

Delegated Report

Planning Application

Planning Application No: 20230044

Location: Land To The East Of Three Gables, Walnut Hill Road, Gravesend, Kent

Description: Erection of new single storey stable block and yard area

Applicant: Mr Micky Trew

Submitted Documents/Plans

Planning Application Form;#
Arboricultural Report;
Tree Survey Plan;
Tree Protection Plan;
Drawing No. 1119.WD/03 – Proposed Floor Plans, Section;
Drawing No. 2223.WD.01A – Existing Site and Location Plan;
Drawing No. 2224.WD.04 – Proposed Elevations – Loose Boxes; and
Drawing No. 2224.WD.06 – Proposed Site Plan – New Stable Block and Yard.

Relevant Planning History

None.

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS07 – Economy, Employment and Skills
- CS12 – Green Infrastructure
- CS11 – Transport
- CS12 – Green Infrastructure
- CS13 – Green Space, Sport and Recreation
- CS18 – Climate Change
- CS19 – Development and Design Principles

Gravesham Local Plan: First Review (1994)

- Policy C17: Use of Land for Horse Riding and the Erection of Stables
- Policy T1: Impact of Development on the Highway Network
- Policy T2: Channel traffic to the Primary and District Distributor Network
- Policy T3: Development not well related to the Primary and District Distributor Network
- Policy T4: Development outside the Built-Up Area
- Policy P3: Vehicle Parking Standards

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

Country Planning (Local Planning) England Regulations 2012.

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

National Planning Policy Framework (2021)

- 2 – Achieving Sustainable Development
- 6 – Building a strong, competitive economy
- 8 – Promoting healthy and safe communities
- 9 – Promoting sustainable transport
- 11 – Making effective use of land
- 12 - Achieving well designed places
- 13 - Protecting Green Belt land
- 15 – Conserving and enhancing the natural environment

Supplementary Planning Guidance

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

Consultations, Publicity and Representations

Consultees

KCC – Biodiversity

We have reviewed the information submitted by the applicant and advise that sufficient information has been provided. The implementation of the recommendations provided by the arboricultural consultant should be secured as appropriate if planning permission is granted.

Biodiversity and Enhancements

Under section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 and paragraphs 174 and 180 of the National Planning Policy Framework (NPPF) 2021, biodiversity should be maintained and enhanced through the planning system. Enhancement measures could include provision for nesting birds such as barn swallows if present in the local area. If planning permission is granted, we advise the following condition is attached:

Prior to completion, a detailed plan showing how the development will enhance biodiversity will be submitted to, and approved in writing by, the local planning authority. This will include details of the measures proposed and basic management measures to achieve the proposed habitat targets. The approved measures will be implemented and retained thereafter.

Appendix 1 provides some generic (non-exhaustive) information regarding the most common enhancements we see proposed. With regards to condition discharge, to provide a view regarding the potential ecological benefits or risks of any project, in line with relevant legislation and planning policy, we require sufficient detail to be submitted. Without sufficient detail we are unable to provide an opinion regarding the suitability of any proposed measures. Suitable detail may include the provision of information such as:

- The proposed target species;
- Make and model of any boxes;
- Location information such as height, aspect, surrounding habitat;
- Detailed planting schedules; and
- Relevant management necessary to ensure the habitat is suitable for the target species.

KCC – Heritage Conservation

Thank you for consulting us on this application and my apologies for the delayed response. The site lies within an area of multi-period archaeological potential. However, I consider it unlikely that these proposals would have a significant below-ground archaeological impact and have no further comments to make in this case.

Meopham Parish Council

No comments received.

GBC – Environmental Protection

No objection to this application but the following conditions and informatives are recommended.

No information regarding storage or removal of manure from the stables has been included in this application. We do receive complaints regarding storage and burning of manure piles associated with stables, so it will be important to ensure that manure/waste is stored and dealt with appropriately to ensure that there is no detrimental impact on the amenity of the neighbourhood in terms of odour, flies etc. Bearing in mind the size of the site, providing a suitable distance from the curtilage of neighbouring properties for storage shouldn't be an issue.

The applicant must be made aware that if horses are to be let out on hire for riding; or are to be kept for the purpose of their being used, in return for payment for instruction in riding, then the premises must be licensed under The Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018

Storage and disposal of manure

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

Reason: In the interests of protecting the amenity of adjoining/nearby residential properties and safeguarding the amenities of the surrounding area

Drainage/sewerage informative The foul sewage shall be removed by means of the mains drainage system and not by the use of non-mains sewerage systems, unless connection to the drainage system is not reasonably practicable. If foul sewage is to be removed using non-mains sewerage systems, a sewage treatment plant or septic tank system will be considered in preference to a cesspool. Such a system may require the prior consent of the Environment Agency under the terms of the Water Resources Act 1991. Applicants are therefore advised to discuss their requirements with the Environment Agency at the earliest opportunity. It should be ensured that the septic tank or cesspool is of adequate capacity to serve the proposed development and suitable access and hardstanding area shall be maintained to it on site.

GBC – Highways Officer

I have no objections to the proposed stables providing they are ancillary to the occupation of the main dwelling. Any commercial operation of the stables would however require a more detailed submission to demonstrate there is adequate car parking and provision for lorries/transporters at the site.

Neighbouring properties

Consultation was by way of the displaying of a site notice and individual letters sent to 2 nearby properties with an overall expiry date of 24th February 2023. No comments have been received.

Officer's Analysis

Procedural Note

The application site is an open field and looking at the history does not appear to benefit from planning

permission for equestrian use. The proposal is for the erection of a stable with yard area and does not include a change of use of the land to which the application sits. Therefore the assessment below is based on the erection of a stable block and not the use of the land.

Site Description and Surroundings

The application site consists of an open field located to the south of Walnut Hill Road which is located within the Green Belt and the Meopham Downs Landscape Character Area, as defined by the Local Plan. The south of the site has been sectioned off into 6 no. paddocks by post and rail fencing to provide equestrian grazing fields. To the south and west of the site is dense mature trees and hedging. To the east is open fields, giving extensive views of the site due to its elevated location. Further to the west is Three Gables which is a residential property within the ownership of the applicant. To the south and west of Three Gables are existing stables, menage and yard areas. With the exception of post and rail fencing and a number of water tanks for the horses, the site is devoid of development. Access is gained directly from Walnut Hill Road to the north west of the site.

There is no record of planning permission for the post and rail fencing or for the use of the field for equestrian use.

The site and surroundings can be seen in the below imagery:





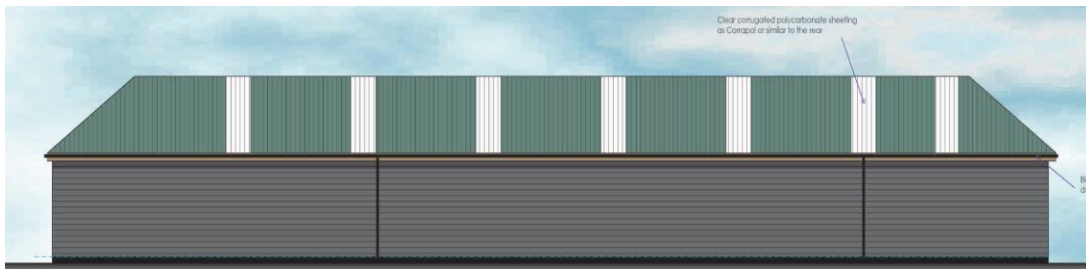
Proposal

In this application the proposal is for the erection of new single storey stable block and yard area. It would be located to the bottom northwest section of the field, adjacent to the existing trees and hedging. The proposed stable building would be:

- 161.16 sq, m (stable only)
- 328.49 sq, m (stable and yard areas inclusive)
- 30.88m in width;
- 10.63m in depth at its greatest; and
- 4.49m in height to the top of the hipped roof.

It would have 6no. loose boxes, hay and storage barn, grooms mess room, tack room and a covered yard area for grooming. The entrance would be along the west facing elevation to 2no. yard areas, one shingle surfaced and one concrete. The proposed materials according to the application form and proposed elevations are black stained timber boarding and facing brickwork for the walls and green colour coated metal sheeting for the roof.





The principle considerations in the assessment of this application are as follows:

- Whether the proposal would be inappropriate development in the Green Belt including impact on openness;
- Character and Appearance including the effect on landscape character;
- Parking and Highway Safety
- Other Matters
- Whether very special circumstances exist

Whether the proposal would be inappropriate development in the Green Belt including impact on openness

Policy CS02 (LPCS) states that development in the Green Belt will be supported where it is compatible with national policies for protecting Green Belt.

Paragraph 147 (NPPF, 2021) states that inappropriate development if, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 of the NPPF (2021) states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 149 (NPPF, 2021) states that the construction of new buildings should be regarded as inappropriate development in the Green Belt but there are some exceptions to this as follows:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

In this case it is considered point (b) is most relevant.

149 (b) is relevant as stables are considered to fall within the category of outdoor recreation. The principle

of a stable building in connection with the existing use of land or a change of use maybe considered acceptable subject to an assessment of the impact that the development would have on the openness of the Green Belt and the purposes of including land within the Green Belt. However, it must be noted that there is insufficient evidence either submitted with the application, or through a planning history search of the application site that the use of the site for equestrian use has been established. Therefore without any evidence to the contrary the application site does not benefit from planning permission for equestrian use

However, in order to assess the application fully, the proposed stable block and yard area will be assessed against paragraph 149 (b). It will therefore be necessary to make an assessment of the location, scale and design of the proposed stable building against Green Belt policy.

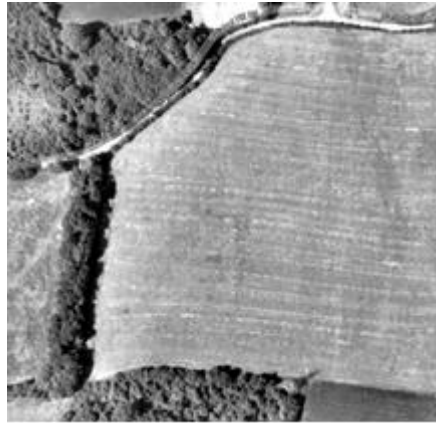
Looking at the following satellite images, there has never been any built form on the application site:

Satellite Images

1940



1960



1990



2003



2011



2017



2020



2022



Therefore the erection of any structure on this open site would appear prominent in its setting that would result in a detrimental impact on the Green Belt and would fail to preserve the openness of the Green Belt.

In the Appeal Ref APP/W1525/W/22/3297603 Hippodorome Farm (Appendix 1), the Inspector stated that “introducing man-made structures into what was formerly an open field, the appeal scheme would represent encroachment of development into the countryside. This would be contrary to one of the purposes of including land within the Green Belt, as set out in paragraph 138 of the NPPF”.

This is further supported by Appeal Ref APP/Y3615/W/21/3267542 High Barn Bungalow (Appendix 2), whereby the Inspector stated that “the openness of the Green Belt has a spatial aspect as well as a visual aspect. ‘Open’ can mean the absence of development in spatial terms, and it can follow that openness can be harmed even when development is not readily visible from the public”. The Inspector went on to conclude that “as the proposal would entail the encroachment of built form into the countryside, it would conflict with paragraph 138 c) of the Framework, which relates to one of the purposes of including land within the Green Belt”.

Paragraph 138 (NPPF, 2021) sets out that the Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

In respect of these, point (c) is considered most relevant in this case, as the application site is within the countryside in an area devoid of development. To the west of the site is Three Gables which is a residential property with stables and yard areas to the south, together with access road and associated domestic and equestrian paraphernalia. The separation of the application site with Three Gables is very clear and demarked by dense trees and hedging which has remained as such as shown by the satellite images above. The proposed stable block and yard areas would result in further encroachment of built form into the countryside which is directly in contravention of the purposes of paragraph 138 of the NPPF (2021).

In addition, in finding that the proposal would fail to preserve the openness of the Green Belt and would introduce a large equestrian stable block and yard areas where there currently is none, would not meet the relevant exceptions set out in paragraph 149 (NPPF, 2021), specifically due to the lack of evidence of the current authorised use of the land to which the proposal would be located, and as such constitutes inappropriate development. The proposal is therefore contrary to Policy CS02 (LPCS).

Character and Appearance including the effect on landscape character

The site is located in the Meopham Downs Landscape Character Area. Paragraph 174 of the NPPF (2021)

requires development to contribute to and enhance the natural and local environment by (amongst other things) protecting and enhancing valued landscapes (in a manner commensurate with their statutory status or identified quality in the development plan).

Policy CS12 (LPCS) 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.

Saved Policy C17 (LPFR) states that proposals for the recreational use of land in the countryside for horse-riding, riding schools and the erection of stables will only be permitted if they are compatible with the agricultural, landscape and transport policies of this Plan. Where proposals are acceptable in principle, the Borough Council will expect stables and horse shelters to be properly designed and constructed of sound materials appropriate to the countryside and to be in an acceptable location within the site.

The Gravesham Landscape Character Assessment (2009) advises that the Meopham Downs Landscape Character Area is characterised by gently undulating topography with mixture of arable and pasture farmland, with neat patterns of small square fields in the south, with broader irregular shaped fields to the north. It has narrow lanes and roads lined with hedgerows and three large settlements located along A227 running east and west. It's condition is good and sensitivity is classed as moderate; it is stated that the landscape should be conserved and reinforced.

The area the site is located is rural in character with open fields to the west and south and sporadic development to the east in New Barn, with Istead Rise located to the north. The site itself does not contain any existing stables or structures with the fields being open, save from post and rail fencing dividing the plot into 6 no. smaller grazing areas. The proposed stable building would be a large building that would be highly visible from the surrounding area, specifically from the south and east. The height of the proposed stables whilst being single storey would have a ridge height of 4.49m and due to the site sitting higher on the western side as the land changes increase, would be highly visible and therefore would be significant in its setting, which is only exacerbated by the proposed materials being unsympathetic metal sheeting for the roof.

The proposed development would result in a large stable building and yard area in a site that currently has no built form and as such would have an adverse impact on the wider landscape character of the area. As such the proposal would be contrary to Policies CS12 and CS19 (LPCS) and saved Policy C17 (LPFR).

Parking and Highway Safety

This proposal is for a new stable building with 6 loose boxes and associated, tack, feed and groom stores. Very little information has been submitted with the application on the nature of the use of the site, including parking and there would not be any parking provision within the red line boundary of the application site. However, whilst outside of the application site, the applicant owns the property to the west, Three Gables, which also has stables and associated yard areas located to the south, together with extensive driveway and parking facilities. Whilst there have not been details submitted with the application regarding the running of the proposed stables, it is thought that it was in association with the existing Three Gables. The Highways Officer advises that there are no objections to the proposed stables providing they are ancillary to the occupation of the main dwelling. Any commercial operation of the stables would however require a more detailed submission to demonstrate there is adequate car parking and provision for lorries/transporters at the site.

As it is not stated in this application how the proposed stables would exactly operate, a true assessment of the impact of the proposed stables cannot take place.

The red line boundary on the site location plan is around the application site only and the access to it. It does not include the wider site of Three Gables and specifically excludes all of the other buildings and land. The site location plan does outline the adjoining Three Gables, stables, menage and fields to the south in blue, which therefore highlights that the wider site of Three Gables does form part of application site, which

would indicate that the proposed stables would be run in conjunction with the existing stables to the west.

Therefore, on the basis of the proposed stables would not raise any additional highway or safety concerns. However, as very limited information has still been submitted with the application regarding how the stables on the site would be used and how they relate to the wider site (outside of the red line boundary), it is considered there is still insufficient information submitted as to the impact on the highway network. Given that Walnut Hill Road is a narrow country road which is a public byway open to traffic it is considered that to ensure there would be no harmful impact as a result of the proposal further information as set out above is required. As such the proposal is considered contrary to Policy CS11 (LPCS) and saved Policy T3 (LPFR).

Other Matters

Neighbouring Amenity

By virtue of the distance of the nearest neighbouring properties from the application site it is considered that the proposed stables would not have any impact with regards overshadowing, loss of light or loss of outlook. Issues regarding odours, noise and disturbance would be covered under Environmental Health legislation. In respect of neighbouring amenity the proposal is considered compliant with Policy CS19 (LPCS).

Archaeology

KCC Heritage advised that the site lies within an area of multi-period archaeological potential. However, it is unlikely that these proposals would have a significant below-ground archaeological impact and have no further comments to make in this case. As such it is considered there would no archaeological impact from the proposal and in this respect the proposal is compliant with Policy TC7 (LPFR).

Any Other Material Planning Considerations

Trees and Biodiversity

The proposed stables would be located in the southwest corner of the application site, which has extensive trees along the west and south boundaries. A supporting arboricultural report with tree survey plan and tree protection plan was submitted to address the initial comments from KCC Biodiversity.

The report surveyed the existing trees and provided tree protection measures which are considered to be sufficient information to satisfy the comments provided by KCC Biodiversity. Therefore subject to the implementation of the recommendations provided within the report and conditions imposed to secure biodiversity enhancements relating to nesting birds, there are no objections to the proposal in terms of impact on trees and biodiversity.

Whether very special circumstances exist

The proposal would be inappropriate development within the Green Belt. In accordance with paragraph 148 of the NPPF (2021) substantial weight should be given to any harm to the Green Belt. In addition, openness would be eroded. The proposed stable building would also harm landscape character and insufficient information has been submitted in respect of the stable use to assess parking and highway impact.

No very special circumstances have been put forward with this application. As a result very special circumstances do not exist.

Balancing Exercise/Conclusion

The proposed stable building would be inappropriate development in the Green Belt and there are no very special circumstances to justify it. Whilst there would be no harm to neighbouring amenity or archaeology,

there would be harm to landscape character and there are concerns with parking and highway safety matters due to insufficient information having been submitted. The proposal would not accord with the development plan and there are no other material considerations to outweigh this finding. Therefore, it is recommended that planning permission is refused.

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

Case Officer:	Mrs Amanda Grout	Team Leader:	Richard Hart
Signed:	<i>A Grout</i>	Signed:	<i>R Hart</i>
Dated:	23 rd May 2023	Dated:	23rd May 2023