

5c 3/12/0596/FP – Change of use of land for the grazing of horses and the erection of 4 stables incorporating feed/ tack room and hay store on a concrete base at Land off Bourne Lane, Much Hadham, SG10 6ET for Mrs C Betts

Date of Receipt: 05.04.2012

Type: Full – Major

Parish: MUCH HADHAM

Ward: MUCH HADHAM

RECOMMENDATION:

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

1. The proposed stable building by reason of its size, siting and visual intrusiveness would be harmful to the rural character of the locality. For these reasons the proposal is contrary to policies GBC11 and ENV1 of the East Herts Local Plan Second Review April 2007.

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1.0 Background:

- 1.1 The site is shown on the attached OS extract.
- 1.2 This application is for the change of use of the land for the grazing of horses and the erection of four stables incorporating a feed/ tack room and a hay store in one building positioned on a concrete base. The site is located within the Rural Area Beyond the Metropolitan Green Belt, set on a sloping piece of land adjacent to the highway. The nearest dwellings to the site are The Lodge, located approximately 70 metres to the northeast of the proposed stable building, and Mill Park Lodge located at approximately 140 metres to the southeast.
- 1.3 The proposed stable building (incorporating the feed/tack room and hay store) would measure 21.9 metres in width, 4.88 metres in depth; it would have an eaves height of 2.4 metres, and a ridge height of 2.9 metres. The layout of the accommodation would be in a shallow 'U' form with the four stables, each measuring 3.4 metres by 3.55 metres, within the centre section and being flanked at each end by the feed and tack store to the western end of the building and the hay store to the eastern end of the building, each measuring 4.88 metres by 3.55 metres. The roof design also incorporates a canopy that is to cover the entrances to this accommodation.

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- 1.4 The building is proposed to stand on a concrete hardstanding measuring approximately 6 metres in depth and 25 metres in length. To the west of this concrete base it is proposed to utilise an existing area of 'gridforce' ground reinforcement and the existing access to the field, which is on the junction of Bourne Lane and the access lane to Mill Park Lodge and the dwellings beyond.
- 1.5 The proposed site of the stable building is approximately 19 metres from the current access to this plot of land, and it is to be orientated parallel with, and set approximately 4.5 metres from, Bourne Lane. The site currently has a small temporary (mobile) horse shelter which can offer shelter for one horse.

2.0 Site History:

- 2.1 The only relevant planning history for this site is application ref: 3/11/1762/FP, which was for the erection of 4 stables incorporating a feed/tack room and a hay store on a concrete base with the formation of a new access from Bourne Lane, which was refused for the following reasons:
 - The proposed stable building together with the likely works necessary to achieve the associated vehicular access to Bourne Lane and the parking area would, by reason of their size, siting and visual intrusiveness be harmful to the rural character of the locality. For these reasons the proposal is contrary to policies GBC11 and ENV1 of the East Herts Local Plan Second Review April 2007.
- 2.2 This previous refusal offered a narrower but deeper stable building with the same amount of accommodation measuring 15.6 metres in width, 9.6 metres in depth (with the width of the boxes and tack room being 3.6 metres), an eaves height of 2.1 metres, and a ridge height of 3 metres. The proposed site of the stable building was to be approximately 55 metres from the current access on the junction of Bourne Lane and the access lane to Mill Park Lodge. The application also proposed to create a new access to this field and a hardstanding for the parking of vehicles in the north eastern corner of the field opposite The Lodge.
- 2.3 Together with objections raised from County Highways and the Council's Landscape Officer, Officers considered that the proposed stable building, together with the creation of the access on to Bourne Lane and the associated parking area would be visually intrusive and harmful to the rural character and appearance of the locality.

3.0 Consultation Responses:

- 3.1 County Highways does not wish to restrict the grant of permission and have commented that with the vehicle access now being proposed from the existing established driveway in the western corner of the site they confirm that the highways objection to the previous proposal has been overcome. The proposal makes provision for parking within the site and clear of the carriageway of the private driveway from which vehicle access is gained. Traffic generation is unlikely to be significant.
- 3.2 The Council's Engineers have noted that part of the application site is within a Flood Zone 2 and there is no historic flood incidents recorded for the site. They also comment that the development appears to show a net increase in the amount of impermeable areas being created with consequent increase in the risk of associated flooding to the surrounding areas and residences and potential increase within the development. However the development has anticipated this increase and has taken steps to mitigate the impact by showing that surface water runoff from roofs will be harvested for re-use and that SW runoff from hardstandings would be directed to a soakaway. The use of a green roof would have provided additional bio diversity area and could still be considered if the developer was hoping to further increase flood resilience characteristics for the project.
- 3.3 The Landscape Officer has recommended refusal of this application. The Officer comments that from their own observations, the field has not been recently grazed and is becoming overgrown with long grass, and there appears to be little apparent evidence of the existing area of grid force ground reinforcement. Furthermore, they comment that it is a matter of fact that the site is higher than Bourne Lane along its northern boundary and that the site continues to slope upwards towards the south. This site is therefore sensitive to development, since any structures will be prominent in the landscape owing to the local topography of the site and surrounding area. By more or less abutting the highway, the stable block is likely to be easily seen by passers by, particularly during the winter months when trees and shrubs are not in leaf. It is also important to consider the cumulative impact of similar applications within the same landscape character area if this development proposal is approved.

They recommend that any development is resisted which could permanently damage the local landscape character here. In essence, this means any further development (including the proposed stables) as this is essentially an undeveloped area. It is their view that the proposal is contrary to GBC11 (c) in that the design, siting and materials of the proposed development and any necessary ancillary structures are not

appropriate to the character of the site and the ability of the local environment to absorb the development.

The Officer also raises concerns in respect of the lack of information submitted with the application, particularly in relation to the lack of a topographical survey to assess the relative position and height of the proposed stables in relation to the adjacent highway, the suitability of the grid force ground reinforcement system and the suitability of the extent of the concrete yard area proposed.

Finally they comment that there is an ash tree in the approximate boundary location of the proposed stables. A Tree Survey and Arboricultural Implications Assessment, in accordance with BS 5837: 2012, is required in order to inform on the impact of the proposed development on this tree (which is fairly prominent within the visual area).

4.0 Parish Council Representations:

4.1 Much Hadham Parish Council have objected to this proposal in commenting that, whilst it is appreciated that the applicant has provided more information than the previous application (3/11/1762/FP), it is considered that this application should also be rejected due to the following matters:

- Lack of provision for water supplies;
- Lack of electricity supply;
- No concrete pan;
- The site is on a hill and Bourne Lane is prone to flooding. This raises the following issues:
 - (a) The disposal of horse urine, which over time will leech into the ground and find its way onto Bourne Lane and into the stream beyond;
 - (b) The disposal of horse manure and if left on the site will result in environmental problems as a result of leeching.
- The parking of the trailer without a hard standing and without a hardened track to gain access to the trailer does not make sense. It will result in mud, particularly in winter, being spread on nearby roads. There ought to be both a hard standing and a hardened track;
- The proposed stables are substantial and will be imposing in the landscape
- The proposed stables will be on high ground, and will be visible from

the adjoining Grade II listed house. The hedge along Bourne Lane behind the proposed site of the stables is in a deplorable condition and any additional hedging material will take some years before this will screen the stables, and in winter even the improved hedge will not mask them;

- The tack room is too small for four horses;
- A track will be required from the gates to the stables. No track is shown on the plans;
- The proposed site of the stables is vulnerable to thieves, and the applicant has said nothing about security;
- The site is within the Rural Area Beyond the Green Belt, and they do not consider that the applicant has provided sufficient justification for the proposed stables coming within Policy GBC3 para (b) or (k). They also do not consider that the application comes within Policy GBC 11 because, for example, the stables will cause excessive visual intrusion.

5.0 Other Representations:

- 5.1 The application has been advertised by way of press notice and 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:

GBC3 – Appropriate Development in the Rural Area Beyond the Green Belt

GBC11 – Riding Stables and Associated Development

ENV1 – Design and Environmental Quality

- 6.2 The National Planning Policy Framework is also of relevance in the determination of the application.

7.0 Considerations:

- 7.1 The determining issues in relation to this application are:
- Principle of development;
 - Impact on character and appearance of area;
 - Highway considerations;

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- Neighbour amenity; and
- Other matters

Principle of development

- 7.2 The application site is located within the Rural Area, and consideration is therefore given to policy GBC3 of the Local Plan. This policy states that within the Rural Area permission will be given for the construction of small-scale riding and livery stables in accordance with policy GBC11.
- 7.3 It was previously established through Government guidance that up to 10 stables would constitute smallscale. Having regard therefore to the building proposed and that it would accommodate four stables, it is considered that the scale of the development proposed would constitute smallscale and would therefore comply in principle with policy GBC3 of the Local Plan.

Impact on character and appearance of area

- 7.4 Consideration should be given as to whether the size, scale, siting and design of the proposed stable building would harm the character and appearance of the area.
- 7.5 With regard to the size, scale, siting and design of the proposed stable building, Officers still have concerns that it will be visually intrusive in its setting. Although repositioned closer to the existing access to the field, the application site is still located on elevated land adjacent to the highway and therefore the massing of the proposed building would be very apparent from public view points. Whilst there is mature soft landscaping lining the highway, Officers have noted that this is sporadic and not dense enough to outweigh the visual harm that would be caused by the siting of this building. As with the previous application, Officers have also considered whether a scheme of soft landscaping could be applied to this scheme to minimise the visual harm caused, but the extent of landscaping required would not reflect the simple hedging and trees that line this field. The proposed development would result in a building, together with associated landscaping, that would not reflect the rural characteristic of the locality.
- 7.6 Officers have taken into consideration the information provided in the Design and Access Statement supporting this application, but disagree that the change in size and siting of the proposed stable building would result in a scheme that is less visually intrusive than that previously proposed. Whilst the depth of the stable building has been reduced to allow for a longer, narrower building, its siting on land that is on a more

elevated position than the highway, and on an open aspect when entering Bourne Lane, would result in a building that would be visually intrusive and harmful to the open rural character and appearance of the locality. The concerns of the Council's Landscape Officer in this respect have been noted. For these reasons this proposal is considered to be contrary to policy GBC11 of the Local Plan.

Highway considerations

- 7.7 Members are reminded that the previous reason for refusal (LPA ref: 3/11/1762/FP) was due to the visual intrusiveness of the likely works necessary to achieve the associated vehicular access for the stable, together with the stable building itself. This current proposal has re-sited the stable building closer to the existing access to the field and therefore has omitted the need for the creation of a new access onto Bourne Lane.
- 7.8 County Highways have confirmed that the highways objection to the previous proposal has been overcome and have therefore raised no objections to this proposal. Officers now consider that this proposal is acceptable on highways grounds.

Neighbour amenity

- 7.9 Officers have taken into consideration the close proximity of The Lodge and Mill Park Lodge and the possible harm to the enjoyment of these properties. Although this proposal will increase the activity in this field, it is noted that the use of four stables, and hence the keeping and riding of four horses, cannot be considered excessive. Although this increase in usage will result in a degree of disturbance with regard to noise, it is not considered to be of such a degree that could be considered detrimental to the enjoyment of the dwelling. Officers therefore consider that this proposal accords with the amenity considerations of policy ENV1 of the Local Plan.

Other matters

- 7.10 Officers have taken into consideration the comments raised by the Parish Council with regard to lack of services to the site (sewerage, water and electricity). Whilst Officers respect the concerns raised by the Parish Council, these are not generally planning matters and therefore limited weight is given to them in this case. With regard to the security of the site, Officers consider that with its close proximity to the highway and neighbouring dwellings, there is sufficient surveillance so as to not warrant a significant concern in this case.

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8.0 Conclusion:

- 8.1 With regard to the above, Officers consider that the re-siting of the stable building does not overcome the concerns with regard to the visual intrusiveness of this building and the harm to the local rural landscape. For these reasons the proposal is contrary to policies GBC11 and ENV1 of the East Herts Local Plan Second Review April 2007
- 8.2 It is accordingly recommended that planning permission be refused.