

5c 3/10/1377/FP – Demolition of existing structures and hard standings and redevelopment with four dwellings at Birch Farm, White Stubbs Lane, Broxbourne, EN10 7QA for Mr and Mrs L. Barnes.

Date of Receipt: 29.07.10

Type: Full - Major

Parish: BRICKENDON LIBERTY

Ward: HERTFORD HEATH

RECOMMENDATION

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

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 that clearly outweigh the harm, and the proposal is therefore contrary to policy GBC1 of the East Herts Local Plan Second Review April 2007.
2. The proposed development, by reason of its scale, height and layout, would be out of keeping with the form and grain of development in the surrounding area, and the landscape character of the area contrary to policies ENV1 and GBC14 of the East Herts Local Plan Second Review April 2007.

_____ (137710FP.HS)

1.0 Background

- 1.1 The application site is shown on the attached OS extract and comprises an equestrian centre located on the southern side of White Stubbs Lane, opposite Paradise Wildlife Park. The site lies within the Metropolitan Green Belt, and the overall site area is just over 1 hectare.
- 1.2 This application is a further submission to re-develop the site for residential purposes. Members may recall that outline permission was previously refused at Committee on 6th May 2009 (3/09/0190/OP) for 4 no. large detached dwellings, and a more recent outline application deferred at Committee on 2nd June 2010 (3/10/0512/OP). The scheme has again been redesigned and now proposes 4 no. large 5 bed detached dwellings each with studio space and garages. One dwelling is proposed on the frontage of the site, with the other three to the rear with a large gravel courtyard

3/10/1377/FP

enclosed in a brick wall. Paddocks would be retained to the south of the site with access from the development site. It is proposed to provide a high level of insulation, a grey water recycling system, and Klargestor bio disc sewage systems.

- 1.3 Previous application 3/09/0190/OP for 4 no. detached dwellings was refused on the grounds of constituting inappropriate development in the Green Belt, and that the layout, building forms and heights represented a form of development out of keeping with the form and grain of development in the surrounding area, and the landscape character of the area. No very special circumstances were evident that clearly outweighed the harm.
- 1.4 Application 3/10/0512/OP was more recently deferred by Members in order to enable the applicant to submit a full planning application, accompanied by a bat survey. This is that full planning application for Members' consideration. The applicant has confirmed that the outline application will be withdrawn in the event that full planning permission for this current application is granted.
- 1.5 The equestrian centre currently comprises a large barn now used for storage of limousines with 21 no. stables adjacent, 2 no. other stable buildings with tack room and feed stores, various other store room structures, a hay barn, a canteen/toilet block portacabin, 2 no. office portacabins, and 2 no. caravans. In total the site currently comprises 48 no. stables. It is proposed to demolish all existing buildings and structures as part of this application.
- 1.6 Beyond the application site to the west and south is a further 13 ha of land owned by the applicant, used for grazing, with a number of manèges, and woodland further west. The main dwelling, Barnes Hall Manor, lies just west of the application site with a separate access onto White Stubbs Lane recently constructed. Members may recall that permission was granted in July 2009 for this dwelling to be occupied unencumbered by an earlier occupancy condition (3/09/0187/FP). The surrounding area is characterised by dispersed large residential dwellings amongst commercial rural businesses.
- 1.7 The application site is smaller than both previous applications because the former kennels land, owned by the occupier of The Cottage, no longer forms part of this proposal. This plot of land lies to the south of plot B and has been removed from this application.

3/10/1377/FP

2.0 Site History

3/10/0512/OP	Demolition of all existing structures and residential redevelopment.	Deferred
3/09/1995/FP	Proposed conversion of existing redundant kennels into live/work accommodation - revised application	Refused 06-Mar-2010
3/09/0190/OP	Redevelopment of Birch Farm Equestrian Centre, limousine storage barn and former kennels of Enfield chase hunt with four detached dwellings and double garage.	Refused 06-May-2009
3/09/0187/FP	Retention of dwelling without compliance with condition no 8 (equestrian occupancy) of planning permission ref 3/03/1069/FP.	Approved 29-Jul-2009
3/08/1882/FP	Proposed conversion of existing redundant kennels into work/live accommodation	Withdrawn 19-Dec-2008
3/08/1715/FP	New vehicular access onto White Stubbs Lane	Approved with Conditions 21-Nov-2008
3/08/0776/FP	Erection of double garage/outbuilding	Approved with Conditions 22-Jul-2008
3/07/0190/CL	Occupation of dwelling not in breach of conditions of planning permission 3/03/1069/FP	Approved 01-Jun-2007
3/05/0762/FP	Variation of condition no.9 of 3/03/1069/FP: retention of existing cabin for office purposes	Refused 15-Jun-2005

3/10/1377/FP

3/03/1069/FP	Erection of dwelling	Approved with Conditions 03-Dec-2003
3/00/1253/FP	Change of use of indoor riding school to parking/storage of limousines and ancillary office use.	Approved with Conditions 18-Oct-2000
3/98/0883/FP	Erection of 12 new stables, 9 replacement stables, additional manège and extra parking.	Approved with Conditions 26-Aug-1998
3/92/0156/OP	Outline application for erection of a dwelling.	Approved with Conditions 09-Sep-1993
3/71/3751	Mobile home.	Approved
3/68/0096	Conversion of the large barn to an indoor riding school, erection of 24 loose boxes and the retention of two prefabricated buildings as office/tack room/store.	Approved

3.0 Consultation Responses

- 3.1 County Highways do not wish to restrict the grant of permission subject to conditions. They comment that in traffic generation terms the proposal will be less intensive than the previous approved uses. The proposal makes use of an established access onto White Stubbs Lane, which is of sufficient width, construction and alignment. Visibility has been improved by the removal of a number of trees, and Highways are therefore satisfied that adequate visibility can be achieved without the need to remove further trees. They also comment that sufficient manoeuvring space should be provided on site for emergency and refuse vehicles in order to exit onto the highway in forward gear.
- 3.2 The Council's Landscape Officer again recommends refusal on similar grounds as the previous applications. He comments that "the site falls within Landscape Character Area (LCA) 57 'Thunderfield Ridges' and only the northern section of this LCA lies within East Herts. The site also borders Area 62 'Broxbourne Woods Complex', and the landscape character description and guidelines for change in the SPD for Area 62 is also relevant and applicable in this case.

- 3.3 “The proposed layout together with associated planting does go some way to mitigating the proposals and helping to screen the proposed dwellings. It has been presented by the applicant that the existing buildings and other structures, if allowed to deteriorate further, will have negative visual impact on the surrounding vicinity. However, working farms, stables etc. are not associated with being neat and tidy but rather by form, extensively following function and use. There are a number of reasonable points put forward in support of the proposed development, but the fact remains that the landscape character of the area and its surroundings are not typified by development of this site and that setting a new precedent for this nature and scope of development is not in line with the Strategy and Guidelines for Managing Change given in the East Herts Landscape Character Assessment SPD.
- 3.4 “The Landscape Character Assessment SPD makes a case for resisting the loss of rural character and field pattern etc. to housing, and that this landscape is of significant historic value, the more so because it is still in traditional use. I recognise that this proposal does not directly result in a change to or loss of field pattern since the actual site itself has been previously developed. The change of use however will have a negative impact on the character and local distinctiveness of this part of Area 57 by introducing housing development of a scale and type where none exists at present. I think it may be fair to say that similar arguments would have been made for the redevelopment of the southern part of this character area in favour of housing (outside East Herts District) and this has been criticised in the SPD. I therefore recommend that the LPA, as before, exercise caution in the determination of this application by recommending refusal on landscape grounds, and to thus prevent continued erosion or diminution of this scarce landscape resource.”
- 3.5 The Archaeological Officer again comments that the proposal is unlikely to have an impact upon significant archaeological deposits, structures or features. However, she advises that the eastern hedged boundary should be maintained given its historic importance as an integral part of a nationally important area of surviving ancient landscape in the Broxbourne and Wormley Woods area.
- 3.6 The Broxbourne Woods Area Conservation Society consider that this application may have addressed those reasons and many of the concerns raised in earlier letters; however they still have serious concerns regarding the impact of allowing this residential development in this Green Belt area close to the Broxbourne Woods NNR. The Committee has noted the recent ‘for sale’ board erected on the site which has increased concerns regarding the control over this residential development should permission be granted. They also point out that there are already many potential redundant derelict

3/10/1377/FP

agricultural and commercial sites in this area and question whether this application would set a precedent.

- 3.7 The Herts and Middlesex Wildlife Trusts make no comment.
- 3.8 Herts Biological Records Centre do not have any ecological concerns regarding the proposed development.
- 3.9 At the time of writing this report, no response had been received from Environmental Health or Herts County Council.

4.0 Parish Council Representations

- 4.1 Brickendon Liberty Parish Council have no objection to the application. They comment that “the style of house (A) visible from White Stubbs Lane is of a much improved visual design to that on which the Council commented previously. The Council also notes that the courtyard style layout of the four houses will provide a measure of privacy. Therefore, the Council reiterates its full support for this application.”

5.0 Other Representations

- 5.1 The application has been advertised by way of press notice, site notice and neighbour notification.
- 5.2 The Campaign to Protect Rural England (CPRE) object to the application on the grounds that the proposal is contrary to both PPG2 and policy GBC1. They do not consider that a satisfactory case to demonstrate very special circumstances sufficient to overturn Green Belt policy has been made, and endorse the points in the Officer’s report to the Development Control Committee on the deferred outline application. One new justification is made in the current application, that “it is the policy of the coalition government to give considerably greater weight to the views of local people regarding the location of much needed new housing.” This has not been enshrined in any legislation or formally issued as planning guidance and hence is not a material consideration when considering this application. Nor is any evidence given that such housing is required in this part of the District.
- 5.3 The CPRE comment from the minutes of the Development Control Committee that a number of councillors appeared to be basing their judgement on the fact that the site is derelict and unsightly. The quality of land in the Green Belt is immaterial when considering the purposes of the Green Belt or whether proposed developments contravene those purposes. In this instance the proposals do contravene and the fact that Councillors

3/10/1377/FP

consider the existing site to be “an eyesore” should not be relevant to the decision.” They also express concern over the development setting a precedent for similar sites.

5.4 The NFU reiterates their previous support. They state that “having seen the revised plans I am more convinced than ever that the proposal would enhance the locality, making excellent use of such a Brownfield site. The designs are attractive and would seem to fit well within the current footprint and size of the existing structures. My role within the NFU has enabled me to become familiar with all the farms in that part of the county, those still operating as traditional farming businesses, together with those that have diversified and seen development into residential or commercial enterprises. This proposal fits comfortably in with nearby developments and with the landscape in general and I have no hesitation in adding my support to it.”

5.5 15 no. letters have been received in support of the application from the Broxbourne, Cheshunt and Hoddesdon area and can be summarised as follows:

- Need for quality housing in the area;
- Will improve the appearance of the countryside as the existing buildings are run-down and unsuitable for alternative uses;
- Future benefits from the development and betterment to the area;
- Proposal complies with planning policy to redevelop previously developed land;
- Very special circumstances exist for re-development;
- Other large developments have been approved in the Green Belt;
- The site needs an alternative use and commercial activity would generate a large amount of traffic to the site;
- The existing buildings are unsuitable for alternative use;
- Development would provide local employment during construction;
- Proposed residential development would be more sustainable;

6.0 Policy

6.1 The main policy considerations relevant to this application are East Herts Local Plan Second Review April 2007 policies:-

- SD2 Settlement Hierarchy
- GBC1 Appropriate Development in the Green Belt
- GBC14 Landscape Character
- TR2 Access to New Developments
- TR7 Car Parking – Standards
- TR20 Development Generating Traffic on Rural Roads

3/10/1377/FP

EDE2	Loss of Employment Sites
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV11	Protection of Existing Hedgerows and Trees
ENV14	Local Sites
ENV16	Protected Species
BH1	Archaeology and New Development
LRC1	Sport and Recreational Facilities
IMP1	Planning Conditions and Obligations

6.2 Government Guidance is also provided in the following documents:-

PPS1	Sustainable Development
PPG2	Green Belts
PPS3	Housing
PPS5	Planning for the Historic Environment
PPS7	Sustainable Development in Rural Areas
PPS9	Biodiversity and Geological Conservation

7.0 Considerations

Principle of Development

- 7.1 The site lies in the Metropolitan Green Belt wherein the construction of new dwellings constitutes inappropriate development. This is a very strong policy restraint on the site. This is acknowledged by the applicant, and reasons are therefore put forward to make a case for very special circumstances. Such very special circumstances must be demonstrated that clearly outweigh the harm to the Green Belt by reason of inappropriateness, and any other harm.
- 7.2 In this case it is also important for Members to remember that permission was previously refused for a development of 4 no. large detached dwellings under reference 3/09/0190/OP. It is therefore necessary to determine whether those earlier reasons for refusal, which related to the principle of development in the Green Belt and impact on the character of the surrounding area, have been overcome.
- 7.3 It is noted that the site can be defined as previously developed land, and PPS3 states that “the priority for development should be previously developed land, in particular vacant and derelict sites and buildings” (para 36). However, the definition of ‘previously developed land’ in Annex B clearly states that “there is no presumption that land that is previously developed is necessarily suitable for housing development nor that the whole curtilage should be developed.” Further, this does not supersede government guidance set out in PPG2 which sets strict controls over new development in the Green Belt.

3/10/1377/FP

- 7.4 The applicant makes reference to the coalition government's intention to give greater weight to the views of local people regarding the location of much needed new housing. However, this has not yet been formalised through any adopted policy statement and is therefore given no weight in this consideration. Further, the Council has no evidence that this form of development, of large scale detached 5 bed units, constitutes 'much needed housing' in the District.
- 7.5 Information on the decline of the equestrian centre and supporting justification had been submitted for previous applications, and has again been taken into account in assessing this current application. This is repeated below for the benefit of Members.
- 7.6 The equestrian centre has declined rapidly since 2003 and currently provides no livery or riding school. The occupation of the stables peaked in 2001 at 54 horses, of which 35 were livery and 19 used to teach riding, but the riding school closed in 2003 following two compensation claims. The stables were marketed to let in Horse and Hound magazine and local advertisements throughout 2006 and 2007, but with no interest.
- 7.7 The applicant sets out that the equestrian centre has declined due to increased costs in a climate of declining demand. Commercial rates have increased drastically in recent years, and although the rates are currently reduced due to a lack of livery, it is stated that it would be necessary for 20 of the 47 stables to be taken as full livery, preferably 24 simply to cover the rates overheads.
- 7.8 Energy costs and food and bedding costs have also increased, as have insurance costs due to a rise in 'claim culture' in the last 5 years. Coupled with this has apparently been a decline in popularity for horse riding as a leisure activity, particularly in the current economic climate.
- 7.9 Supporting information is also provided on impacts of recent legislation, also resulting in increased costs. This includes the re-classification of horse manure as industrial waste subject to The Controlled Waste Regulations 1992, The Animal Welfare Act 2006 which requires livery yards to be licensed by the Local Authority, Horse Box Licensing since January 2008, and on-going Health and Safety Legislation.
- 7.10 Whilst these costs are circumstances to consider, and the effects are unfortunate, it is considered that these are wider issues experienced by others in the livery business, and are not particular to Birch Farm. It is therefore not considered that these constitute very special circumstances to allow for a redevelopment of this scale.

3/10/1377/FP

- 7.11 The applicant also sets out that the expansion of Paradise Wildlife Park as a large leisure venue is a reason for the decline of the equestrian centre. It is argued that the expansion of the Park has resulted in a significant increase in traffic generation which renders White Stubbs Lane unsafe for horse riders, and difficult to access Birch Farm in busy periods due to queuing traffic. As there is no direct access from Birch Farm onto the bridleway network through Broxbourne Woods, riders are unable to avoid White Stubbs Lane.
- 7.12 An overflow car park at Paradise Wildlife Park has also been granted permission which borders the applicants land on three sides. This apparently alarmed grazing horses and poor surfacing has caused polluted run-off to damage grazing land.
- 7.13 A further reason put forward for the decline of Birch Farm is the development of the East Herts Equestrian Centre at Elbow Lane, Hertford Heath which comprises 67 stables and purpose built facilities with 100 acres of pasture and 25 acres for off-road hacking. Issues over quad biking in the area are also put forward as a reason to allow for a redevelopment of Birch Farm.
- 7.14 Overall, based on the submitted information, it may be that an equestrian centre is no longer viable on this site; however none of these issues are considered to constitute such very special circumstances as to allow for the proposed development of 4 large detached dwellings on a 1ha site (at a density of 3.8 dwellings per hectare) in the Green Belt. Officers consider that marketing of the site at an appropriate price may find alternative commercial uses for the site which are less harmful to the Green Belt.
- 7.15 In July 2009 permission was granted to remove the occupancy condition on Barnes Hall Manor because Officers and Members were satisfied that there was no longer a need for this condition to remain in place. Marketing evidence was submitted, but this related to the main dwelling, and not to the equestrian buildings. Alternative uses for the equestrian buildings were therefore not a consideration at that time.
- 7.16 Removal of the occupancy condition at Barnes Hall Manor does not in itself imply that the site is no longer viable as an equestrian site; nor does it suggest that a residential re-development is the only option for the site. The applicant submits that it would not be worthwhile pursuing the idea of holiday lets as others in the surrounding area have not managed to succeed. However, Officers consider that the site could still be re-occupied and used for alternative commercial uses in accordance with policy GBC9.

3/10/1377/FP

- 7.17 The applicant submits that the existing buildings are not capable of conversion or retention due to various structural deficiencies. This is based on a report on a 'limited visual inspection' of the buildings by DRH Associates, which has been submitted in support of the application. This states that the main barn is beyond reasonable repair due to 'concrete cancer' and could cause damage to people and property in the barn. Council Building Control surveyors have confirmed that there are remedial solutions available to repair concrete, but this would obviously involve some cost.
- 7.18 The report concludes that in the opinion of DRH Associates the buildings are all beyond reasonable repair. However, there must be some degree of interpretation in the word 'reasonable'. Overall, Officers are not convinced from the information submitted that the buildings are genuinely redundant for any other alternative, and more appropriate, use, and do not consider that the contents of this limited visual inspection report should be a reason to allow for the proposed residential re-development. The buildings could be repaired with some investment and re-used for commercial purposes. This should be reflected in the value of the site.
- 7.19 The applicant has also recently decided to close the limousine business. This is partly due to being diagnosed with a serious illness meaning he can no longer devote time to this business. Since September 2009, there is also a need to obtain a Public Service Vehicles licence for the limousines, which has imposed additional costs.
- 7.20 The previous Officer report for application 3/10/0512/OP referred to the lack of a financial appraisal of the costs of giving up the existing use and removing the existing buildings. This would have to take the form of a full financial appraisal to determine the minimum amount of development required to secure the enhancement of the site by residential redevelopment. However, following the previous Committee discussion, Officers do not consider a full appraisal to be necessary in this case.
- 7.21 The applicant has confirmed nonetheless that the costs involved in demolition of the existing buildings would be in the region of £75,000. Overall Officers consider that the proposed development would return a much greater profit, and therefore the amount of development proposed is considered to be more than would be necessary to secure the enhancement of the site by its redevelopment. A much more limited amount of building would be necessary than that being proposed in this instance and much of the site could therefore be retained in open land uses or returned to equestrian, agricultural or woodland use providing greater planning benefits and a stronger justification for development.

3/10/1377/FP

- 7.22 In terms of impact, this application proposes 4 no. large detached dwellings up to a height of 8m and length of 60m, each with garages and studio rooms. This development will fundamentally harm the openness of the Green Belt. The submitted section drawing indicates the scale of development proposed, including the various outbuildings, which is considered to be more visually intrusive than the existing development on site. Further, there would be no significant decrease in the overall built footprint of the site (approximately 1,110m² proposed compared to 1,500m² existing), and the overall floorspace will increase given the provision of two storey dwellings. The construction of this new development in place of relatively unobtrusive and traditional rural equestrian buildings would therefore be harmful to the overall openness and integrity of the Green Belt.
- 7.23 It is noted that the demolition of the existing buildings (including run-down portacabins and caravans), and general tidying up of the site could be considered to be an improvement. The site would also be well landscaped with extensive new tree planting proposed. However, none of these reasons are considered to be sufficient to override Green Belt policy and allow for such inappropriate development in this location.
- 7.24 It is also noted that the proposed development does not differ significantly from that previously refused by Members in May 2009 (reference 3/09/0190/OP). Although the site area has been reduced (due to the removal of the kennels land), the overall scale of development has not materially changed, and in fact the development now proposed will encroach further into the Green Belt to the south of the site. Previous reasons for refusal have therefore not been addressed.

Design and Layout

- 7.25 The application proposes 4 no. large detached two storey dwellings spread across the 1ha site. This represents a density of some 3.8 dwellings per hectare. Each dwelling will have integral garage parking and a detached studio building with accommodation above. Basements are also indicated on the submitted drawings but no floorplans have been submitted. In terms of height, the dwellings are mostly two storey at approximately 8m high, but include some lower 1½ storey sections with dormer windows.
- 7.26 Whereas outline application 3/10/0512/OP proposed a courtyard style development, this revised layout is more akin to the development refused under application 3/09/0190/OP. Although a central gravel courtyard is proposed, and will be enclosed by a brick boundary wall, Officers do not consider that the layout can reasonable be described as a courtyard type development. The dwellings will instead be spread out across the site, representing a substantial form of development, similar to that refused

under 3/09/0190/OP. Further, the layout is such that the development will encroach up to 140m south into the Green Belt from White Stubbs Lane.

- 7.27 The dwellings have been designed to appear like large farmhouses formed of a mixed palette of brick, render and timber weatherboarding with plain clay tiled pitched roofs. The detailed design of these dwellings is considered to be acceptable including well proportioned timber fenestration, appropriate sized and style dormers, brick soldier courses, and provision of chimney stacks. However, the quality of design is not considered to override the harmful scale of the development in the Green Belt.

Landscape and Character

- 7.28 A full Tree Survey and Report has been undertaken and submitted in relation to trees along the east and north boundaries of the site, and no objection has been raised from our Landscape Officer in this regard. The development can be satisfactorily accommodated without harming these trees in accordance with policy ENV11. Full details of hard and soft landscaping of the site would be required by condition.
- 7.29 However, the Council's Landscape Officer has again recommended refusal on the grounds of impact on the surrounding Landscape Character Area. Contrary to the applicant's submissions, the site does lie within Area 57 'Thunderfield Ridges', which is characterised by a "small-scale mixture of woodland and pasture with limited 19th and 20th century development". It is also stated that settlements take the form of "isolated farmhouses or linear bands of houses along the few lanes. Area 62 is located to the north and west of the site and therefore is also a consideration is this application.
- 7.30 The landscape in which this site falls is notable for its rarity and distinctiveness. Area 57 states that "*The very distinctive northern half of this area is the only clearly visible example in southern Hertfordshire of a traditional co-axial field system. It is possible that this system is very old – there are examples elsewhere in the country that are known to be pre Roman – and is of significant historic value, the more so because it is still in traditional use, it is probably unique in the county and most unusual nationally. It seems likely that the area to the south was very similar, but much of this has now been lost to housing*".
- 7.31 The Landscape Character Assessment also describes the immediate environs to the site as "*... The scale of landscape elements is mixed, with small fields and large blocks of woodland combining to give a sense of coherent visual unity in the northern half of this area which has been lost further south*".

3/10/1377/FP

- 7.32 It would appear that new housing in the south of the landscape character area is rapidly obliterating a similar relic field pattern, and therefore further expansion of housing should be discouraged in this (the northern part) of the character area. The Strategy and Guidelines for Change for Area 57 recommend that *“in this area the ‘conserve’ guideline should be applied to the northern half, while the ‘improve’ guideline should be applied to the southern half (of the character area)”*. Although the site comprises previously developed land, the proposed change of use is likely to further dissimilate the local distinctiveness of the surroundings. The development site currently displays the relics of recent traditional or equestrian use, which would be lost as a result of this development.
- 7.33 Although the layout is described by the applicant as a ‘courtyard formation’, the proposal does not form a farmstead type development, but proposes 4 large detached modern dwellings more akin to the layout previously refused under reference 3/09/0190/OP than that previously proposed in deferred application 3/10/0512/OP. This layout and overall scale of development is considered to conflict with the landscape character of the surrounding area and is therefore contrary to policy GBC14.
- 7.34 Environmental improvements and additional planting would be welcomed, and it is noted that the strategy and guidelines for managing change in Area 62 include promoting woodland. However it is not considered that this form of environmental improvement should occur only for a residential scheme, nor that this amounts to a very special circumstance to allow further erosion of the Green Belt in this location.

Loss of Employment Site

- 7.35 The redevelopment of this site for residential purposes would result in the loss of an employment site contrary to Policy EDE2 of the Local Plan. However, it is noted that given the decline of the equestrian centre there is currently only one person working on site; the applicant himself. Whilst it is noted that a number of other workers would have been employed on site during the peak of the equine business, it is not considered that the loss of this site for employment purposes would cause undue harm to the economic vitality of the surrounding area, although re-use of the site for alternative employment uses would assist rural diversification. The proposal is therefore considered to be acceptable in this regard.
- 7.36 However, this does not preclude the need to first consider other commercial, leisure, tourism or community uses for the existing buildings in order to comply with policy GBC9 ‘Re-Use of Rural Buildings’. The site has apparently been marketed for alternative uses since 2007; however this has been a ‘low key’ marketing exercise with no evidence of local or national

advertising. Three commercial parties have shown an interest, but decided not to pursue due to concerns over security, external storage, damp, and size and condition of the buildings.

- 7.37 However, Officers do not consider this limited exercise to be conclusive that the existing buildings cannot usefully be re-used. Alterations could be made to the buildings without the need for planning permission to improve their condition, and the quality, appearance and security of the site could be significantly improved.

Loss of Recreation Facility

- 7.38 Policy LRC1 seeks to discourage the loss of public or private sports and recreation facilities unless suitable alternatives are provided or it can be demonstrated that the facility is no longer needed. In this case it is noted that the site has now proved unviable for an equestrian facility, and there are a number of alternative facilities in the vicinity of this site. The application is therefore considered to be acceptable in this regard.

Access

- 7.39 The proposed access from White Stubbs Lane remains the same as the previous applications. This will utilise the existing established access into Birch Farm, which is currently shared by The Cottage. The access is of sufficient width, construction and alignment to serve a residential development, and as such Highways have not objected to the proposal. Further, in terms of traffic generation, the proposed use will be less intensive than the established use, not resulting in a proliferation of traffic on this rural road network in accordance with Policy TR20.
- 7.40 Conditions would be required, however, to provide further details on the surfacing of on-site vehicular areas, and to provide wheel washing facilities to prevent mud being brought into the highway.

Ecology

- 7.41 Members may recall deferring the previous application to require a bat survey to be undertaken (3/09/0512/OP). A survey has since been submitted and concludes that no bat activity was recorded in the buildings, but that the trees and scrub along the boundaries of the site provide suitable foraging grounds. A directive would remind the applicant of his legal duties to protect any bat species identified on site.

3/10/1377/FP

7.42 A Wildlife Site exists along the northern boundary of the site, along the verge of White Stubbs Lane; however protection of this area could adequately be controlled by way of condition. The application is therefore considered to be in accordance with policy ENV16.

Archaeology

7.43 In terms of archaeology, no objection has been raised by the County Council Archaeological Officer. The proposal is unlikely to result in harm to archaeological deposits. However, the historic eastern boundary hedgerow should be retained, as shown in the submitted drawings, and can be controlled by way of a condition.

Other Matters

7.44 No response had been received from Environmental Health at the time of writing this report. They had previously raised no objection to applications 3/09/0190/OP and 3/10/0512/OP subject to conditions on construction hours of working, air quality issues and contaminated land.

7.45 The Council's Housing Manager has not been consulted on this current application, but had previously commented that she did not consider the site suitable for affordable housing.

7.46 Consultation with Herts County Council property was not necessary as this development would not trigger the requirement for any financial contributions.

8.0 Conclusion

8.1 Overall, Officers remain of the view that the proposed development is inappropriate in the Green Belt, and no very special circumstances have been demonstrated to override this principle policy objection, and the landscape harm to the character of the surrounding area. The development therefore remains contrary to policy GBC1, and government guidance in PPG2. Further, Officers do not consider that the previous reasons for refusal on application 3/09/0190/OP have been overcome.

8.2 The proposed layout and building forms are again considered to be of suburban character, rather than simple agricultural buildings. Further, the extent of the development, including the range of proposed outbuildings, is large and intrusive over a greater proportion of the site and is much more than would be necessary to secure a visual improvement of the site if that were the principal objective. The proposed development is considered to be at odds with the landscape character of the site and surrounding area and will harm the visual amenity, openness and integrity of the Green Belt.

3/10/1377/FP

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