

3/09/1521/FP - Create groom's living accommodation in roof space of existing stables building and erect 4 no. new loose boxes, hay store and tack room at Tudor Manor, White Stubbs Lane, Bayford, SG13 8QA for Mr. T. Wedge.

Date of Receipt: 23.09.2009

Type: Full - Major

Parish: BAYFORD

Ward: HERTFORD – RURAL SOUTH

RECOMMENDATION

That planning permission be **REFUSED** for the following reasons:-

1. Within MGB – EHLP (R021)
2. The proposed stables, by reason of their scale and siting, would intrude into the rural qualities of the surrounding area and impact on the openness of the Green Belt contrary to policies GBC1 and ENV1 of the East Herts Local Plan Second Review April 2007.
3. The District Council is not satisfied that a residential use is the only means to secure the retention of the existing stable building. The proposal is therefore contrary to policy GBC9 of the East Herts Local Plan Second Review April 2007.

_____ (152109FP.HS)

1.0 Background

- 1.1 The application site is shown on the attached OS extract and comprises a 1.9ha area of paddocks used in connection with Tudor Manor, a large detached dwelling set in total grounds of 10.5ha. The site is located within the Metropolitan Green Belt, approximately 1.25km south of Bayford.
- 1.2 This application proposes to construct 4 new stables, a hay store and tack room, and to convert the first floor of the existing stables into groom's accommodation. The site is currently used solely in connection with the residential dwelling, and not as a commercial riding stable.
- 1.3 An existing storage building to the west of the existing stables will be retained, whilst an additional loose box to the front will be demolished.

2.0 Site History

- 2.1 A detached chauffeur/gardener and housekeeper's bungalow with double garage to the east of the dwelling was refused in July 1973 and dismissed at appeal (3/73/2741). The Inspector concluded that there were no sufficient agricultural reasons to justify the proposal and that more residential development would detract from the high quality of the location and be visually obtrusive in this rural area.
- 2.2 A later application for an extension to provide staff accommodation was granted outline permission in July 1976 (3/76/0225) subject to a condition that occupation be limited to persons employed, or last employed, in connection with the main dwelling. Reserved matters approval was granted in January 1977 (3/77/0014).
- 2.3 A detached stable building was approved in January 1979 (3/78/1358), also located to the east of the main dwelling. Permission was then granted in February 1985 for the demolition of a storage building and erection of the stables that now form the subject of this application (3/84/1549/FP).
- 2.4 Further, in 1999, an application for conversion of existing garages/store building, to the northeast of the main dwelling, into a detached single bedroom bungalow was refused, but subsequently allowed at appeal (3/99/0711/FP). The Inspector considered that the proposal complied with the Council's policy on the re-use of rural buildings. He found that the building already had a domestic appearance and is seen to be clearly within a residential curtilage. He therefore concluded that no harm would arise to the rural character and appearance of the area, or the openness of the Green Belt.

3.0 Consultation Responses

- 3.1 Environmental Health do not wish to restrict the grant of permission.
- 3.2 Natural England advise that the proposal may have the potential to affect species protected under European or UK legislation, and they refer us to their Standing Advice.
- 3.3 The Herts and Middlesex Wildlife Trusts advise that rural buildings are often used by bats, and a condition requiring an inspection for bats by a specialist is therefore recommended.

- 3.4 The Council's Landscape Officer recommends refusal of the application on the grounds of insufficient tree and landscaping information, and the impact of the scale and design of the stables on the surrounding Landscape Character Area. He notes that there is a dense screen of trees along the northern, western and southern boundaries as shown on the submitted site analysis drawing; however, no tree survey has been submitted.
- 3.5 There are no hard or soft landscape proposals submitted, and the applicant states that there will be no changes to existing access arrangements. However, there may be a need for a new or extended access, which would need to retain the informal landscaped character to this area. The development will create a stable yard, and appropriate surface treatment is a practical constraint in the immediate vicinity of stables which needs to be robust enough to withstand daily use by horses, capable of providing sure footing for horses and people (particularly when wet), and make it easy for washing down, mucking out etc. This has not been accommodated in the submission.
- 3.6 He further comments that this site is within Landscape Character Area 49 of the Landscape Character Assessment Supplementary Planning Document (SPD). In the Strategy and Guidelines for Managing Change for this area, the SPD recommends that development within the settlements will need careful consideration to ensure that local landscape character is not compromised by a change of scale or inappropriate non vernacular design. In his view the proposed development comprises a significant change of scale, and whilst in the same architectural style as the existing structure, it would be reasonable to say that it does not conform to a traditional or vernacular design.
- 3.7 The Landscape Officer therefore advises that he is not persuaded by either the drawings or the Design and Access Statement that the proposal will be attractive, useful or socially and environmentally responsible, and this submission fails to meet the minimum benchmark for design, that would allow him to recommend approval.
- 3.8 The Council's Engineers advise that it is not clear from the application if the development would increase the net area of impermeable surfacing and this may therefore increase the nominal flood risk for the location and adjacent areas. It is recommended that the site makes use of Sustainable Urban Drainage Systems (SUDs). These could be in the form of harvesting rainwater butts linked to down pipes or more extensive systems like swales and retention ponds.

3.9 At the time of writing this report, no response had been received from County Highways.

4.0 Parish Council Representations

4.1 Bayford Parish Council raise the following concerns:

- There is already a substantial house on this site together with the original staff quarters at Tudor Cottages. This is within the range of the CCTV.
- It is clearly stated in the application that there is no commercial activity on the site associated with the stables.
- If the LPA are minded to approve this application, both the stables and accommodation should be tied to Tudor Manor.
- A three-fold increase in the number of loose boxes seems excessive given no commercial activity – is the intention to start a business?
- We consider that the case for an additional residence is not proven.

5.0 Other Representations

5.1 The applications have been advertised by way of press notice, site notice and neighbour notification.

5.2 A letter has been received from the CPRE making the following points:

- There is a presumption against inappropriate development in the Green Belt;
- The building could be easily converted into a two bedroom house;
- There is no supporting evidence to substantiate the need for 24hr supervision of horses; nor does the applicant demonstrate that all possible alternatives have been explored.

5.3 No further letters of representation have been received.

6.0 Policy

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

SD2	Settlement Hierarchy
GBC1	Appropriate Development in the Green Belt
GBC9	Adaptation and Re-use of Rural Buildings
GBC14	Landscape Character
TR2	Access to New Developments
TR7	Car Parking – Standards

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TR20	Development Generating Traffic on Rural Roads
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV11	Protection of Existing Hedgerows and Trees
ENV16	Protected Species

In addition to the above it is considered that Planning Policy Statement 1, (Delivering Sustainable Development), Planning Policy Guidance 2 (Green Belts), Planning Policy Statement 7 (Sustainable Development in Rural Areas), and Planning Policy Statement 9 (Biodiversity and Geological Conservation) are considerations within this application.

7.0 Considerations

Principle of Development

- 7.1 The site lies in the Green Belt wherein there is a general presumption against inappropriate development. The construction of stables and riding facilities is not specified as appropriate development in policy GBC1; however, provision is made for '*essential small scale facilities for outdoor sport and recreation*'. The keeping of horses, whether for personal or commercial use, can be considered as outdoor sport and recreation. However, in this case no information has been presented to confirm that these facilities are essential. In terms of the groom's accommodation, this makes use of an existing rural building, and therefore policy GBC9 applies.
- 7.2 Where development proposals amount to inappropriate development in the Green Belt, very special circumstances must be demonstrated that clearly outweigh the harm by reason of inappropriateness, and any other harm.

Groom's Accommodation

- 7.3 Policy GBC9 allows for the re-use of existing rural buildings, including for residential use, subject to a number of criteria. Having regard to these criteria, it is noted that the building is worthy of retention and is capable of being accommodated without requiring extensive alterations or extensions. 2 no. dormer windows are proposed in the rear elevation of the building, with no. 2 first floor windows in the flank elevations; however these alterations are not extensive.
- 7.4 Policy GBC9 also requires that the building is capable of conversion without complete or substantial reconstruction. In this case no structural survey has been submitted to confirm that the building is structurally sound; however, the building is relatively new (10-15 years old) and appears to be of sound construction.

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- 7.5 Further, policy GBC9 requires that the introduction of a residential use should not detract significantly from the rural character and appearance of the area. In this case it is considered that a residential use of the building could have the potential to intrude into the rural qualities of the surrounding area. However, as only the first floor is proposed to be used as accommodation, with no changes to the front elevation (this would retain the appearance of stables), Officers do not consider that the proposal would cause undue harm to the character of the area when viewed from the lane.
- 7.6 Policy GBC9 also stipulates that the residential use of a building will only be permitted if the retention of the building is unable to be facilitated by conversion to a business use, leisure, tourism, community or other purpose compatible with the rural area. In this case, no evidence of marketing of the building has been put forward to justify this aspect of the policy, and as such it is considered to be unacceptable in a policy context. The creation of a new residential unit in the Green Belt would otherwise breach Green Belt policies that seek to prevent urban sprawl and protect the countryside from encroachment.
- 7.7 Policy GBC9 also requires that the building be considered as a contribution to local affordable housing needs in the area. However, this building is located at some distance from the nearest village and associated services and infrastructure, and would therefore not be suitable for affordable housing occupation. Finally, it is noted that the building is not listed.
- 7.8 Overall, in terms of policy GBC9, it is noted that the use could be accommodated without extensive reconstruction or alteration. However, insufficient information has been put forward to prove that the building cannot be converted to a business, leisure, tourism, or other more appropriate use. The residential aspect of the proposal is therefore considered to conflict with Green Belt policy.
- 7.9 It is noted that policy GBC5 sets out provisions for agricultural, forestry and other occupational workers dwellings in the rural area, where a market dwelling may be inappropriate. However, this policy only applies to businesses, where there is a justified business case. As this is a proposal for staff accommodation in connection with a residential use, this policy is not applicable, and the justification would fail on several counts.

Very Special Circumstances

- 7.10 It is noted that the application has been put forward on the basis of a need for groom's accommodation on this site. However, limited information has been submitted to provide such justification. The submitted Planning

Statement merely states that *“Not only will this provide some security for a site that is relatively isolated and houses valuable livestock, but it is also necessary when staff are required to provide ‘round the clock’ supervision of horses that may fall ill or be in foal.”* No further information is provided on the value of the horses, the availability of staff, or security systems, for example.

- 7.11 It is also noted that the stables are located within the grounds of an existing residential property. The owner would therefore be within close proximity (approximately 155m as the crow flies) to attend should a horse become ill or be in foal. CCTV systems could be used to assist in this respect, for which no information has been provided. It is also believed that there are existing stables adjacent to Tudor Manor, which could be used to accommodate a horse in particular need. Further, it would be possible for a groom to sleep rough in the existing ground floor ‘office’ within the stable building when necessary, without constituting a material change of use. No very special circumstances are therefore evident to outweigh the harm caused to the Green Belt by reason of inappropriateness.

Proposed Stables

- 7.12 The application also makes provision for the construction of two new rows of stables to the south of the existing stable building. Each of these new buildings will be slightly larger than the existing stable; measuring 12m in length by 6m in width, including roof overhang. The buildings will be single storey to a maximum height of 4.7m. The overall result would therefore be a total of 6 no. stables with a tack room and hay store.
- 7.13 The provision of two further stable blocks will substantially increase the amount of built form on the site, and no information has been presented to justify that these facilities are essential, and therefore appropriate development in the Green Belt. Further, no very special circumstances have been put forward to justify the need for these stables, that clearly outweighs Green Belt policy. It is important to note that a number of additional outbuildings have been approved at Tudor Manor in the past, as both stables, garages and as staff accommodation, and it is understood that these buildings have since been converted to living accommodation used in connection with the main dwelling. This form of cumulative expansion has placed considerable pressure on Green Belt land.
- 7.14 The new stables will be sited partly to the rear of the existing stable building, and although this boundary is well planted, the new buildings would be clearly visible, particularly at the access point from White Stubbs Lane. The land to the rear of the existing building is currently used as open paddocks, and the construction of two new buildings within this land would

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therefore impact on the openness of the Green Belt. This is exacerbated by the proposed layout of the site, with the new stables facing in to create a courtyard resulting in a significant increase in the width and bulk of built form on site.

- 7.15 In terms of design, the stable buildings will be of a similar mock Tudor appearance to the existing stables, and the main dwelling. Simple openings would be provided in the form of stable doors and shuttered windows, with louvres provided in the gables at each end. Standard overhanging eaves would be provided on the elevations facing the courtyard. In terms of building design, Officers consider the proposal to be acceptable. However, the overall scale and layout of the development is considered to be harmful to the character and appearance of the surrounding rural area, and the openness of the Green Belt. The proposal therefore conflicts with policies GBC1 and ENV1.

Trees and Landscape Impacts

- 7.16 The Council's Landscape Officer has objected to the proposal on the grounds of a lack of information on existing trees and root protection areas, and landscaping details. He also considers the scale and design of the buildings would be out of keeping with the surrounding Landscape Character Area (LCA).
- 7.17 There are rows of mature trees along the northern, western and southern boundaries of the site which have not been identified on the submitted drawings. However, it has been noted by way of a site visit, that these trees are located at a considerable distance from the proposed new buildings. Should permission be granted then a condition would be recommended to ensure that these trees are protected, and boundaries enhanced; however this is not considered to be a reason to refuse the application.
- 7.18 It is noted that no information has been provided on the proposed surface treatments of the site. It is likely that additional hard-surfacing would be necessary within the new courtyard area, and to provide vehicular access to the new stables; however the details of this surfacing could be dealt with by way of condition, and Officers do not consider that the application should be refused on the these grounds.
- 7.19 Finally, the site lies within Landscaper Character Area 49 'Little Berkhamsted Ridge Settlements' which is characterised by a small plateau surrounded by undulating slopes, with limited views out due to the density of vegetation. The strategy and guidelines for managing change are to conserve and strengthen, including encouraging the planting of woodland.

The protection and enhancement of existing woodland trees and hedges along the boundaries of this site is therefore particularly important, and this could also be achieved by way of condition. Therefore, whilst the Landscape Officer's objection is noted, the issues are not considered insurmountable at this stage. However, the overall impact of the scale and layout of the development on the character and appearance on the surrounding rural area is noted, as discussed above.

Parking and Access

- 7.20 There is an existing access onto White Stubbs Lane that would be utilised to serve this development. This has adequate visibility and sufficient space would also be provided within the site for the parking and turning of vehicles clear of the highway. Whilst no parking layout has been shown on the submitted drawings, Officers note that there is sufficient space, already hard-surfaced, which could accommodate a number of vehicles. A detailed parking layout could be required by way of condition. There is therefore no objection on highway grounds.

Neighbouring Amenity

- 7.21 The nearest neighbours are located at a distance of 50-60m in each direction (2 Tudor Manor Farm Cottages to the east, and Ashdene Farm to the west). Given this distance, no harm would arise as a result of this development in terms of loss of light or overbearing. Further, although there may be increased vehicle movements to cater for a greater number of horses, and possible increased noise disturbance, these neighbours are located at a sufficient distance to protect their amenities.

8.0 Conclusion

- 8.1 Overall, the proposed new stable buildings are considered to represent inappropriate development in the Green Belt as Officers are not satisfied that they comprise essential facilities for outdoor sport and recreation. Further, the conversion of the first floor of the existing stables to groom's accommodation is considered to fail policy GBC9(II)(b) for the reason that no other options for an alternative use of this building have been adequately explored.
- 8.2 Officers also consider that the scale and siting of the proposed new stables results in unacceptable harm to the rural qualities of the surrounding area and the openness of the Green Belt, contrary to policies GBC1 and ENV1. No very special circumstances have been demonstrated that clearly outweigh the harm caused to the Green Belt by reason of inappropriateness, impact on openness and the character and appearance of the area.

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8.3 The application is therefore recommended for refusal for the reasons set out above.