

**5d 3/11/0145/FP – Change of use to equine use – retrospective, at land adjacent to Cottered Road, Thocking for Mrs Amanda Bell**

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**Date of Receipt:** 07.02.2011

**Type:** Full - Major

**Parish:** COTTERED

**Ward:** MUNDENS AND COTTERED

**RECOMMENDATION:**

That, subject to no substantive representations being received during the consultation period, planning permission be **GRANTED** subject to the following conditions:

1. 3 year time limit (1T12)
2. Approved plans (2E10):- 1

**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 GBC2, GBC3 and GBC14. The balance of the considerations having regard to those policies is that permission should be granted.

\_\_\_\_\_ (014511FP.LP)

**1.0 Background:**

- 1.1 The application site is shown on the attached OS extract. It comprises a field of 4.3 hectares that has been changed from agricultural use to equine use. It is situated in open countryside about 200 metres to the west of the village of Thocking and 800 metres to the east of Cottered. The rural road that runs between Thocking and Cottered adjoins the north of the site. Beyond the other boundaries lies open countryside.
- 1.2 The proposal seeks retrospective permission for the change of use of the land for the keeping of horses.

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### **2.0 Site History:**

- 2.1 A previous application (Ipa 3/10/1671/FP) for the change of use to equine use from agricultural, together with the erection of a stable block and outdoor riding arena was withdrawn after Officers considered that there was insufficient information to determine the application.
- 2.2 The current application seeks permission for the use only and does not include any building or structures.

### **3.0 Consultation Responses:**

- 3.1 Hertfordshire Highways have commented that they have no objections to the proposal subject to conditions relating to hard surfacing materials, siting of gates and the height of hedging to the site frontage.
- 3.2 At the time of writing this report, no comments had been received from the Councils Landscape Section, the Councils Engineering Section, East Herts Footpath Society or the Ramblers Association. Any representations received will be reported verbally to the Committee.

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

- 4.1 No comments have been received from Cottered Parish Council.

### **5.0 Other Representations:**

- 5.1 The applications have been advertised by way of press notice, site notice and neighbour notification, giving until 17<sup>th</sup> March to comment. At the time of writing this Report no comments had been received.

### **6.0 Policy:**

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

GBC2	The Rural Area Beyond the Green Belt
GBC3	Appropriate Development in the Rural Area Beyond the Green Belt
GBC14	Landscape Character

- 6.2 National Planning Guidance of relevance to the determination of the application is PPS7 (Sustainable Development in Rural Areas).

**7.0 Considerations:**

**Principle of Development**

- 7.1 The site lies within the Rural Area beyond the Green Belt wherein Policy GBC3 states that permission will only be given for new buildings and changes of use for specified purposes. Part (b) of this policy states that 'essential small scale facilities for outdoor sport and outdoor recreation' will be appropriate.
- 7.2 The determining issues in this case therefore relate to whether the change of use is appropriate and to the impact of the proposal on the character and appearance of the site and the landscape surrounding.
- 7.3 The change of use of the land, from agricultural to the keeping of horses, is a use that is considered to be acceptable in principle in the Rural Area. The submitted Design and Access Statement confirms that the proposal is to facilitate the private use of the land for outdoor sports and recreation and the area of land to be changed, is considered small scale by Officers. The use for keeping of horses does not conflict with the purposes of designating land as Rural Area and the change of use therefore complies with policy GBC3.
- 7.4 The change of use, being retrospective, is considered to have had no adverse impact upon the open rural character and appearance of the site and its surroundings and will conserve the local landscape character in accordance with Policy GBC14.

**Access and Parking**

- 7.5 This application does not include access arrangements as it solely relates to the change of use of land. There is a concurrent application at the site (Ipa 3/11/0118/FP) for a new access and stable building and ménage. This is to be determined under delegated powers, but it is noted that Highways have raised no objections to that application.
- 7.6 The conditions sought by Highways relate to the concurrent application as referred to above. As this application is solely for the change of use of the land and does not propose vehicular access, the conditions suggested by Highways are not required.

**Neighbour Amenity**

- 7.7 Policy ENV1 requires that proposals should respect the amenity of occupiers of neighbouring buildings. It is not considered that the grazing of horses will result in any loss of amenity to the nearest

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dwelling which are located in Throcking to the east and the dwelling of Moles Mead to the West.

#### **8.0 Conclusion:**

- 8.1 Overall, Officers consider the proposed change of use to constitute an appropriate development in the Rural Area beyond the Green Belt which is in keeping with the rural character and appearance of the locality.
- 8.2 The application is therefore recommended for approval subject to the conditions as set out at the commencement of this report.