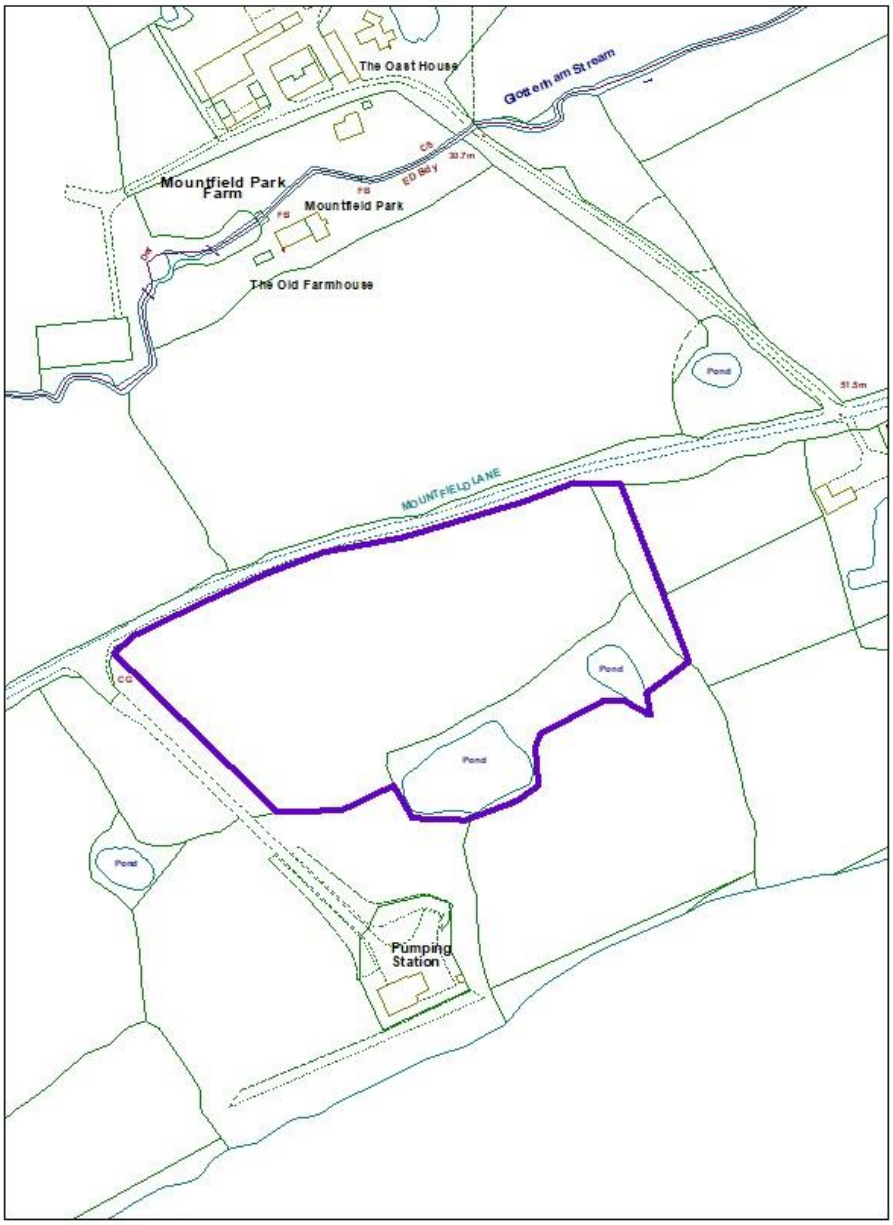
SITE PLAN MOUNTFIELD

RR/2019/1370/P Park Pale Meadow, Mountfield Lane.



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Not To Scale

Rother District Council

Report to	-	Planning Committee
Date	-	15 August 2019
Report of the	-	Executive Director
Subject	-	Application RR/2019/1370/P
Address	-	Park Pale Meadow, Mountfield Lane MOUNTFIELD
Proposal	-	Change of use of land to part equestrian. Additional buildings to include stables, a tack room, a store shed, improved access & track, formation of new hard standing in front of stable block. (Retrospective)*

View application/correspondence

RECOMMENDATION: It be **RESOLVED** to **GRANT (FULL PLANNING)**

Head of Service: Tim Hickling

Applicant: **Ms S Swift**
Agent: **Mr J Dobinson**
Case Officer: **Miss Andrea Ingram**
(Email: andrea.ingram@rother.gov.uk)
Parish: **MOUNTFIELD**

Ward Member(s): **Councillors J Barnes and Mrs E Kirby-Green**

Reason for Committee consideration: Member referral: Cllr Mrs E Kirby-Green
Reason for referral: the impact on the Area of Outstanding Natural Beauty (AONB), loss of agricultural land, horse welfare.

Statutory 8 week date: 5 August 2019
Extension of time agreed to: 22 August 2019

This application is included in the Committee site inspection list.

1.0 SUMMARY

The application seeks change of use of existing agricultural land to part equestrian and full retrospective planning permission for 2 no. Stable buildings, 1 no. tack room, 1 no. store shed, an improved access and track. It is considered that this proposal would have an acceptable impact on the character and appearance of the landscape and would not harm the amenities of neighbouring properties. The proposal complies with the Council's policies and can be supported.

2.0 SITE

2.1 The site is agricultural land located off Mountfield Lane which has been sold off separately from the farmhouse. The parcel of land is approximately 2.4 ha in size and is bordered by hedges. An access track runs along the eastern boundary. The site is outside of any development boundary and is within the High Weald AONB. The field and field boundaries are recognised as being of historic importance within the AONB. To the south is Darwell Reservoir and the Darwell Reservoir Complex Site of Nature Conservation Importance (SNCI). The access road encroaches into this area.

3.0 PROPOSAL

3.1 The application seeks change of use of existing agricultural land to part equestrian, that being approximately 1.2 ha of the total 2.4 ha land ownership, full retrospective planning permission for the already sited 2 no. Stable buildings, 1 no. tack room, 1 no. store shed, an improved access and track. In addition to what is existing, the Application also proposes a new hard standing in front of the stable blocks. The applicant proposes to house, 2/3 horses.

3.2 The buildings are situated together along the north eastern end of the field following the applicant agreeing to move the store room further towards the other buildings.

4.0 HISTORY

4.1 None relevant

5.0 POLICIES

5.1 The following 'saved' policies of the adopted Rother District Local Plan 2006 are relevant to the proposal:

- CF5 – Equestrian development

5.2 The following policies of the Rother Local Plan Core Strategy 2014 are relevant to the proposal:

- OSS4 – General Development Considerations
- RA2 – General Strategy for the Countryside
- RA3 – Development in the Countryside
- EN1 – Landscape Stewardship
- EN3 – Design Quality

5.3 The following policies of the emerging Development and Site Allocations Local Plan (DaSA) (currently under examination with current consultation on main modifications ending on 10 September 2019) are relevant to the proposal:

- Policy DCO2: Equestrian Developments;

- Policy DEN1: Maintaining Landscape Character;
- Policy DEN2: The High Weald AONB;

5.4 The National Planning Policy (NPPF) and Planning Policy Guidance and the High Weald AONB Management Plan 2019-2014 are also material considerations.

6.0 CONSULTATIONS

6.1 Planning notice

6.2 Two letters with general comments have been received (from two representatives). The comments are summarised as follows:

- Detracts from the AONB.
- Not near residential property therefore horses cannot be tended to in an emergency.

6.3 Mountfield Parish Council - **OBJECTION**

6.3.1 *If we had assessed this application before any works had been done, we would have objected on the grounds that we believe this application opens the door to potential future development.*

6.4 Brightling Parish Council – **OBJECTION**

6.4.1 *The Parish Council is strongly opposed to this application on the basis that it adversely effects the AONB, the owners do not live on-site, and it appears to be a larger than necessary area of hardstanding.*

7.0 LOCAL FINANCE CONSIDERATIONS

None.

8.0 APPRAISAL

8.1 The main issues for consideration are:
- the effect of the proposal on the character and appearance of the locality and AONB; and
- the effect of the proposal on the living conditions of adjoining residents.

8.2 Character and appearance:

8.2.1 Impact on character of the countryside is a consideration of Policy OSS4 (iii) which requires all development to respect and not detract from the character and appearance of the locality.

8.2.2 Policy RA2 states the overarching strategy for the Countryside is to (vi) support enjoyment of the countryside and coast through improving access and supporting recreational and leisure facilities that cannot reasonably be

located within development boundaries, such as equestrian facilities, compatible with the rural character of the countryside.

8.2.3 Policy RA3 requires proposals for development in the countryside to be determined on the basis of (v) ensuring that all development in the countryside is of an appropriate scale, will not adversely impact on the landscape character or natural resources of the countryside and, wherever practicable, support sensitive land management.

8.2.4 Policy EN1 provides that management of the high quality historic, built and natural landscape character is to be achieved by ensuring the protection, and wherever possible enhancement, of the district's nationally designated and locally distinctive landscapes and landscape features; including (i) the distinctive identified landscape character, ecological features and settlement pattern of the AONB.

8.2.5 Saved policy CF5 states that development of new or in connection with existing equestrian establishments will be permitted provided (i) there will be no significant adverse effect on the landscape character of the area or on the residential amenities of dwellings in the locality and (ii) where new buildings are involved, they must be located, and designed and of materials in keeping with its rural setting, with particular attention will be paid to new proposals in the High Weald AONB.

8.2.6 Paragraph 172 of the NPPF states that great weight should be given to conserving landscape and scenic beauty in AONBs, which have the highest status of protection in relation to landscape and scenic beauty.

8.2.7 The stables measure approximately 7.25m by 3.5m, next to the stables the tack room is 3.5m by 3.5m. A store room measures 3.5m by 3.5m. A hard standing would extend to the front of the stables and tack room measuring approximately 13m (at most) by 20m. Materials comprise timber cladding and corrugated roofing sheets. The hardstanding would be surfaced with Type 1 MOT.

8.2.8 The buildings are located adjacent to a hedge and trees and would be largely screened from Mountfield Lane. So whilst the stables are introduced into an undeveloped field the buildings are of a scale and design which is sympathetic to the area and are not visually intrusive in the landscape. The location of the buildings would not intrude into the historic boundaries around the field. As such, the character and appearance of the landscape of the High Weald AONB would be maintained.

8.2.9 The SNCI is recognised in particular for its water bird species and invertebrates. Given the siting of the development within a field used for grazing it is not considered that this development would harm this ecological importance.

8.3 <u>Amenities of neighbouring properties:</u>

8.3.1 Policy OSS4 (ii) of the Rother Local Plan Core Strategy requires all development to not unreasonably harm the amenities of adjoining properties.

8.3.2 The proposal would not be in close proximity to residential properties and should mean that the living conditions of any local residents are not unacceptably affected.

8.4 Other issues:

8.4.1 Mountfield and Brightling Parish Council and local residents have objected to the application. The impact on the AONB has been dealt with above. The application is dealt with on its own merits and as amended. While concerns are expressed regarding the potential for future development, any further development would have to be the subject of separate planning applications, which would be judged on their own merits.

8.4.2 Although the owner does not live on-site, so could not tend to the horses particularly in an emergency, this is a situation that is commonly found and would not be a reason to refuse the application. The hardstanding is of a size that would allow a dry and solid area for the horses in front of the stables in an area which could become very muddy in winter.

9.0 PLANNING BALANCE & CONCLUSION

9.1 It is considered that this proposal would have an acceptable impact on the character and appearance of the landscape and would not harm the amenities of neighbouring properties. The proposal complies with the Council's policies and is acceptable.

RECOMMENDATION: GRANT (FULL PLANNING)

CONDITIONS:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: In accordance with 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 is hereby permitted in accordance with the following approved plans/details:
Site location plan, drawing no. CL-CVS-1000B, dated May 2019.
Block Plan, drawing no. CL-CVS-1100A, dated May 2019.
Site plan, drawing no. CL-CVS-1200, dated May 2019.
Plans and elevations 1, drawing no. CL-CVS-2000, dated May 2019.
Plans and elevations 2, drawing no. CL-CVS-2010, dated May 2019.
Reason: For the avoidance of doubt and in the interests of proper planning, as advised in Planning Practice Guidance Paragraph: 022 Reference ID: 21a-022-20140306.

3. The stables and storage buildings hereby permitted shall be used for private equestrian/recreational purposes only and not for any commercial riding, livery use, breeding, training or other business use.

Reason: In the interests of highway safety, to protect the residential amenities of the locality, and to protect the character of the countryside in this AONB area, in accordance with Policies OSS4 (ii and iii), RA2 (viii), RA3 (v), and EN1 of the Rother Local Plan Core Strategy 2014 and DaSA Policy DC02.

4. No floodlighting or other external means of illumination of the stables/storage buildings hereby permitted shall be provided, installed or operated at the site. Reason: To protect the residential amenities of the locality and to protect the special character and dark night skies of the rural area within the High Weald AONB, in accordance with Policies OSS4 (ii and iii), RA2 (viii), RA3 (v) and EN1 (v and vii) of the Rother Local Plan Core Strategy and DaSA Policy DC02.

NATIONAL PLANNING POLICY FRAMEWORK: In accordance with the requirements of the Framework (paragraphs 186 and 187) and with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.