

SECTION '2' – Applications meriting special consideration

Application No : 12/00399/FULL1

Ward:
Darwin

Address : Land South East Of Holwood Farm
Cottage New Road Hill Downe
Orpington

OS Grid Ref: E: 542559 N: 162818

Applicant : T M Delaney

Objections : YES

Description of Development:

Single storey building to provide two stables and a tack room for recreational purposes with change of use of adjoining land to equestrian

Key designations:

Article 4 Direction
Special Advertisement Control Area
Green Belt
Proposed World Heritage Site

Proposal

Permission is sought for the erection of a stable building consisting of two stables and a tackroom for two horses and the change of use of the associated land from agricultural to equestrian use. The stable block measures 10.8 metres in length, 3.7 metres in depth and has a height of 3.4 metres and is situated to the northern end of the site.

Location

The application site is located to the eastern edge of New Road Hill and to the south east of Holwood Farm Cottage. The site measures 1.7 hectares and the area of the proposed stables to the north was previously occupied by a silo used by the Holwood Farm site to the north, which has since been demolished.

An access road exists from New Road Hill and runs west to east. This road forms the boundary to the Article 4 direction that is on place to the rest of the site to the south, the entirety of the site being within the Green Belt and being designated as part of the Proposed World Heritage Site.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and representations have been received from the Downe Residents' Association which can be summarised as follows:

- nearby applications for stables and the grazing of horses have been refused
- there are stables nearby at Downe Court Riding Stables and further stables are not required
- the smells have not been taken into account by the applicant given the proximity to neighbouring properties.

Comments from Consultees

The site is within the Proposed World Heritage Site and as such the views from public roads and paths should be considered, however Darwin saw many horses and stables and as such the principle issue is of design.

A management plan for the paddocks should be submitted by condition to demonstrate how they will be kept in good condition.

Planning Considerations

BE1 Design of New Development
G1 The Green Belt
L3 Horses, Stabling and Riding Facilities
NE6 World Heritage Site
NE7 Development and Trees

Supplementary Planning Guidance 1 and 2

The National Planning Policy Framework

The Article 4(1) Direction in place to the majority of the site is also of material importance.

Planning History

Application ref. 11/02392 sought a Certificate of Lawfulness for a proposed barn to be erected on the site. This was refused on the grounds that the site is less than 5 hectares and as such does not satisfy the requirements of Class B, Part 6 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (GPDO).

Conclusions

The main issues relating to the application are the impact of the proposal on the Green Belt, including whether or not the development is appropriate, and the effect that it would have on the openness and visual amenity of the Green Belt. The impact that the proposal would have on the amenities of the occupants of surrounding residential properties, the adjacent proposed World Heritage Site,

nature conservation and the impact it would have on any significant trees are also important considerations.

The application site was visited by the case officer and the aims and objectives of the above policies, national and regional planning guidance, all other material planning considerations including any objections, other representations and relevant planning history on the site were taken into account in the assessment of the proposal.

Policy G1 advises 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".

It is considered that the facility would be appropriate development within the Green Belt, provided it was used solely for recreational use by the owners of the site and not developed into a commercial venture. A condition is therefore recommended, should permission be granted, which restricts the use of the facilities to the occupiers of the site.

Policy L3 requires such stables to not have an adverse impact upon the amenities of the Green Belt, to be sited close to existing buildings on the site, to be adequately screened and to not result in the unacceptable intensification of horse related activities.

Within this context, the stables proposed are considered to be of a modest size and provide no more than is required for the proposed horse related use of the land. The building is also situated to the north of the site with steep inclines to the north and west of the development rendering the stables unseen from either Holwood Farm Cottage, Holwood Farm or New Road Hill. It is considered that this does not result in a significant impact upon the visual amenity of the site or the openness of the Green Belt

The intended purpose of the site it is not considered to result in an overdevelopment. Given the intended recreational use by the present owner of the land in question it is considered that this proposal represents a small scale development for the purposes of recreation, as required by Policy G1.

The use of the land to the south of the stable block for equestrian purposes is required in order for the stable block to be acceptable. Policy L3 requires that there should be a minimum ratio of 0.4 hectares per horse and as such the 1.7 hectare site provides adequate grazing land. This land falls within the Article 4 (1) direction for the wider area which removes agricultural permitted development rights under Classes A and B of Part 6 Schedule 2 of the GPDO and its intension to prevent unacceptable development and operations on this land. The use of the land that is subject to this direction would not be subject to any development such as fences and it is therefore considered that the proposal complies with the intention of the direction and preserves the openness and character of this part of the Green Belt and the Proposed World Heritage Site.

Concerns have been raised as to the need for such a facility when an existing stables is situated further south along New Road Hill, however given the commercial nature of that site and the small scale recreational nature of this proposal, it is considered that the proposed development and use would not result in an overconcentration of horse related activities within the area.

On balance, it is therefore considered that the sand school at the size proposed and associated works would not have a significant adverse impact on the visual amenities or open character of the Green Belt or the area in general.

Having had regard to the above it was considered that the proposal would be appropriate development in the Green Belt. Furthermore, the scale, siting, materials and design of the proposed sand school are acceptable in that they would not result in a significant loss of amenity to local residents nor impact detrimentally on the visual amenities or openness of the Green Belt.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/00399 and 11/02392, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACA04 Landscaping Scheme - full app no details
 ACA04R Reason A04
- 3 ACB01 Trees to be retained during building op.
 ACB01R Reason B01
- 4 ACC01 Satisfactory materials (ext'nl surfaces)
 ACC01R Reason C01
- 5 ACJ15 Manure storage
 ACJ15R J15 reason
- 6 ACJ27 Restriction to private grazing
 ACJ27R J27 reason
- 7 The stables hereby permitted shall be only used by horses in the ownership of the person(s) who own the application site and their family, and shall not be used for or in connection with any commercial use. No horses other than those in the ownership of the said person(s) and their family shall use the sand school.

Reason: In order to comply with Policy L3 of the Unitary Development Plan and to prevent the introduction of a commercial use on the site in the interest of the amenities of the area.

- 8 ACJ28 Restriction on no. of horses (1 insert) 2
 ACJ28R J28 reason
- 9 No method of illumination shall be installed at the development hereby permitted without the prior approval in writing by the Local Planning Authority.

Reason: In order to prevent the introduction of unsuitable illumination at this Site of Importance for Nature Conservation and in the interest in the amenities of the area, in accordance with Policies BE1 and NE3 of the Unitary Development Plan.

10 A management plan for the site, which shall include a plan and description of measures to prevent negative impacts such as poaching and over grazing of the paddocks as well as details of a resting and rotation programme and a wet weather plan, shall be submitted to and approved in writing by or

Reason: In the interests of the welfare of the horses to be kept at the site and encourage appropriate beneficial management of the site.

11 ACK01 Compliance with submitted plan

Reason: In the interests of the appearance of the site and to preserve the openness of the Green Belt in accordance with Policy G1 of the Unitary Development Plan.

12 AJ02B Justification UNIQUE reason OTHER apps

Policies (UDP)

BE1 Design of New Development

G1 The Green Belt

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