

ITEM NUMBER: 5e

21/02089/FUL	Construction of stables and machine store.	
Site Address:	Chequers Hill Nurseries Delmer End Lane Flamstead St Albans Hertfordshire AL3 8ER	
Applicant/Agent:	Mr & Mrs Papworth	Project Design Studio Ltd
Case Officer:	Colin Lecart	
Parish/Ward:	Flamstead Parish Council	Watling
Referral to Committee:	Objection received from Parish Council	

1. RECOMMENDATION

That planning permission be GRANTED.

2. SUMMARY

2.1 The development is acceptable in principle as it comprises a building to be used in connection with the existing paddock use of the land. It is considered that due to the moderate scale and footprint, rural appearance and overall positioning of the building, that it would not have a significant impact on the openness of the Green Belt nor conflict with any of the primary purposes of including land within the Green Belt.

3. SITE DESCRIPTION

3.1 The site lies on the edge of the settlement of Flamstead to the rear of existing residential properties. The site is bounded by residential properties to the north, which front Singlets Lane, and to the east which are accessed of Delmer End Lane.

3.2 The site comprises existing paddock land. There are a number of buildings in the northern corner of the site which previously had a block of stables to the northern end and another block of stables extending north to south with an open ended pole barn attached to the southern elevation. Three metal containers were also present on site. Planning permission 4/02072/19/FUL granted permission for the removal of these structures and construction of a 4 bedroom single storey dwelling. The existing buildings have now been removed and construction has started.

4. PROPOSAL

4.1 The application seeks planning permission for the construction of stables and machine store.

5. PLANNING HISTORY

Planning Applications (If Any):

20/02567/DRC - Details as Required by Condition 6 (Landscape Works) Attached to Planning Permission 4/02072/19/FUL (Demolition of barn and stable buildings & construction of 4 bedroom single storey detached Dwelling.)
GRA - 6th November 2020

4/0244/80 - Historic File Check DMS for Documents and Further Details
DET - 10th April 1980

4/02072/19/FUL - Demolition of barn and stable buildings & construction of 4 bedroom single storey detached Dwelling.
GRA - 3rd July 2020

4/01326/19/FUL - Demolition of barn and stable buildings and construction of 4 bedroom single storey detached Dwelling.
WDN - 29th July 2019

4/00684/12/FUL - Construction of one 4-bed dwelling
REF - 14th June 2012

4/01086/91/FUL - Retention of stable building
GRA - 26th September 1991

Appeals (If Any):

6. CONSTRAINTS

CIL Zone: CIL2
Former Land Use (Risk Zone):
Green Belt: Policy: CS5
Parish: Flamstead CP
RAF Halton and Chenies Zone: Green (15.2m)
Parking Standards: New Zone 3
EA Source Protection Zone: 3

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (2021)
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

NP1 - Supporting Development
CS1 - Distribution of Development
CS5 - The Green Belt
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design

Local Plan (2004):

Policy 84 – Equestrian Activities.

Policy 99 – Preservation of Trees, Hedgerows and Woodlands

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

The policy and principle justification for the proposal;
The impact on the openness of the Green Belt
The quality of design and impact on visual amenity;
The impact on residential amenity; and
The impact on highway safety and car parking.

Principle of Development

9.2 The application site is located within the Green Belt where Policy CS5 of the Core Strategy (2005) seeks to protect the openness of the Green Belt in accordance with national policy.

9.3 Paragraph 138 of the NPPF (2021) states that the Green Belt serves five purposes:

- a) To check the unrestricted sprawl of large built up areas
- b) To prevent neighbouring towns merging into one another
- c) To assist in safeguarding the countryside from encroachment
- d) To preserve the setting and special character of historic towns
- e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

9.4 Paragraph 149 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt. However, a number of exceptions to this are listed, one of which being the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land in it.

9.5 It is considered that the land was historically used for equestrian uses. This was established under the previous planning permission for the northern corner of the site. The area of the proposed building is part of the paddock. The proposed building is to be used for the housing of two ponies and for space to store equipment relating to the maintenance of the land.

9.6 While the land has been disused for a number of years, it is considered the proposed building is related to an existing use. Despite its disuse over a number of years, its last known active previous use was equestrian and this would remain the case in planning terms. The previous planning permission did not extend to this area of land and so its use has not changed. It is also considered the housing for ponies would be connected to a low scale outdoor recreation use, with storage for maintenance equipment being connected to the need to return the land to a usable state for this purpose.

9.7 The building would comprise two stables for two ponies, two moderately sized rooms for storage of hay/straw and a tack room, and an area for storage of maintenance equipment. The yard area would provide a smaller more enclosed outdoor area for equine animals. The largest portion of the building would comprise the tractor/storage area. However, considering the size of the land which would need to be maintained, it is considered that the area of this room would not be unreasonable in size in terms of its relationship to the wider use of the land as a paddock.

9.8 Due to this, it is considered that the proposal is acceptable in principle as it represents a building connected to outdoor recreation and maintenance.

Impact on Openness of the Green Belt

9.8 The site is accessed from an access road off Delmer End Lane, and the building would be positioned approximately 90m away from the boundary with the Lane. It is considered the building would not be perceivable from the road due to the distance and heavy foliage surrounding the site. Any views that would be offered would be minimal, especially when considering the moderate scale of the proposed building, at a height of approximately 5.2m and verdant backdrop of the hedgerow along the boundary.

9.9 There is a rights of way on the other side of the southern boundary. However, the building would largely be screened by an intervening hedgerow. Again, the building would not appear prominent through slot views offered from this pathway into the site. With regards to any views that would be offered, the building would be seen in context with the approved dwelling, and these views would be seen in the context of its proximity to Delmer End Lane itself as one walks the footway.

9.10 Underpinning all of the above, the moderate scale and bulk of the building alongside its general appearance as a barn building means that its form would not appear contrived or unnatural in the surrounding rural context.

9.11 With respect to the wider parcel of land itself, the proposed building would be located within the south eastern corner of the site, close to the approved dwelling in the north eastern corner of the site. Thus, built form on the site would be kept to a portion of the site that is closest to the access road and Delmer End Lane, thereby reducing any spatial impact on the openness of the Green Belt as far as possible and avoiding sprawl into the western portion of the site. It is also noted another grouping of buildings exists north east of the site, on an adjacent plot of land. Therefore, the position of the building appears logical in terms of keeping it grouped together as far as possible to existing built form that is accessed from the lane. It would also be positioned in close proximity to an existing rights of way network in compliance with Policy 81 of the Local Plan.

9.12 A new post and rail fence is proposed. However this would largely be confined to the south western corner of the site and be read in conjunction with the approved dwelling which would comprise similar fencing. However, permitted development rights would be removed for new fences, gates and walls should permission be granted. This is to ensure that the overall openness of the remainder of the paddock is maintained, rather than being sub divided into smaller sections, which Policy 81 of the Local Plan (2004) prohibits.

9.13 Due to this, it is considered the building would not have a significant impact on the openness of the Green Belt either spatially due to its positioning or visually due to its appearance, positioning and surrounding context. Furthermore, it would not appear to conflict with any of the purposes of including land in the Green Belt more generally. Therefore, the development complies with Policy CS5 of the Core Strategy (2013) and Saved Policy 84 of the Local Plan (2004).

Quality of Design / Impact on Visual Amenity

9.14 Policies CS11 and CS12 of the Core Strategy (2013) state that development should respect the character and appearance of the surrounding area.

9.15 As stated above, the positioning and scale of the building would mean that it would not be prominently perceived from the surrounding area. The appearance of the building is rural in nature and so would not appear out of context.

9.16 As such, there is no objection to the design of the building and it is considered it would not have a detrimental impact on the character and appearance of the surrounding area.

Impact on Residential Amenity

9.17 The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan and Policy CS12 of the Core Strategy, seek to ensure that new development does not result in detrimental impact upon the neighbouring properties and their amenity space.

9.18 The building would not have an adverse impact on the residential amenity of any surrounding properties in terms of loss of light, outlook or privacy. This is due to its overall positioning and moderate scale.

Impact on Highway Safety and Parking

9.19 Hertfordshire Highways have no objection to the proposal, noting that the building would be accessed from an existing private route of Delmer End Lane which will be used to serve the previously approved dwelling. The building would also not generate a significantly high amount of trip numbers that would disrupt the highway network.

9.20 Therefore, it is considered the development would not have a detrimental impact on the safety and operation of the adjacent highway.

Other Material Planning Considerations

Impact on Trees and Landscaping

9.21 It is noted there is an ash tree in close proximity to the proposed building. Furthermore, the hedgerow to the rear has a beneficial influence on the site surroundings in terms of its screening.

9.22 No tree survey or protection methods have been submitted with the application. As such, a condition will secure details of this prior to commencement of the development.

Parish Comments

9.23 The parish have objected to the proposal, noting that stable buildings previously existing on site were proposed to be removed to make way for the approved dwelling and that these should have been retained if stabling was required.

9.24 Having inspected the buildings at the time of the previous application, it was noted that the previous buildings on site were in a state of disrepair. Furthermore, retaining a stable building on that portion of the site would have most likely impacted on the proposed residential use in terms of outlook and garden space. The positioning of a stable building housing equine animals in such close proximity would have also most probably been-attractive to potential future occupants.

9.25 Notwithstanding this, the previous application was assessed under a national policy exception, with the site being considered previously developed land and the existing buildings being removed to make way for the new dwelling, which had a reduced footprint. The relevant assessment for that application was whether the new dwelling would have a greater impact on openness than the existing buildings. This application, now on land which forms a different planning unit, is an appropriate use under Green Belt policy and this report seeks to assess the proposal on its own merits.

10. CONCLUSION

10.1 The development is acceptable in principle as it comprises a building to be used in connection with the existing paddock use of the land. It is considered that due to the moderate scale and footprint, rural appearance and overall positioning of the building, that it would not have a significant impact on the openness of the Green Belt nor conflict with any of the primary purposes of including land within the Green Belt.

11. RECOMMENDATION

11.1 That planning permission be GRANTED.

Condition(s) and Reason(s):

1. **The development hereby permitted shall begin before the expiration of three years from the date of this permission.**

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990, as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

2. **The development hereby permitted shall be carried out in accordance with the following approved plans/documents:**

3818-P1A
3818-L4G

Reason: For the avoidance of doubt and in the interests of proper planning.

3. **The development hereby permitted shall be constructed in accordance with the materials specified on the application form.**

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

4. **Prior to the commencement of development hereby approved, an Arboricultural Method Statement and Tree Protection Plan prepared in accordance with BS5837:2012 (Trees in relation to design, demolition and construction) setting out how trees shown for retention shall be protected during the construction process, shall be submitted to and approved by the Local Planning Authority. No equipment, machinery or materials for the development shall be taken onto the site until these details have been approved. The works must then be carried out according to the approved details and thereafter retained until completion of the development.**

Reason: In order to ensure that damage does not occur to trees and hedges during building operations in accordance with saved Policy 99 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 174 of the National Planning Policy Framework (2021).

5. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order amending or re-enacting that Order with or without modification) no development falling within the following**

classes of the Order shall be carried out without the prior written approval of the Local Planning Authority:

Schedule 2, Part 2, Class A

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the visual amenity of the area as well as the openness of the Green Belt in accordance with Policy CS5 of the Dacorum Core Strategy (2013) and Policy 81 of the Dacorum Local Plan (2004).

Informatives:

1. Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.
2. It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.
3. It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway.
4. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Hertfordshire Highways (HCC)	Decision Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission. Highway Informatives

HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

AN 1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN 2) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN 3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavem>

	<p>ents/highways-roads-and-pave ments.aspx or by telephoning 0300 1234047.</p> <p>Comments The application is for the construction of stables and machine store at Chequers Hill Nurseries, Delmer End Lane, Flamstead. Delmer End Lane is a 30 mph unclassified local access route that is highway maintainable at public expense.</p> <p>The stables will be accessed via an existing private route that will serve a new dwelling. The stable block and machine shed is unlikely to greatly increase trips for the existing access nor is it considered to greatly impact the highway network.</p> <p>Conclusion HCC has no objections or further comments on highway grounds to the proposed development, subject to the inclusion of the above highway informatives</p>
<p>Environmental And Community Protection (DBC)</p>	<p>Having reviewed the application submission and the ECP records I am able to confirm that there is no objection on the grounds of land contamination. Also, there is no requirement for further contaminated land information to be provided, or for contaminated land planning conditions to be recommended in relation to this application.</p> <p>13.06.2021 (Envrionmental Health):</p> <p>No objections on noise or air quality grounds.</p>
<p>Parish/Town Council</p>	<p>The PC objects very strongly to this application:</p> <p>Overdevelopment in the green belt - where no building existed it will impinge on the openness of the rural aspect. The previous stables were demolished to build a 4 bedroomed house, so if stables were required, some of that stabling should have been retained and refurbished.</p> <p>According to reliable sources and as was noted on the application for the dwelling, no horses have been kept on this site since 2010, so why should the owner suddenly decide to provide stabling when he clearly is not a horse rider? Allowing such a proposal will be detrimental to the open aspect and set</p>

	a precedent for continual in-filling of this field.
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
13	4	0	4	0

Neighbour Responses

Address	Comments
40 Singlets Lane Flamstead St Albans Hertfordshire AL3 8EP	<p>1. The stables and machinery store would create a new building on the Green Belt and is not appropriate development and so is against current planning policy. There is no agricultural use need for it. The field has not been used for horses for many, many years. The existing stables and capacity for a machine store which were already on the were demolished by the owner who chose to put a house in their place. If there was need for a stable and machine shed, why were they demolished? This must suggest that there was no need for a stable and machine store on the field. There is no village need for more horse stabling in the village - plenty already exists within the village.</p> <p>2. More importantly ,the proposed development is a new line of building development on the southern edge of the village Green Belt and would be detrimental to the openness and character of the Green Belt, and sets a precedent for further development. It is widely known that applications such as this then receive another application for change of use and are suddenly transformed from a stable and machine shed into a house. I have been informed by a member of the parish council that this is becoming a common way of circumnavigating planning laws. If change of use is allowed later, this will open the gate to what potentially becomes a housing estate 'by stealth'.</p> <p>3. The application would be increased encroachment onto the field and, sitting together with the new house would give the appearance of a large development, and would create a large new footprint which "corners off " the field. This is presumably not what the council intended when they allowed the new house.</p>
26 Singlets Lane Flamstead St Albans Hertfordshire AL3 8EP	<p>We object to the planned construction of a stable and machine store on the land of Chequers Hill Nursery.</p> <p>The Applicants received planning approval to demolish the existing barn and stable buildings at Chequers Hill Nursery and build a single storey dwelling in 2020. Having demolished the existing stabling, they have now applied to construct a new stable and store.</p> <p>a. Is this stable really needed? The field of the planned site has not had</p>

	<p>horses on it for at least 10 years and in that time the existing stables became more and more dilapidated. If the applicants were keen to keep horses on this field, why did they demolish the existing stable and why was a stable not included in the planning application for the house approved in 2020? Further, if the applicants were keen to keep horses, why was the field not used for horses in the past 10 years?</p> <p>b. The implication of the previous paragraph is that the applicants are endeavouring to extend building construction at 'Chequers Hill Nursery' further into the field which remains part of the Green Belt. We object to this infringement into the village's green envelope.</p> <p>2) The planned stabling is an added intrusion into the Green Belt surrounding the village of Flamstead.</p>
<p>22 Singlets Lane Flamstead St Albans Hertfordshire AL3 8EP</p>	<ol style="list-style-type: none"> 1. The proposed development is within the Green Belt and would be detrimental to the openness and character of the Green Belt and is contrary to Policy CS5 . It would create a new building where there was no previous building. 2. The land is zoned as agricultural land, but it has not been shown that the proposed development is reasonably necessary for the purposes of agriculture there. The application states there is a need for stabling for two ponies and mechanical storage, but there is no justifiable need for these. We have lived here since 2005 and there have been no horses or livestock on the land since approximately 2010. There were stables and a storage facility there but the owner did not use them. Instead since 2010 they were let fall into disrepair until they were unusable then the owner applied to demolish them and replace them with a house. It is therefore a contradiction to suggest that there can be any need for the proposed stables/machine storage building. 3. There is no need, for any use related to agriculture, which cannot be already accommodated elsewhere in the village. There is no justifiable village need for it. The land can be maintained by machinery which can be driven onto the land - there is no need to build a storage facility for machinery there. 4. Re the Green Belt issue, the proposed development will have a significant impact on the character and appearance of the Flamstead countryside. It creates an unnecessary building on land where there was no building before and so creates a completely new line of building development in Flamstead and one which will impinge on the existing open aspect of the village from that field to the south and the fields beyond. 5. It gives the impression of a plot amalgamation or tandem development with the new dwelling house. The application includes a yard and parking for 2 cars all adjacent to the new house and accessed via that house's access. It constitutes further encroachment of building onto the field and obviates any distinction between the new house and the agricultural land. Maintaining such distinction was a matter which, according to the council decision to grant permission for the house, the council considered to be important. This application offends that decision. 6. It is not sympathetic to its surroundings, including the adjoining countryside, in terms of local character, design, scale, landscaping and visual impact. Its effect taken together with the new house is to create a large L-shaped corner development which cuts off the unimpeded open aspect of that field which is an important element of the existing aspect

	<p>of the village. It would pose harm to the openness of the Green Belt in both spatial and visual terms. The layout and design of the building would have a detrimental impact on the character of the land and would impact upon the amenity of other nearby dwellings.</p>
<p>127 Trowley Hill Road Flamstead St Albans Hertfordshire AL3 8DS</p>	<p>The PC objects very strongly to this application: Overdevelopment in the green belt - where no building existed it will impinge on the openness of the rural aspect. The previous stables were demolished to build a 4 bed roomed house, so if stables were required, some of that stabling should have been retained and refurbished. According to reliable sources and as was noted on the application for the dwelling, no horses have been kept on this site since 2010, so why should the owner suddenly decide to provide stabling when he clearly is not a horse rider? Allowing such a proposal will be detrimental to the open aspect and set a precedent for continual in-filling of this field.</p>