

Stubbs, Lilian

From: Glen Bull <[REDACTED]>
Sent: 22 October 2018 11:50
To: Planning
Subject: Objection to Y18/0920/FH
Attachments: My objection.pdf

Categories: Yellow Category

FAO:

Planning Case Officer

Mr Alexander Kalorkoti

Dear Sir

Please see attached my objection comment to Y18/0920/FH which exceeds the 2000 character limit for direct online submission.

Thank you

Yours Sincerely

Glen Bull

Objection to Y18/0920/FH

The Folkestone, Hythe and District (FHD) interactive plan confirms that the application site is located in the Kent Downs Area of Outstanding Natural Beauty (AONB).

Section 85 of the Countryside and Rights of Way Act (CRoW) places a Statutory Duty of Regard on local authorities within an AONB for the purpose of conserving and enhancing the special context of the Kent Downs – one of the most precious landscapes in the UK.

The applicant moved to Westbury House on 6th July 2018 and resumed her motorcycle training business immediately, with a total disregard for planning protocol, the sensitive nature of the location, or the local community. Despite objections being raised, the applicant continues to operate without planning consent and has constructed the foundation slab for the proposed garage/barn.

The Kent Downs AONB Unit have been consulted, but this planning application as submitted is a deliberate false representation of what's actually planned for the site and so it's reasonable to assume that the full impact of the scheme may not be fully considered.

When planning malpractice in AONB is discovered or brought to the attention of the LA, the Duty of Regard should warrant a greater need/consideration of enforcement action to halt detrimental, unregulated and inappropriate activity.

Section 89 of CRoW requires the LA to prepare and publish a Management Plan, which is a material consideration that should be taken into account when determining all planning applications for development in AONB.

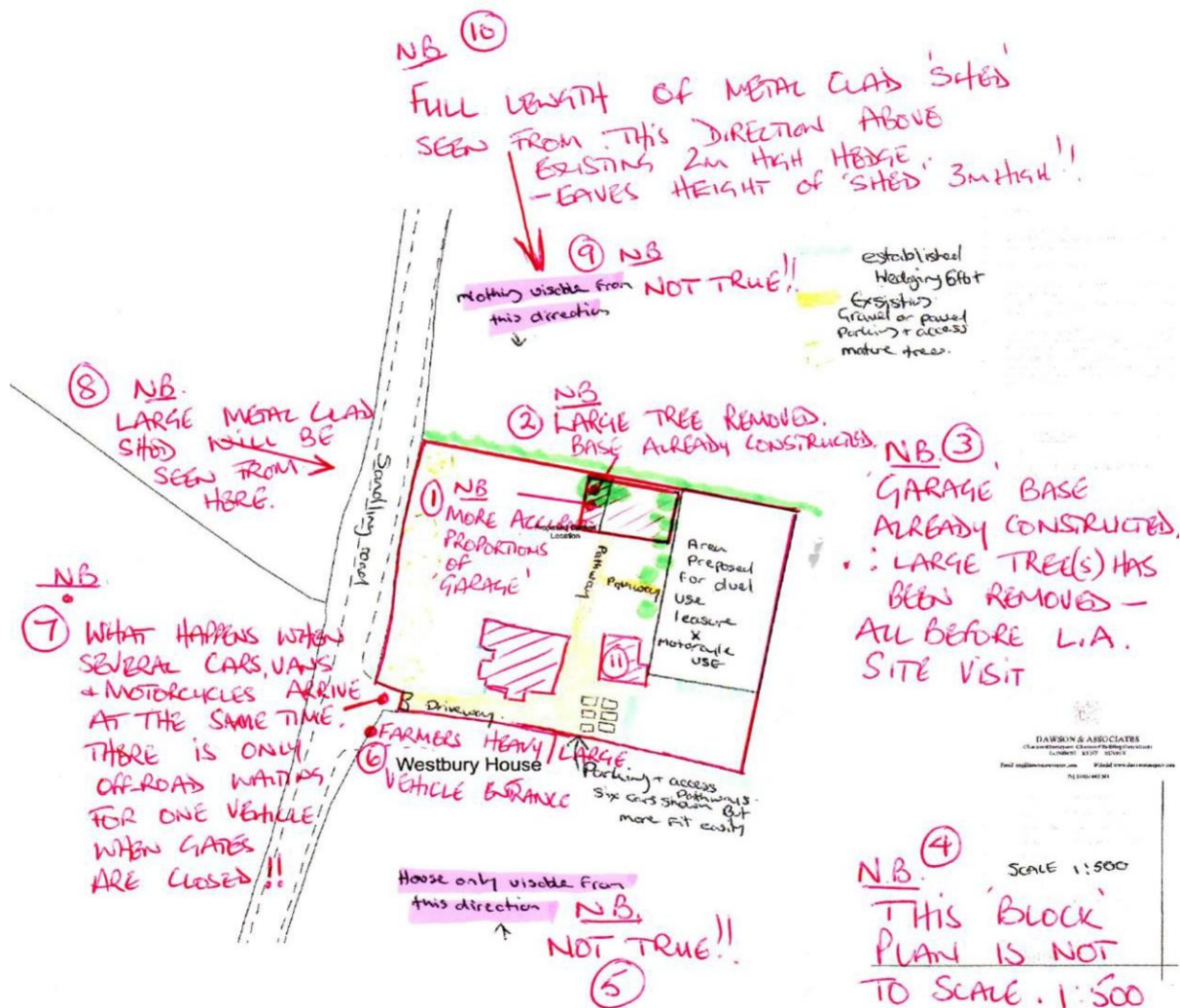
This application has two separate elements: A huge steel clad barn/garage, located against the North side boundary, adjacent to the proposed training area but described as for the applicants personal use and also the change of use to allow for business use of motorcycle training to be carried out from the existing tennis court within the curtilage of the domestic dwelling.

The following Management Plan policies are considered most relevant:

- SD1 *The need to conserve and enhance the natural beauty of the Kent Downs AONB is recognised as the primary purpose of the designation and given the highest level of protection within the statutory and other appropriate planning and development strategies and development control decisions*
- SD2 *The local character, qualities and distinctiveness of the Kent Downs AONB will be conserved and enhanced in the design, scale, setting and materials of new development and redevelopment*
- SD3 *New development or changes to land use will be opposed where they disregard or run counter to the primary purpose of the Kent Downs AONB*
- SD7 *To retain and improve tranquillity, including the experience of dark skies at night, careful design....should be used. New developments and highways infrastructure which negatively impact on the local tranquillity of the Kent Downs AONB will be opposed unless they can be satisfactorily mitigated*
- SD8 *Proposals which negatively impact on the distinctive landform, landscape character, special characteristics and qualities, the setting and views to and from the AONB will be opposed unless they can be satisfactorily mitigated*
- SD9 *Thelocally distinctive character of rural settlement and buildings of the Kent Downs AONB will be maintained and strengthened. New developments will be expected to apply appropriate design guidance and to be complementary to local character in form, scale, contribution to settlement pattern and choice of materials. This will apply to all new development.*

Source: reproduced from FHD planning online publication of documents.

1. A more accurate length to width ratio is shown for the garage/barn, with >25% increase in length, as against that submitted. See above plan 1



2. A large tree will have to be removed to accommodate the true extent of the length of the garage/barn, no arboricultural survey has been submitted, to identify the particular tree, or in fact any trees which may be lost from the street scene/landscape. See above plan 2
3. The foundation slab for the proposed garage/barn has in fact already been constructed...and before the planning case officer or LA tree department have had the opportunity to carry out the all important site visit....It is reasonable to assume that the deliberate act of misrepresenting the true scale of the garage footprint on the submitted block plan and commencing and completing the foundation for the proposed garage, prior to submission... and contrary to the applicant stating on her application form that works had not commenced, is a deliberate attempt to conceal the true magnitude of the loss of established trees from a protected landscape and in full knowledge that permitted development rights are all but removed, due to the location of the site within AONB.
See above plan 3 The design, scale and nature of the garage/barn is unsympathetic and at odds with the distinctive character of Westbury House
4. Block plan is not to 1:500 scale, it is therefore impossible to correlate what is proposed with what is shown. See above plan 4
5. The applicant states that '*house only visible from this direction*'Not true. See above plan 5
6. Access for large, heavy farm machinery/vehicles to the adjoining fields is immediately adjacent to the vehicular access to Westbury House. This is a potential hazard. See above plan 6
7. **The vehicular entrance to Westbury House is gated and there is only enough space shown for 1 vehicle to safely pull off of the road when the gates are closed. The applicant is a licensed dog breeder and has guard dogs, so it is reasonable to assume that the gates are always closed. Combined with 6 above, a**

significant risk to the safety of visitors and other road users will be further generated with several cars, vans and motorcycles turning up at the same time, either for training, to deliver goods or to drop off/collect trainees.

This scenario is perfectly feasible, given the high level of vehicular activity associated with the applicants numerous business interests and previously confirmed by former neighbours to the applicants previous address. An internet search of Mantis Motorcycle confirms the following additional retail business activity to the motorcycle training: motorcycle garage services, motorcycle sales, clothing and merchandise, official number plate manufacture/sales, ride to work scheme - supplying and servicing motorcycles and motor vehicle learner driver tuition See above plan 7

I am more than a little surprised that as a consultee, Kent Highways have chosen not to comment. The response from Highways does however provide the planning case officer with the opportunity to refer specific safety concerns back for consideration. I believe this to be a serious planning consideration.

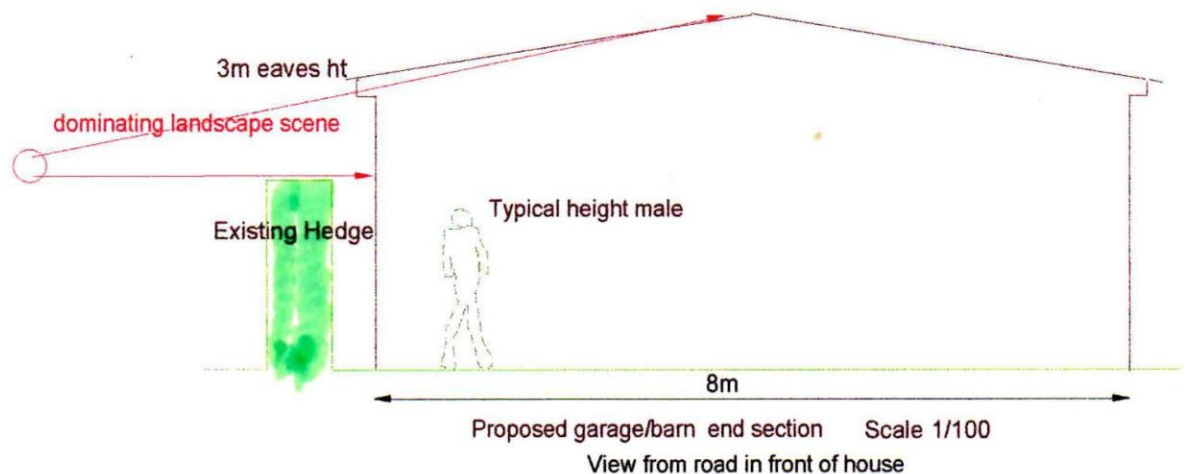
8. Contrary to what the applicant states on her submitted block plan, Westbury House can be seen from the road passing the site and so too will the proposed large garage, especially now a large tree has been removed. See above plan 8. The large obtrusive building and motorcycle training area will of course also be seen from higher ground surrounding the application site and will therefore have a detrimental impact on the landscape, compounded by the inevitable flood lighting.
9. The applicant states that nothing visible, viewed from Northern approach, again this is not true. See above plan 9. As listed above in 8, the observed view at ground level is by no means the only consideration.

10. The applicant states that the existing boundary hedge is 6ft tall – no detail on type of hedge is given, but the proposed garage/barn has a particularly high eaves height of 3m – so it is reasonable to assume that at least 1m of the bland, bulky steel side elevation and the roof will be visible... and for its entire 12m length. This fact will be exacerbated by the introduction of light pollution due to the need for flood lighting during the winter. Training is 7 days a week and for some 12 hours a day. See above plan 10

11. The property already has the benefit of a double garage, sale particulars confirm generous dimensions of 7.4m x 7.26m.

See above plan 11.

The following points are also raised:



- If as stated, the proposed garage /barn is solely for personal use – which is highly unlikely given the eaves height of 3m, which would allow for vehicle hoist and other height considerations associated with a business that is listed as a motorcycle garage, where are the considerable number of motorcycles owned and used by the applicant for training purposes going to be stored.
- Where is the considerable volume of fuel required to run the motorcycles going to be stored
- How is waste oil from servicing etc going to be stored and disposed of

- Where is the non practical element of motorcycle training going to take place
- Prices quoted on Mantis Motorcycling Website for training include lunch and several feedback comments refer to bacon sandwiches - where is hot/cold food and beverages prepared
- Where are proposed toilets
- These are all material and environmental planning considerations which have been neglected by the applicant

- The application for change of use (already implemented) to motorcycle training encompasses the vast range of motorcycle training combinations, on all motorcycle types, engine sizes and power outputs...not just Compulsory Basic Training on the smaller engine motorcycles – which the applicant would have us believe is solely to be for the benefit of local young people. Previous neighbours have confirmed that a large volume of the applicants motorcycle training business is advanced tuition on large engine, high performance motorcycles, which also carry out pre road training at the training ‘pad’ and then again to rehearse / correct manoeuvres prior to test.
- The tennis court meets the area criteria for approval as a training facility by DVSA. What the applicant fails to inform is that the DVSA CBT training application form states clearly that:
‘Have all relevant planning permissions and other approvals been obtained for this site’

I cannot imagine that DVSA support motorcycle training on sites where planning permission has not been granted.

- The applicant states on her planning application form that
‘Postling Parish consulted and happy to understand our proposal’
In fact, the applicant *‘was informed at the meeting that we could not express an opinion until an application was formally received’*
- No overriding economic [REDACTED]

[REDACTED]

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- The overwhelming negative impacts of both elements of this application have not been considered by the applicant, with measures proposed to mitigate these impacts.
 - The amenity of local residents and the  may only be safeguarded and enhanced by refusal of the application and measures taken to ensure that the site is returned as far as possible to its former idyllic setting and character.
 - A business that employs a total of 6 people, all quite possibly working at the business premises at the same and which generates the amount of vehicular traffic that has been confirmed, may not be classified as small scale, low key and acceptable in this location. Both aspects of the development are therefore disproportionate in scale and impact, for support as new rural business.
 - With the closure of the motorcycle training facility in Folkestone, there is of course justification for other training providers, but from designated, appropriate sites which may be regulated.
 - The applicant states in recent correspondence with the case officer that she has run a training facility for the last 7 years, again, this is untrue....planning permission for cbt motorcycle training was granted to the applicant at her previous address in October 2013 – 5 years ago, not 7.

- An internet search of motorcycle training providers in Kent does in fact confirm that Mantis Motorcycle have the poorest google rating

Training centres and ratings 6/10/2018

Invicta Motorcycle Training

[5.0](#) (20) · Motorcycle Training Centre

Faversham

07832 001166

Dexterity Motorcycle Training

[4.8](#) (10) · Motorcycle Training Centre

Ashford

01233 621536

Phoenix Motorcycle Training Ltd

[5.0](#) (12) · Motorcycle Training Centre

Maidstone

Mantis Motorcycle Training

[4.4](#) (44) · Motorcycle Training Centre

[Hythe](#)

[01303 812216](#)

Kent Motorcycles

[4.7](#) (99) · Motorbike repair shop

[Barnham](#)

Source : Google

Mantis motorcycle feedback includes the following comments:

- *" Rang to cancel a booking, as I had had to redo my CBT asap and my slot with them was too late to suit my needs and lady on the phone was sarcastic and rude saying I won't ever be allowed to book with them again. After this experience, I definitely won't be"*
- *" Impatient instructor, who swore at you if you did not do something perfectly right. She also could not make her mind up where she wanted us to go and moaned at us if we went where she told us to first go which was annoying considering she mostly changed her mind after we had turned. Do yourself a favour a go somewhere else where they have quality instructors"*
- *" They dont bother to call back"*
- *"Just a hint, don't be friendly on the phone. Apparently that is seen as rude. Made an appointment at a different centre"*
- *"Absolute shambles"*
- *"Extremely unprofessional"*

Source: Google Reviews, Mantis Motorcycle Training. 2018

For all of the above listed reasons, I would suggest that this application lacks vital information for consideration, the applicant



The applicant has shown a total disregard for planning protocol by carrying out unauthorised works in a protected location.

At the time of writing, this application does not have the support of the Postling Parish Council and no support from local residents.

The DVSA expect their approved training bodies to have all relevant planning permissions in place before offering training. The applicant carries on her business regardless.

No valid overriding economic or social grounds have been stated by the applicant and no material planning grounds and/or mitigation measures have been stated by the applicant or her supporters to justify consent.

This is not a low key small scale home business and the lack of coherent fundamental detail, poor design, scale and character, loss of amenity, light and noise pollution, acutely sensitive landscape settlement and increased risk of road/access danger, render both elements of this application totally unacceptable in this location.

Yours Sincerely

Glen Bull BSc(Hons) Building Surveying