

<b>APPLICATION NUMBER:</b>	LW/07/0099	<b>ITEM NUMBER:</b>	<b>4</b>
<b>APPLICANTS NAME(S):</b>	Mr D Hambrook	<b>PARISH / WARD:</b>	Kingston / Kingston
<b>PROPOSAL:</b>	Planning Application for Replacement of existing dilapidated agricultural buildings		
<b>SITE ADDRESS:</b>	Land West Of The Holdings, Wellgreen Lane, Kingston, East Sussex, BN7 3NH		
<b>GRID REF:</b>	TQ 3908		

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## 1. SITE DESCRIPTION / PROPOSAL

1.1 The application site comprises the north-west corner of a field currently under grass and used for livestock grazing. In that corner are three agricultural sheds, all of timber build. It is proposed to demolish the two southernmost buildings and replace them with a single new building.

1.2 The building is to be divided into two separate storage areas, one as a store for animal feedstuff and the other for the secure storage of grassland maintenance and fencing equipment, which would include a small tractor.

1.3 The proposed building is to be 'L' shaped, 9.5m long, 5.5m wide and 3m high, having a pitched roof and set on a concrete base. Its overall floor area is 39 sqm. The sheds to be demolished are 9m long and 3.6m wide, and have a combined floor area of 34sqm.

1.4 The application as originally submitted extended the concrete base beyond the footprint of the buildings to create a hardstanding of 10 sqm. Following negotiations this aspect of the application has been removed and amended plans received.

1.5 The site is located just outside of the Kingston Village Planning Boundary, and lies within the Sussex Downs AONB and boundary of the proposed South Downs National Park.

## 2. RELEVANT POLICIES

**LDLP: – ST03 – Design, Form and Setting of Development**

**LDLP: – ST15 – Flood Risk and Coastal Erosion**

**LDLP: – RE08 – Equestrian and Related Activities**

**LDLP: – CT02 – Landscape Conservation and Enhancement**

## 3. PLANNING HISTORY

**LW/06/0054** - Change of Use of land to equestrian/farming operation including the erection of stables and tackroom building - **Withdrawn**

**LW/02/0124** - Erection of a stable block & renovation of existing barn & chicken run - **Approved**

**LW/99/0824** - Change of use from redundant agricultural land to the grazing and keeping of horses - **Approved**

**LW/98/0107** - Proposed mixed use of land for agriculture and the keeping/grazing of ponies for private use - **Refused**

#### 4. REPRESENTATIONS FROM STANDARD CONSULTEES

**ESCC Highways** – Does not wish to restrict grant of consent.

**Kingston Parish Council** – Object to the proposal on the following grounds:-

The site is outside of the Village Planning Boundary but within the South Downs AONB.

The buildings which are larger and higher would add to the accumulation of buildings and activities on the fringe of the village to the serious detriment of the character and appearance of the area.

The enlarged buildings would impinge further on the long views from the nearby downland and public rights of way.

The proposal is contrary to Lewes District Local Plan Policy CT1.

The site is not related to the Kingston Bridleway network so horses entering and leaving the site would have to do so via the C.324 road, exacerbating highway dangers.

**South Downs Joint Committee** – No objection

**The South Downs Society** – Would prefer to see no building on this landscape at all, but we are limited to supporting the application providing it is built of timber and not brick. The intention not to provide a hard surfaced track is noted and any track should be constructed in a way that does not further damage the landscape.

**Environment Agency** – No objection providing conditions are attached with regard to matters of pollution.

#### 5. REPRESENTATIONS FROM LOCAL RESIDENTS

5.1 Six letters of objection have been received. The main grounds are summarised as follows:

- The proposed increase in the floor area of the proposed barns over the existing barns would be 16%, but nearer 50% if squared off with a hard standing. This would increase the risk of run off and heighten the risk of flooding, being contrary to Policy ST15.
- The new barns are far larger than the existing barns and constitute new development. The applicant has given no reason why these should be bigger, if their use is to be the same. There are other buildings in the area that are suitable for conversion and there is no need for further stabling which would impinge on the natural beauty of the area.

- The paddock/land which is to the east and the south of where the barns are proposed to go is boggy and unsuitable for grazing animals, due to water-logging. It is at the bottom of a scarp and on a spring line.
- The introduction of grazing for which a horse needs 1.5 acres would introduce rank species of plants and would impact upon the Downland landscape. The land is unsuitable for grazing and has been used as such only intermittently over the past ten years. The current tenant has left due to there being insufficient grass.
- Access to the site is from a farm track that passes the Holdings and opens onto Wellgreen Lane. The access is inadequate and dangerous as it is on a corner. It is also near to Kingston Primary School. If permission is granted the risk of a road accident would increase because of the extra traffic it would generate. Wellgreen Lane is a busy link between Newhaven and Brighton.
- The access track is in a fragile and eroded state especially at the point of access onto Wellgreen Lane and alongside the garden of No. 8 The Holdings. The track has only been strengthened at the top of the bank adjacent to where the replacement barns are proposed and the car parking spaces recently laid.
- When the new barns at Jake's Field were constructed (planning ref. LW/02/0124) immense damage was done to the track by large delivery vehicles.
- The defined parking area although permitted under the GDPO, has a material impact on the AONB and should therefore be subject to a planning application.
- The proximity of the barns to the Holdings (particularly No's 6, 7 and 8) would result in their occupants being subjected to a loss of privacy and an increase in noise and disturbance through increased equestrian activity. Overlooking from horse riders could also result. The occupiers of the Holdings feel they are being surrounded by new development which has altered the surrounding area.
- If the application is allowed the environment and nature of the Holdings will be compromised as there have been other similar developments around the periphery of their homes. Those developments have caused immense damage and have helped push the boundary of the village south ward. Some developments have extended beyond what they were given planning permission for. The Council is encouraged to reject the application and so prevent the creep of the buildings in the area and to decrease the chance of flooding.
- The area is already being sub-divided into plots which are considered to be too small for grazing paddocks but of a suitable size for residential development. The resulting fencing that is erected is unattractive.

- Overall the proposal is considered to be contrary to Lewes District Local Plan Policies ST3, ST15, RE8, CT1, CT2, CT3, CT4 and E9.

5.2 The Lewes District Councillor for Kingston has written to support the objections of the occupiers of 7 and 8 The Holdings to the proposal on the grounds that it could pave the way for a residential development and allow for the future supply of water and electricity.

## **6. PLANNING CONSIDERATIONS**

6.1 The main planning issues are considered to be the impact of the proposal on the Area of Outstanding Natural Beauty and the impact on the residential amenity of the occupiers of The Holdings, a group of six houses that abut the site.

### **Impact on Area of Outstanding Natural Beauty**

6.2 The proposed barn is to have a floor area of 39 sq m, against 34 sq m for the structures it is to replace. It is proposed to be constructed over that building's footprint and would involve the grubbing up of two small trees. Although the structure would increase slightly the amount of built development, the impact it would have on the landscape is considered to be no more than the effect of the current structure. It is only from the north and the east where a perceptible difference in the size between the proposed and existing structures could be observed. The proposed barn is 0.5 m longer, 1.4m wider and approximately 0.5 m higher. The barn would tend to be in keeping with its surroundings when seen from the south and be hidden from a western view by a stable block. It is not therefore considered that the proposed structure would have a detrimental impact on the AONB. The applicant has also proposed to undertake a planting scheme to replace two small trees that would be lost to the development.

6.3 Amongst the objections received, there was concern over the proliferation of stables and fencing on land to the south of Wellgreen Lane. It is accepted that in sufficient numbers these would have a visual impact on that particular part of the South Downs AONB, and have reached a number where they may do so now. The proposed buildings, however, albeit a little larger, are replacement and not additional buildings and would not add to the number of outbuildings already in place.

### **Residential Amenity**

6.4 The issue of residential amenity takes on three distinct parts. The first is the access track that passes by the Holdings from the application site to Wellgreen Lane. The second is the loss of amenity that could arise from activities associated with the proposed barn and the third is the risk of flooding that could arise from the land being covered with impervious concrete bases.

6.5 The issue of flooding is not considered to be a significant issue with respect to this application. The applicant has stated in the Design and Access

statement that it is his intention to discharge roof water to storage tanks with an overflow pipe running to a nearby field drain. A condition to this effect would be attached if planning permission is granted.

6.6 It is considered inevitable that some degree of disturbance to the occupants of The Holdings would result from the coming and going of visiting traffic to the proposed buildings. The access track is, however, already in use serving both the applicants land and stables that abut it. Overall it is not considered that there would be a significant increase in the volume of traffic or disturbance to the occupants of The Holdings following construction of the barn.

6.7 The Highway Authority have not objected to the proposal on grounds of traffic generation or safety.

6.8 While the concerns of residents are noted, it is not considered that any material additional overlooking or loss of privacy would arise over and above that which already arises from equestrian activities in the locality.

6.9 Objections have also been raised with regard to the suitability of the land for the grazing of horses, because of its low lying and boggy nature. This is not, however, a planning issue as a horse or horses may be put out to graze on a field or paddock, without planning permission. The current application is for the storage of feed stuffs and mechanical implements.

6.10 Accordingly the proposal is considered to be acceptable.

## **7. RECOMMENDATION**

That planning permission be granted.

### **The application is subject to the following conditions:**

1. Before the development hereby approved is commenced on site, details/samples of all external materials including stain treatment shall be submitted to and approved in writing by the Local Planning Authority and carried out in accordance with that consent.

Reason: To ensure a satisfactory development in keeping with the locality having regard to Policies ST3 and CT2 of the Lewes District Local Plan.

2. The development hereby approved shall be used for the storage of animal feed and agricultural related hardware and machinery only and for no other purposes unless the Local Planning Authority otherwise agrees in writing.

Reason - To protect the character of the area having regard to Policy CT2 of the Lewes District Local Plan.

3. The development hereby approved shall not be commenced on site until details of surface water drainage have been submitted to and approved in writing

by the Local Planning Authority. The approved drainage works shall be implemented prior to the uses of the building being commenced.

Reason - To secure a satisfactory standard of development having regard to Policy ST15 of the Lewes District Local Plan.

4. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no development described in Part 6 Class B of Schedule 2, other than hereby permitted, shall be undertaken unless the Local Planning Authority otherwise agrees in writing.

Reason: A more intensive development of the site would be likely to adversely affect the appearance and character of the area having regard to Policy CT2 of the Lewes District Local Plan.

5. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

Reason; To enhance the general appearance of the development having regard to Policy CT2 of the Lewes District Local Plan.

6. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the use of the barn commencing or in accordance with the programme approved in writing with the Local Planning Authority.

Reason: To enhance the general appearance of the development having regard to Policy CT2 of the Lewes District Local Plan.

7. No lighting shall be installed on the site at any time unless agreed in writing beforehand with the Local Planning Authority.

Reason - To safeguard the character of the Area of Outstanding Natural Beauty having regard to Policy CT2 of the Lewes District Local Plan.

8. No contaminated rock, brick rubble or crushed concrete shall be brought onto the site to be used as a sub base for the development hereby approved.

Reason - To prevent the pollution of controlled waters having regard to Policy ST3 of the Lewes District Local Plan.

**This decision is based on the following submitted plans/documents:**

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Location Plan	13 February 2007	1:2500

Location Plan	16 January 2007	1:2500
Proposed Elevations	16 January 2007	1:100
Proposed Floor Plans	16 January 2007	1:100
Block Plans	1 June 2007	1:500

**Summary of reasons for decision and any relevant development plan policies/proposal:**

It is considered that the proposal meets the aims and objectives of Local Plan Policy and respects the character of the location, complying with Policies ST3, ST15 and CT2 of the Lewes District Local Plan.