

Application Number	16/00306/AS
Location	Land north of The Bungalow, Green Lane, Challock, Kent
Grid Reference	59960/50452
Parish Council	Challock
Ward	Downs West
Application Description	Change of use of land to equestrian and proposed manège
Applicant	Mr N Ovenden, 5 Pottery Cottages, Naccolt, Brook, Ashford, TN25 5NX
Agent	N/A
Site Area	0.34 hectares

(a) 4/- (b) S (c) EHM(EP) X

Introduction

1. The application is reported to the Planning Committee as the applicant is a Ward Member who also sits on the Planning Committee.

Site and Surroundings

2. The site is to the west of the village core of Challock. The land has been divided into paddocks for the grazing of horses together with stabling for the keeping of the said horses. The site sits within the designated North Downs Area of Outstanding Natural Beauty.

Proposal

3. The application is for full planning permission for the change of use of land to equestrian and proposed manège measuring 40m x 20m with a rubber surface. The boundary treatment for the manège will be timber post and rail fencing to a height of 1.3m.

Planning History

4. **13/00391/AS** – Extension to stables and new access and roadway (retrospective) – Permitted 29/05/2013



Figure 1: Site location plan

Consultations

Ward Members: No comments received

Neighbours: 4 neighbours consulted, no representations received

Parish Council: Supports

Environmental Health: No objection

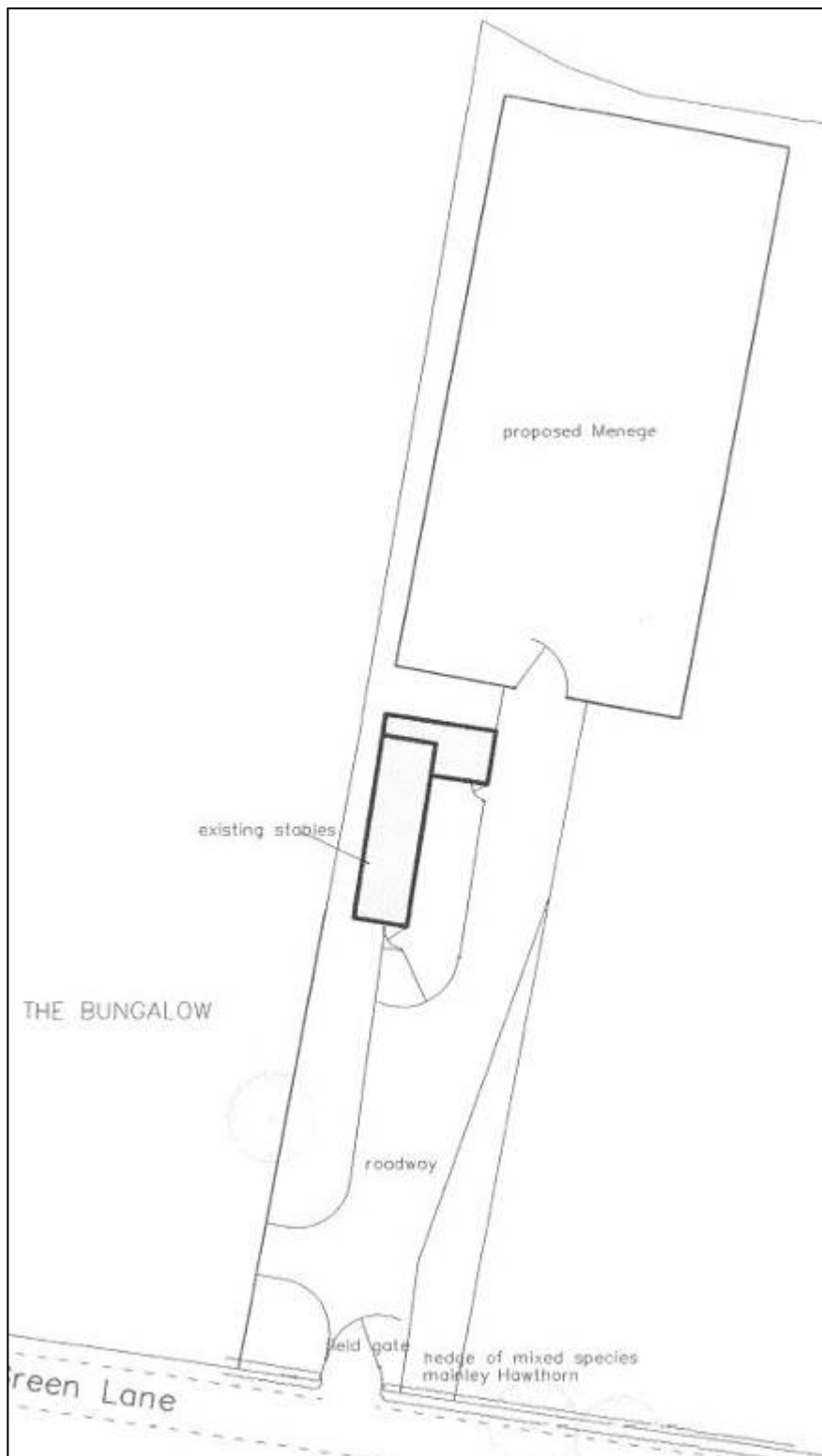


Figure 2: Block Plan

Planning Policy

5. The Development Plan comprises the saved policies in the adopted Ashford Borough Local Plan 2000, the adopted LDF Core Strategy 2008, the adopted Ashford Town Centre Action Area Plan 2010, the Tenterden & Rural Sites DPD 2010, the Urban Sites and Infrastructure DPD 2012 and the Chilmington Green AAP 2013.
6. The relevant policies from the Development Plan relating to this application are as follows:-

Local Development Framework Core Strategy 2008

CS1 – Delivering Sustainable Development

CS9 – Design Quality

Tenterden & Rural Sites DPD 2010

TRS17 – Landscape Character and Design

7. The following are also material to the determination of this application:-

Supplementary Planning Guidance/Documents

Stables Arenas and other horse related development 2014

Government Advice

National Planning Policy Framework 2012

8. Members should note that the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise. A significant material consideration is the National Planning Policy Framework (NPPF). The NPPF says that less weight should be given to the policies above if they are in conflict with the NPPF.

Assessment

9. The main issues for consideration are:
 - Visual Amenity
 - Residential Amenity

Visual Amenity

10. The site is located within a designated AONB which is afforded the highest status of protection in relation to landscape and scenic beauty in the NPPF. In turn the Council's SPG relating to equine development and specifically horse arenas says that given their appearance care must be taken with siting and design so that they do not cause a harmful impact on the character of the landscape or the amenity enjoyed by neighbouring occupiers. Advice is that they should be located as near to stables and other development as possible to avoid unnecessary dispersal of development in the rural landscape. The proposed riding arena would be located tight to the western boundary, adjacent to the stables and associated buildings on site which maintains a tight cluster of development within the landscape. The surface of the manège together with the perimeter fencing of a simple design is low key. In turn, the site is screened to the road with a mature hedgeline. The development would therefore not result in visual harm to the character of the designated landscape.

Residential Amenity

11. The site of the sand school is well divorced from neighbouring properties. Given this comfortable separation distance and the nature of the development in question, there would be no adverse impact on residential amenity. The use of the development can be controlled to domestic purposes only.

Human Rights Issues

12. I have also taken into account the human rights issues relevant to this application. In my view, the "Assessment" section above and the Recommendation below represent an appropriate balance between the interests and rights of the applicant (to enjoy his land subject only to reasonable and proportionate controls by a public authority) and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties).

Working with the applicant

13. In accordance with paragraphs 186 and 187 of the NPPF, Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner as explained in the note to the applicant included in the recommendation below.

Conclusion

14. The development sits comfortably together with existing stabling. Whilst there is some hedgeline screening from the road, the development would not be visually intrusive within the landscape. In turn, given the nature of the development there would be no harm to residential amenity. No concerns have been raised from consultees. The proposed development complies with the requirements of Development Plan policy and Central Government Guidance and therefore the recommendation is to permit subject to conditions.

Recommendation

(A) Permit

Subject to the following conditions and notes:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the details of external materials specified in the application which shall not be varied without the prior written permission of the Local Planning Authority.

Reason: In the interests of visual amenity.

3. The development shall be carried out in accordance with the plans listed in the section of this decision notice headed Plans/Documents Approved by this decision, unless otherwise agreed by the Local Planning Authority.

Reason: To ensure the development is carried out in accordance with the approval and to ensure the quality of development indicated on the approved plans is achieved in practice.

4. The sand school hereby approved shall be used for private equestrian purposes only and not for any commercial riding, livery or other business use.

Reason: To enable the Local Planning Authority to regulate and control the development of the land and having regard to the visual and/or residential amenity of the locality

5. No external lighting shall be installed on the site without the prior written consent of the Local Planning Authority.

Reason: In the interests of amenity of adjoining residents.

6. The development approved shall be made available for inspection, at a reasonable time, by the local Planning authority to ascertain whether a breach of planning control may have occurred on the land (as a result of departure from the plans hereby approved and the specific terms of this permission/consent/approval).

Reason: In the interests of ensuring the proper planning of the locality, the protection of amenity and the environment, securing high quality development through adherence to the terms of planning approvals and to ensure community confidence in the operation of the planning system.

Note to Applicant

1. Working with the applicant

In accordance with paragraphs 186 and 187 of the NPPF Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application
- where possible suggesting solutions to secure a successful outcome,
- informing applicants/agents of any likely recommendation of refusal prior to a decision and,
- by adhering to the requirements of the Development Management Customer Charter.

In this instance:

- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

Background Papers

All papers referred to in this report are currently published on the Ashford Borough Council web site (www.ashford.gov.uk). Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application reference 16/00306/AS.

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Annex 1



Ashford Borough Council



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