

PLANNING STATEMENT

Applications to Vary Planning Conditions

Site: Kerves Farm Cottage, Kerves Lane, Horsham, West Sussex, RH13 6RJ

Applicant: Miss Kirsty Loveday

Proposed variations:

1. Variation of Condition 4 of planning permission DC/11/1176 to associate the existing sand school with Kerves Farm Cottage rather than Kerves Barn.
2. Variation of Condition 14 of planning permission SQ/122/98 to associate the existing stables with the residential use of Kerves Farm Cottage rather than Kerves Lane Farm.

1. Introduction

This Planning Statement supports applications to vary two existing planning conditions relating to the equestrian facilities now owned and occupied with Kerves Farm Cottage.

The proposed variations are required as a consequence of the historic subdivision of the land by the previous owner.

As part of that subdivision:

- the sand school was transferred from the title of Kerves Barn to the title of Kerves Farm Cottage; and
- the stables were transferred from the title of Kerves Lane Farm to the title of Kerves Farm Cottage.

The existing planning conditions continue to refer to the properties with which the facilities were formerly associated. They no longer reflect the current ownership, occupation or practical arrangement of the land.

The applications do not propose any physical development, enlargement, alteration or intensification of use. They seek only to update the conditions so that the sand school and stables are associated with Kerves Farm Cottage, the property with which they are now owned and used.

PART ONE: SAND SCHOOL

2. Planning permission DC/11/1176

Planning permission DC/11/1176 was granted on 5 August 2011 for an all-weather riding arena at Kerves Barn, Kerves Lane, Horsham.

Condition 4 currently states:

“The sandschool hereby permitted shall be used solely in connection with Kerves Barn, Kerves Lane, Horsham as a dwelling and shall not be used for commercial purposes, as a riding establishment or for competitions.”

The reason for the condition is:

“In the interests of amenity, to enable the Local Planning Authority to regulate and control the development and in accordance with policy DC29 of the Horsham District Council Local Development Framework: General Development Control Policies (2007).”

3. Proposed variation of Condition 4

It is proposed that Condition 4 is varied to read:

“The sandschool hereby permitted shall be used solely in connection with Kerves Farm Cottage, Kerves Lane, Horsham as a dwelling and shall not be used for commercial purposes, as a riding establishment or for competitions.”

The only change sought is the replacement of the reference to Kerves Barn with a reference to Kerves Farm Cottage.

All other restrictions within the condition would continue to apply unchanged.

4. Reason for varying Condition 4

The variation is sought as a consequence of the subdivision of the land by the previous owner.

As part of that subdivision, the sand school was transferred from the title of Kerves Barn to the title of Kerves Farm Cottage.

The sand school is therefore now owned with and forms part of Kerves Farm Cottage. It is no longer within the ownership or control of Kerves Barn and can no longer be used in association with that dwelling.

The existing wording of Condition 4 no longer reflects the ownership and practical arrangement of the properties. The proposed variation would correct this by associating the sand school with Kerves Farm Cottage.

The variation would not permit commercial use, use as a riding establishment or use for competitions. Those restrictions would remain fully in force.

PART TWO: STABLES

5. Planning permission SQ/122/98

Condition 14 of planning permission SQ/122/98 relates to the use of the existing stables.

The current condition associates the stables with Kerves Lane Farm. However, following the subsequent subdivision of the land, the stables were transferred from the title of Kerves Lane Farm to the title of Kerves Farm Cottage.

The stables are now owned, occupied and used in association with Kerves Farm Cottage and can no longer be used in association with Kerves Lane Farm.

6. Proposed variation of Condition 14

It is proposed that Condition 14 is varied to read:

“The stables shall only be used for livery purposes in association with the residential use of Kerves Farm Cottage and shall not be let out or used for independent commercial purposes.”

The proposed wording would continue to ensure that the stables remain linked to the residential use of a single dwelling.

It would also continue to prevent the stables from being let independently or operated as a separate commercial enterprise.

7. Reason for varying Condition 14

The variation is sought as a consequence of the subdivision of the land by the previous owner.

As part of that process, the stables were transferred from the title of Kerves Lane Farm to the title of Kerves Farm Cottage.

The stables are no longer within the ownership or control of Kerves Lane Farm. It is therefore no longer possible for them to be used in association with that property.

The existing wording of Condition 14 does not reflect the present ownership, occupation or functional relationship of the stables.

The proposed variation would regularise the position by linking the stables to the residential use of Kerves Farm Cottage.

The revised condition would retain appropriate planning control by ensuring that:

- the stables remain associated with the residential use of Kerves Farm Cottage;
- the stables are not let out independently; and
- the stables are not operated as an independent commercial enterprise.

8. Planning effects of the proposed variations

The applications would not result in:

- any new buildings or physical works;
- any alteration or enlargement of the sand school or stables;
- any change to the appearance of the site;

- the creation of an independent planning unit;
- independent commercial use of the equestrian facilities;
- commercial use of the sand school;
- use of the sand school as a riding establishment; or
- use of the sand school for competitions.

The facilities would remain associated with the residential occupation of Kerves Farm Cottage.

The proposed variations are administrative and practical amendments required to reflect the subdivision and transfer of the land undertaken by the previous owner.

The original purposes of the conditions, including the protection of residential amenity and the prevention of unrestricted independent commercial use, would continue to be achieved.

9. Conclusion

The proposed variations are required because the existing conditions no longer reflect the current ownership and arrangement of the land.

The sand school and stables were transferred to Kerves Farm Cottage as part of the historic subdivision of the property and can no longer be used in association with Kerves Barn or Kerves Lane Farm.

No physical development or material intensification of use is proposed.

The proposed wording would retain the existing restrictions on the use of the facilities and would ensure that they remain appropriately controlled and associated with the residential use of Kerves Farm Cottage.

It is therefore respectfully requested that:

1. Condition 4 of planning permission DC/11/1176 is varied as proposed; and
2. Condition 14 of planning permission SQ/122/98 is varied as proposed.