

3/09/0519/FP

2. **3/09/0707/FP - Erection of three additional stable blocks and retrospective planning permission for existing stable block and hardstanding at White House Lodge, Hare Street, SG9 0DX for Ms A Stewart**

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Date of Receipt: 14.09.2009

Type: Full – (Major)

Parish: HORMEAD

Ward: BRAUGHING

**RECOMMENDATION**

That planning permission be **REFUSED** for the following reason:

1. The proposal will result in the intensification of the existing access at a point where visibility for vehicles leaving the site is restricted to a level below that required to ensure that highway safety is not compromised. The proposal is thereby contrary to Policy TR2 of the East Herts Local Plan Second Review April 2007.

\_\_\_\_\_ (070709FP.MP)

**1.0 Background**

- 1.1 The application site is shown on the attached OS extract. It comprises of a significantly sized field/ meadow space with an existing stable block on the eastern edge of the site. Access is gained off the B1368, along a track/driveway which runs past the existing dwelling, White House Lodge, a grade II Listed Building.
- 1.2 There is an existing stable block on site, however, the siting of that stable block does not coincide with the plans approved within an earlier planning application. In effect therefore, this application seeks retrospective permission for that stable block also.
- 1.3 The existing stable block comprises of a single storey building, shaped in a 'U' design and features 2 stables and further associated storage space.
- 1.4 The proposal includes a further 'U' design building, of an identical size, scale form and design, just to the north of the existing stable. A further two smaller stable buildings are also proposed which form a courtyard

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space around a circle turning/hardstanding space.

- 1.5 The land associated with the development for the horses comprises of approximately 8 Acres which extends to the west of the site for the stables and is generally well screened by existing mature landscape features and trees.

### **2.0 Site History**

- 2.1 The relevant planning history relating to the specific parcel of land of this application is as follows:

- 3/07/0013/FP - Planning permission was granted for a stable block.
- 3/08/1485/FP - Planning permission was refused for a single storey stable block, grooms studio with paddock.

### **3.0 Consultation Responses**

- 3.1 County Highways Authority commented that in a highway context the proposal has the potential to significantly increase traffic generation through an existing access that has poor visibility to the north along Hare Street for emerging vehicles. The Highways Officer acknowledges details within the application that visits to the site will be restricted to weekends, however there is no guarantee that this would be the case and, in any event, any increase in traffic generation (however small), is potentially hazardous, given the poor level of visibility available.

The Highways Officer considers that, in order to overcome the highway concerns outlined above, the provision of a 2.4 x 90 metre visibility splays are necessary.

### **4.0 Parish Council Representations**

- 4.1 Hormead Parish Council have objected to the development based on the change of use of the land and resultant increase in vehicular traffic. The Parish Council also comment that there is no direct access to bridleways for horse riders which result in horse riders relying on the main road (B1368) with a resultant impact on highway safety.

### **5.0 Other Representations**

- 5.1 The applications have been advertised by way of press notice, site notice

and neighbour notification.

5.2 No letters of representation have been received.

## **6.0 Policy**

6.1 The relevant Local Plan policies in this application include the following:

GBC3	Appropriate Development in the Rural Area Beyond the Green Belt
GBC11	Riding Stables and Associated Development
ENV1	Design and Environmental Quality
ENV2	Landscaping
BH12	Development Affecting the Setting of a Listed Building

## **7.0 Considerations**

### Principle of Development

7.1 The site is located within the rural area where there is a presumption against inappropriate development. There is however provision within criteria k) of that policy for small scale riding and livery stables in accordance with policy GBC11.

7.2 The starting point for planning considerations of this application is therefore whether the development can be considered as a 'small scale riding and livery stables'.

7.3 The proposal cumulatively equates to 10 stables, with other spaces for food stores, tack room, etc. The advice in PPS7, paragraph 32, outlines that stables consisting of up to 10 stables can be considered as 'small scale riding facilities'. In principle therefore, the development accords with Policy GBC11. However, that policy also has a number of prescriptive criteria for which the development must also meet. Furthermore, the development is within the setting of the listed building, so an assessment under the requirements of Policy BH12 will also be required, as well as other planning considerations such as neighbour amenity issues.

### Impact on rural landscape

7.4 The layout of the buildings is formed around the existing 'U' shaped stable building with a further 'U' of the same size, scale, form and design to the north, with two smaller stable blocks proposed to the west.

The stables form a loose courtyard layout with a small turning circle in the centre. The buildings are seemingly consolidated (as far as possible), to the existing access and existing stable development in the locality. The buildings are considered to be of a relatively simple, non-obtrusive stable block type design, with a shallow pitched roof and timber boarding – closely resembling that of the existing stable. Having regard to those considerations Officers are of the opinion that the proposal would not appear visually intrusive within the rural landscaped area and would be in keeping with the rural setting of the site. The development will in Officers opinion assimilate well with the local environment and rural setting of the site. The requirements of Policy GBC11 (criteria a) and c)) and ENV1 of the Local Plan would thus be met.

- 7.5 It is noted that the previous refusal (LPA reference 3/08/1585/FP) consisted of just one building, whereas this proposal comprises of four (albeit smaller) independent buildings. The building previously refused comprised of a form and design which represented a dwellinghouse whereas the proposal within this application, as outlined above, represents a grouping of buildings which are more sympathetic to the rural surroundings and landscaped locality. In terms of comparison with that previously refused, the proposal is considered to be acceptable.

#### Relationship with existing bridleways

- 7.6 It is recognised that the Parish Council raise specific concern with regard to the lack of connectivity with public bridleways. The applicant, within the Design and Access outlines that a bridleway is approximately 50 yards away. Whilst it is appreciated that the concerns of the Parish Council in relation to the safety of riders and horses owing to the existing nature of the B1368, this is not, I note, a requirement in Policy GBC11b). Furthermore, planning permission was not refused for these grounds within the previous application (3/08/1585/FP), Officer therefore raise no objections to the development in terms of the requirements of Policy GBC11b).

#### Space for grazing

- 7.7 With regards to requirement e) of Policy GBC11, the applicant outlines that the site benefits from 8 acres of grazing which is 'well within' the guidelines as set out by the British Horse Society and Natural England. However, no further submissions of this are attached with the DAS to substantiate such a claim. Nevertheless, planning permission was not refused within LPA reference 3/08/1585/FP for such reasons and

Officers do not consider it reasonable to raise any objections within this application.

Security

- 7.8 The applicant outlines within the DAS that White House Lodge is the home address of the applicants (which is parallel to the access road and approximately 30 metres or so from the stables). In Officers opinion, there is therefore adequate security for the stables in accordance with criteria f) of GBC11.

Impact on ecology of site

- 7.9 The final criteria of GBC11 relates to a requirement that the amount of riding should not have an adverse impact on the management or ecology of the site. The applicant outlines within the DAS that the fields are well drained and hedged and the surrounding bridle network is considered to be 'vastly' underused'. Having regard to those submissions and the reasons for refusal of the previous application, Officers do not consider that the proposal conflicts with the aforementioned section of GBC11.

Setting of Listed Building

- 7.10 Taking into account the considerations relating to the layout and design of the buildings, as mentioned above combined with the siting of the stables in relationship to the listed building, Officers consider that the proposal will have a neutral effect on the setting of the listed building – the requirements of Policy BH12 would thus be met.

Neighbour amenity

- 7.11 In terms of the impact on neighbour amenity, having regard to the nature of the development, and its siting in relationship to the amenity of neighbouring properties and the degree of existing boundary treatment, Officers do not consider that the proposal will result in a significantly detrimental impact on neighbour amenity that would warrant the refusal of the application.

Highway Safety

- 7.12 The comments from the Highways Officer, raising objection to the proposal in terms of the impact on Highway Safety are noted. It is understood that the visibility on leaving the site from the north is

particularly restricted, and for this reason, the Highways Authority recommend that planning permission be refused.

- 7.13 The only way to address such a concern is through the provision of a visibility splay which, the Highways Officer considers would address the concerns relating to Highway Safety. Officers are mindful that such a visibility splay could be implemented via condition. However, this does not form part of the recommendation of the Highways Authority and, taking into account the level of existing landscape features that would be lost as a result of such a provision, such a condition would result in harm, in terms of the loss of those landscape features with the resultant impact on the character and appearance of the street scene. It is also not clear, at this stage, whether this could be achieved without the requirement for land in third party ownership. Officers can only therefore recommend that planning permission be refused for reasons relating to the impact on highway safety.

## **8.0 Conclusion**

- 8.1 The proposed development is considered to represent small scale riding and livery stables and, for the reasons outlined above, meets the criteria of Policy GBC11. The development will not result in a significant impact on the rural landscape or setting of the site and allows for appropriate access to existing bridle ways and adequate levels for grazing which will not impact significantly on the ecology of the site. The development is not considered to result in a significantly harmful impact on the setting of the listed building or the amenity of neighbouring properties. The proposal therefore accords with the requirements of Policies GBC11, ENV1 and BH12 of the Local Plan.
- 8.2 Notwithstanding the acceptability of the scheme with regards to those policies, Officer are concerned with the conflict with Policy TR2 of the Local Plan and the comments from the County Highways Authority. It is considered that the proposal has the potential to result in a significant and harmful impact on highway safety and no conditions would overcome such a concern. It is therefore recommended that planning permission is refused for these reasons.