as a non-permanent, modest-scale form of operational accommodation, sited completely within the working environment of the White Horse Farm Equestrian Centre, that meets a particular current requirement at the premises, over and above the general security and attendance for the other elements of equestrian activity at the site that is afforded by the applicant's own permanent dwelling and therefore very special circumstances exist to justify the retention of the caravan to fulfil a functional need only for so long as is necessary.

3. Within six months of the date of this permission the existing caravan (mobile home) shall be painted dark green (NCS Colour System S 7020- G50Y) or dark brown (NCS Colour System S 8010-Y10R) and maintained as such.

**Reason:** In the interests of local visual amenity and in order for the mobile to more successfully harmonise with its location set between large agricultural type buildings which externally exude similar dark cladding finishes and having regard to the location of the mobile adjacent to a conservation area and within the Kent Downs Area of Outstanding Natural Beauty (AoNB) and where it is policy within the adopted Kent Downs AoNB Management Plan to conserve and enhance the scenic and landscape beauty of the AoNB. This would also accord with paragraph 176 of the National Planning Policy Framework (NPPF) and policies Policy CS19: Development and Design Principles and CS20: Heritage and the Historic Environment of the Gravesham Local Plan Core Strategy (September 2014).

4. Within six months of the date of this permission a landscaping scheme for the wider application site shall be submitted for the approval of the Local Planning Authority and such scheme as may be approved shall be implemented in full within the first planting season following approval and thereafter be maintained to ensure establishment for a period of five years. Any new plantings that die, are damaged, removed or become diseased within five years from the date that the landscaping scheme is fully implemented shall be replaced with plantings of a similar size and species during the next available planting season.

**Reason:** In the interests of visual amenity and safeguarding the character and appearance of the area and in accordance with Policy CS12: Green Infrastructure and Policy CS19: Development and Design Principles of the Gravesham Local Plan Core Strategy (September 2014) and the National Planning Policy Framework (NPPF), and to accord with policy within the adopted Kent Downs AoNB Management Plan to

conserve and enhance the scenic and landscape beauty of the Area of Outstanding Natural Beauty (AoNB) in which the site is located.

5. For the avoidance of doubt the mobile home as hereby permitted shall remain only in the location as shown in approved Drawing No 3599 03: Proposed Block Plan and it shall not at any time be relocated to any other part of the application site other than with the prior written permission of the Local Planning Authority having first been obtained.

**Reason:** The location of the mobile home has been considered and assessed on the basis of its current location within a relatively inconspicuous part of the site positioned between two large buildings including a barn and an indoor riding school and any other location for this mobile home within a more open part of the site has the potential to have a greater impact on the openness of the Green Belt and the potential to result in harm to the scenic and landscape beauty of the Area of Outstanding Natural Beauty (AoNB) in which the site is located and a more significant visual impact and as such would be contrary to Policy CS12: Green Infrastructure and Policy CS19: Development and Design Principles of the Gravesham Local Plan Core Strategy (September 2014) and the National Planning Policy Framework (NPPF), and the adopted Kent Downs AONB Management Plan.

6. The caravan (mobile home) as hereby permitted shall not at any time be enclosed by fencing or other means and shall not be replaced by a larger mobile on the site other than with the prior written permission of the Local Planning Authority having first been obtained.

**Reason:** The location and size of the mobile home has been considered and assessed on the basis of its current location within a relatively inconspicuous part of the site positioned between two large buildings including a barn and an indoor riding school and the enclosure of the mobile with fencing or other means and its replacement by a larger mobile on the site has the potential to have a greater impact on the openness of the Green Belt and the potential to result in harm to the scenic and landscape beauty of the Area of Outstanding Natural Beauty (AoNB) in which the site is located and a more significant visual impact and as such would be contrary to Policy CS12: Green Infrastructure and Policy CS19: Development and Design Principles of the Gravesham Local Plan Core Strategy (September 2014) and the National Planning Policy Framework (NPPF), and the adopted Kent Downs AONB Management Plan.

## **INFORMATIVES:-**

### **1 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.

In this instance the application was acceptable as submitted.

### **2 DEVIATION FROM THE 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).

### **3 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].

#### 4 KENT COUNTY COUNCIL PUBLIC FOOTPATH

KCC Public Rights of Way & Access Service advise that Public Rights of Way NS247 lies to the north and east of the site and that a public right of way must not be stopped up, diverted, obstructed or the surface disturbed and there must be no encroachment on the current width, at any time now or in future. This includes any building materials or waste generated during any of the construction phases. Please note that no furniture or fixtures may be erected on or across Public Rights of Way without the express consent of the Highways Authority.

|                      |                                                                                   |                     |               |
|----------------------|-----------------------------------------------------------------------------------|---------------------|---------------|
| <b>Case Officer:</b> | Mr Peter Price                                                                    | <b>Team Leader:</b> | Richard Hart  |
| <b>Signed:</b>       |  | <b>Signed:</b>      | <i>R Hart</i> |
| <b>Dated:</b>        | 27 June 2022                                                                      | <b>Dated:</b>       | 28 June 2022  |