

SECTION '2' – Applications meriting special consideration

Application No : 19/04469/FULL1

Ward:
Darwin

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

Objections: Yes

OS Grid Ref: E: 544582 N: 160998

Applicant : Miss Charmaine Moore

Description of Development:

Installation of 2 additional touring caravans to be used for residential ancillary purposes; erection of 2 utility/day rooms to be placed together; re-siting of existing stable block to the rear of the site; erection of a retaining wall adjacent to the front boundary.

Key designations:

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

Proposal

The planning application seeks permission for the installation of 2 additional touring caravans to be used for residential ancillary purposes; the erection of 2 utility/day rooms to be placed together; the re-siting of an existing stable block to the rear of the site; and the erection of a retaining wall adjacent to the front boundary.

The basis of the application was initially outlined by the applicant in an Access Statement dated 21 October 2019. In summary, this set out the following:

- Archies Stables is now a registered gypsy site and there is now a need for more touring caravans to accommodate the applicant's two daughters
- The site was removed from the Green Belt in order to accommodate future development need
- The applicant, her son, her daughter and her new husband are currently living in a mobile home which has to be removed
- The applicant's other daughter is living in the other small touring caravan with her new husband
- The existing caravan will remain for the applicant's son

The application is accompanied by “Section 73” application which seeks to vary conditions imposed under application reference 17/00655/FULL1, which was allowed at appeal in April 2018.

Location and Key Constraints

The front part of the application site is designated as a *Traveller Site Only, Inset Within the Green Belt*. The rear part of the site falls within the Green Belt.

Cumulatively, the site measures approximately 0.25 hectares in area, with a 25.8 metre wide frontage to Cudham Lane North. A Girl Guide camp site adjoins southern site boundary whilst the area to the north is occupied by protected woodland. The surrounding area is generally open and rural in character with little built development within close proximity to the appeal site.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and representations were received, which can be summarised as follows:

- When was this approved as a gypsy site?
- Application is a forerunner to the enlargement of the site for more families to move to
- I'm not allowed to build houses to provide homes for my children on my land, I'm not even allowed to put the last small extension I applied for on as the council objected to it.
- My children have had to save very hard to be able to leave our family home as there is no development allowed on green belt
- Eyesore
- Entrance to site is at a difficult part of Cudham Lane, the road has been slightly squeezed on the bend adding to an already hazardous road
- This is an ongoing game in which planning permission is sought, denied, then allowed at appeal
- If this application is approved there is no reason to stop other more reasonable requests
- No justification for granting planning permission
- Mockery of the process if planning permission is granted
- Purpose of all planning applications has been to establish a permanent expandable Gypsy site
- Application will encourage people to construct other buildings along the lane
- Current accommodation is sufficient for applicant's use
- The site has undergone changes of use from stabling to equestrian use to accommodating a mobile home and touring caravan with some hardstanding
- Relocation of stables to the back of the land would contradict the rationale for approval of the existing stables at the front of the site (visual amenity)
- Site will increase from a single family site to a 3 or 4 family site

- Unrestricted possibilities for further increase if conditions are removed
- Conditions should be strictly retained and enforced
- Recently installed larger twin unit mobile home would be deemed more than sufficient for any other member of the community with similar care needs
- Applicant originally stated she had an aversion to bricks and mortar, yet the recent structure comprises 3 course of bricks, this contradicts rationale behind the original application
- No explanation how waste will be treated
- Access to the site for a vehicle towing a caravan will block the road
- Harm to character and visual amenities
- Over-development of the site
- Site was originally agricultural land and caravans should never have been allowed
- Out of character with the area
- Huge expansion on existing development
- Applicant has a long history of attempting to circumvent planning guidelines
- If conditions are removed applicant will have carte blanche to do what she wants with the site in future
- Applicant says two additional caravans will allow her daughters to act as carers, when permission sought for a separate dwelling for care for my mother, we were told this was not a sound basis for granting planning permission
- Utility/days rooms surely contradicts first application and is the size of many small bungalows in the area, are of a permanent nature and will remain long after personal circumstances of applicant ceased to be material
- Size of proposed day rooms appears to be larger than proposed mobile homes
- Mobile homes would have a kitchen and bathroom area within them, therefore, the need for utility rooms is not justified
- Site is in Green Belt where local residents are often refused planning permission
- Site is progressing toward a caravan village
- Why not put in an application for a bricks and mortar house if land is to be used to live in
- Contrary to Green Belt policy
- Important to maintain Green Belt area around Cudham as much as possible as this is a location used by local people to escape city living
- Site is close to area of special scientific interest
- Inappropriate development
- No special circumstances to justify proposal
- Harm to wildlife
- the planning application consultation process

Comments from Consultees

The following technical Highways objections have been raised:

The site is within the 40 mph section of Cudham Lane North and the sightlines from the access are sub-standard. It is not suitable for intensification of use, and with no indication of the current / future number of trips to / from the site using a sub-standard access, I would recommend refusing the application as being contrary to Policy 32, road safety, of the Local Plan

Policy Context

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Bromley comprises the London Plan (March 2016) and the Local Plan (2019). The NPPF does not change the legal status of the development plan.

The 'Intend to Publish' version of draft London Plan (December 2019) is a material consideration in the determination of this planning application.

The draft new London Plan was submitted to the Secretary of State (SoS) on 9 December 2019, following the Examination in Public which took place in 2019. This is the version of the London Plan which the Mayor intends to publish, having considered the report and recommendations of the panel of Inspectors. Where recommendations have not been accepted, the Mayor has set out a statement of reasons to explain why this is.

The London Assembly considered the draft new London Plan at a plenary meeting on 6 February 2020 and did not exercise their power to veto the plan.

Ahead of publication of the final plan, the SoS can direct the Mayor to make changes to the plan. This affects the weight given to the draft plan. At this stage, the Council's up-to-date Local Plan is generally considered to have primacy over the draft London Plan in planning determinations.

London Plan (2016)

Policy 3.8 Housing Choice
Policy 6.13 Parking

Policy 7.4 Local Character
Policy 7.16 The Green Belt

Local Plan

Policy 12 Travellers' Accommodation
Policy 30 Parking
Policy 32 Road Safety
Policy 37 General Design of Development
Policy 49 The Green Belt
Policy 53 Land Adjoining Green Belt or Metropolitan Open Land
Policy 61 Horses, Stabling and Riding Facilities

Planning Policy for Traveller Sites published in August 2015 (first issued in March 2012) is also a relevant policy consideration in this application. This is to be read in conjunction with the National Planning Policy Framework (NPPF).

Planning history

There is a detailed planning history associated with the site since 2008 which is summarised below:

- In May 2008 planning permission was granted (under application ref: 08/00559) for a change of use of the site from agricultural land to the keeping of a horse and for the retention of a newly created access and hardstanding. The applicant indicated, in a supporting statement, that the site would be used by her daughter to practice riding her horse.
- Under a subsequent application approved in November 2008 (ref: 08/03254), planning permission was granted for a stable and a store room and hardstanding area for horsebox and trailer parking. This application was submitted in relation to the equestrian use of the site which had been granted 6 months prior. Planning permission was also granted for a detached WC building in December 2009 (under ref. 09/02833) to be used by the applicant and her children when visiting the site.
- In April 2009 the applicant appealed against the refusal to remove Condition 12 of application ref: 08/03254 which restricted uses within the site, including the stationing or storage of a caravan or caravans (including for the setting up or preparation for such uses or activities) at any time. The Planning Inspector considered the condition to be justified and dismissed the appeal in August 2009. The Inspector commented *"I consider that the use of the Land as it has been permitted by the Council represents its maximum capacity as an acceptable enterprise within the green belt.....To add to its intensification of its use for up to 28 days a year would be materially harmful to the openness of the area, and its character and appearance, in breach of the relevant policies of the UDP"*.

- In April 2010 the Council refused a further application which sought to vary the above planning condition in order to permit the stationing of a caravan on the site (ref: 10/00192). The applicant explained that she sought to vary the condition should she wish to place a caravan on the site at a later date. A further application for an additional storage building was refused by the Council in June 2010 (ref: 10/00834) on the basis that this was not considered necessary to facilitate equestrian activities on the site and that this would result in a disproportionate level of site coverage by buildings, thereby representing an undesirable intensification of development in the Green Belt.

- On 9 July 2010 two caravans were moved on to the site, comprising a mobile home which was occupied as a dwelling by the applicant and her family and a smaller touring caravan which was understood to be used for travelling. An application (ref: 10/02059) was registered on 26 July 2010, in which retrospective planning permission was sought for the change of use of the equestrian site to a gypsy and traveller caravan site. The application included one mobile home measuring 3.6m x 9.7m and a touring caravan measuring 1.8m x 5.4m which were shown to be located adjacent to the southern site boundary, together with an enlarged tarmac hardstanding area located mainly within the eastern side of the site. The Council refused permission by Notice dated 14 September 2010 for the following reasons:

“1. The proposal constitutes an undesirable form of urbanised development located in the Green Belt wherein there is a general presumption against inappropriate development, and no very special circumstances have been demonstrated to justify making an exception to Policy G1 and H6 of the Unitary Development Plan and Planning Policy Guidance Note 2 'Green Belts'.

“2. The continued residential occupation of this site and the stationing of caravans will cause unacceptable visual harm to the character and appearance of the area and undermine the openness and character of the Green Belt, therefore contrary to Policies G1 and BE1 of the Unitary Development Plan and PPG2.

“3. The additional hardstanding, boundary fencing and entrance gate detract from the visual amenities and openness of this rural and open area, by reason of their prominent siting, unsympathetic materials excessive height and unsympathetic design, contrary to Policies BE1 and G1 of the Unitary Development Plan.

“4. In the absence of information to the contrary, the means of vehicular access is unsuitable for larger vehicles/trailers manoeuvring on to the site and is prejudicial to the free flow of traffic and general conditions of safety within the highway, contrary to Policy T18 of the Unitary Development Plan.”

- A subsequent appeal concerning the change of use of the equestrian site to a gypsy and traveller caravan site was dismissed in June 2011; however, this Appeal Decision was subsequently overturned by the High Court, a decision upheld by the Court of Appeal. The High Court judgement dated 16 November 2012 quashed the Inspector's decision but only relating to temporary permission. The Council issued two enforcement notices in July 2013 to put an end to the use of the land as a gypsy and traveller site and to remove various associated operational development.
- A re-determined appeal concerning the change of use of the equestrian site to a gypsy and traveller caravan site as well as the 2013 enforcement notices was issued in July 2015. The appeals were allowed and planning permission was granted for the change of use of the land from the keeping of horses to a mixed use for the keeping of horses and for use as a single pitch Gypsy and Traveller site accommodating one residential mobile home and one touring caravan used for ancillary residential purposes, together with additional hardstanding area, concrete post and timber panelled fence (max height 1.98m), steel gates (max height 1.98m) and detached shed subject to conditions. Key considerations made by the Inspector in determining these appeals are set out below:

"The Traveller policy makes it clear that gypsy sites are inappropriate development in the GB and the Framework provides that substantial weight will be attached to such harm. This is common ground between the parties." (Paragraph 38)

"The fact that all existing sites in the borough are presently in the GB, as is all of the non-urban area, does not diminish the weight to be accorded to the harm resulting from inappropriate development caused by the appeal development. This is substantial and, therefore, contrary to UDP Policy G1 and paragraph 88 of the Framework." (Paragraph 39)

"However, I accept that if the appellant were to vacate the site and set up a roadside encampment, this would also be likely to be in the GB. Not only would this also be inappropriate, but roadside encampments can aggravate tensions between travellers and the settled community and cause as much, if not greater, environmental harm than unauthorised development. This is a material consideration which I afford some weight to." (Paragraph 40)

"The permitted structures on the land, including the stable building, toilet building and some of the fencing, already result in some loss of openness with the appeal development, as a whole, resulting in a further loss of openness. Even if this is more limited today than when the previous appeal was determined, any harm to the GB, no matter how limited, has to be afforded substantial weight, as required by paragraph 88 of the Framework. The loss of openness may be relatively limited but it is not minimal; two caravans have been sited on the land, a shed constructed on it, a high, solid timber fence erected along its southern boundary and additional areas of hardstanding have been laid within the site." (Paragraph 42)

“The appeal development is visible against a wooded backdrop when viewed from the south. Its visual impact would have been greater were it not for the landscaping carried out which predominantly screens the development. However, this landscaping itself has resulted in some visual harm. The solid timber fence and fast growing laurel hedge now visible above it are features more appropriate to a suburban setting not the appeal site’s rural setting.” (Paragraph 43)

“Overall, the appeal development has resulted in some harm to the character and appearance of the countryside, contrary to UDP Policy BE1. However, I am satisfied that the harm identified could be mitigated over time and by more sensitive landscaping than that carried out. The native trees planted between the timber fence and the permitted fence along the site’s southern boundary will mature to provide an effective and more natural form of landscaping than the laurel hedge planted behind it and the appellant has also offered to remove the fence. These matters could form part of a landscaping scheme which could be a condition of any planning permission granted.” (Paragraph 45)

“Having regard to the provisions of the Traveller policy, the fact that any new sites would also be in the GB and that there would be no need to remove any frontage planting as a consequence of implementing proposed improvements to the current access arrangements (which I turn to next), I consider that the visual harm caused by the appeal development is limited. I am also satisfied that this limited visual harm could be reduced and the appeal development made acceptable such that the requirements of UDP Policy BE1 could be met.” (Paragraph 46)

“Given the circumstances, there can be no guarantee that the Council’s proposed strategy would deliver the additional pitches required to meet the significant level of current and future need identified, beyond allowing the size of families occupying existing sites to expand. Whilst this would meet some of the identified future need it would not meet the wider general need for pitches in the borough.” (Paragraph 58)

“National policy advice and guidance is quite clear: Inappropriate development in the GB should not be approved except in very special circumstances. It is, by definition, harmful and the harm caused by it should be afforded substantial weight. Likewise, the harm caused by the loss of openness, even though the loss may be limited by virtue of the small scale of the development carried out and the fact that the appeal site is previously developed land. Consequently, the appeal development conflicts with UDP Policy G1 and relevant provisions of the Framework and the Traveller policy.” (Paragraph 74)

“I have found that alternative forms of landscaping would reduce the harm caused to the character and appearance of the area, and this could be secured by condition. The Council now accepts that its concerns about highway safety could be similarly addressed. Consequently, I conclude that, other than the harm to the GB, the appeal development causes little harm, subject to appropriate conditions and that there would be no material conflict with UDP Policies BE1 and T18. If these matters do not necessarily weigh, or weigh very much, in the appeals’ favour they do not weigh against it.” (Paragraph 75)

“Personal circumstances are also material. The appellant’s aversion to bricks and mortar means that temporary housing or hostel accommodation would not be suitable alternative accommodation, even in the short term, and there is a very real likelihood that a refusal of planning permission would result in her resorting to a roadside existence. This would be harmful to the family’s quality of life and would adversely impact on their health and education. It would also result in the loss of the family’s home, in serious interference with their Article 8 rights [of the Human Rights Act 1998] and would clearly not be in the best interests of the children. As most of the borough is either urban or GB a roadside existence would also be likely to be just as harmful to the GB and, potentially, more harmful to the countryside than the appeal development.” (Paragraph 78)

“In these circumstances, I conclude that the harm by reason of inappropriateness and the limited loss of openness that has occurred is clearly outweighed by other considerations such that very special circumstances exist to justify the grant of a permanent planning permission for the appeal development, personal to the appellant and her resident dependents, subject to other conditions discussed below. Consequently, there is no need for me to consider the appeals under ground (g)” (Paragraph 81)

“I have considered the Council’s list of suggested conditions in the light of the discussion which took place during the inquiry. There is a need for a condition restricting occupation of the land to gypsies and travellers, in the interests of protecting the GB. A further occupancy condition is necessary to make any permission personal to the appellant and her resident dependents, in the interests of protecting the GB and because the appellant’s personal circumstances are a significant factor in my decision to grant planning permission.” (Paragraph 82)

“There is a need for conditions restricting the number and types of caravans on the land, preventing any commercial activities taking place on the land, restricting the weight of vehicles kept on the land and requiring details of any external lighting to be approved in advance, all in the interests of appearance. There is also need for a condition requiring the permitted use to cease unless details of the layout of the site and alternative landscaping, including boundary treatment, are approved and implemented within a given period, again, in the interests of appearance.” (Paragraph 83)

- Under application reference 17/00655/FULL1, planning permission was granted at appeal in April 2018 for the following: *Use of land for private Gypsy and Traveller caravan site comprising 1 pitch accommodating one mobile home and one touring caravan. (Revision to planning application ref. 10/02059/FULL2 allowed at appeal comprising removal of existing mobile home and its replacement with twin mobile home unit in a re-sited position within the site with associated slab and access ramps, without compliance with Condition 5).* In allowing the appeal, the Inspector concluded that the harm that would arise to the openness of the Green Belt would be outweighed by other matters, including that applicant’s medical condition and needs, such that very special circumstances exist to allow the appeal.

Considerations

As Members will note, the site is the subject of a detailed planning history dating back to 2008. In the intervening years the site has gained lawful use as a gypsy and traveller caravan site comprising 1 pitch accommodating one mobile home and one touring caravan, following the grant of planning permission at appeal in 2015. More recently, following the adoption of the Council's current Local Plan in January 2019, the status of the front part of the site has changed to a *Traveller Site Only, Inset Within the Green Belt*. The rear part of the site falls within the Green Belt. The change of designation has been aimed at addressing the accommodation needs of travellers in the borough. Accordingly, this new designation forms an important material consideration.

The key considerations in this case are: (1) whether the proposed additional touring caravans and utility and day rooms are justified in terms of serving an identified traveller need; (2) whether the re-siting of the stable block to the rear of the site is acceptable, having regard to Green Belt and equestrian policies; (3) the impact of all of the proposed works on local character, neighbouring amenity, and local highways conditions.

Whether the proposed additional touring caravans and utility and day rooms are justified in terms of serving an identified traveller need

In light of the site's new designation and Policy 12 of the Local Plan, there is no objection in Green Belt or land use terms to the site being occupied on a more intensified basis by the applicant and her family as is proposed. The applicant has advised that the proposed additional accommodation would be occupied by her daughters who are also understood to be members of the Romany community. Accordingly, these could amount to an identified need.

Whether the re-siting of the stable block to the rear of the site is acceptable, having regard to Green Belt and equestrian policies

The application also includes the re-siting of the stable block currently situated at the front of the site to the far-NW corner of the site which falls within the Green Belt. Its existing location would be occupied by the proposed utility and day rooms. The stable block was originally permitted by the Council under application reference 08/03254/FULL1 in November 2008. At the time, the applicant advised the Council of her equestrian activities and the grazing land that could be provided for her horse. Since that time the status of the site has changed considerably (as per application reference 10/02059/FULL2); however, it remains necessary under the scope of this application to consider the re-sited stable block, both in terms of Green Belt and equestrian policies.

In terms of Green Belt policy, it is necessary to consider the appropriateness of the proposed re-sited stable block in the context of the Green Belt and the purpose of including land; whether, if the development is inappropriate in the Green Belt, the harm by reason of inappropriateness or any other harm, would be outweighed by

other considerations so as to amount to very special circumstances; and its impact on the openness and visual amenity of the Green Belt.

Policy 49 of the Local Plan states that within the Green Belt, permission will not be given for inappropriate development unless very special circumstances can be demonstrated that clearly outweigh the harm by reason of inappropriateness or any other harm. It goes on to state that the construction of new buildings on land falling within the Green Belt will be inappropriate, unless it is for various specific purposes. These include appropriate facilities for outdoor sport and outdoor recreation and cemeteries which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it.

Policy 61 of the Local Plan states that stable blocks, loose boxes and other essential buildings and associated works connected with equestrian activities will generally only be permitted if:

- a) The siting, scale, form and materials of such developments would not have any adverse visual impact on the open or rural character of the Green Belt or areas of Metropolitan Open Land;
- b) Such developments would not result in any detriment to the amenities enjoyed by the occupants of any adjoining residential properties;
- c) They are, wherever possible, sited close to any existing built development on the site and suitably sited in relation to their surroundings;
- d) They are adequately screened; the proposal will not adversely affect areas which are of importance for nature conservation; and
- e) The proposal will not result in an unacceptable intensification of horse-related activities.
- f) Further to the above the council will encourage joint applications which incorporate rides through the land involved and a communal jumping area, if required, subject to other policies of the Plan.

Supporting paragraph 5.2.45 of the Local Plan adds that applications for stables or loose boxes will only be considered acceptable if there remains a commensurately large area of associated open land adjacent, for the grazing of horses. In this regard, the Council will require the designated paddock land to remain in the same ownership as, or under the control of, the operator of the stables and should be a minimum ratio of 0.4 ha per horse. The British Horse Society's recommended standard of 0.4ha per horse is considered to be a minimum requirement for grazing horses.

Having regard to the above policy provisions, it is clear that the site would not contain a sufficiently large area of associated open land adjacent, for the grazing of horses. The available area of open land within the site, in the form of the existing paddock, has been measured as less than 0.15ha. As underlined at paragraph 5.2.44 of the Local Plan, the standard and intensity of buildings required in connection with equestrian activity threaten to spoil the appearance and the character of the Green Belt and other open areas. The Council should maintain consistent standards when assessing such equestrian-related proposal, and this issue remains a concern.

The applicant was invited by the Council, at application stage, to confirm the extent of any equestrian activities within the site since the 2008 application, but has failed to provide any meaningful response in this regard. The applicant has therefore failed to justify the need for the re-sited stable. Moreover, in terms of Green Belt policy, it is considered that this element of the proposal would serve to undermine the openness of the Green Belt by reason of its siting and design, and that it would therefore amount to inappropriate development in the Green Belt. No very special circumstances have been put forward by the applicant, nor have any been identified by the Council, to otherwise justify the proposal.

The impact of all of the proposed works on local character, neighbouring amenity, and local highways conditions

Local character

Matters relating to the impacts of the development on local character are considered on a distinct basis from the Green Belt (which only affects the rear part of the site).

Having regard to the proposed operational development and proposed siting of the touring caravans, firstly it is not considered that the proposed re-sited stable block would undermine local character (as distinct from the matter of Green Belt openness) in view of its siting and appearance, also taking account its separation from the highway. Secondly, on balance, it is considered that the proposed brick wall at the front of the site, which would replace the existing wooden columns, would not adversely affect the rural character of the area, in view of its limited height which would remain subservient in appearance to the surrounding soft landscaping. Potentially, the nature of the material to be used for the wall could be conditioned.

Turning to the proposed caravans proposed to be stationed within the site, these are not considered to be harmful to local character in view of the size and siting. Given the status of the site as a Traveller Site, these would appear analogous and in character with the existing development therein.

Concerns are, however, raised in relation to the proposed utility and day rooms which would occupy the NE corner of the site; in particular, whilst these would occupy some of the footprint of the existing stable block and WC structure, these would be significantly larger in terms of their footprint and incorporate pitched roofs which would extend to a height of approximately 4.5m which would be finished in Montana 'slates'. Given their siting, scale and height, it is considered that the proposed utility and day rooms would appear unduly dominant within the streetscene and harmful to their rural setting. The PPTS itself advises that sites should be well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness. It is considered that the proposed utility and day rooms would overwhelm the existing landscape setting. They would appear unduly dominant along views along Cudham Lane North and their height and overall proportions are considered to be unjustified.

Neighbouring amenity

Given the scale of the proposal and its relationship to neighbouring residential properties, as well as to the adjoining Girlguiding site to the south, it is not considered that this would be significantly undermined. The site is well screened and maintains a significant separation to residential properties along Cudham Lane North.

Local highways conditions

In relation to highways matters, the existing site access is substandard and fails to achieve the necessary sightlines. Although the access gate is set back to enable vehicles to wait off the road whilst the gates are opened or closed, this does not address the sight line issue. This is accepted as an existing situation, but the intensification of use as proposed is of significant concern in the absence of suitable sightlines. Situations could arise where the safety of vehicles along Cudham Lane North is compromised. The site is within the 40 mph section of Cudham Lane North and with no indication of the current / future number of trips to / from the site using a sub-standard access the proposal is considered unacceptable.

Conclusion

Whilst no objection has been raised in principle to the provision of additional traveller accommodation within the site to serve identified traveller needs, specific concerns have arisen in the course of this application. These relate to the proposed re-sited stable in terms of its inappropriateness and its effect on the openness of the Green Belt, the effect of the proposed day and utility rooms on local character, and the effect of the proposal on local highways conditions. These concerns are significant and outweigh the benefits arising from the proposal.

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

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1 The proposed re-sited stable would constitute inappropriate development within the Green Belt as the site does not provide an adequate-sized area of grazing land, and would therefore result in an overintensification of horse-related activities, thereby contrary to policies 49 and 61 of the Bromley Local Plan.**
- 2 The proposed day and utility rooms would, by reason of their siting, scale and height constitute an overdominant and intrusive form of development, harmful to the rural character of the area, and contrary to Policy 37 of the Local Plan, and the PPTS.**

- 3 The proposal would intensify the use of the existing substandard access onto Cudham Lane North and would be likely to lead to conditions prejudicial to the free flow and general safety of traffic along the highway, contrary to Policy 32 of the Local Plan.**