

SECTION '2' – Applications meriting special consideration

Application No : 09/03041/FULL1

Ward:
Cray Valley East

Address : Lower Hockenden Farm Hockenden
Lane Swanley BR8 7QH

OS Grid Ref: E: 549405 N: 168960

Applicant : Garnet Properties Ltd

Objections : YES

Description of Development:

Retention of car parking/manoeuvring space to serve existing business and agricultural uses

RETROSPECTIVE APPLICATION

Key designations:

Green Belt

Proposal

- This application seeks permission for the retention of hardstanding for parking and storage
- The use of the hardstanding is in part for commercial uses in converted farm buildings, which have recently been the subject of a granted certificate of lawfulness; and in part in connection with an agricultural use of the surrounding land
- Information has been submitted to support the agricultural use of adjoining land which has been examined by the Council's agricultural consultant
- A design, access and planning statement has been submitted along with a parking statement to explain the layout and parking operations in the yard.

Location

The site is on the north east of Hockenden Lane in a rural location. To the north east immediately adjoining the house is Meadow House, a residential dwelling, and to the south west and north west is open land

Comments from Local Residents

Several local objections have been received including from immediately adjacent residential property. Issues raised include:

- the hardstanding and buildings will be used in connection with Bournewood Quarry for heavy machinery
- the Green Belt location is not appropriate for industrial and heavy goods vehicles
- the site is currently being used as a dumping ground for machines and containers
- Area B should be returned to grass as it was previously as there is ample hardstanding within the site without this area
- traffic and noise from heavy vehicles will create noise and disturbance for residents

Comments from Consultees

Drainage has no comments on the application.

Highways are content with the proposal following the submission of a parking statement.

Planning Considerations

The site is within the Green Belt and UDP Policies G1, BE1, T3 and T18 are relevant.

Planning History

The site was the subject of a certificate of lawfulness for existing commercial uses within the buildings which was granted in 2009 under reference 08/00718. The hardstanding around the buildings was not included in the certificate and is therefore applied for in this application. There is no other relevant planning history.

Conclusions

This application can be split into two primary elements – the hardstanding to serve the commercial buildings, and the hardstanding to serve the agricultural use.

The hardstanding to serve the commercial buildings is already in place. This development is contrary to Green Belt policy as it is inappropriate with regard to Policy G1, however consideration must be given to the historic use of the area as a farmyard and the likely existence of some form of hardstanding within this area since the buildings were constructed. The agent has submitted an argument that the alternative to granting this application would be detrimental to highway safety as vehicles would park on the road, and has suggested that this, alongside the fact that the hardstanding was already in situ albeit for a different use, comprises very special circumstances to warrant an exception to Green Belt policy. Members may feel that in this particular

case, subject to suitable conditions to ensure the permanent removal of existing outside storage of materials and machinery, the circumstances may warrant a grant of planning permission.

The agricultural use of Area B has been supported by the submission of a farm plan for a tenant farmer who owns land at Crockenhill. The plan has been examined by the Council's agricultural consultant. He concludes that there is a case for a limited area of hardstanding for the storage of some farm equipment which would be used for the agricultural operation at Lower Hockenden Farm, and for a straw stack. An updated plan showing a reduced area for the agricultural use has been provided. Legitimate agricultural development can be considered as appropriate within the Green Belt in accordance with Policy G1, and provided this area is used for the purposes suggested, the retention of the hardstanding is considered to accord with Green Belt policy

Background papers referred to during production of this report comprise all correspondence on files refs. 09/03041 and 08/00718, excluding exempt information.

as amended by documents received on 30.06.2010

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 Details of a scheme of landscaping, including species for planting, size and height of bunds and any proposed boundary enclosures, shall be submitted to and approved in writing by the Local Planning Authority within 3 months of the date of this permission. The approved scheme shall be implemented in the first planting season following approval. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and to secure a visually satisfactory setting for the development.

- 2 ACH03 Satisfactory parking - full application
ACH03R Reason H03
- 3 The hardstanding and parking areas comprising Area A on the approved plan shall only be used for vehicle parking and manoeuvring in connection with the lawful uses of the buildings within Area A and shall not be used for storage or operation of any goods, machinery, plant or waste or any other purpose unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the hardstanding is not used for purposes unassociated with the use of the land to prevent an overintensive use of the site in the interests of the Green Belt and the amenities of local residents, in accordance with Policies G1 and BE1 of the UDP.

- 4 The hardstanding and parking area comprising Area B on the approved plan shall only be used in connection with the lawful agricultural use of land at Lower Hockenden Farm for the storage of agricultural machinery and crops and for no other purpose unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the hardstanding is not used for purposes unassociated with the use of the land to prevent an overintensive use of the site in the interests of the Green Belt and the amenities of local residents, in accordance with Policies G1 and BE1 of the UDP.

- 5 ACJ08 Rest. hours of vehicle mov. any (2 ins) 07:00 22:00
ACJ08R J08 reason (1 insert)

Reasons for permission:

In granting permission the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

- G1 Green Belt
- BE1 Design of New Development
- T3 Parking
- T18 Road Safety

The development is considered to be satisfactory in relation to the following:

The proposed retention of hardstanding is considered to partly constitute appropriate development and part be subject of very special circumstances both of which are considered acceptable reasons to allow the proposal within the Green Belt. Highway safety matters have been adequately addressed and the visual impact of the development will be minimal.

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RETROSPECTIVE APPLICATION



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