

4.2 20/03779/FUL

Revised expiry date 5 April 2021

Proposal:

Erection of two stables, tack room and hay store for personal use

Location:

Land East Of The Coach House, St Julians Road,  
Underriver KENT TN15 0RX

Ward(s):

Seal & Weald

#### Item for decision

Councillor Thornton has referred the application to Development Control Committee on the grounds of loss of openness, inappropriate development within the Green Belt, harm to the AONB and impact on the public right of way, contrary to the NPPF paragraphs 79, 143 and 144, policy LO8 of the Core Strategy, policy LT2 of the ADMP and policies R7 & R8 of the Underriver Village Design Statement SPD.

RECOMMENDATION: That planning permission be GRANTED subject to the following conditions:

1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

In pursuance of section 91 of the Town and Country Planning Act 1990.

2) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 4277-20-PLS201-P4 and 4277-20-PLS202-P5.

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

3) The materials to be used in the construction of the development shall be those indicated on the approved plan 4277-20-PLS201-P4.

To ensure that the appearance of the development is in harmony with the existing character of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

4) The stables hereby permitted shall not be used for any commercial purposes.

To protect the amenity of the area and nearby residents as supported by policy EN2 of the Sevenoaks Allocations and Development Management Plan.

5) No external lighting shall be installed on the land until such details have been submitted to and approved by the Council. The installation of external lighting shall only be carried out in accordance with the approved details.

To protect the amenity of the area as supported by EN1 of the Sevenoaks Allocations and Development Management Plan.

6) If within a period of five years from the completion of the development, any of the trees or plants that form the front hedge, indicated as being retained, are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species.

To maintain the visual appearance of the area as supported by policy EN1 of the Sevenoaks Allocations and Development Management Plan.

### **National Planning Policy Framework**

In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

### **Description of site**

- 1 The application site comprises a parcel of land sited to the east of the property known as The Coach House in the parish of Underriver. The site is accessed by an unclassified byway off St Julians Road, with access to the site taken from this byway along the southern site boundary. The site is currently open and green land and extends northwards, with residential properties located to the south east and North West.
- 2 The site is located within the Green Belt and the Kent Downs Area of Outstanding Natural Beauty, with a public right of way running along the byway to the south of the site.

### **Description of proposal**

- 3 The application proposes the siting of a stable block adjacent to the southern boundary of the site which would provide two stables, a store area and a feed and tack room for domestic and recreational use for the occupiers of The Coach House. The proposal also involves relocating the existing access a few metres to the east. The proposal has been amended and reduced in size and scale, as well as alterations made to the proposed site layout including relocating the access, relocating the proposed manure storage and reducing the area of hardstanding proposed.

## Relevant planning history

4 No previous planning history on the site identified.

## Policies

5 National Planning Policy Framework (NPPF)

6 Core Strategy (CS)

- LO1 Distribution of Development
- LO8 The Countryside and the Rural Economy
- SP1 Design of New Development and Conservation

7 Allocations and Development Management Plan (ADMP)

- EN1 Design Principles
- EN2 Amenity Protection
- EN5 Landscape
- LT2 Equestrian Development

8 Other

- Development in the Green Belt Supplementary Planning Document (SPD)
- Countryside Character Assessment Supplementary Planning Document (SPD)

## Constraints

9 The site lies within the following constraints -

- Metropolitan Green Belt
- Kent Downs Area of Outstanding Natural Beauty (AONB)
- Proximity to public right of way

## Consultations

10 Seal Parish Council -

11 “The Parish Council notes that revised plans have been submitted which propose a reduced floor area for the stables and a location for the manure store a greater distance from the restricted byway. However, the orientation and location of the stables and the associated ground works would still result in significant building alongside the byway at a point where there is presently open land. Accordingly, we agree with the further views of the PROW Unit.”

12 Public Right of Way Officer

13 Comments dated 17/03/2021:

- 14 “Whilst I note that the size of the proposed stables has been further reduced, it will still result in a building of 11.8 metres, as opposed to the previously requested length of 15.7 metres, alongside what is presently an open view to the north from the restricted byway SR286. The comments made in my letter of 13th January, apart from the proximity of the manure store to the restricted byway, and online comments made on 5th March still apply.”
- 15 Comments dated 05/03/2021:
- 16 Thank you for the letter of 5th March advising me of the amended consultation on this application. Whilst I note that the size of the proposed stables has been reduced, it will still result in a building of 13 metres, as opposed to the previously requested length of 15.7 metres, alongside what is presently an open view to the north from the restricted byway SR286.
- 17 I note that the 'Allocations and Development Management (adopted in 2015) Chapter 8. Leisure and Tourism: Equestrian Development states that development of equestrian facilities may be approved where a) buildings would be appropriate in scale to their setting and would be closely related to existing farm buildings or other groups of buildings that are well screened from public view;. These stables will be in direct view of the public and could be better situated within the field rather than this seemingly ribbon-type development along the public right of way. The development may also impact on the openness of the Green Belt and thus be contrary to the statement that, 'Proposals for equestrian development in the Green Belt will be permitted where the scale of the development is appropriate to a Green Belt setting, and where the cumulative impact of other buildings, does not harm the openness of the Green Belt.'
- 18 I am pleased to note that the manure store has been moved 11.6m back from the edge of the public right of way.”
- 19 Comments dated 13/01/2021 on previous scheme:
- 20 “Public Right of Way Restricted byway SR286 runs along the southern side of the application site. I attach an extract of the Public Rights of Way Definitive map showing the line of this path for your information. I am concerned about the adverse visual impact on walkers’ views by the introduction of a new 15.7m long building beside the path.
- 21 This should also be considered alongside the application SE/20/03778/HOUSE for the erection of a single car port of pitched roof design which will also bring forward more built form closer to the edge of the path, reducing the distance from the path to 895mm and putting a building on the area needed for a visibility splay, where any vehicle drivers will need to be able to look to see if anything is approaching along the restricted byway from the west when exiting the stables.
- 22 I also have concerns about the manure store which is sited close to the public highway and could produce noxious smells in the summer.”

- 23 Tree Officer
- 24 “I assume that the banking as shown to the immediate north of the proposed build will be constructed to partially hide the stable building which is preferable. Should any of the existing hedgerow die or be removed, I suggest that it is replaced with new planting.”

### **Representations**

- 25 Three public objections were received in response to the original scheme and two objections in response to the amended scheme reiterating their original concerns, summarised as follows:
- Size, scale and positioning of stable
  - Changing land levels within the site
  - Provision of parking for stables as inappropriate
  - Lack of turning space for horse boxes
  - Overbearing impact
  - Harm to AONB
  - Harm to Green Belt

### **Chief Planning Officer’s appraisal**

- 26 The main planning considerations are:
- Principle of Development
  - Impact on the Green Belt
  - Impact on the AONB
  - Design and impact on the character and appearance of the area
  - Impact on residential amenity
  - Compliance with Policy LT2
  - Impact on highways safety and parking provision
  - Impact on the Public Right of Way

### **Principle of development:**

- 27 The proposal is located within the Green Belt. There is a general presumption against development within the Green Belt, but there are exceptions including, for example, that which potentially allows for the provision of appropriate facilities for outdoor sport and outdoor recreation.
- 28 At local level policy L08 of the Core Strategy seeks to maintain the Green Belt and conserve the countryside. Policy LT2 of the ADMP permits proposals for equestrian buildings and facilities if certain criteria are met.
- 29 In light of the above, the provision of stables in connection with a recreational use of the land can potentially be acceptable in principle. The policy implications are to be considered further below.

## Impact on the Green Belt

- 30 As set out in paragraph 145 of the NPPF, new buildings in the Green Belt are inappropriate development, there are some exceptions. Paragraph 143 states that where a proposal is inappropriate development in the Green Belt, it is by definition harmful and should not be approved except in very special circumstances. Paragraph 144 of the NPPF advises substantial weight should be given to any harm to the Green Belt.
- 31 Policy LO8 of the Core Strategy seeks to preserve the extent of the Green Belt.
- 32 Paragraph 145(b) states that the provision of appropriate facilities for outdoor sport and outdoor recreation is not considered to constitute inappropriate development within the Green Belt, as long as the facilities preserve the openness and do not conflict with the purposes for including land within the Green Belt.
- 33 Openness is an essential characteristic of the Green Belt. Openness is about freedom from built form. Even if there is absence of harm to openness, there can be harm in principal to the Green Belt from inappropriate development.
- 34 Due to the equestrian nature of the application, local policy LT2 is relevant. LT2 states that proposals for equestrian development within the Green Belt will be permitted where the scale of the development is appropriate to a Green Belt setting and where the cumulative impact does not harm the openness of the Green Belt. Such buildings can be considered to safeguard the countryside from encroachment.
- 35 The stables have been reduced in size and scale and are now considered to be acceptable in terms of height, bulk and mass. Moreover, equestrian development is considered to be characteristic of a rural countryside setting. Therefore, the siting of a stable block on the site would not be considered to conflict with the purposes of the Green Belt as outlined in paragraph 134 and would not be considered to constitute inappropriate development within the Green Belt.
- 36 The stable block would be sited along the southern site boundary and would be located behind the existing mature hedgerow, which would be retained and would partially screen the stable block from the track. Due to the sloping land levels on the site, the stables would be dug into the land as it slopes up eastwards. A retaining wall is proposed with a banked grass verge, which will also help screen the stable and reduce some of the visual bulk of built form.
- 37 In accordance with policy LT2, the stable block would be appropriate to the rural and agricultural setting. In conclusion, the stables are considered occupy a suitable siting and be of an appropriate scale to serve their function. Thus, in my view, the stable block would not materially harm the openness of the Green Belt. Therefore I consider the proposals represent appropriate development within the Green Belt.

- 38 Considering the above, the proposal complies with policy LT2 and LO8 in terms of preserving the extent of the Green Belt, as well as complying with the Green Belt policies and purposes outlined in the NPPF.

#### **Impact on the character of the area and the AONB**

- 39 Policy SP1 of the Core Strategy and Policy EN1 of the ADMP state that all new development should be designed to a high quality and should respond to and respect the character of the area in which it is situated.
- 40 Policy EN5 of the ADMP states that the Kent Downs Area of Outstanding Natural Beauty and its setting will be given the highest status of protection in relation to landscape and scenic beauty. Proposals within the AONB will be permitted where the form, scale, materials and design will conserve and enhance the character of the landscape.
- 41 The site is located within the open countryside and has a verdant and rural character. The works consist of a stable block providing two stable spaces, a store area and a feed and tack room for personal domestic and recreational use.
- 42 As stated above, equestrian development is considered characteristic of a rural area. The site is located within the open countryside and therefore the siting of a modestly sized stable building would not be considered to conflict with the rural and agricultural character of the wider landscape area.
- 43 The existing mature hedge is proposed to be retained which will soften and screen the appearance of the stables and the stables will be dug into the land with a banked grass verge proposed to aid in screening the stables within the wider landscape setting.
- 44 Much of the site would remain open and undeveloped, with the rural, green and verdant character of the site being maintained. The stables would be set some 5m into the site and a degree of openness will be retained along the southern site boundary. The stables have been sited to mirror the build line of The Coach House and the associated outbuildings to the west of the site which front the byway and are considered an acceptable continuation of the existing pattern of development within the landscape area.
- 45 The stable block would be partly screened from the street scene due to the existing mature landscaping. Because of its relatively modest scale and height and use of traditional materials, I do not consider it would appear as an unduly prominent feature which would be harmful to the wider landscape character.
- 46 The partial visibility of the stables is not considered to equate to harm, with much of the southern site boundary that adjoins the street scene remaining open and as existing. When considering the size, scale, bulk and nature of the scheme, the development would not be considered to significantly alter the existing character of the area or cause a harmful encroachment into the open countryside.

- 47 Overall, the proposed works not be considered to harm or detract from the landscape setting or the intrinsic beauty of the area and would therefore conserve and enhance the rural setting of the AONB, in accordance with policies SP1, EN1 and EN5.

### **Impact on residential amenity**

- 48 Policy EN2 of the ADMP requires proposals to safeguard the amenities of existing and future occupants of nearby properties.
- 49 Due to the siting and location of the stable block, the development would be adequately separated from nearby neighbouring properties and would not be considered to cause a harmful loss of light, privacy or outlook to neighbouring residential amenity. The stables would be in excess of 50m from the dwelling to the south east of the site, Vineyard Cottage, and would be in excess of 85m from the dwelling to the North West of the site, Rumshott Manor. The works would not be considered of a size, mass or bulk to cause harm to neighbouring amenity.
- 50 The use of the stables is for domestic and recreational purposes. Therefore, due to the scale and nature of the works, the stable block and equestrian use of the site would not be considered to cause a level of noise or disturbance that would harm neighbouring amenity and warrant a reason for refusal of the scheme. The development would not be considered to cause a harmful intensification of the site.
- 51 Considering the above, the proposal is therefore considered to comply with policy EN2 of the ADMP.

### **Compliance with Policy LT2**

- 52 Policy LT2 sets various criteria which should be met relating to the scale and impact of the proposals, which have been discussed above in detail.
- 53 Regarding the criteria of policy LT2, the stable block and associated works are considered to be appropriate in scale to their setting. The stables have been reduced in size, scale, bulk and mass and the amended scheme is not considered to appear prominent within the site and would not be visible to a degree that would cause harm from the track and the right of way. Due to the change in land levels, relocating the stables back further within the site could potentially make them more prominent within the landscape setting in terms of long distance views.
- 54 The stable and grazing land meet the recommended standards as outlined by the British Horse Society and would enable the safe and confined keeping of the horses. The keeping of horses on the site would not be considered as harmful to neighbouring amenity. Details regarding the site drainage and manure storage have been provided and are considered to be acceptable to ensure the safeguarding of residential amenity. The works would not be considered of a size, scale, mass or bulk that would harm the character of the landscape or the ecological value of the area. The stable would include the provision of x2 bat boxes and x2 insect boxes which would be considered an ecological enhancement and benefit of the scheme.



- 55 The materials proposed for the stable block are black timber cladding with a grey felt shingle roof and are considered to be appropriate and in keeping with the rural character of the site and the surrounding area. The stable would not have a degree of permanence that would be considered harmful or contrary to this criteria.
- 56 In summary, the proposals are considered to represent appropriate development within the Green Belt. The scale of the stables are considered appropriate to their setting and the site would provide sufficient area for the grazing of the horses. The proposals would protect the amenity of neighbouring residents, the character of the area and would include ecological enhancements. Overall, the scheme is considered in accordance with Policy LT2.

### **Impact on highways safety and parking provision**

- 57 Policies EN1 and T2 state that all new development should provide satisfactory means of access for vehicles and pedestrians and provide adequate parking.
- 58 The site has an existing access onto the byway which is proposed to be moved a few metres to the east to allow better access onto the site for the use of the stables. The stables involve an area of hardstanding for vehicular turning and parking. Whilst the stables are proposed for domestic and personal use it is still considered necessary and acceptable to allow some on-site parking provision for the use of the stables, with the level of hardstanding being kept to a minimum.
- 59 The access track is not a classified road and is considered a byway, as such, the new access would be considered to be acceptable considering the positioning and location of the existing access.
- 60 The development on the site is for the keeping of horses for recreational use and not for commercial use. Therefore, the development would not be considered to cause a harmful intensification of the site that would generate an increase in traffic or vehicular movements above the current levels. Overall, the scheme is considered acceptable on highway grounds.

### **Impact on the Public Right of Way**

- 61 There is a Public Right of Way that runs along the southern boundary of the site.
- 62 The stables would be partially visible from this right of way. However, the stables have been reduced in scale and would now only extend some 11.8m in total length along the southern boundary. In addition, they would be sited some 5m back from the edge of the right of way. They would be set behind the existing mature hedgerow which is to be retained. The stables are also proposed to be set into the ground on the eastern side with a banked grass verge proposed to soften the impact of the built form.
- 63 In the circumstances, whilst the Public Right of Way Officer raises concerns, for the above reasons I do not consider the stable building would appear

overly prominent or visually intrusive when viewed from the adjacent right of way.

- 64 It is my conclusion that the stables would not be unduly harmful to the visual amenities to users of the adjacent right of way.

### **Community Infrastructure Levy (CIL)**

- 65 The proposal is not CIL liable.

### **Conclusion**

- 66 As highlighted in the report above the proposed development is considered to accord with the NPPF and our adopted development plan.

- 67 It is therefore recommended that this application is GRANTED.

### **Background papers**

Site and block plan

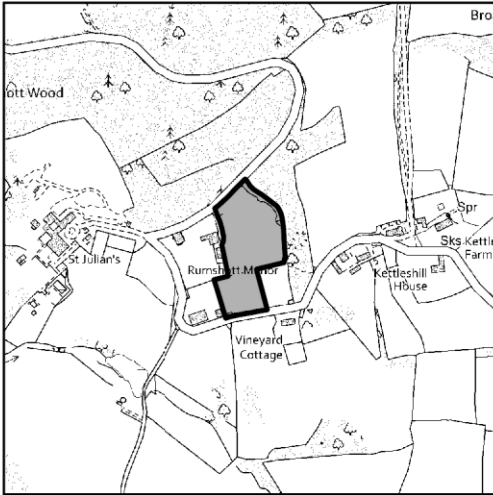
Contact Officer(s):

Anna Horn: 01732 227000

**Richard Morris**  
**Chief Planning Officer**

[Link to application details:](#)

[Link to associated documents:](#)



# Site Plan

Scale 1:2,500  
 Date 28/04/2021



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 Ordnance Survey 100019428.

BLOCK PLAN

