

**3/10/0511/FP – Erection of 4 no. new loose boxes at Tudor Manor, White Stubbs Lane, Bayford, SG13 8QA for Mr. T. Wedge.**

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**Date of Receipt:** 19.03.2010

**Type:** Full - Major

**Parish:** BAYFORD

**Ward:** HERTFORD – RURAL SOUTH

**RECOMMENDATION**

That planning permission be **GRANTED** subject to the following conditions:-

1. Three year time limit (1T12)
2. Materials of construction (2E11)
3. No external lighting (2E26)
4. Tree retention and protection (4P05)
5. Hedge retention and protection (4P06)
6. Landscape design proposals (4P12 b,e,i,j,k,l)
7. Landscape works implementation (4P13)
8. Private use of stables (5U11)

**Directive:**

1. Other legislation

**Summary of Reasons for Decision**

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the 'saved' policies of the East Herts Local Plan Second Review April 2007), and in particular policies SD2, GBC1, GBC11, GBC14, TR2, TR20, ENV1, ENV2, ENV11 and ENV16. The balance of the considerations having regard to those policies is that permission should be granted.

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## **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 Members may recall that permission was refused at the February Committee for two new stable blocks, including a hay store and tack room, and to convert the first floor of the existing stables into groom's accommodation. This is a re-submission reducing the extent of the stable building, and removing the groom's accommodation completely.
- 1.3 This application proposes 4 no. loose boxes in a single row to the south of the existing stable building. The site is currently used solely in connection with the residential dwelling, and not as a commercial riding stable. An existing storage building to the west of the existing stables will be retained, whilst an additional loose box to the north will be demolished.

## **2.0 Site History**

- 2.1 Permission was refused at Committee on 10<sup>th</sup> February 2010 (reference 3/09/1521/FP) for two new stable blocks, including a hay store and tack room, and to convert the first floor of the existing stables into groom's accommodation. The reasons for refusal are listed below:-
  - 2.1.1 The application site lies within the Metropolitan Green Belt as defined in the East Hertfordshire Local Plan wherein permission will not be given except in very special circumstances for development for purposes other than those required for mineral extraction, agriculture, small scale facilities for participatory sport and recreation or other uses appropriate to a rural area. No such special circumstances are apparent in this case, and the proposal would therefore be contrary to policy GBC1 of the East Herts Local Plan Second Review April 2007.
  - 2.1.2 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.
  - 2.1.3 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.

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- 2.2 There is also an extensive history for staff accommodation on site. 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.
- 2.3 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).
- 2.4 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).
- 2.5 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 County Highways do not wish to restrict the grant of permission. They advise that the proposal will not impact on highway safety or visibility. Adequate parking and vehicle manoeuvring area is available within the site and no alteration to the existing access onto White Stubbs Lane is required.
- 3.2 Environmental Health raise no objection subject to a condition on construction hours of working.
- 3.3 The Council's Landscape Officer recommends consent subject to a condition on landscape design proposals. He comments that appropriate surface treatment is a practical consideration but this has not been included in the submission. A condition is therefore recommended.

3.4 The Council's Engineers advise that they have no record of historical flooding at the site and whilst a Flood Risk Assessment would technically be required for developments on more than 1ha, the actual site area for development is much less. It is unlikely that the development would contribute to localised flooding if it makes use of soakaways and SUDS type drainage systems as they have suggested in their application.

#### **4.0 Parish Council Representations**

4.1 Bayford Parish Council comment that "whilst the scale of this application has been reduced, we are still concerned that it represents an unnecessary development which will increase the impact of the site and may lead to subsequent applications. There are probably already enough stables on site for the area of land that can be grazed and extra loose boxes are unnecessary."

#### **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 'saved' Local Plan policies in this application include the following:

SD2	Settlement Hierarchy
GBC1	Appropriate Development in the Green Belt
GBC11	Riding Stables and Associated Development
GBC14	Landscape Character
TR2	Access to New Developments
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. The main issue is therefore whether these are essential facilities to be granted within the Green Belt.
- 7.2 In this case the stables are proposed for private use in connection with Tudor Manor. There are 2 no. existing loose boxes on site, which are both occupied. The land to be grazed extends to almost 2 hectares which is a large area for just two horses. The applicant proposes 4 no. additional loose boxes, therefore totalling 6 on site. This is not considered to be excessive or unreasonable for a personal use, and it is considered that this is an appropriate number of horses to be accommodated on this large site. Officers therefore consider the development to be acceptable in principle.

### **Scale, Design and Layout**

- 7.3 The application now proposes a single row of 4 no. stables positioned to the south of the existing stable building. The proposed building will be slightly larger than each of the two previously refused stables. It will measure some 15.8m in length and 3m in width, including roof overhang, with a low pitched roof to a height of 4.7m. The proposed footprint has therefore been reduced by 33% since the previous refusal.
- 7.4 The removal of one of the previously refused stables results in a simpler layout, rather than the large central courtyard design previously proposed. The stable building now proposed will not be as visible in its surroundings and would therefore not materially impact on the openness of the Green Belt. Further, the site is well planted along the northern, western and southern boundaries to minimise wider views.
- 7.5 In terms of design, the stable building will be of a similar mock Tudor appearance to the existing stable, 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 east elevation. Overall, Officers consider the proposed design to be acceptable.

### **Trees and Landscape Impacts**

- 7.6 Although there is a dense screen of trees along the northern, western and southern boundaries, and no tree survey has been submitted, the Council's Landscape Officer no longer objects to the application for this reason. The trees are located at a considerable distance from the proposed new building. In order to ensure that these trees are protected during the course of construction, a condition is recommended.
- 7.7 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 adjacent to the new stables, and a condition is therefore recommended to require details.
- 7.8 Finally, the site lies within Landscape 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 of existing woodland trees and hedges along the boundaries of this site is therefore particularly important.
- 7.9 In terms of impact on this Landscape Character Area, the scale of the development has been reduced since the previous refusal, and the Landscape Officer no longer objects for this reason. The new stable building will be set back to the rear of the existing main stable building, with views now restricted from the road and surrounding area.

### **Parking and Access**

- 7.10 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 available 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. There is therefore no objection on highway grounds and no objection has been raised by County Highways.

### **Neighbouring Amenity**

- 7.11 The nearest neighbours are located at a distance of some 50-60m in each direction (2 Tudor Manor Farm Cottages to the east, and Ashendene Farm to the west). Given this distance, no harm would arise from this development as a result of loss of light or overbearing impact. 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.

### **Conditions**

- 7.12 Conditions are recommended to require details of hard surfacing materials and any boundary fencing. It is also considered reasonable and necessary to protect existing trees and hedgerows on site. A condition to restrict hours of working, as suggested by Environmental Health, is not considered necessary given the distance to neighbouring properties. Finally, it is recommended that any external lighting be restricted, and that the stables remain in private use only. A commercial use of these stables would result in increased traffic movements, facilities, and demand for security which could potentially erode the character of the surrounding Green Belt.

### **8.0 Conclusion**

- 8.1 Overall, the proposed new stable building is considered to amount to appropriate development in the Green Belt and has been reduced in scale so as not to materially impact on the openness of the Green Belt. The siting and design of the stable building is also considered to be acceptable and is not considered to impact on the surrounding Landscape Character Area.
- 8.2 The application is therefore recommended for approval subject to the conditions set out above.