

**Application No : 10/00192/VAR**

**Ward:  
Darwin**

**Address : Archies Stables Cudham Lane North  
Cudham Sevenoaks TN14 7QT**

**OS Grid Ref: E: 544557 N: 160989**

**Applicant : Charmaine Moore**

**Objections : YES**

### **Description of Development:**

Variation of condition 07 of 08/00559 and condition 12 of 08/03254 to allow stationing of caravan ancillary to the keeping of horses.

### **Proposal**

- This application has been submitted in order to allow a caravan to be stationed along the northern side of the site, behind an existing stable block which was permitted under an earlier planning application. The caravan would measure 11m x 4m.
- The proposal is justified by the applicant on the basis that it will facilitate equestrian uses on the site (an area to snack and change clothes) and to be used for the occasional stay on the land over night.

### **Location**

The application site is situated in the Metropolitan Green Belt and is approximately 0.25 hectares in area, with a 25.8 metre wide frontage to Cudham Lane North. The Shaws Girl Guide camp site adjoins the site to the south. The site previously formed part of a larger agricultural holding and was subdivided in early 2008 prior to the submission of the first planning application.

### **Comments from Local Residents**

Nearby owners/occupiers were notified of the application and representations were received from local residents/ owners, as well as from the Cudham Residents' Association which can be summarised as follows:

- site would be 'swamped' by the stationing of the proposed vehicle
- proposal would change the vista from a neighbouring campsite of the surrounding area
- proposal would set a precedent for others to follow
- field is not large enough to warrant all the applications which have been made on it recently

- the property is sited in the Green Belt and the requested permission for a caravan on site, especially one for residential use, would contravene the letter and the spirit of the current regulations
- the conditions, to protect the surrounding Green Belt area, which were imposed on the original Approval for equestrian use were freely agreed to by the owner
- the owner has already requested, and been granted, an easing of the conditions to permit the use of a toilet on the site, and is now seeking another relaxation aimed at residential use. This site does not have permission for such use. The ultimate possible purpose of such requests is questionable and should be considered
- the site is only large enough for the maintenance of a single horse, for which the current stabling and toilet facilities are perfectly adequate, as they are for many other horse owners, and this one should be no exception

### **Comments from Consultees**

Not applicable

### **Planning Considerations**

The application falls to be determined in accordance with the following policies of the Unitary Development Plan and national policy:

BE1	Design of New Development
G1	The Green Belt
NE12	Landscape Quality and Character
L3	Horses, Stables and riding Facilities
PPG2	Green Belts

### **Planning History**

The use of the site for the keeping of a horse was permitted under ref 08/00559. Subsequently, under ref. 08/03254 permission was granted for a replacement and re-sited stable with additional store room and hardstanding area for horsebox and trailer parking. This work has been implemented. Further planning permission was granted for a detached WC building under ref. 09/02833. Both the 2008 applications which were permitted included conditions restricting Permitted Development on the site (No 7 of 08/00559; and No 12 of 08/03254):

“Notwithstanding the provisions of Part 4 of Schedule 2 of the Town and Country (General Permitted Development) Order 1995 (or any Order amending, revoking and re-enacting this Order) the site shall not be used at any time for the holding of markets, fairs, war games, clay pigeon shooting, motor car and motor cycle racing (including trials of speed and practising for such racing or trials), or for the stationing or storage of a caravan or caravans (including the setting up or preparation for such uses or activities) at any time.”

## Conclusions

It is now sought to vary the above condition in order to enable a caravan to be stationed on the site. This remains unacceptable in light of local and national planning policy. The proposed use constitutes a further encroachment in the Green Belt and is inappropriate since it will result in the creation of new accommodation capable of residential accommodation and will have a materially greater impact on the open character of the land. No very special circumstances are identified which may justify granting a variation of the above condition. Furthermore, it is considered that the above condition has already been justified at appeal where the applicant sought the removal of Condition 12 of 08/03254. In his consideration of this condition, the Planning Inspector noted that:

“The site is in an exposed and vulnerable position... [and that it] is quite small for the equestrian activity which it supports and in my view its maximum capacity for an appropriate form of development has been fully taken up by its permitted use and the buildings that have been erected thereon. To intensify that use, even on a temporary basis, would lead to a material loss of the level of openness of the land on a regular basis in a very noticeable and detrimental way. This would be significantly harmful to the character and appearance of the area and the integrity and function of the Green Belt in this location.”

The Inspector concluded that:

“the guidance set out in Circular 11/95 at paragraph 87 has been followed in that the exceptional circumstances referred to therein exist in this case, justifying the imposition of the condition. The condition is properly related to the development that has been permitted and serves a clear planning purpose. It is necessary to avoid the serious adverse effect on the environment which the added potential for a range of visually intrusive activities would result in.”

This application is to be refused on the basis that it will be harmful to the visual amenities and openness of the Green Belt, will represent an inappropriate form of development, and that the condition which it is sought to vary is itself considered justified and properly related to the development that has been permitted and serves a clear planning purpose. Furthermore, it is necessary to avoid the serious adverse effect on the environment which the added potential for a range of visually intrusive activities would result in. The proposal is not at all considered necessary to facilitate equestrian activities on the site.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/00559, 08/01950, 08/03254, 09/02833 and 10/00192, excluding exempt information.

**RECOMMENDATION: PERMISSION BE REFUSED**

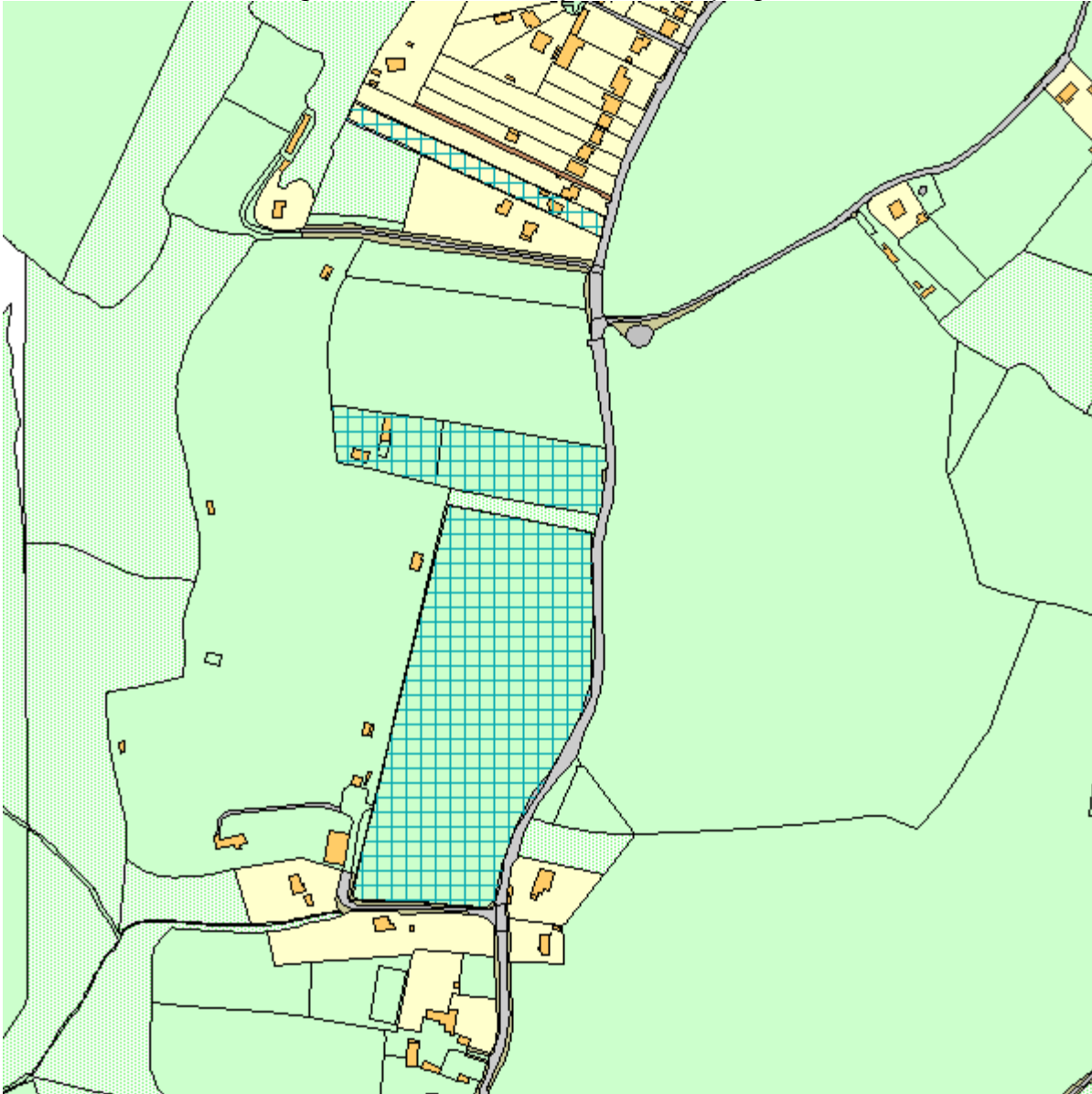
The reasons for refusal are:

- 1 The proposal constitutes an inappropriate and undesirable form of development, harmful to the open and rural character and visual amenities of the area, and no very special circumstances have been demonstrated to justify making an exception to Policies G1, NE12 and BE1 of the Unitary Development Plan and Planning Policy Guidance Note 2 'Green Belts'.

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