

3/03/2495/FP – Change of use of agricultural land to equestrian paddocks and formation of ménage (retrospective) at Lodge Farm, Broadfield, Nr Cottered for Mr N Lambert.

Date of Receipt: 18.12.03

Type: Full

Parish: COTTERED

RECOMMENDATION

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

1. The use of the land for equestrian paddocks and the ménage hereby permitted, shall be used only for the private leisure purposes of the owner of the land, and shall not be used for any commercial activity including hiring, hacking, livery or tuition.

Reason: To meet the particular needs of the applicant and to avoid the introduction of a commercial use in this rural location, contrary to Policy RA3 of the East Herts Local Plan.

Directive

1. You are advised that Road Used as a Public Path (RUPP) 038 crosses the site and this should not be adversely affected, obstructed or altered in any way. For further information regarding the public rights of way please contact the Countryside Access Officer, Environmental Management Group, Hertfordshire County Council.

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (Hertfordshire County Structure and East Herts Local Plan), and in particular policies RA3 and RA11. The balance of the considerations having regard to those policies is that planning permission should be granted.

_____ (249503FP.FB)

1.0 Background

- 1.1 The application site has an area of some 5 hectares and is located to the north west of Throcking, either side of a road, in the small settlement of Broadfield. The site is identified on the attached ordnance survey extract.

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- 1.2 Lodge Farm itself is approximately 5.7 hectares in size and consists of a large detached farmhouse, a number of outbuildings which include stables and three large fields. The land in question is open and there are clear views to it from the surrounding area. The land has been divided into three paddocks and a ménage has been constructed opposite the farm buildings. There are also three small field shelters evident.
- 1.3 Planning permission is being sought for the retrospective change of the use of the site from agricultural to use the land as equestrian paddocks. The application also includes the retrospective provision of a ménage. A separate application is currently under consideration by officers for the three field shelters shown on the submitted plan. The lane runs through the site and is a Road Used as a Public Path (RUPP) 038.
- 1.4 Hertfordshire Biological Records Centre, Herts and Middlesex Wildlife Trust and English Nature all comment that they do not consider this will impact adversely on any wildlife sites, protected species or Sites of Special Scientific Interest as they have no known wildlife records (habitats and species) for the agricultural land in question.
- 1.5 Hertfordshire County Council Countryside Access Officer objects to the proposals on the grounds that any fencing, including any gates, is considered to be an obstruction to the RUPP. The RUPP should be protected at a minimum width of 4 metres and cleared to a height of 3 metres.

2.0 Parish Council Representations

- 2.1 Cottered Parish Council has no objection to the continued use of the land as equestrian paddocks, provided the use is solely for the benefit of the owner and not for any commercial purpose.

3.0 Other Representations

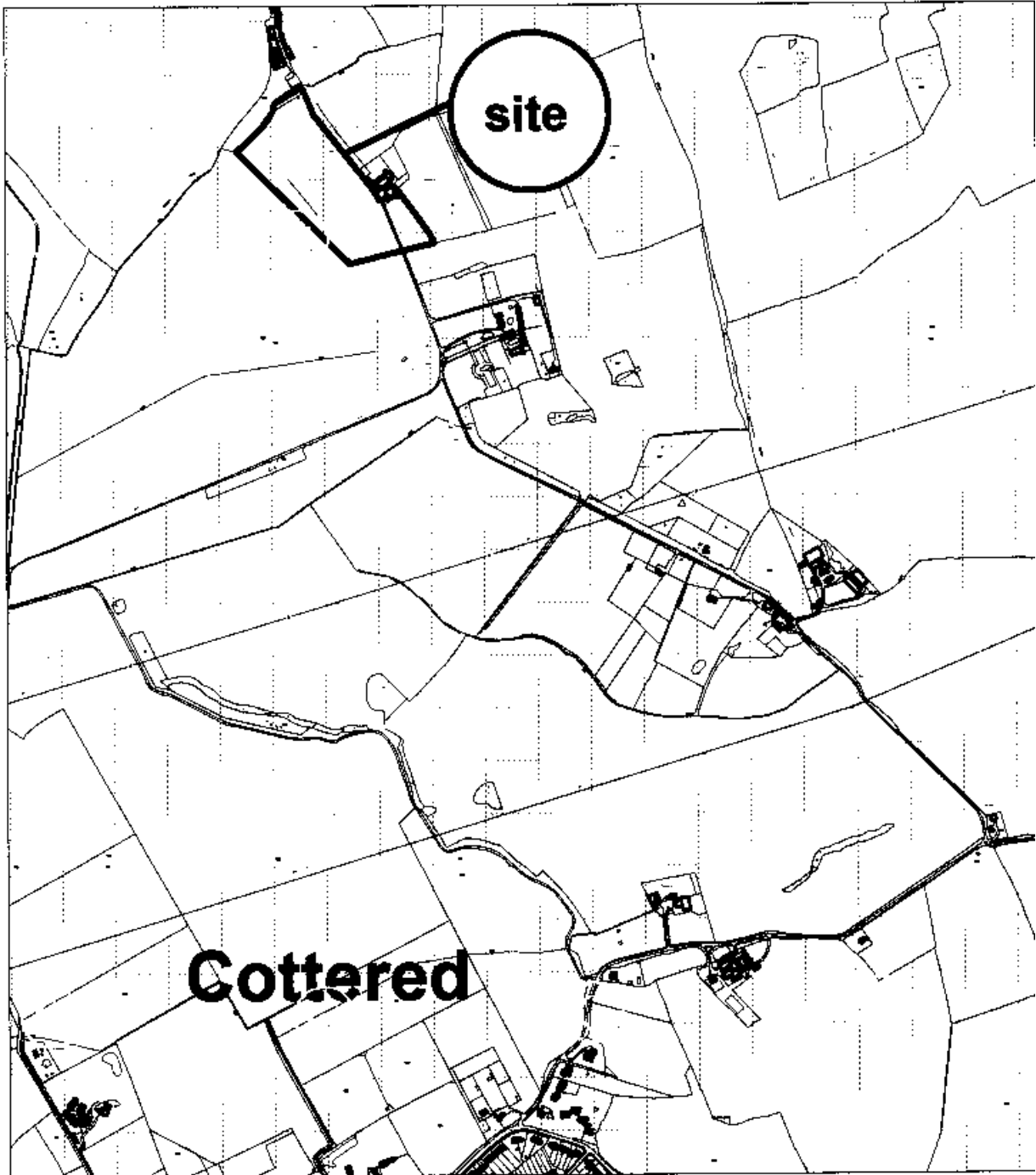
- 3.1 Local press, site notices and individual neighbour notifications have advertised this planning application. To date, no third party letters of representation have been received.

4.0 Considerations

- 4.1 The determining issues in relation to this application are whether or not the proposal accords with policies RA3 and RA11 of the East Herts Local Plan. Policies GBC6 and GBC16 of the East Herts Local Plan Second Review First Deposit Version are also relevant.

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- 4.2 The current adopted Local Plan shows the site application, to be located within the Rural Area Beyond the Metropolitan Green Belt. It is considered that the proposal falls within category (h) of policy RA3. The use of the land for the exercising of horses and the provision of a ménage are uses which are considered to be appropriate in the rural area.
- 4.3 The site is within a Landscape Conservation Area and therefore special consideration needs to be given to the landscape implications of the proposed development. Neither the use of the land for the exercising of horses, or the provision of a ménage, will have a significant detrimental impact on the landscape. The use of post and rail fencing to bound the ménage and enclose the paddocks is in keeping with the rural area.
- 4.4 With regards to the concerns raised by the Countryside Access Officer, the fencing has been erected on either side of the road enclosing the paddocks and does not encroach onto the road itself. There is therefore unobstructed access through the site. A suitable directive has been included drawing the applicants attention to their responsibilities regarding the public right of way.
- 4.5 After consideration of the above issues, it is recommended that planning permission be granted subject to the conditions referred to at the commencement of this report.



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East Hertfordshire District Council
Planning & Property
Wellfields, Pags Lane, Hertford SG13 8XD
Tel : 01279 686261

Name:Lodge Farm, Broadfield, Cottered

Scale:not to scale

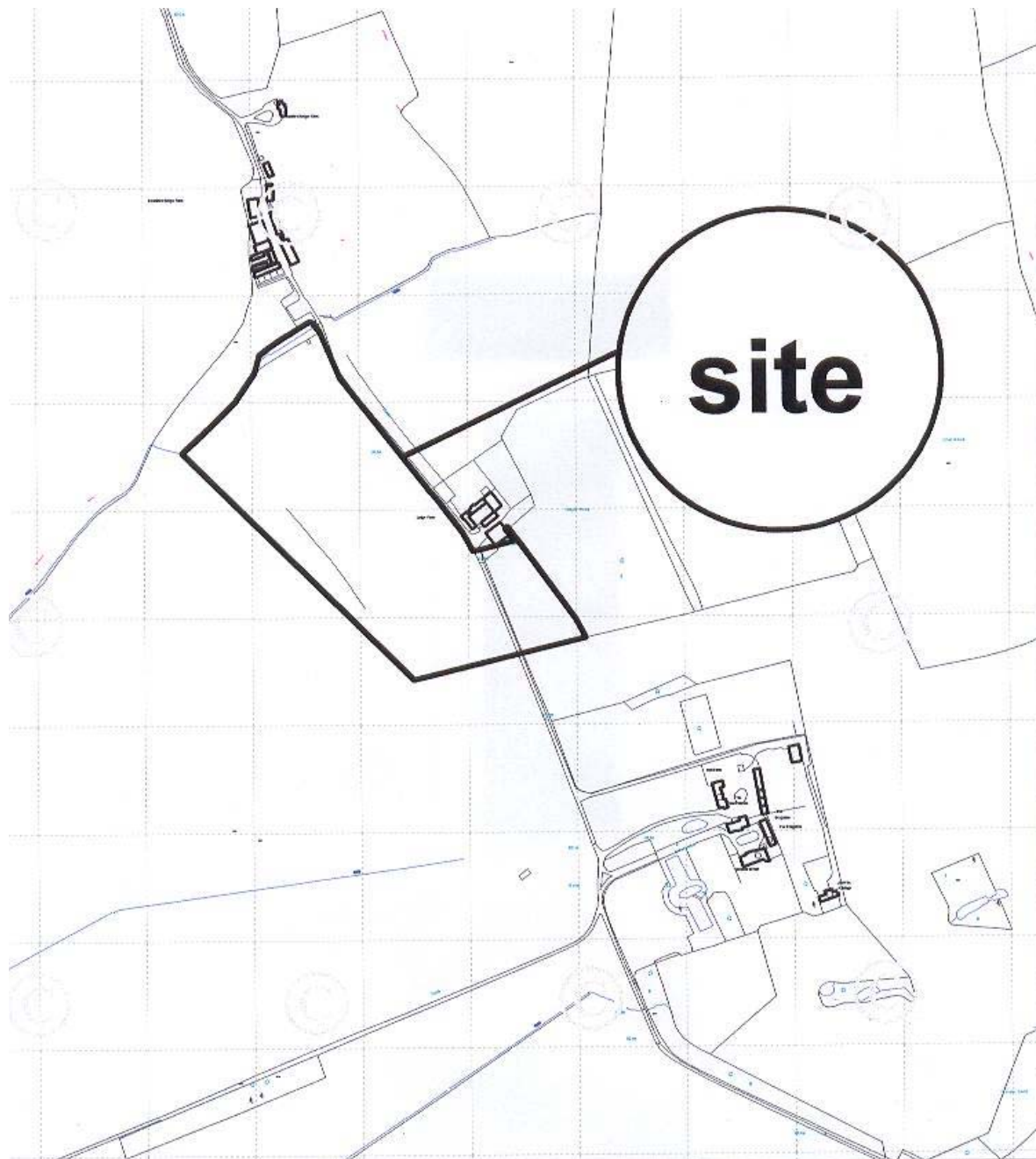
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