



Delegated Report

Planning Application

Planning Application No: 20221156

Location: Park Farm House Bowesden Lane Shorne Gravesend

Description: Erection of stable block and barn.

Applicant: Mrs Cutler

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

Cover Letter

Application Form

001 A – Existing and Proposed Block Plans

002 A – Existing Plans and Elevations

003 A – Proposed Plans and Elevations

004 B – Location Plan

Relevant Planning History

Reference	Description	Decision	Decision Date
20220669	Erection of a single storey side and rear extension and alterations to the kitchen.	Permitted	08.08.2022
20220428	Application For Listed Building Consent for the erection of a single storey side and rear extension and alterations to the kitchen.	Permitted	21.06.2022
20210602	Erection of new dwelling with associated landscaping, access and parking on land adjacent to Meadow Cottage.	Refused	24.06.2021
20210007	Erection of dwellinghouse and associated landscaping, access and parking provision on land adjoining Meadow Cottage.	Refused	31.03.2021
19950762	Formation of an earth bund.	Permission	17.01.1996
19950694	Erection of two stables on land to the west of the new house.	Permission	19.02.1996
19940287	Erection of a detached two storey dwelling and double garage at the front, with access onto Bowesden Lane.	Permission	07.12.1994
19920642	**AMENDED APPLICATION** Outline application for the erection of a detached dwelling with vehicular access onto Bowesden Lane.	Permission	08.06.1993
19560130	Site for erection of a bungalow in connection with the agricultural holding	Permission	08.08.1956
19550130	Residential development	Refused	03.08.1955

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

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

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T1 – Impact of Development on the Highway Network
- C12 – Policy for Replacement Dwellings in the Countryside

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

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

National Planning Policy Framework (2021)

- Section 2 – Achieving Sustainable Development
- Section 4 – Decision Making
- Section 5 – Delivering a sufficient supply of homes
- Section 9 – Promoting Sustainable Development
- Section 12 – Achieving well-designed places
- Section 13 – Protecting Green Belt land
- Section 14 - Meeting the challenge of climate change, flooding and coastal change.
- Section 15 – Conserving and enhancing the natural environment

Supplementary Planning Guidance

- SPG 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- Technical Housing Standards – nationally described space standard (2015);
- SPG 4 - KCC Parking Standards (2006);
- Householder Extensions/Alterations Design Guide (2021); and
- Gravesham Landscape Character Assessment (2009)
- Kent Downs Area of Outstanding Natural Beauty Management Plan (2014)

Consultations, Publicity and Representations

Consultees

Ward Councillors:

Summary of representative comments:

The boundary appears to have change and concerns have been raised by local residents.

Concerns have been raised by residents that the application is a preliminary move leading to the

establishment of an additional residential property on this plot, which is in the Green Belt and AONB. Such development was refused under application references 20210007 and 20210602. Conditions should be considered that would avoid the possibility of change of use or conversion of buildings at a later date.

Parish Council:

The Parish Council has no objection in principle to this proposal, subject to there not being any significant valid objections from neighbours. The application proposes the replacement of an existing two-bay plus store, wooden stable building.

The accompanying photograph suggests that it may not be in use at present. It is noted that the buildings (three-bay stable with separate hay/tractor and tack store) are placed towards the rear of the site, which is within the Green Belt and AONB.

There will need to be an associated dungheap, which may require a drainage plan and there may need to be a parking area and hardstanding - all of these will reduce the land area available to the three horses, which is already very small. The associated permanently available land to be used for grazing and exercising needs to be indicated on the plans.

Services to be provided to the building need defining and there is no exterior lighting indicated. The gates may need to be set back from the roadway by at least 6m so that the lane will not be blocked by vehicles needing to access the site.

Conditions should be attached:

- *Preventing residential use or future conversion to a dwelling.*
- *Preventing commercial use including for livery.*
- *Any permission should be personal to the applicant and/or only in connection with residents of Park Farm House.*

We note that the other land owned by the applicant (not all shown on the submitted plans) may be subject to purchase by National Highways under the Lower Thames Crossing proposals.

Dickens Protection Society:

The society notes the site is in an area within which Green Belt policies apply and the North Downs Area of Outstanding Natural Beauty. The Society would suggest that conditions are imposed to controlling the use of the building to stabling and no other use and the barn to be used as a barn.

National Highways

Referring to the consultation on a planning application dated 6 March 2023 referenced above, in the vicinity of the M2 Motorway and A2 Trunk Road that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we offer no objection.

GB Highways:

I cannot see an existing access to the property, but an access cannot be denied by the Highway Authority unless there is a safety issue. Here the safety issue is suitable vehicle sight lines. Bowesden Lane is derestricted and so subject to 60mph. However, it is most unlikely although not necessarily impossible for a vehicle to travel at this speed. Without the benefit of a suitable speed survey, it may be more appropriate to require 43m x 2.4m x 43m sight lines which are those required by Manual for Streets for 30mph a not unreasonable speed for a single-track carriageway with good forward visibility. With a frontage of only some 25 metres, the maximum visibility that could be achieved with a central access is 12.5 metres which would equate to a speed closer to 10mph (11m x 2.4m x 11m) I would suggest this is an unrealistic speed for the road in question. Therefore, to gain access sight lines would be required across third party land for which appropriate agreements would have to be sought and in place. It has to be accepted that there are other accesses along Bowesden Lane that do not comply with this requirement, but they are long established, and current guidance should be followed. (It is noted that Bowesden Lane does not have any

accidents recorded on the CrashMap data base, this does not mean there haven't been any, just no reported injury accidents which is the basis of any analysis)..

In terms of vehicle movements, Bowesden Lane is a single-track rural road and whilst far from ideal, such roads are frequently required to serve agricultural activities which involves the transfer of materials and produce, although perhaps not as frequently as a stable. The fact that Bowesden Lane does not benefit from any formal passing places, could be problematic if larger vehicles were to visit the site, including cars with trailers, but I doubt any objection on highway grounds on this issue would be successful at appeal..

So I object on the grounds of inadequate sight lines at any access and if you were minded to approve, the first twelve metres of any access should be paved and adequately drained with gates set back the same distance to allow for any visiting lorries including horseboxes/cars with trailers to park clear of the highway whilst the gates are opened (inwards) or closed and the hard paving provides for the opportunity for any mud etc to fall off the vehicle before entering the highway.

Neighbouring properties

2no. surrounding properties were consulted and 4 comments were received, all objections.

Summary of objections:

- The plan shows the old stables have been incorporated into land that was previously long-term well-established Orchard - All cleared suddenly of fruiting trees next to Meadow Cottage - * Orchard is 'currently 'Green belt land/ Area of outstanding beauty.
- We understand that the previous owners of Meadow Cottage rented the land from Mr and Mrs Cutler for more than 20 years for them to walk their dog in the orchard. There has never been any stable block/outhouse on the land. We feel this application is a further attempt to gain planning permission for a residential property on the land, which as we know has been refused twice already.
- Old Fence boundaries on this new Planning Application appear to have had fences moved.
- Highways England with their 'planned purchase 'of Park Pale Farmhouse + owners extensive farmland surrounding - have the 'planning boundaries 'been changed from original records?
- Existing old stables on this planning application - I believe have always been used for STORAGE not for Horses/ Ponies Live in/on .
- Query if there is an existing track for vehicles to stables/would development have access on to Bowesden lane near Furzelea / Meadow Cottage .
- No recollection from last 20 years + of horses / ponies being housed in Cutler's old stables or in Park Pale fields immediately surrounding.
- The planning application for 3 new stables and barn I do not believe is sustainable for 3 horses / ponies (3 stables) to graze successfully & rotate even when additional horse feed is given . This planning application I believe is 1/2 acre only in total. The BHS recommends ratio of one horse per 0.4-0.6 hectares on permanent grazing (1-1.5 acres per horse).
- Another comment stated that the British Horse Society recommends one horse per 1 to 1.5 acres and a minimum of two horses.
- The Governments Code of Practice for the Welfare of Horses states that stable sizes per horse is 12ft x 12ft/ 12ft x 14ft (for a large horse).Land available for grazing would be reduced by dung heap and car parking.
- The narrow Lane is not suitable for increased traffic and there is a lack of turning space on the road, which is a dead end.
- Horse manure / straw Muck heap would be required if animals were kept on planning application land. This would be very close to Meadow Cottage garden and house . The smell and rat problem would be likely. It would need a tractor etc to clear regularly and would not have a pleasant smell for Meadow Cottage owners .
- Would new entrance to Stables / Barn be moved to near Furzelea house gate entrance and Meadow Cottage driveway onto Bowesden Lane? This would be extremely disruptive, difficult for both families living there . Especially if transit vans or horse boxes tried to turn into a single width lane.
- Applicants would not be living in Bowesden lane once Highways England take their property/ land over- How can lane Residents / (20 properties + Park Pale House) be assured that stables traffic / tenants would be monitored properly ? Lane Residents could find - that new planned buildings will

- be 'rented out 'for 'Storage only' with transit vans / trucks up / down lane.
- Bowesden lane gets so many pot holes with current amount of its every day 'normal traffic ' + Priors horse traffic / horse boxes using Stables on opposite side of lane (Prior's land being compulsory purchased by Highways England too.)
- Bowesden Lane is a single narrow lane, has poor quality worn, tarmac & constant spring water underground flow .Any more vehicle traffic would deteriorate lane tarmac even more. No streetlights either. More pot holes would appear!
- Priors stables opposite are rented out for tenants and their tenants / horse riders race up / down Bowesden lane and throw litter in lane, which would be a similar circumstance here.
- Demolished Orchard has been lost to wildlife nesting/ hedgehogs that likely hibernated under long standing undisturbed hedges. 11 Rescue hedgehogs have been released in Bowesden lane area in last 2 years. Late Spring 22 - I had an injured hedgehog found in Meadow Cottage back garden, covered in petrol smell. It had bruised mouth too. Likely it had been trapped in an outbuilding. but not one belonging to Meadow Cottage but defiantly one nearby used to store Garden equipment!
- Barn on Planning application - is it likely in future - this will become a house dwelling? At Present Pale Farm House has a similar Barn which - once main wooden front doors are opened - there are glass doors inside and it is a luxury rental Air B and B. Is this the possible onward plan with new barn planning?
- The development would increase agricultural crime in the area contrary to paragraph 2.8 of the Gravesham Local Plan Core Strategy.
- The proposed development is within the SPA/Ramsar site and the applicant has not provided any ecological evidence to inform a habitat regulations assessment covering the impact of the development of the site. The proposal is therefore contrary to policy CS12 (Green infrastructure). This was one of the reasons the previous application was rejected by GBC.
- I reject this application for all the reasons the previous application for a house on this land was rejected twice.
- The applicants are moving away from the area, we understand in June/July of this year, if planning was consented the applicants would just rent the land or sell to anyone and we would be left wondering who would be turning up to attend to the horses adjacent to our garden everyday.
- We feel that the two new buildings would change the nature of the field, which is in an AONB and has previously been undeveloped, and are concerned that the land is not big enough for three horses.
- We are concerned that the land could be sold to anyone, who may not necessarily use it for the planning purposes or abide by any conditions put in place.

Officer's Analysis

Proposal, Site Description and Background

The officer for the most recent planning application stated:

The application site is a roughly rectangular plot to the south of Meadow Cottage and to the north of Park Farm House. The land is within the applicants' ownership but has been let to Meadow Cottage. There is some ambiguity over the use of this land as the planning statement says it was used as garden land but the Parish Council have said it was used as an orchard. It does not fall within the residential curtilage of either property and, upon visiting the site, appears to have not been utilised for many years. Meadow Cottage has since been sold and the land has returned to the applicants. The site is surrounded by trees and the access to it is from Bowesden Lane.

Although the application here differs from that proposed on the most recent application, this statement is still relevant as it applies to the same area of land. The covering letter submitted with this application advises that the land was previously used for a horse:

The application site is a small area of land containing an existing stable block which was formerly used by the applicant and her family for their own horse. This has become somewhat neglected over the years and, given the circumstances over the rest of her land, she has now decided to erect a new stable block and hay/tractor barn to enable the maintenance of the land.

For some clarity, the following aerial views have been provided to show how the landscape has changes over the last 30+ years.



Google earth image taken in 1990



Google earth image taken in 2003



Google earth image taken in 2022

Principle of Development

National Planning Policy Framework (NPPF)

Paragraphs 147-151 of the NPPF address proposals which would affect the Green Belt. It seeks to ensure that inappropriate development in the Green Belt would not be approved except in very special circumstance. Construction of New buildings are regarded as inappropriate in the Green Belt.

The relevant exceptions to this policy are as follows:

(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;

(d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

It is clear that a stable building and hay barn would be considered an appropriate facility for outdoor sport and so the test here is whether the new stable block would preserve the Openness of the Green Belt AND not conflict with the purposes of including land within it. It should also not be materially larger than the building it would replace.

The plot itself is a large area of land containing a dwellinghouse and this dilapidated structure referred to as the 'existing stable block'. It should be noted that the land related to this existing building was considered to have the appearance of disuse for a number of years by the previous assessing officer under ref 20210602. However, it is indeed built form in the Green Belt and that cannot be disregarded. The footprint of the existing building is 32.1m². The total footprint of the building proposed would be 109.4m². This would be an increase of 77.3m², a **240.81%** increase in footprint. So clearly, there is a substantial increase in built form which would result from this development, it would include the replacement of 1 smaller building with 2 larger buildings and by its very nature this would be harmful to the Openness of the Green Belt and would be materially larger than the building it would replace.

Gravesham Local Plan Core Strategy 2014

Core Policy CS02 sets out where development should be distributed in the borough. Preference is given to those urbanised areas as sustainable locations. Outside urbanised areas, those rural settlements which are inset from the Green Belt would also be considered acceptable in principle. This site is in a rural area, in the Greenbelt **NOT** forming part of settlement inset from the Greenbelt. In this context the policy states that developments; '*will be supported where it is compatible with national policies for protecting the Green Belt and policies in this plan.*'

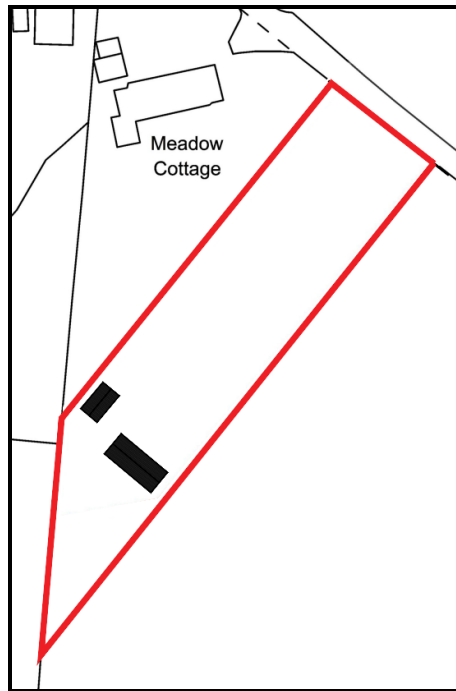
Very Special Circumstances

Para 148 of the NPPF 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.'

Design, Character and Appearance, Landscape and AONB

The application site is located within the Green Belt, open countryside, Area of Outstanding Natural Beauty and the Shorne Woodland Landscape Character Area. The plots in this location are large and spacious. The application plot is larger than nearby neighbours, the dwellinghouse being set away from the cluster of nearby neighbouring building, with the area where the proposed buildings are proposed located closer to these residences, than the subject dwellinghouse.

The proposed buildings are cumulatively large in footprint, particularly when compared with neighbouring building, Meadow Cottage shown on the proposed block plan below (Not to scale):



The stable block would also have a number of windows which are generally residential features and unusual on a stable block. Although single storey in height, its position, set away from the main dwellinghouse, increased scale and the disconnected appearance of the landscape from the main dwellinghouse given the planting at the boundary cumulatively result in harm to the landscape character of the area and the high quality appearance of the AONB.

It is also noted that this proposal for erection of a block of three stables and hay barn for use by horses within an area of 0.22 hectares/0.54 acre in area. The stable block would be sited to the northwest boundary of the site, close to an adjacent dwelling. This is an over-intensive use of the area, which could lead to a deterioration in the quality of the local landscape. The submission states in the cover letter:

'It is accepted that the site does not meet BHS recommended standards of 1 horse per acre for all year grazing but there are adjacent fields which the client has access to. In addition there are numerous bridle paths in the locality to enable the horses to be regularly ridden and exercised.'

There is no sufficient way to ensure that the horses would be regularly grazed elsewhere and whilst the applicant themselves may take the necessary measures to ensure they are grazed adequately on nearby areas for which grazing of horses is allowed, there is no guarantee that this would be the case for any future occupiers or owners of the stables and there is a high likelihood that placing a stable for three horse on an area of land not appropriate in size for a single horse would result in over-intensified use of the land.

This would be contrary to Policy CS12 of the Gravesham Local Plan due to the harm it would cause to the valued landscape of the Area of Outstanding Natural Beauty and rural landscape within a residential setting.

Neighbouring Amenity

The proposed buildings would be set back in the plot and so would not directly harm the neighbouring dwellinghouse as a result of the additional built for. The intensified use of the small parcel of land adjoining this neighbour for the provision of three horses, would likely result in adverse impact in terms of noise and odour, to the neighbouring property and their enjoyment of their dwellinghouse and private garden.

The proposal is therefore considered to harm the amenity of neighbouring properties in compliance with policy CS19 of the Core Strategy 2014.

Parking and Highways

The proposed scheme would result in increased traffic movements for the transfer of materials related to the care and upkeep of three horses and this would likely require a large vehicle on a single-track lane. There is no existing access to the property from the information available. Therefore, it should be ensured that adequate sight lines are made available. It is noted that these details could be reserved by condition but, as there are other reasons for refusal, it will be included as a reason for refusal for clarity on this application.

Any Other Material Planning Considerations

Conclusion & Recommendation

The proposed development by reason of its significant increase in footprint and bulk in the Rural Area of Metropolitan Green Belt and by association, its inability to preserve the Openness of the Green Belt would as a result fail to comply with Paragraphs 147-151 of the NPPF (2021) and Core Policy CS02 of the Gravesham Local Plan (2014).

The proposed development by reason of its intensified use for stabling and care of horses on a small parcel of land would result in significant harm to the character of this area and significant harm to the adjoining neighbours residential amenity by reason of the increase noise and odour pollution, would as a result fail to comply with the requirements of Policy CS12 and CS19 (Development and Design Principles) of the Core Strategy 2014 and paragraph 130 of the National Planning Policy Framework (2021) in terms of design, character and appearance and harm to the Landscape Character of the site within the AONB.

The proposed development by reason of its inability to demonstrate adequate sight lines from the site to the highway, resulting in harmful impact to highway safety and failing to take opportunity to improve active travel accessibility, would as result be contrary to paragraphs 110 to 113 of the National Planning Policy Framework (2021), Saved Policies T1 and P3 of the Local Plan First Review (1994) and Policies CS11 and CS19 of the Core Strategy 2014.

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

Case Officer:	Ms Lisa Williams	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	28th March 2023	Dated:	29th March 2023