

SECTION '2' – Applications meriting special consideration

**Application No :** 14/01991/FULL2

**Ward:**  
**Darwin**

**Address :** Keston Fruit Farm Blackness Lane  
Keston BR2 6HL

**OS Grid Ref:** E: 541246 N: 163077

**Applicant :** Mr Stephen Jones

**Objections :** YES

**Description of Development:**

Change of use of part of the site from rough grazing to dog exercise and training area (Sui Generis)

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Green Belt  
London City Airport Safeguarding

**Proposal**

- The proposed use will result in the use of the site for dog exercising, using removable obstacles. No permanent structures will be kept at the site. The use will operate with one vehicle visiting the site, with dogs collected and returned to their owners by the business.
- The site is currently used for rough grazing and is overgrown. The proposed use will shorten the grass and manage the site in order to facilitate the proposed activities.
- Vehicle access to the site will be provided via the public right of way from Blackness Lane.

**Location**

The site is located within the Keston Fruit Farm and is designated Green Belt land. The site and surroundings comprise agricultural and open land. There are residential properties to the east and south that are over 400m away on Blackness Lane and Leaves Green Road.

**Comments from Local Residents**

Nearby owners/occupiers were notified of the application and representations received are summarised as follows:

- noise and disturbance
- site is in regular grazing use
- increase in traffic and access issues
- impact on wildlife
- loss of important grazing land
- impact on the rural character of the Green Belt
- highway and pedestrian safety impacts
- risk of future expansion and similar activities in the area
- proposal lacks local support
- applicant has not engaged with local residents

A supporting statement has been received from the applicant addressing the objections raised.

### **Comments from Consultees**

No technical highways objections are raised.

No Environmental Health objections are raised.

### **Planning Considerations**

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

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

The National Planning Policy Framework and the London Plan are also considerations.

The site is subject to an Article 4 Direction, which restricts certain 'permitted development' rights.

### **Planning History**

None.

### **Conclusions**

The main issues relating to the application are the effect that it would have on the rural character and openness of the Green Belt and the impact that it would have on the amenities of the occupants of surrounding residential properties.

Policy G1 of the UDP states that changes of use within the Green Belt may be considered appropriate provided that they maintain the openness of the land and do not conflict with the purposes of retaining land in the Green Belt. In this case,

the proposal includes no structures and will provide an outdoor recreational use. On this basis, the proposal would not impact harmfully on the rural character and openness of the site and the wider area. The proposal will include one single vehicle movement per day and this is not considered harmful to the rural environment. No structures will be erected at the site, and no hardstanding would be provided.

The NPPF states in Para 89 that the provision of outdoor recreational facilities may not be considered inappropriate. In this case, although the site will be used to run a business use, that use would have no discernable harm to the rural character and openness of the site, with a maximum of two staff members at the site at any time and no customers visiting the site. The proposed change of use would not, therefore, conflict with the purposes of including land within the Green Belt and would entirely retain its openness and rural character.

The proposal site is located a significant distance from neighbouring properties and therefore is unlikely to impact harmfully on the amenities of neighbouring dwellings. Objection has been raised by a local resident however this neighbour is sited over 400m away and would not be significantly affected. The single daily vehicle movement would not impact on residential amenities.

Having had regard to the above it was considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the rural character of the Green Belt. It is therefore recommended that Members grant planning permission.

Background papers referred to during production of this report comprise all correspondence on the file ref. 14/01991 set out in the Planning History section above, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1      ACA01      Commencement of development within 3 yrs  
          ACA01R      A01 Reason 3 years
- 2      ACK01      Compliance with submitted plan

**Reason:** In order to comply with Policy G1 of the Unitary Development Plan and in the interest of the visual amenities of the Green Belt and the amenities of the nearby residential properties.

- 3      The site shall be used as a dog exercising/training site and for no other purpose. No structures or other associated paraphernalia shall be kept at the site overnight or on a permanent basis unless otherwise approved in writing by the Local Planning Authority.

**Reason:** In order to comply with Policy G1 of the Unitary Development Plan and in the interest of the visual amenities of the Green Belt and the amenities of the nearby residential properties.

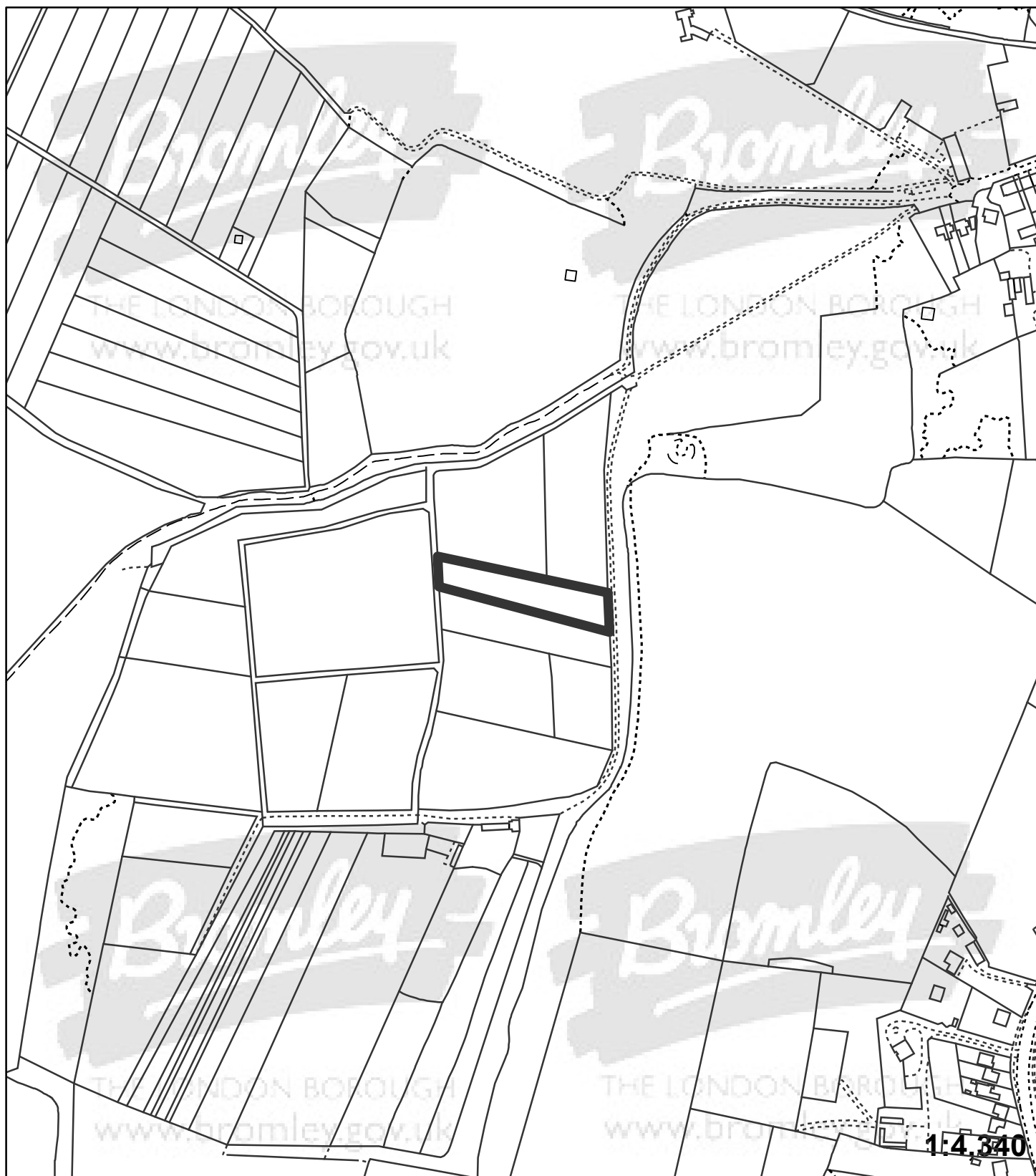
- 4      The use of the site hereby permitted shall be operated by a maximum of 2 staff members only. No customers shall visit the site to drop off or collect dogs and no customer parking shall be provided at the site.

**Reason:** In order to comply with Policy G1 of the Unitary Development Plan and in the interest of the rural character and visual amenities of the Green Belt.

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"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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