

**Application No : 10/00454/FULL1**

**Ward:  
Bromley Common And  
Keston**

**Address : Rangers Jackass Lane Keston BR2 6AN**

**OS Grid Ref: E: 541380 N: 163277**

**Applicant : Mr E. Hampson**

**Objections : NO**

**Description of Development:**

Deposit of materials/ increase in ground levels to form horse riding arena

Key designations:

Ancient Monuments Ancient Monument - LO102

**Proposal**

Planning permission is sought for the following formation of a horse riding arena for the use of riders who keep their houses on the site (8 horses). The agent has confirmed that there is no intention to open the facility for the use of horses or riders other than those connected with the permitted livery business and residential occupation of the property, or to have competitions at the site.

The proposed arena would be located within a fenced off grassed area on the western side of the existing stables. It will measure 20m by 40m and be enclosed with a post and rail fence 1.25m high and a 1m high hedge. The land levels rise from west to east across the site and the plans show that the land levels will be built up on the western side to match the existing land level further east. The land will be built up by a maximum of 1.8m.

The surface of the area would be a mixture of sand and rubber in order to provide drainage and soften the visual appearance. The west facing bank will be seeded with grass to blend with the surrounding grassed area.

**Location**

The site lies within Green Belt and is on the eastern side of Jackass Lane. The site at present comprises a detached dwelling with commercial livery of 10 stables. The site is set above the road level, making the site visible from the other side of the valley (from the west).

The site is located within an Area of Archaeological Significance. A specialist report has been submitted regarding the archaeology impact of the development.

## **Comments from Local Residents**

Nearby properties were notified and no representations have been received.

## **Comments from Consultees**

English Heritage raises no objections and recommend the imposition of a standard archaeological condition.

## **Planning Considerations**

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

- G1 Green Belt
- L3 Horses, Stabling and Riding Facilities
- BE1 Design of New Development
- BE16 Ancient Monuments and Archaeology

PPG2 regarding Green Belts is also relevant.

## **Planning History**

The site has been the subject of several previous applications the most relevant of which are as follows:

- 93/01864 planning permission was granted for the use of land and buildings for keeping of horses including commercial livery and ancillary storage and the erection of 2 detached buildings for ten stables/tack rooms and provision of a swimming pool
- 98/03080 planning permission was granted for the renewal of above permission

## **Conclusions**

The primary considerations in this case are the impact of the proposal on the Green Belt, including whether or not the development is appropriate and if it is not, whether there are any very special circumstances to justify inappropriate development which mean that the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, as set out in PPG2 and Policy G1 of the UDP. The impact of the proposal on the openness of the Green Belt and on the visual amenities of the locality are other important considerations.

Policy G1 of the Unitary Development Plan and Planning Policy Guidance 2 advise that the construction of new buildings within the Green Belt is inappropriate unless for specified purposes. These purposes include essential facilities for outdoor sport and

recreation, examples of which include "small stables for outdoor sport or recreation". The supporting case the Agent expresses the view that this development is an essential facility to the existing use and considers the arena to be a 'small scale' development. On balance however, given the size of the proposed arena, it is may considered that the proposed arena does not comprise a 'small facility' and is therefore not in accordance with Policy G1 or PPG2. However it should be noted that there is no specific guidance as to the size limits for sand school facilities in any Green Belt policy and this is a matter of judgement for the Local Planning Authority.

Beyond whether the proposal is considered to be appropriate development, it is necessary to assess the visual impact upon the Green Belt. The proposal introduces built development into a currently open area of this land. Although screened to a certain degree by physical characteristics of the site, in particular when viewed Jackass Lane, the proposed arena is set into the field and due to the elevated nature of the site will be visible from the across the valley therefore causing some harm to openness. The applicant proposes a 1m high hedge; a view needs to be taken as to whether this feature will assist in concealing the development or whether the introduction of a hedge surrounding the development will emphasise the physical impact on land that is currently open.

With regard to the Green Belt location of the site, the agent argues that as it is horse related it can be considered an essential facility for outdoor sport or recreation, and she also considers that it will have limited visual impact and not intensify the horse related activity at the site- a condition could restrict the use of the sand school.

It is noted that attempts have been made by the applicant to locate the proposed arena close to the existing building at the site and that attempts have been made to overcome concerns expressed by officers by including the 1m hedge and by reducing the gradient of the slope surrounding the arena.

The permitted livery use is a commercial use and the site is in the Green Belt. The proposal is for an "engineering or other operation" to alter levels on the site which is inappropriate in that it will be related to an inappropriate commercial use, albeit one that has been granted planning permission. It will have a detrimental effect on the natural form of the local landscape, by imposing a flat surface on the sloping landform (and with a steeply sloping lower edge), and this will adversely affect the openness of the Green Belt in this area and be detrimental to the visual amenities of the locality.

Background papers referred to during production of this report comprise all correspondence on file ref.10/00454, excluding exempt information.

## **RECOMMENDATION: PERMISSION BE REFUSED**

The reasons for refusal are:

- 1 The proposed sand school by reason of its siting and location would constitute an undesirable form of development within the Green Belt, resulting in an encroachment on to open countryside, harmful to the character and visual amenities of the area, thereby contrary to Policies G1 and L3 of the Unitary Development Plan.
- 2 The proposed sand school is located within Green Belt wherein there is a general presumption against inappropriate development. No very special circumstances have been demonstrated to justify making an exception to Policy G1 of the Unitary Development Plan and PPG2- Green Belts.

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