

4/03481/15/MFA - CONVERSION OF EXISTING AGRICULTURAL BARN TO FORM A 4 BED DETACHED DWELLING; CONVERSION OF EXISTING AGRICULTURAL BARN TO FORM A 2 BED DETACHED DWELLING WITH MANAGER'S OFFICE; SINGLE STOREY REAR EXTENSION TO COACH HOUSE; AND REFURBISHMENT AND IMPROVEMENT OF EXISTING STABLES..

FLAUNDEN HOUSE STABLES, FLAUNDEN, HEMEL HEMPSTEAD, HP3 0PW.

APPLICANT: Relic Homes Ltd.

[Case Officer - Elspeth Palmer]

This application was previously considered at the meeting on 25th February 2016. The Committee agreed to defer the application as a number of questions were raised regarding the above application which could not be immediately answered.

The information required included:

- Firm details on parking for vehicles and horse boxes;
- Tracking details showing turning arrangements for horse boxes;
- Details of Hay and Tack store; and
- Water supply arrangements.

Information Requested

The following additional information was requested from the applicant:

- A detailed plan showing where water is available and where hay, straw and other foodstuffs can be stored on site;
- A detailed plan (may be same plan as above) showing the extra buildings and double stables that you mentioned at the meeting;
- An amended plan of the internal arrangements of Barn B showing a tack room, saddle store, first aid cupboard; and
- A separate plan showing parking for the Cottage, Barn B and the equestrian use. This will include turning circle and tracking.

This information was submitted by the applicant and went out for consultation on Wednesday 2nd March. This gave consultees the required 14 days to comment in order for their comments to be placed into the Addendum for the next Development Control Committee Meeting or to be reported to the meeting on the night.

Information submitted

1. Site Plan No. 15.149.P7.200 showing the following:

- where water is available (2 taps on large stable and 1 on small Stable)
- where hay and dry feed to be stored (small stable has an existing hay store and large stable has existing storage to the rear);
- the small stable has two large corner units which could house a mare and foal;

- shelving for first aid kit, medicine, tack, saddle store and equipment in Barn B; and
 - fire extinguisher location.
2. Proposed Plans and Elevations (Barn 2) No. 15.149.P7.301 showing the following:
 - amendments to Barn B showing provision of tack, saddle and related equipment store.
 3. Car and horse Trailer parking Plan No. 15.149.P7.600 showing parking for vehicles on site and tracking for manoeuvring of horse boxes.
 4. Photographs of current existing stables and areas intended to be repaired and restored as part of the application.
 5. Covering letter setting out further information and confirming that the applicant is prepared to submit a business plan for the future management of the proposed equestrian use on the site to the Council for its written approval as part of a planning condition.

Other issues that were raised include:

Were Business rates paid for the previous equestrian use?

It has been established by contact with the Business Rates section of the Council that there are two commercial units on the site and both are on the rating list. This does not mean that rates have been paid it just means that they are listed as rated business/commercial activities. One of the units has been listed since 2003 and the other since 2005.

As the equestrian use is to be retained on the site this information has been gained purely to resolve the issue as raised by both the applicant and local objectors.

Offers to buy the site

There has been an offer to buy the site. The person who offered asked for the overage clause on the property and land to be cancelled or paid off. This offer was made by someone who has been objecting to the proposal.

Acres vs Hectares

“The area of pasture required per horse will depend on the type of grass, ground conditions, time of year, type of horse and degree of pasture management employed. As a general rule, each horse requires approximately 0.5 – 1.0 hectares (or **1.25 to 2.5 acres**) of grazing of a suitable quality if no supplementary feeding is being provided.” (*Code of Practice for the Welfare of Horses, Ponies, Donkeys and their Hybrids* 2009:3).

The site has 16 acres available for the equestrian use. Based on the above standards it could support at most 12.8 or 13 horses. Clearly this figure does depend on other issues such as type of grass, ground conditions etc.

NPPF Para 74 states:

Para "74. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss."

The applicant did not need planning permission to stop the equestrian use. The use is currently not operating on the site. The MFA application proposes to reintroduce the equestrian use on the site at a more sustainable level of use than the previous use. The site does not have existing sports and recreational buildings and the proposal does not involve building on the land merely converting existing buildings.

Summary of objections on the additional information

Flauden Parish Council

Flauden Parish Council does not consider that there are any additional comments, which would cause them to change their recommendation that this application be **REFUSED**.

Comments made with our original objection and at subsequent Development Control Committees still stand.

In addition we would make the following comments on the latest additional information provided:

106 Agreement: We note that the document states that the Owner is the freehold owner of the Property registered at the Land Registry with Absolute Title. Can you confirm that Relic Homes are the Title holders, as Land Registry Records appear to suggest otherwise, and are they therefore able to sign this document?

Storage Facilities: We do not believe the applicant has adequately addressed the problem of providing adequate storage facilities. All of the storage facilities marked on the applicant's plans are currently in existence and are in addition to the facilities previously provided in both Barn A and Barn B. Barn B was originally only given planning permission, as it was felt essential to provide additional storage facilities for the equestrian business. By converting Barn B to a domestic dwelling, even a smaller scale 16 stable business will not be able to provide the practical facilities required by anyone wishing to rent stabling.

No provision is given for storage of equipment such as tractor for maintenance of the ménage and fields.

Parking for cars and horse boxes: We believe the parking plan given is unrealistic. In reality it is hard to see there is sufficient turning space for horseboxes or indeed provide the room to load or offload horses. The additional traffic created within the yard by having two additional properties is likely be an unattractive proposition for anyone wanting to rent the stables, and it is hard to see how anyone wishing to purchase a substantial detached four bedroom property, would want to share their access way with horses/horse boxes, delivery vehicles plus tractors and potentially 12 other vehicles for which parking spaces have been allocated.

No space has been allocated for the permanent parking of horse boxes. Again making the suggestion of the stables being suitable for rental to potentially 16 horses, impractical and unworkable.

Waste Management: The document fails to mention the important issue of waste disposal, in particular from the muck heap, as it is a controlled waste.

Manager's Office: The applicant suggests that having originally applied for planning

permission to include a Manager's Office in Barn B, this is no longer considered to be necessary, and this has conveniently been re-allocated in the amended plans to provide an equipment storage room. No explanation is provided to where a Stable Manager would manage the complex. No toilet or washing facilities are offered for staff or horse owners.

Business Plan: Mr Watts mentions that the applicant is prepared to submit a business plan for the future management of the equestrian activities. We do not believe this application should be put before the Development Control Committee without this plan being in place.

Garden Space: Plans now show an area of garden allocated to Barn B. No explanation has been given by the applicant to explain why this piece of land, which is currently a field, should be re-designated as a domestic garden.

Barn A, which is a large detached 4 bedroom house with footprint of 400 sq m has not been allocated the minimum amount of garden, ie a depth of 11.5m as stated in 'Saved Appendix 3 of Local Plans – Layout of Residential Areas'. And as all the land around it has been allocated to the equestrian complex, it will not have direct access to any other land.

For a county with a very large horse population we are surprised not to find any Supplementary Planning Guidance for Stables and Equestrian Developments within the Dacorum Planning policies. Guidance of this nature, prepared by someone with expertise in the area, would have been very helpful in dealing with the issues in this application.

As with all previous applications for this site, plans seem to have been rushed through and appear incomplete and ill thought out. The application would appear to have been compiled by someone with little knowledge of equestrian establishments or the infrastructure required.

The Old Chapel - Objects

I am very disappointed that this application has not already been rejected. I do not see anything in the additional information submitted by Relic Homes that differs from my initial objections which still stand.

Flauden House - Objects

Provision for parking is impractical and not enough for 16 stables, with one or more vehicle per horse (car and/or horsebox/trailer). The diagram showing parking of three horseboxes does not make sense – it is dangerous and impractical.

There is still not enough dedicated building area for essential equipment such as tractors, etc. for the maintenance of the ménage/arena and the fields, let alone storage for hay, tack and bedding. 16 horses require huge bales of hay and bedding, which are needed twice a day. Each horse will need inside space for saddles, rugs, etc. According to Relic's plans, there is inadequate provision for hay and bedding, and based on this it would require a twice-daily delivery from the suppliers, which is not feasible or desirable.

Relic simply do not have any idea what a small livery yard would need, nor do I think they care. As it stands, the proposed livery yard would probably not attract enough people to make it viable, as it is so badly and naively planned – which is probably exactly what Relic want.

There is now no Manager's Office, therefore no facilities for stable staff.

Showing photos of minor repairs to be undertaken is simply not relevant to the application

Where is the business plan showing the viability of the proposed new 16-stable livery yard or the non-viability of the previous 34-stable business? – Both of these are required by policy.

Additionally, there is still no assessment undertaken to clearly show that the buildings are surplus to requirements as required by NPPF Para 74.

The additional information provided does not materially change my initial grounds for objection to this application, which therefore remain valid.

Relic continues to waste everyone's time. Too much attention is now going on the proposed livery yard. The matter of the inappropriate conversion of the large barn, the extension of the coach house while overlooking the illegal conversion of part of it a few years ago, and the conversion of barns which were only allowed to be built to support the thriving equestrian business are still not being addressed.

Birch Lane House - Objects

1. The additional information provided does not materially change my initial grounds for objection to this application that therefore remain valid.

2. The 106 Agreement for the retention of a minor part of the historic equestrian business on site does not constitute 'every reasonable effort' being made to secure a business and does not support the development of rural economy as required under Local Plan 110 and CS5.

Additionally, the 106 Agreement as currently worded, stating 'unless the Council agree otherwise in writing', is no more binding or secure in protecting the long term business than the permission for the building of the storage barn (Barn B) was in 2009. This was built under the strict requirement from the Council that it was 'to be used only for storage directly associated with the equestrian use of the site and for no other purpose' and is now being recommended by Dacorum Planning for residential conversion.

The 106 Agreement also states the use is for 'Commercial Use' defined as 'stabling for equestrian use'. As defined, this does not, I believe, preclude the stables being used or kept solely for private equestrian use and not run as a business for third party clients and the wider community.

3. With regard to the additional amended plans and drawings submitted by Relic Homes my comments are:

(i) Parking provision is ill thought out, impractical and inadequate. Parking 3 horse boxes within the stables 'D' is both dangerous to horses and unworkable.

(ii) Where will essential equipment be stored e.g. tractor and rake for maintenance of manege etc be stored?

(iii) The removal of a 'Manager's Office' means that there are now no facilities whatsoever for stable staff.

(iv) There is no calculation to determine that the very simple wooden sheds designated for storage are of adequate size and structure for a commercial equestrian facility.

(v) Minor cosmetic repairs and general maintenance to gutters, eaves, doors, downpipes, fascia boards etc whilst necessary and good are not material to the planning application.

4. There is still no business plan either showing the viability of the proposed new 16 stable proposal or to demonstrate the non-viability of the historic 34 stable business, both of which are required by policy.

5. There is still no assessment undertaken to clearly show that the buildings are surplus to requirements as required by NPPF Para 74.

Bluebell Cottage - objects

As far as the equestrian business is concerned, it has been on the site for at least 30 years and was perfectly viable at the beginning of 2015. There is enough evidence to substantiate

this including the submission of The British Horse Society. The subsequent closure of the equestrian business was purely at the instigation of Relic Homes who have deliberately allowed the site to deteriorate.

These are just two examples of Relic Homes cavalier attitude to planning requirements. I cannot believe that the planning officers are condoning the cynical closure of a viable local business for a quick profit by recommending approval of this proposal. The compromise "solution" of a few stables without adequate supporting facilities is less likely to be viable than if the premises were reopened again as a livery yard. Restoration of the premises as a proper equestrian business would succeed as there is a significant shortage of such facilities in the area. I look forward to seeing Relic Homes business plan for the proposed compromise "solution" and reasons for their claim that the established equestrian business on the premises was not viable.

So far the only evidence of unviability is the throw away three line paragraph 10.2 of the Additional Information provided by Relic Homes on 29 December 2015. The evidence of The British Horse Society and the fact that there are prospective purchasers who would reinstate the equestrian business clearly suggests that the business was viable. Even if the books for this business cannot be obtained, a comparison with other equestrian businesses in the area would soon show that there is significant demand for such facilities. Just because Relic Homes may make more money replacing the equestrian business with residential development, this does not mean that the equestrian business was unviable.

I note that your final paragraph accepts that the equestrian businesses probably were viable but that it would be difficult to establish this. My understanding is that it is for Relic Homes to show that the equestrian business was unviable rather than for the objectors to demonstrate that it is viable as alluded to in your reply.

Highways Authority

The parking tracking appears to be OK. However, this is an internal activity and not on public highway.

Conclusion:

It is considered that the additional information provided by the applicant provides the clarity required by members at the previous Development Control Committee.

The recommendation of this report remains the same as the previous one which was to be (as verbally advised at the meeting on 25th February)

RECOMMENDATION - That determination of the application be **DELEGATED** to the Group Manager, Development Management with a view to approval subject to the signing of the Unilateral Undertaking by the relevant parties and the conditions previously suggested in DCC report of 25th February (below).

Addendum:

Previous Report to Development Control Committee on 25th February, 2016

Summary

The application is recommended for approval.

The proposed development provides a holistic approach (master plan) for the site which includes the following:

- conversion of existing agricultural barn (Barn A) to a 4 bed detached dwelling;
- conversion of existing agricultural barn (Barn B) to form a 2 bed detached dwelling with Manager's office (Manager to run the equestrian business);
- an extension to The Coach House;
- retention and refurbishment of 16 stables for the equestrian use;
- parking for those visiting the equestrian facility;
- a Unilateral Undertaking to ensure that a commercial equestrian use is re-established on the site by tying the two bedroom dwelling, the 16 stables and associated land together for sole use of the equestrian activity;
- the associated land is all the land which is not directly in the ownership of The Coach House and Barn A (see ownership plan); and
- a Viability Report has been prepared to support the residential use of the site.

The reasons for refusal given at DCC on 6th August, 2015 for application 4/01123/15/FUL "Conversion of an existing stables to form a single 4 bedroom house with garage and workshop" have been addressed.

This current application is a comprehensive approach for the site which addresses the reasons for refusal.

By ensuring the equestrian use is re-established on the site (via a Unilateral Undertaking) thus supporting the rural economy the proposal now complies with this section (ii) of CS5 of the Core Strategy.

The proposal is appropriate development as described in CS5 (d) "the appropriate reuse of permanent, substantial buildings".

The proposed conversions will be designed in a way which will make minimal external changes to the two buildings thus maintaining the rural character of the buildings and complying with section (i) of CS5 of the Core Strategy.

Strategic Planning consider that the applicant has made a detailed case in support of residential conversion under Policy 110 and taking into account national support for the re-use of buildings in the countryside, particularly for residential purposes.

By providing a Viability Statement prepared by a reputable firm the applicant has demonstrated that every reasonable effort has been made to secure a business, recreation or tourism-related reuse so complies with saved Local Plan Policy 110.

The Government has taken a number of steps to encourage the re-use of rural buildings for residential and other purposes. Given the thrust of national policy, coupled with the proposed development having no adverse impact on the openness of the Green Belt, it is considered that a robust reason for refusal could not be substantiated when considering the impact of the proposed development on the rural economy alone.

The proposed development is in line with recent changes to planning policies at local and

national level. The Core Strategy, NPPF and the GPDO now encourage the conversion of agricultural/rural buildings to residential.

Site Description

The appeal site is located on the eastern side of Birch Lane, Flaunden and is accessed via an unnamed access lane.

The site is located within the Metropolitan Green Belt and partly covered by the Flaunden Conservation Area.

The site can be broken down into 3 parts.

The first application site includes a weatherboard timber stable building with laminate roof and timber windows, land to the north which includes an existing horse exerciser and land to the east which has been used for parking of equestrian vehicles. The western side of the site is bounded by a tall row of trees which screens the barn making it less visually prominent to the adjacent neighbours along Birch Lane.

The second application site includes a timber clad agricultural building on the southern side of the unnamed access lane and a stable building opposite with a large area of land to the north which is predominantly fields with some dividing fences.

The agricultural building is located to the rear of a number of dwellings which are clustered around the intersection of Birch Lane and Flaunden.

The third application relates to the Coach House which is adjacent to the agricultural building proposed to be a two bedroom dwelling. The Coach House has the appearance of a dwelling in that it has all the residential paraphernalia you would expect eg. gravel private amenity area to the rear with washing line, compost/rubbish bins and paved parking area for two vehicles next to the existing agricultural building. To the front of The Coach House is a brick paved area with a chair and plant pots. Also the front elevation is heavily fenestrated also giving the appearance of a residential dwelling.

Proposal

The proposal includes the following:

- conversion of an existing agricultural barn (Barn A) to form a 4 bedroom detached dwelling with garage and workshop;
- conversion of an existing agricultural building (Barn B) to form a 2 bedroom dwelling with manager's office;
- extend the existing dwelling and provide parking for the The Coach House;
- retain the menage and associated land (within the applicant's ownership) for equestrian purposes;
- provide parking for the equestrian use; and
- retain and refurbish the two bespoke stable buildings (with 16 stables) specifically the refurbishment will include:
 - Replacement and renewal of worn felt roof on the stables;*
 - Replacement of rotten stable doors with new stable doors;*
 - Repaint loose bricks to the bottom of wall; and*
 - Renew / seal leaking rainwater goods.*

This proposal is a holistic approach/master plan for the site at Flaunden House Stables which brings together all 3 applications which have been previously submitted.

The applications include:

4/01123/15/FUL Conversion of an existing stables to form a single four bedroom house with garage and workshop (revised). Refused at DCC on 6th August, 2015.

4/02986/15/FUL Conversion of existing agricultural barn to a detached two bedroom dwelling. Not determined as yet.

4/02987/15/FHA Single Storey rear extension to The Coach House. Not determined as yet.

The applicant has submitted a unilateral undertaking to agree that the 2 bed conversion will include a Manager's office for the person managing the equestrian use. The Undertaking also includes agreement that the stable opposite and another stable building will remain as stables for commercial use and the adjacent land will be available for equestrian use. A copy of the unilateral undertaking will be placed in the Addendum.

Referral to Committee

The application is referred to the Development Control Committee due to the contrary views of Flaunden Parish Council.

Planning History

4/02895/15/FUL CONVERSION OF EXISTING AGRICULTURAL BARN TO FORM A DETACHED FOUR BEDROOM HOUSE WITH HOME OFFICE AND STABLES (AMENDED SCHEME).
Withdrawn
04/11/2015

4/01123/15/FUL CONVERSION OF AN EXISTING STABLES TO FORM A SINGLE FOUR BEDROOM HOUSE WITH GARAGE AND WORKSHOP (REVISED SCHEME).
Refused
21/08/2015

4/00201/15/FUL CONVERSION OF EXISTING STABLES TO FORM A FOUR BEDROOM HOUSE WITH GARAGE AND WORKSHOP
Withdrawn
17/03/2015

4/01569/05/FUL STATIONING OF CARAVAN FOR SAFETY AND WELFARE OF HORSES
Refused
20/09/2005

4/02292/03/FUL EXTENSION TO COTTAGE AND CONVERSION OF ADJOINING STABLES. DEMOLITION OF TACK/FEED ROOM
Granted
18/12/2003

4/00567/03/FUL DEMOLITION OF EXISTING TACK AND FEED ROOM, CONVERSION
OF STABLES AND EXTENSION TO ACCOMMODATION
Refused
09/05/2003

4/02089/01/CAC REMOVAL OF BARN
Refused
01/03/2002

4/02088/01/FUL REPLACEMENT OF EXISTING BARN WITH NEW DWELLINGHOUSE
Refused
28/02/2002

4/00848/01/CAC DEMOLITION OF BARN
Refused
28/08/2001

4/00821/01/ ONE DWELLING
Refused
28/08/2001

An appeal has been made against the refusal for 4/01123/15/FUL (listed above) and the non-determination of 4/02986/15/FUL and 4/02987/15/FUL (listed above). Appeal number APP/A1910/W/15/3135171: Flaunden House Stables, HP3 0PW is considering all 3 applications in a holistic manner as is the current application.

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)
Circular 11/95

Adopted Core Strategy

NP1 - Supporting Development
CS5 - The Green Belt
CS7 - Rural Area
CS8 - Sustainable Transport
CS9 - Management of Roads
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS13 - Quality of Public Realm
CS14 - Economic Development
CS17 - New Housing
CS25 - Landscape Character
CS27 - Quality of the Historic Environment
CS29 - Sustainable Design and Construction
CS31 - Water Management

CS32 - Air, Water and Soil Quality

Saved Policies of the Dacorum Borough Local Plan

Policies 13, 81,110
Appendices 3 and 5

Supplementary Planning Guidance / Documents

Environmental Guidelines (May 2004)
Water Conservation & Sustainable Drainage (June 2005)
Energy Efficiency & Conservation (June 2006)
Accessibility Zones for the Application of car Parking Standards (July 2002)
Landscape Character Assessment (May 2004)
Planning Obligations (April 2011)

Advice Notes and Appraisals

Sustainable Development Advice Note (March 2011)

Summary of Representations

Flaunden Parish Council

Flaunden Parish Council recommend that this application is REFUSED as it is in contravention of NPPF policy, Dacorum Core Strategy CS5 and Dacorum Local Plan 110 & 22.

By removing the existing equestrian use and closing the working yard, the proposal fails to support the rural economy. Much local employment has been lost.

No effort has been made to continue the long- standing equestrian business. No evidence has been submitted demonstrating that such a business is no longer viable.

The application fails to comply with paragraph 3.28 of the National Planning Policy Framework in that it fails to promote the retention and development of amongst other things, sports venues.

The application fails to comply with paragraph 74 of the NPPF in that an assessment demonstrating that the stables are surplus to requirements has not been submitted.

The application is contrary to Green Belt policy.

Horse riding facilities offer a recreational opportunity and allow people to enjoy the nearby Chilterns AONB. Appreciating its special qualities encourages people to care for and protect the AONB. The loss or future erosion of the riding stables could harm this.

There is no evidence to show that there is not a viable equestrian business on the site. The stables were fully occupied until their sale to Relic Homes and were a very popular facility for 30 years prior to this. There would be demand for the facilities if they were to re- open.

The applicants state that they wish to retain some stables for equestrian use, but there would be insufficient facilities left on the site to retain this as a viable facility. The lack of such facilities does not make equestrian use on the site a practical or workable proposition.

The land has been allowed to become derelict and overgrown with vegetation. Since its

purchase, Relic Homes have made no attempts to continue to rent out the land and stables.

An offer has been made to Relic Homes to buy the property, including the stables and land for equestrian use, demonstrating the demand for such a facility within the village.

The description in the application of the barns as 'agricultural barns' is incorrect. They have only ever been used for equestrian purposes.

The barns on the site were granted permission specifically as stables, for equestrian uses and to support the equestrian business on the site.

The desire to extend the Coach House to make a more useable space for a larger family would be contrary to local and national Green Belt policy.

The 2003 planning permission for the extension and conversion of the attached stable on the ground floor tied the permission to someone working or mainly working at Flaunden House Stables, or a dependent thereof. This should be upheld.

It appears that building work has been started on the Coach House. A tree has been removed from the site (with a Conservation Area) without the relevant permission.

The Viability Report does not consider the viability of retaining the stables as an equestrian business. There is no evidence of any attempt having been made to market or maintain the equestrian activities.

The report contains several inaccuracies;

- the Coach House has never been granted permission to become a three bed cottage
- there is a covenant on the land which is not made reference to
- the land has never been used as farming
- the previous equestrian use of the site was run as a viable business

The report concludes that residential development is the most profitable use of the site. Profit maximisation is not a planning consideration.

Relic Homes are offering a Section 106 agreement to retain some of the stables for use by the future residents. However, there are insufficient facilities on the site to enable this or to meet the relevant equine welfare guidelines.

Strategic Planning and Regeneration

Flaunden is classified as an 'Other small village and the countryside' and is therefore an area of most development constraint within the Borough. Local Plan Policy 110 states that permission will not be granted for residential re- use unless every reasonable effort has been made to secure business, recreation or tourism- related re- use, or where the residential re- use is a subordinate part of a scheme for re- use. Some weight should be given to allowing the flexible use of buildings in the countryside.

The commitment shown in the application to retain a rural enterprise at the site is welcomed. However, no particular detail has been provided regarding this. There is insufficient information in the application to assess compliance with Local Plan policy.

There is insufficient information in the application to assess whether the proposed extension to the Coach House would comply with Local Plan Policy 22 regarding the extension to the building in the Green Belt. This information should be provided to ensure the development complies with policy.

Local Plan policy 24 refers to agricultural and forestry workers' dwellings. While the use of the converted Barn B would not be for an agricultural or forestry worker, the development would be within the spirit of the policy. The development would need to comply with all of the listed criteria. Based on the lack of evidence submitted with the application, a judgement cannot be made as to whether the enterprise (the continued equestrian use) would be viable and whether there is a need to provide on-site accommodation for staff.

The NPPF makes reference to circumstances where rural housing would be acceptable, including the essential need for a rural worker to live permanently at or near their place of work in the countryside. If the equestrian use is viable, the development would comply with Local Plan policy 24 and the NPPF.

If the existing buildings are of a permanent and substantial construction, the proposed re-use for residential purposes would be acceptable in principle in Green Belt terms. But the development must not have a significant impact on the character and appearance of the countryside. In the absence of any extensions or additions to the existing barns, the proposed conversion element of the proposal is not likely to have a significant impact on local character.

The commitment to retain a commercial equestrian use at the site would continue to support the local rural economy to a degree.

The location of the extension to the appears to be visually contained by existing residential dwellings to the south, mature vegetation along the west and south west boundaries of the site, the existing barn to the north west and the existing stable block to the north. The site and the area is characterised by a mix of residential and commercial uses. The extension would therefore not be out of character with the local area. The proposed extension in itself would not particularly contribute to or support the rural economy, though it would assist a commercial use that would continue to make a contribution to the rural economy.

Comments on Viability Report from Strategic Planning and Regeneration

We have requested this information in respect of saved DBLP Policy 110 which requires, in the case of conversion of rural buildings to housing, that consideration is given in the first instance to the suitability of other non-residential uses. I have also borne in mind the flexibility provided under permitted development and the encouragement of national policy towards encouraging the re-use of buildings for a range of activities in the countryside, including residential.

The applicant has provided a detailed and comprehensive response to this issue. The report is therefore welcomed and has been helpful in setting out clear arguments in support of the residential conversion of Barns A and B. I do not have the technical knowledge or experience to vouch for the validity of all the figures provided and calculations made, so I have had to take these at face value. The report argues that there are a number of locational, practical and market / viability issues around re-using the buildings for a range of commercial, tourist and community related uses. I acknowledge that this would deter / limit realistic opportunities for these alternative activities to come forward with possible conflicts with its rural location and the proposed retention of the stables.

Given, the above points, we consider that the applicant has made a detailed case in support of residential conversion under Policy 110 and taking into account national support for the re-use of buildings in the countryside, particularly for residential purposes.

Conservation and Design

Conservation and Design were happy with the amended design of the Coach House extension previously proposed. The plans have not changed.

Barn A: The peppering of the roof with roof lights is detrimental to the character of the building. There is a simpler and more elegant solution which would be to omit the rooflights (except possibly) the two higher ones over the bedroom if essential) by including a high level strip window in each of the side walls close to the eaves to the light voids - this might either be continuous along each side elevation or split up to sit over the proposed large windows.

Barn B: The Conservation and Design officer is satisfied with the proposed plans.

Hertfordshire Highways

The Highway Authority does not wish to restrict the grant of permission.

If the planning authority resolve to grant permission I recommend inclusion of the following advisory note to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980.

AN1. The applicant is advised that storage of materials associated with the development should take place within the site and not extend into within the public highway without authorisation from the highway authority, Hertfordshire County Council. If necessary further details can be obtained from the County Council Highways via either the website <http://www.hertsdirect.org/services/transtreets/highways/> or telephone 0300 1234047 to arrange this.

AN2. The developer should be aware that the required standards regarding the maintenance of the public right of way and safety during the construction. The public rights of way along the carriageway and footways should remain unobstructed by vehicles, machinery, materials and other aspects of construction works.

The Highway Authority does not wish to restrict the grant of consent.

Trees and Woodlands

Comments from previous applications:

No objection to proposal and unlikely to affect nearby trees. As trees are not visible from the main road public amenity of the trees is not high. Unlikely to warrant a tree preservation order.

HCC Development Services

I refer to the above mentioned application and am writing in respect of planning obligations sought by the County Council towards fire hydrants to minimise the impact of development on Hertfordshire County Council Services for the local community.

Based on the information provided to date for the conversion of two barns to dwellinghouses we would seek the provision of fire hydrant(s), as set out within HCC's Planning Obligations Toolkit. We reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

All dwellings must be adequately served by fire hydrants in the event of fire. The County

Council as the Statutory Fire Authority has a duty to ensure fire fighting facilities are provided on new developments. HCC therefore seek the provision of hydrants required to serve the proposed buildings by the developer through standard clauses set out in a Section 106 legal agreement or unilateral undertaking.

Buildings fitted with fire mains must have a suitable hydrant provided and sited within 18m of the hard-standing facility provided for the fire service pumping appliance.

The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22). In practice, the need for hydrants is determined at the time the water services for the development are planned in detail and the layout of the development is known, which is usually after planning permission is granted. If, at the water scheme design stage, adequate hydrants are already available no extra hydrants will be needed.

The Section 106 template documents appended to the Toolkit include the standard planning obligation clauses. However, since this document was published this wording has been amended as set out in the attached document.

Justification

Fire hydrant provision based on the approach set out within the Planning Obligations Guidance - Toolkit for Hertfordshire (Hertfordshire County Council's requirements) document, which was approved by Hertfordshire County Council's Cabinet Panel on 21 January 2008 and is available via the following link: www.hertsdirect.org/planningobligationstoolkit

In respect of Regulation 122 of the CIL Regulations 2010 the planning obligations sought from this proposal are:

(i) Necessary to make the development acceptable in planning terms.

Recognition that contributions should be made to mitigate the impact of development are set out in planning related policy documents. The NPPF states "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Conditions cannot be used cover the payment of financial contributions to mitigate the impact of a development (Circular 11/95: Use of conditions in planning permission, paragraph 83).

All dwellings must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire fighting facilities are provided on new developments. The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22).

(ii) Directly related to the development;

Only those fire hydrants required to provide the necessary water supplies for fire fighting purposes to serve the proposed development are sought to be provided by the developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed for this proposal.

(iii) Fairly and reasonable related in scale and kind to the development.

Only those fire hydrants required to provide the necessary water supplies for fire fighting purposes to serve the proposed development are sought to be provided by the developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed for this proposal.

A Section 106 legal agreement would be the County Council's preferred method of securing fire hydrants. However, it is recognised that Dacorum Borough Council is intending to scale back the use of such agreements. If a Section 106 agreement is not otherwise anticipated for this development we would seek the inclusion of a condition to the planning permission. We would propose wording as indicated below:

"Detailed proposals for the fire hydrants serving the development as incorporated into the provision of the mains water services for the development whether by means of existing water services or new mains or extension to or diversion of existing services or apparatus shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and in accordance with the approved details thereafter implemented prior to occupation of any building forming part of the development."

I would be grateful if you would keep me informed about the progress of this application so that either instructions for a planning obligation can be given promptly if your authority is minded to grant consent or, in the event of an appeal, information can be submitted in support of the requested provision. We would also seek to be informed of any decision notice which includes the provision of infrastructure via condition.

Hertfordshire Biological Records Centre

We do not have any known biological (habitats or species) records for the application site. We have bird records for the area, and the nearest record of bats roosting within a building is over 600m away.

I advise a precautionary approach is taken and the following **Informatives** are added to any permission granted:

- "Bats and their roosts remain protected at all times under National and European law. If bats or evidence for them is discovered during the course of works, work must stop immediately and advice sought on how to proceed lawfully from Natural England (Tel: 0300 060 3900) or a licensed bat consultant."
- "Site clearance should be undertaken outside the bird nesting season, typically March to September (inclusive), to protect breeding birds, their nests, eggs and young. If this is not possible then a search of the building/surrounding vegetation should be made by a suitably experienced ecologist and if active nests are found, then works must be delayed until the nesting period has finished."

Contaminated Land Officer

The site has a potentially contaminative use; it is also located within the vicinity of potentially contaminative former land uses (infilled ponds, former burial ground). Consequently there may be land contamination issues associated with this site. I recommend that the standard contamination condition be applied to this development should permission be granted.

Thames Water

Waste Comments

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can

be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

Broadlands, Flaunden Lane – objects

There is no difference in principal between this and the earlier applications with respect to the adverse impact upon the character of the village, the Green Belt and the rural economy.

Relic Homes continue to make to no attempt to re- open the stables, which was the basis of the rejected earlier application to convert a barn on the site.

The proposed development of the barns for the stated purpose of managing the equestrian activities on the site is not necessary as The Coach House within Flaunden House Stables was granted permission specifically for this purpose.

Flaunden is a very special, small, picturesque rural village that has retained its special character as development within it has been controlled. The village does not need an additional residential dwelling in place of the stables, which are part of the village and add to the diverse nature and character of the village.

The proposal would erode the special character and distinctiveness of the village.

The building does not meet any of the criteria for it to be a viable building for conversion and re- use – it is not surplus to requirements and it is not agricultural in nature.

The addition of two high value dwellings and the further extension of another one will not significantly aid the housing needs of Dacorum.

The adverse impact on the character of Flaunden will heavily outweigh any benefit arising from the development.

106 Flaunden – objects

There are a number of inaccuracies in the Viability Report from Aitchison Raffety;

- the Coach House has never been granted planning permission for a three bedroom

cottage

- the permission from 2003 includes the conversion of the adjoining stables to the north of the property and a new extension attached to the west, maintaining a one bed cottage
- the approved drawing excludes the three agricultural units at the southern end of the Coach House

These units have now been converted without planning permission.

September Cottage - objects

The proposed development would create a precedent.

Flaunden is the wrong place to build new homes as it has insufficient facilities.

The proposal is contrary to Green Belt policy and no very special circumstances have been put forward to support the development.

The enhanced use of the Green Belt including for outdoor sport and recreation should be encouraged.

The application contains numerous inaccuracies designed to mislead.

Lavender Cottage – objects

The stables are a major asset to the community. Their loss would fail to support the local economy, contrary to local and national policy.

Most of the tenants who were evicted in 2015 would wish to return. The application has made no effort to continue to run the equestrian business.

The application states there is a wish to retain some stables for equestrian use: this lacks credibility based on the proposals and the information submitted with the application.

The barns are described in the application as 'agricultural'. This is inaccurate as they have only ever been used for equestrian purposes.

The Coach House has already been extended without planning permission.

1 Birch Lane - objects

The current proposal is not materially different to the individual applications that have been made on the site for the proposed development.

The proposed development would be contradictory to the planning policies which have maintained the character so well over many years. It is against Green Belt policy and guidelines.

The openness and local distinctiveness of the area will be changed by the proposed development.

The development would not support the local economy. The closure of the stables has also led to the loss of employment.

Existing buildings should only be re-used if they are surplus to requirements. This was not the case with the stables.

The closure of the stables has resulted in the loss of opportunity for equestrian sport within the Green Belt.

The information within the application, particularly in the Design and Access Statement, is misleading and inaccurate.

Relic Homes have not provided any evidence that the equestrian business was not viable.

The barn to be converted is a light weight construction and not a substantial construction required by planning policy.

The proposed dwelling is significantly bigger than many of the large houses in Flaunden. Its scale would be out of proportion with the surrounding properties.

There is no garden shown and the amenity space identified on the plans is small in comparison to the size of the house. It seems inevitable that some of the surrounding fields will be turned into gardens, reducing the open nature of the site and resulting in the loss of Green Belt.

Prior to the acquisition of the site by Relic Homes, development was added to the site (concerning the 2 bedroom house) without the benefit of planning permission. The plans of the building have been altered to make the building look more like a suitable building for conversion to residential use.

The Coach House was converted to residential use for equestrian use in 2003, and subsequently extended without permission. The application for the extension to the Coach House is seeking to regularise this illegal expansion.

The viability report is misleading and inaccurate.

Flaunden is a thriving village and contains a range of local businesses and community facilities: Flaunden House Stables is one such business. Its closure would be a loss to the village.

Flaunden is not an area identified for housing by Dacorum.

Tambarram – objects

The application is incorrect on a number of counts and is not supported by evidence.

No attempt has been made to maintain and market the commercial activity on the site.

The proposal is detrimental to both the rural economy and the Green Belt.

The development would negatively impact upon the privacy of neighbouring properties.

The proposal would set a precedent if granted.

The application is contrary to planning policy and guidance, including Green Belt policy. The development would not protect the character and local distinctiveness of Flaunden.

It would not support the rural economy.

No assessment has been made as to the demand for the equestrian facilities.

The development does not support outdoor sport and recreation in the Green Belt.

The remaining stables on the site would be far less attractive for future use following the development.

The arguments as to how the development would benefit the local economy are misleading and implausible.

The reference that the development would be a suitable use of this redundant and non-economic is wrong.

The development would have an adverse impact upon the amenities of the neighbouring property and would detract from the character of the village.

The Old Chapel – objects

The application has not met the requirements of the earlier rejection in that all reasonable efforts to maintain and market the existing equestrian business on the site have not been made.

The site was vacated immediately prior to Relic Homes' purchase of it.

There is demand for equestrian activity in the area.

There is no need for additional housing linked to equestrian activities.

The application and the report are misleading.

The development and use of the Green Belt (that has never been redundant) is contrary to Government policy.

The development would detract from the character of the village.

The maximisation of profit is not a relevant argument to be used in the case.

Flaunden House - objects

The application is inaccurate in several ways.

No evidence has been submitted proving the business is not viable.

No attempt has been made to market and maintain the existing commercial activity on the site.

The proposal would be detrimental to the rural economy and the Green Belt.

The proposal would impact upon the neighbouring properties.

This would result in a precedent.

There is demand for the stables.

The closure of the stables has resulted in the loss of employment.

The viability report is misleading.

There is interest in purchasing the site as a viable concern.

105 Flaunden – objects

The business on the site was viable.

No attempt has been made to maintain the existing activity.

The site has always been as stables and not for agriculture.

Honeysuckle Cottage – objects

Flaunden is a village protected as a Conservation Area within the Green Belt.

The barns were in equestrian use not agricultural use.

No attempt has been made to market and maintain the existing commercial activity on the site.

It seems likely that the developers would seek to develop much of the rest of the site too.

The development is contrary to policy.

Bluebell Cottage – objects

The site has never been used for agricultural purposes.

The information submitted with the application is inaccurate and misleading.

The amenities of the village would be harmed.

The development is contrary to Green Belt policy.

There is a shortage of equestrian facilities in the area.

Hazel Cottage – objects

The application has not met the requirements of the previous refused application.

There is strong demand for equestrian activities in the area.

There is no need for additional residential buildings linked to equestrian activities.

The application and the report are deliberately misleading.

The proposal is contrary to Green Belt policy.

The development would detract from the character of the area.

The maximisation of profit is not a relevant argument to be used in the case.

Birch Lane House - objects

The committee refused the previous application on the grounds that Relic Homes were unable to show that they had complied with the requirement that 'every reasonable effort should be made to maintain and market the existing commercial activity'. The Viability Report analyses alternative uses for the site but fails to address maintaining the existing equestrian business. The report concludes that the alternative uses are not as financially attractive as residential

development, though this is not relevant to the planning application.

The report contains many misleading and inaccurate statements;

- the farm does not comprise a farm establishment
- the extension to the Coach House (4/02292/03/FUL) was granted to ensure that living accommodation is available for equestrian use
- the top barn was extended (4/01912/09/FUL) for storage purposes directly associated with the agricultural use of the site
- the site is only empty and becoming derelict since the previous tenants were evicted upon purchase of the site by Relic Homes in 2015
- the main barn was historically a stable block containing 18 stables
- the annual stable maintenance cost of £500 is not well researched and is overstated
- the application makes assumptions about the Council's view as to the current application
- there are accounts and evidence of the established equestrian business on the site

There are also inaccuracies in statements from previous applications from Relic Homes concerning the site and its history.

The 2015 applications to convert the two barns do not meet the guidelines set out in the National Planning Policy Framework, including;

- development ought to support a prosperous rural economy to create jobs and support the sustainable growth and expansion of all types of business and enterprise in rural areas
- promote healthy communities in delivering the social, recreational and cultural facilities and services the community needs
- protecting Green Belt land by planning positively to enhance the beneficial uses of the Green Belt, for the provision and use of shared space and community facilities such as sports venues, to ensure that established facilities are able to develop and are retained for the benefit of the community and are not built upon unless an assessment has been made that they are not required

Flaunden House Stables have a history of over 30 years established, professional equine use.

The British Horse Society Hertfordshire - Objects

The British Horse Society Hertfordshire have submitted several documents to be considered as part of this application.

- Covering letter with objections dated 31 December, 2015;
6. Commercial History Report dated December 2015;
7. Follow up letter dated 4th January, 2016;
8. Critique of viability report submitted as part of the application.

See Appendix 1 for a full copy of these documents.

The British Horse Society state "It is important that these proposals meet the necessary welfare, legislative and infrastructure requirements to ensure such operations can be well managed".

The British Horse Society ask for the following:

9. Plans to be submitted for approval to demonstrate the stables and the supporting buildings and infrastructure for the operation of the livery yard are in accordance with:
- DEFRA Code of practice for the Welfare of Horses, Ponies, Donkeys and
 - NEWC Compendium for the Welfare of Horses, Ponies and Donkeys.
 - BHS Approval Criteria for Livery Yards.

Hybrids

(Reason: to ensure the livery yard development is suitable for purpose and designed, planned and erected in accordance with advice from an appropriate source of information).

- Details to be provided for designated on-site parking areas for livery yard staff, horse owner's and regular visitors motor vehicles.

(Reason – to prevent offsite parking in a narrow country road and local lanes creating congestion and damage to verges in the rural area - regular visitors will include Vet's, Farriers, Physio's, and Equine Dentists. For the proposed yard a minimum of six defined parking spaces).

- Transport maintained and available on site should emergency veterinary treatment be required.

(Reason - the provision of a trailer and towing vehicle and or horse box is a welfare requirement for the transportation to a Veterinary hospital for sick animals requiring urgent lifesaving surgery if diagnosed by a veterinary surgeon or other competent person).

Considerations

Policy and Principle

The reason for refusal given by the DCC on 6th August, 2015 for the application 4/01123/15/FUL for "conversion of an existing stables to form a single four bedroom house with garage and workshop" was:

By removing an existing equestrian use, the proposal fails to support the rural economy, contrary to Policy C5 of the Core Strategy, and has failed to demonstrate that every reasonable effort has been made to secure a business, recreation or tourism-related reuse, contrary to saved Local Plan Policy 110.

The applicant has addressed the reason for refusal by agreeing and making provision for the equestrian use to be reinstated on the site. The applicant has also provided a Viability Report for the site which considers the viability of other uses such as business, recreation or tourism-related reuse.

The Viability Report states that the proposal will ensure that 14.75 acres (total area is 16.45 acres) of land will be used for equestrian purposes. The DEFRA standards which are supported by the British Horse Society states that each horse requires approx. 1.25-2.5 acres of grazing land. There will be stabling for 16 horses. The horse to grazing land ratio would be 1:0.82 acres. A minimum ratio of one horse per half acre is generally expected so the provision of 16 stables will achieve this standard.

The proposal is providing stabling for 16 horses which is in line with the what the standards require.

The Viability Report concludes by stating that the "conversion of the barns to either storage, office, light industrial, retail or an alternative leisure/recreation use would not only be unviable but would also be detrimental to the existing residential use of the Coach House and the remaining potential equestrian use of the land and would negatively affect the amenity value of nearby residential properties and undermine the rural setting of Flaunden Village".

By ensuring the equestrian use is re-established on the site (via a Unilateral Undertaking) thus supporting the rural economy the proposal now complies with this section (ii) of CS5 of the Core Strategy.

The proposed conversions will be designed in a way which will make minimal external changes to the two buildings thus maintaining the rural character of the buildings and complying with section (i) of CS5 of the Core Strategy.

Strategic Planning consider that the applicant has made a detailed case in support of residential conversion under Policy 110 and taking into account national support for the re-use of buildings in the countryside, particularly for residential purposes.

By providing a Viability Statement prepared by a reputable firm the applicant has demonstrated that every reasonable effort has been made to secure a business, recreation or tourism-related reuse so complies with saved Local Plan Policy 110.

Thus the proposal is appropriate development as described in CS5 (d) "the appropriate reuse of permanent, substantial buildings".

The Government has taken a number of steps to encourage the re-use of rural buildings for residential and other purposes. Given the thrust of national policy, coupled with the proposed development having no adverse impact on the openness of the Green Belt, it is considered that a robust reason for refusal could not be substantiated when considering the impact of the proposed development on the rural economy alone.

The proposed development is in line with recent changes to planning policies at local and national level. The Core Strategy, NPPF and the GPDO now encourage the conversion of rural buildings to residential.

The Coach House

Policy and Principle

The previous planning permission for the Coach House:

4/02292/03/FUL	Extension to Cottage and conversion of adjoining stables. Demolition of tack/feed room. Granted 18/12/2003
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One of the conditions placed on this approval was:

The occupation of the dwelling shall be limited to a person solely or mainly working at Flaunden House Stable or a widow or widower of such a person and to any resident dependants.

Reason: For the avoidance of doubt and to ensure living accommodation is available for the equestrian use which the applicants have previously argued is required.

Application 4/02987/15/FHA for a single storey rear extension to The Coach House has not been determined as yet.

Planning permission could not be granted for an extension to this dwelling while the condition could not be met (ie there was no activity at Flaunden House Stables for the resident to be employed in).

It is proposed as part of this MFA and the attached Unilateral Undertaking that this condition be moved to the 2 bed conversion ie. Barn B. Thus saved Policy 22 of the DBLP can be used to assess the proposed extension.

The site lies within the Green Belt where limited extensions to existing buildings will be permitted provided it has no significant impact on the character and appearance of the countryside and it supports the rural economy and maintenance of the wider countryside.

Green Belt

As the site is located in the Green Belt it is important to consider the five criteria within saved Policy 22 of the DBLP. In this respect it is considered that:

- a) the scheme is compact and well-related in terms of the already approved dwelling, principally because it matches the existing dwelling in terms of design and scale.
- b) the site will have a private amenity space of 165 square metres which will ensure that adequate space around the dwelling remains. The extension will not significantly reduce the area around The Coach House or detrimentally affect the setting of the plot.
- c) the proposed extension is single storey and set to the rear of the dwelling which is already a large gravel area providing amenity space for the existing dwelling so will not be visually intrusive on the skyline or the open character of the surrounding countryside.
- d) the extension would not prejudice the retention of any significant trees or hedgerows.
- e) the extension can be considered limited in size.

Under the previous planning permission 4/2292/03/FUL a 12.64 square metre increase of floor space was allowed. The percentage increase would have been 12%. This was however never constructed.

If the original dwelling is taken as the area allowed to be converted under this application then the floor area of the original dwelling was 108.96 square metres.

The current proposal is for a single storey rear extension totalling 36.54 square metres. This would result in a % increase of 34%.

According to saved Policy 22 of the DBLP limited in size will be judged according to the following:

- **within the Green Belt the resulting building (including any earlier extensions and alterations or replacement) should be less than 130% of the floor area of the original dwelling.**

Based on this advice the extension currently proposed can be considered limited in size.

Effects on appearance of building

As mentioned above the proposed extension will be in character with the existing dwelling in terms of scale and design.

Impact on Street Scene

The site does not have a street scene in traditional terms as it is set back of the road and is well within the Flaunden House Stables site. However as the extension is single storey and set down from the access road it is not considered that the proposal will be visually prominent in any way.

Impact on Trees and Landscaping

There are no significant trees in proximity to the proposal.

Impact on Highway Safety

The means of access is not changing so there will be no impact on highway safety. The proposal provides for two off street parking spaces which is adequate for a 2 bedroom dwelling.

Impact on Neighbours

The single storey rear extension is not in close proximity to any of the adjacent neighbours so will not result in a significant loss of sunlight and daylight. There are new windows at ground floor level in the new bedroom but there is a 1.8 metre close boarded fence along the opposite boundary between the extension and the adjacent neighbour.

As the condition making The Coach House a Flaunden House Stable worker's dwelling will be transferred to Barn 2 using the Unilateral Undertaking this extension can now be assessed under Saved Policy 22. The proposal complies with this policy for the reasons listed above.

Barn A

Policy and Principle

National Planning Policy Framework

Paragraphs 89 and 90 state the following:

The re-use of buildings provided that the buildings are of permanent and substantial construction is not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green. Paragraph 55 states that, in rural areas, local planning authorities should normally avoid isolated dwellings unless there are special circumstances. One such special circumstance identified is where the development would re-use redundant or disused buildings and result in an enhancement to the immediate setting.

Policy NP1: Supporting Development states that the Council will take a positive approach to the consideration of development proposals, reflecting the presumption in favour of sustainable development contained in the National Planning Policy Framework

The Core Strategy Settlement Hierarchy (p41) states that the village of Flaunden is classified as falling within the "Other small village and the countryside" category and is therefore an area of most development constraint within the Borough.

Core Strategy Policy 5 Green Belt states that within the Green Belt, small scale development will be permitted. This includes the appropriate reuse of permanent, substantial rural buildings provided that:

- it has no significant impact on the character and appearance of the countryside; and

- it supports the rural economy and maintenance of the wider countryside.

Saved Local Plan Policy 110 Agriculture and Re-use of Rural Buildings states that permission will not be granted for residential reuse unless every reasonable effort has been made to secure business, recreation or tourism-related reuse.

Local Plan Policy 81 Equestrian Activities

It is important to note that Local Plan Policy 81 and 110 were saved following adoption of the Core Strategy and have not therefore been checked for compliance with the NPPF. Policy 110 has essentially been superseded by the policies of the NPPF when considering the re-use of rural buildings, and only limited weight can be applied to this policy as a result. This has been confirmed with SPAR.

The Town and Country Planning (GPD) (England) Order 2015.

In 2014, the Government introduced new permitted development rights to allow the conversion of certain agricultural buildings to housing through a prior approval process. Up to 450 sq. metres of agricultural buildings can now be converted to provide a maximum of three homes without the need for planning permission. Where applicable the permission would not be affected by the site being within the Green Belt. Whilst the building in question is an equestrian building, these recent changes illustrate the Government's stated desire to increase significantly the supply of housing, including through making use of suitable rural buildings.

The Government has taken a number of steps to encourage the re-use of rural buildings for residential and other purposes. Given the thrust of national policy, coupled with the proposed development having no adverse impact on the openness of the Green Belt, it is considered that a robust reason for refusal could not be substantiated when considering the impact of the proposed development on the rural economy alone. It is therefore considered that the proposed conversion is acceptable in principle.

Impact on Green Belt

The Structural report submitted with the application concludes:

- that the structures of the main building, and that of the feed store and tack room are free from defect and are of substantial and permanent type constructions.
- the building is capable of being converted to a residential dwelling without any major demolition works being necessary.

The proposal will not have any significant impact on the character and appearance of the countryside for the following reasons:

- the footprint of the new dwelling will be smaller than the barn, resulting in an improvement to openness;
- the volume of the new dwelling will be smaller than the barn, resulting in an improvement to openness;
- the amenity space for the dwelling will be within the footprint of the original barn and hidden behind fencing so any residential paraphernalia will not be visible and will not impact on the openness of the green belt;
- the car parking and garage space will be included in the footprint of the original barn;
- the existing car parking area will be removed and returned to grassland, resulting in a visual improvement to the site;
- the dwelling will be serviced by an existing access; and
- minimal changes to the exterior of the barn ie. addition of windows and doors.

Complies with CS 5 Green Belt

This current application is a comprehensive approach for the site which addresses the reasons for refusal given for 4/01123/15/FUL for "conversion of an existing stables to form a 4 bedroom house with garage and workshop".

By ensuring the equestrian use is re-established on the site (via a Unilateral Undertaking) thus supporting the rural economy the proposal now complies with this section (ii) of CS5 of the Core Strategy.

The proposal is appropriate development as described in CS5 (d) "the appropriate reuse of permanent, substantial buildings".

The proposed conversions will be designed in a way which will make minimal external changes to the two buildings thus maintaining the rural character of the buildings and complying with section (i) of CS5 of the Core Strategy.

Strategic Planning consider that the applicant has made a detailed case in support of residential conversion under Policy 110 and taking into account national support for the re-use of buildings in the countryside, particularly for residential purposes.

By providing a Viability Statement prepared by a reputable firm the applicant has demonstrated that every reasonable effort has been made to secure a business, recreation or tourism-related reuse so complies with saved Local Plan Policy 110.

The Government has taken a number of steps to encourage the re-use of rural buildings for residential and other purposes. Given the thrust of national policy, coupled with the proposed development having no adverse impact on the openness of the Green Belt, it is considered that a robust reason for refusal could not be substantiated when considering the impact of the proposed development on the rural economy alone.

Effects on appearance of building

The proposal will change the exterior of the barn somewhat by adding windows and doors but overall the design maintains the rural character.

Impact on the Conservation Area

The proposal is adjacent to the Conservation Area but the barn does not have any historical value.

There will be no adverse impact on the character or appearance of the Conservation Area and so the proposal complies with CS 27.

Impact on Trees and Landscaping

To convert the barn should not detrimentally affect the adjacent trees. It is considered that the tree screen along the western boundary of the site is very important as a visual buffer between the new dwelling and the neighbours on the western side. Retention will be secured by condition.

Impact on Neighbours

The nearest neighbours are Birch Lane House (61 metres away), The Old Chapel (62 metres away) and Flaunden House (101 metres away). Due to the distances it is not considered that there will be any loss of privacy or loss of sunlight and daylight for any of these neighbours.

Amenity Space

Saved Appendix 3 Layout and Design of Residential Areas states that private gardens should have an average minimum depth of 11.5 metres. The proposals garden area falls short of this but has direct access onto the open countryside so this shortfall is not considered significant.

Parking Requirements

Saved Appendix 5 Parking Provision requires that a four bedroom dwelling has 3 parking spaces. The proposal now has 3 parking spaces.

Barn B

Policy and Principle

National Planning Policy Framework

Paragraphs 89 and 90 state the following:

The re-use of buildings provided that the buildings are of permanent and substantial construction is not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt.

Policy NP1: Supporting Development states that the Council will take a positive approach to the consideration of development proposals, reflecting the presumption in favour of sustainable development contained in the National Planning Policy Framework

The Core Strategy Settlement Hierarchy (p41) states that the village of Flaunden is classified as falling within the "Other small village and the countryside" category and is therefore an area of most development constraint within the Borough.

Core Strategy Policy 5 Green Belt states that within the Green Belt, small scale development will be permitted. This includes the appropriate reuse of permanent, substantial rural buildings provided that:

- it has no significant impact on the character and appearance of the countryside; and
- 10. it supports the rural economy and maintenance of the wider countryside.

A previous application 4/01123/15/FUL for Conversion of an existing stables at the Flaunden Huse Stables site to form a single four bedroom house with garage and workshop was refused at DCC on 6 August, 2015. The site for this application is close to the subject site.

The reason for refusal was:

By removing an existing equestrian use, the proposal fails to support the rural economy, contrary to Policy C5 of the Core Strategy, and has failed to demonstrate that every reasonable effort has been made to secure a business, recreation or tourism-related reuse, contrary to saved Local Plan Policy 110.

The current building is physically separated from the above barn (being near to the access with Birch Lane) and is currently used primarily for storage of equipment.

Impact on Green Belt

The Design and Access Statement submitted with the application states:

11. the building has been confirmed to be a permanent and substantial building in a report

from an independent structural engineer who made a visual inspection;

- the building is not of a temporary structure and was built to accommodate agricultural vehicle storage and other ancillary storage uses;
- the residential conversion can be undertaken without substantial demolition works and alterations to the external appearance;
- the structure of the building is well founded with solid walls but requires the construction of internal stud work and better insulation;
- it has two different roof coverings and would benefit from a more unified approach to the roof by replacing those coverings with slates or clay tiles.

The proposal will not have any significant impact on the character and appearance of the countryside for the following reasons:

- the footprint of the new dwelling will be the same as the existing barn;
- the volume of the new dwelling will be the same as the barn;
- the amenity space for the dwelling will be located at the back of the barn which is adjacent to the rear gardens of dwellings facing Flaunden and any residential paraphernalia will only be visible from these dwellings themselves and will not impact on the openness of the green belt;
- the car parking will be at the western end of the dwelling and only visible from the road;
- the dwelling will be serviced by an existing access; and
- the area to be designated as amenity space is already enclosed with fencing (a variety of different types of fencing enclose the rear part of the site).

The amenity space for the dwelling will be located at the back of the barn which is adjacent to the rear gardens of dwellings facing Flaunden. Any residential paraphernalia will only be visible from these dwellings themselves and will not impact on the openness of the green belt as such but it will extend the urban fabric further into the green belt.

Complies with CS5 Green Belt:

By ensuring the equestrian use is re-established on the site (via a Unilateral Undertaking) thus supporting the rural economy the proposal now complies with this section (ii) of CS5 of the Core Strategy.

The proposal is appropriate development as described in CS5 (d) "the appropriate reuse of permanent, substantial buildings".

The proposed conversions will be designed in a way which will make minimal external changes to the two buildings thus maintaining the rural character of the buildings and complying with section (i) of CS5 of the Core Strategy.

Strategic Planning consider that the applicant has made a detailed case in support of residential conversion under Policy 110 and taking into account national support for the re-use of buildings in the countryside, particularly for residential purposes.

By providing a Viability Statement prepared by a reputable firm the applicant has demonstrated that every reasonable effort has been made to secure a business, recreation or tourism-related reuse so complies with saved Local Plan Policy 110.

The Government has taken a number of steps to encourage the re-use of rural buildings for residential and other purposes. Given the thrust of national policy, coupled with the proposed development having no adverse impact on the openness of the Green Belt, it is considered that a robust reason for refusal could not be substantiated when considering the impact of the proposed development on the rural economy alone.

Effects on appearance of building

The proposal will change the exterior of the barn by adding some windows and doors but the changes still maintain the rural character of the building.

Impact on the Conservation Area

The applicant has made some amendments based on the Conservation Officer's comments and any other requirements will be met via condition.

There will be no adverse impact on the character or appearance of the Conservation Area and so complies with CS 27.

Impact on Trees and Landscaping

As there is no extension to the building involved as part of the proposal the trees located near the access should not be affected.

Impact on Neighbours

The nearest neighbours are The Coach House (which is part of the Flaunden House Stables) and the dwellings facing Flaunden.

Due to the distances between the dwellings it is not considered that there will be any loss of privacy or loss of sunlight and daylight for any of these neighbours. There are no side windows proposed looking towards The Coach House which would be the nearest neighbour.

Amenity Space

The amenity space is 650square metres which is considered more than adequate for a 2 bedroom house.

Parking Requirements

Saved Appendix 5 Parking Provision requires that a 2 bedroom dwelling has 1.5 parking spaces. The proposal has 2 parking spaces which is more than adequate.

The British Horse Society has stated that in order for the equestrian use to be viable provision for parking for horse boxes and emergency care visitors will be required. Additional plans were requested and submitted showing provision of parking for this use to be located to the rear of the stables and near to Barn A. Further details will be requested via a condition to any approval granted.

Sustainability

Policy CS29: Sustainable Design and Construction requires that new development will comply with the highest standards of sustainable design and construction possible. The applicants have been asked to prepare a Sustainability Statement.

CIL

Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. This application is CIL Liable.

The Charging Schedule clarifies that the site is in Zone 2 within which a charge of £150 per square metre is applicable to this development. The CIL is calculated on the basis of the net increase in internal floor area. CIL relief is available for affordable housing, charities and Self Builders and may be claimed using the appropriate forms.

RECOMMENDATION – That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions for the following reasons:

- 1 The development hereby permitted shall be begun 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match in size, colour and texture those used on the existing buildings.**

Reason: To ensure a satisfactory appearance to the development and to comply with CS 11,12 and 27.

No development shall take place until full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:

- **hard surfacing materials;**
- **means of enclosure;**
- **soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;**
- **trees to be retained and measures for their protection during construction works;**
- **car parking layouts and other vehicle and pedestrian access and circulation areas;**
- **minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc);**
- **proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc);**
- **retained historic landscape features and proposals for restoration, where relevant.**

The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area and to comply with CS5,11,12 and 27.

- 4 **Prior to the commencement of the development hereby permitted a Phase I Report to assess the actual or potential contamination at the site shall be submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.**

For the purposes of this condition:

A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.

A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.

A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.

- 5 **Prior to commencement of development the refurbishment of the stables as described in the application must be completed.**

Reason: To comply with CS5 with particular reference to supporting the rural economy.

- 6 **Prior to commencement of development plans to be submitted for approval by the local planning authority to demonstrate the stables and the supporting buildings and infrastructure for the operation of the livery yard are in accordance with:**

DEFRA Code of practice for the Welfare of Horses, Ponies, Donkeys and Hybrids.

NEWC Compendium for the Welfare of Horses, Ponies and Donkeys.

BHS Approval Criteria for Livery Yards.

Reason: to ensure the livery yard development is suitable for purpose and designed, planned and erected in accordance with advice from an appropriate source of information.

- 7 **Detailed proposals for the fire hydrants serving the development as incorporated into the provision of the mains water services for the development whether by means of existing water services or new mains or extension to or diversion of existing services or apparatus shall be submitted**

to and approved in writing by the Local Planning Authority prior to the commencement of the development and in accordance with the approved details thereafter implemented prior to occupation of any building forming part of the development.

Reason: To enable appropriate development to occur, ensure a safe, sustainable form of development which provides for its own infrastructure for fire emergencies in accordance with core strategy policies CS1, CS4, CS12 & CS29.

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (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 1 Classes [A, B, C, D, E, F and G]
Part 2 Classes [A, B and C].**

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality.

Reason: In the interests of safeguarding the openness of the Green Belt; the rural character of the building and the site; and the visual amenity of the surrounding countryside. The proposed development comprises of the conversion of two agricultural buildings in a rural area and it is important for the local planning authority to retain control over certain future development which would normally represent permitted development, in order to safeguard the rural character of the surrounding countryside.

- 9 The occupation of the two bed conversion shall be limited to a person solely or mainly working at the stables located immediately north-east of the dwelling or a widow or widower of such a person and to any resident dependants.**

Reason: For the avoidance of doubt and to ensure that the stables opposite will be retained and offered to local people for the stabling of their horses.

- 10 No development shall take place until details of the materials to be used in the construction of the external surfaces of the extension to The Coach House hereby permitted shall have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

Reason: To ensure a satisfactory appearance to the development and to comply with CS 11 and 12.

Reason: In the interests of the visual amenities of the Conservation Area and to comply with CS 27.

- 11 Prior to commencement of development a Business Plan for the equestrian use must be prepared and approved by the local planning authority.**

Reason: To comply with CS5 with particular reference to supporting the rural economy.

- 12 The development hereby permitted shall be carried out in accordance with the**

following approved plans/documents:

Design and Access Statement

Heritage Statement

CIL Form

Site Location Plan P7 001

P7 100 Existing Site Plan

P7 201

P7 200

P7 202

P7 203

P7 300.A

P7 400

P7 401

Master Plan 15.149.P7.500 - showing proposed ownership of land parcels.

Unilateral Undertaking - tying Barn B and all land not under the ownership of Barn A and The Coach House to the stables for the equestrian use

Viability Report

EIA Analysis and screening proforma

Additional information:

Site Plan No. 15.149.P7.700

Proposed Plans and Elevations (Barn 2) No. 15.149.P7.301 Rev B submitted on 8/3/16

Car and horse Trailer parking Plan No. 15.149.P7.600

Photographs of current existing stables and areas intended to be repaired and restored as part of the application.

Covering letter setting out further information and confirming that the applicant is prepared to submit a business plan for the future management of the proposed equestrian use on the site to the Council for its written approval as part of a planning condition.

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

Article 35 Statement:

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Informatives:

Highways:

AN1. The applicant is advised that storage of materials associated with the development should take place within the site and not extend into within the public highway without authorisation from the highway authority, Hertfordshire County Council. If necessary further details can be obtained from the County Council Highways via either the website <http://www.hertsdirect.org/services/transtreets/highways/> or telephone 0300 1234047 to arrange this.

AN2. The developer should be aware that the required standards regarding the

maintenance of the public right of way and safety during the construction. The public rights of way along the carriageway and footways should remain unobstructed by vehicles, machinery, materials and other aspects of construction works.

Transport maintained and available on site should emergency veterinary treatment be required.

(Reason - the provision of a trailer and towing vehicle and or horse box is a welfare requirement for the transportation to a Veterinary hospital for sick animals requiring urgent lifesaving surgery if diagnosed by a veterinary surgeon or other competent person).

Protected Species:

- "Bats and their roosts remain protected at all times under National and European law. If bats or evidence for them is discovered during the course of works, work must stop immediately and advice sought on how to proceed lawfully from Natural England (Tel: 0300 060 3900) or a licensed bat consultant."
- "Site clearance should be undertaken outside the bird nesting season, typically March to September (inclusive), to protect breeding birds, their nests, eggs and young. If this is not possible then a search of the building/surrounding vegetation should be made by a suitably experienced ecologist and if active nests are found, then works must be delayed until the nesting period has finished."

It is possible that bats may be using areas of the existing building.

UK and European Legislation makes it illegal to:

Deliberately kill, injure or capture bats;

Recklessly disturb bats;

Damage, destroy or obstruct access to bat roosts (whether or not bats are present).

If bats or evidence of them are found to be present a licence will be required before any relevant works can be undertaken and this will involve preparation of a Method Statement to demonstrate how bats can be accommodated within the development.

If bats are discovered during the course of any works, work must stop immediately and Natural England (0300 060 3900), Bat Conservation Trust Helpline (0845 1300 228) or the Hertfordshire & Middlesex Bat Group Helpline (01992 581442) should be consulted for advice on how to proceed.

Thames Water:

In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Appendix 1:

31 December 2015

Dear Ms Palmer,

**Dacorum Planning Ref: 4/03481/15/MFA
Conversion of two stables and extension to The Coach House at Flaunden House
Stables .**

On behalf of the British Horse Society Hertfordshire Committee, I enclose for your attention a comprehensive history of the ownership and commercial business activities for Flaunden House Stables and Equestrian Centre over the past 30 years. Due to the tight deadline and restrictions created by the holiday periods the report is forwarded direct to you at the request of Ms Lynn Myland the current BHS Herts County Chairman.

The BHS Hertfordshire Committee requests that the above planning application for change of use be refused in in light of misleading information in the application and supporting documentation.

The report was researched and produced following complaints received from Society members evicted from the above venue as a result of the purchase and immediate closure of the equestrian business. This confirms the view that the above and previous planning applications are inaccurate and misleading in a great number of ways. In particular the applications are incorrect by suggesting the American Barn and stables at this this equestrian venue have an agricultural status. For example:

The following key statements of the application (page 6 para 4) do not reflect the data available:

1. *“the applicant has since established that there was no viable equestrian business here; no records held in Companies House; and no accounts submitted”.*
As shown in the report a simple search on the internet for Flaunden House Stables revealed a number of records at Companies House and they indicate accounts submitted. A search also revealed St Albans Valuation Office records show this venue is assessed as a business unit and non-domestic rates apply. No rate relief records were found for agricultural buildings.
The owners of the livery yard businesses renting the large barn and buildings from 1999 confirm their operations were both viable and they paid business rates direct to Dacorum Borough Council.

2. *“Hamptons confirmed they did not market the site as a business”.*
The Hamptons Equestrian Sales Literature for the venue states:
“A viewing is essential to appreciate the impressive equestrian set up that is currently operational and could provide a business revenue”.

This statement clearly indicates the venue was marketed to be attractive to either:

1. A buyer requiring a self-contained equestrian competition yard.
2. A buyer keen to find and purchase an established operational equestrian business.
3. A private buyer seeking established equestrian premises and land.

In the 1980's and 90's Flaunden House and stables and land was a successful yard operated by professional showjumpers. It was sold in 1998 to a developer who eventually sold off the main house and a few acres but retained and rented out the yard, stables and majority of the land. Eventually the yard was sold in 2009 and returned to being a competition yard. The new owners continued renting the American Barn stables and land to the established livery yard business owner.

In 1998 the owners who had purchased Flaunden house and equestrian venue installed 18 internal stables in the larger barn and rented this and other facilities to a Limited Company

operating a livery yard business. It appears the developer may have failed to apply for permission for change of use.

It is suggested locally that you are aware of this and accept with the passage of time of some 15 years the initial unapproved change of use to commercial equestrian premises has become valid.

No doubt you would have expected an application to be made for a Certificate of Lawful Use to regularise the situation, as presumably would a solicitor handling a sale or purchase of the property.

We suggest the Barns with stables, rated as non-domestic premises, housing horses from 1999 until 2015, cannot be classed as agricultural buildings as is claimed in the planning applications.

Local information confirms that the yard, house, stables and land were then put up for sale due to the owner's illness, with completion taking place in May 2015.

Relic Homes applied for planning permission in March 2015 claiming a change of use from "agricultural buildings, unlawfully used as stables", to domestic use. As has been reported they required as a condition of purchase – vacant possession of all the premises prior to completion.

This in effect closed a viable rural commercial equestrian business considered locally as a community asset also involving the loss of a number of local rural jobs. This is hardly in line with national, county or borough strategies and policies for rural areas. Worthy of note, is a previous livery business owner for this site, who took time out to raise a family, approached the new owner of the venue and explained she was keen to rent the stables and restart her business but heard nothing for months.

At some stage after taking possession Relic Homes demolished the stables and fittings in both barns and removed much of the supporting infrastructure required to operate the remaining stables.

The current planning application suggests that some remaining stables and some land could be designated for local livery purposes. It is important that these proposals should include the necessary supporting infrastructure to ensure that such operations could be run successfully. A further letter will follow dealing with both this issue in more detail and the 106 Agreement and include our comments on the Commercial Appraisal report – only just received.

We trust you will find the above information useful and should you require clarification on any points please do not hesitate to contact either the undersigned, the BHS Hertfordshire Committee or the Society's Regional Development Officer. Details can be obtained from the following website:

<http://www.bhs.org.uk/bhs-in-your-area/east-of-england/hertfordshire>.

**Report produced for The Hertfordshire Committee of the British Horse Society
Flaunden House Stables re: – Dacorum Planning Ref: 4/03481/15/MFA
December 2015.**

Background

Flaunden House with its Stables, Equestrian Centre and land have been successfully managed for over 30 years by professional horse owners and independent proprietors.

Records available from The Land Registry, Companies House, Dacorum Borough Council, the Valuation Records Office St Albans (VRO) and Electoral Roll demonstrate the ownership and continuous operation of professional and commercial equestrian businesses at this location:

This included the keeping, breeding, buying and training of horses, plus the sale of competition horses, the provision of livery services and the trading of bloodstock.

Professional instructors regularly used the arena for training and education clinics for local livery yard clients and visiting horse and pony club owners.

Current Status

Flaunden House and some adjacent land was sold in 2006. The remaining Equestrian venue and stable yards include a residential house plus outbuildings and 16.5 acres of fenced land. This continued as an ongoing mix of equestrian businesses until the latest change of ownership.

The new and current owners required vacant possession; the horses and tenants were evicted by the time of completion and change of ownership in May 2015.

The result was the closure of both a long established rural business plus the loss of a number of full and part time local rural employment positions.

The equestrian complex and livery yards contained four separate stable blocks.

1. The large American style barn with 18 internal stables.
2. 4 stables in a small unit by the American Barn at the end of the arena.
3. 12 stables arranged in the traditional U shape around a central yard.
4. The top barn partially converted to include 4 stables within the past 5 years.

Chronological History.

In the 1980's Flaunden House and the associated land, stables, coach house and outbuildings were owned and managed by Mr & Mrs Meyerding.

Lutz Meyerding - a businessman and professional showjumper kept horses in the upper stable yard and trained these in the arena (manege). His business interests also included importing horses and bloodstock from the continent and he was a director of a number of companies including Peden Bloodstock Ltd (Company number

Susan Meyerding also dealt in horses and bred from her brood mares, who with their foals were stabled in the large barn with open sides configured with a series of corrals and pens using hurdles and gates.

This configuration is confirmed by Mr D Burgin of Flaunden who amongst others delivered straw and hay direct to the corral type stables within the barn in the mid 1980's.

Tim Stockdale (now an established British Olympic showjumper and trainer) then joined them and took up residence at the Flaunden House yard in order to gain further experience and be trained and coached by Lutz Meyerding. This is confirmed in his brief biography in the Nottingham Trent University archives following the award of an Honorary Masters degree. Tim was well known in the village for some years and kept his large horsebox on site – travelling around the UK and continent to competitions.

Tim Stockdale initiated evening and day time training classes including jumping lessons, horsemanship and horse management for owners visiting the yard with their own horses and ponies. No doubt providing a useful source of extra income and set the precedent for his youth

development training and coaching clinics that continue to this day.

Tim Stockdale moved on to be replaced by two more Professional showjumpers with horses, Stuart Harvey and then Philip Spivey, who rented the whole yard complex. Both of whom became very successful international showjumping competitors and trainers.

Mrs. Sue Featherstone, a British Horse Society Registered Instructor and Chief Examiner, confirms she undertook freelance teaching to owners on their horses at Flaunden House yard when Philip Spivey was in residence. Mrs. Featherstone, as well as examining local BHS candidates, regularly taught and trained clients at the regions equestrian centres.

Philip Spivey joined Tim Stockdale on the prestigious showjumping team sponsored by Traxdata.

In 1998 Flaunden house, land, stables, coach house and associated outbuildings were sold to new owners - Mr & Mrs Goldie. It is understood that Lutz Meyerding moved to America and he and Susan Meyerding separated (*see note below*).

Mr & Mrs Goldie were directors of the property developers, Huntley Construction and took up residence in Flaunden House with their family. They modified the large barn - removed the corral pens, erected solid external walls and fitted out the inside with stables in an American barn style.

In Feb 1999 they rented out the American Barn and part of the land to The Equestrian Trading Company Ltd run by Sarah Franklin. She used the barn for her "Equus business" and with her staff operated a full and part livery service to local horse owners.

Records show non-domestic business rates for Flaunden House Stables increased following the

Five year VRO re-assessment that took place for premises in England and Wales in 2004.

Mr & Mrs Goldie rented out the remaining 12 stables on the top yard to local horse and pony owners on a simple DIY livery basis. Grooms from the American barn provided services at times to the DIY clients whilst others used local grooms including Miss Tammy Bright who kept her horse at the yard. This included the turning out or bringing horses in from their exercise fields during the day, particularly when DIY clients were unable to attend.

The open area of the top barn opposite the stables was used as a store by local feed, hay and straw merchants who sold small lots of the items to the DIY Clients. At some stage the tack room and DIY support facilities at the coach house were rebuilt in the feed barn store.

In 2006 Sarah Franklin moved with her business to the South West and the American Barn livery business was taken over by Pelly Kouzelis also renting the premises from Mr & Mrs Goldie and she continued paying the "business rates" direct to Dacorum Borough Council.

In 2006 Mr & Mrs Goldie also sold Flaunden House along with a smaller parcel of adjoining land and moved into the nearby Honeysuckle cottage. They retained the yard and stables and continued to rent out the stable blocks, the American Barn and remaining land.

In 2009 Mr & Mrs Goldie put the equestrian yard and remaining land up for sale. The sale was completed in December 2009 with the new owners being Mr & Mrs Turner.

Brian and Georgina Turner moved in with their Hackney horses and carriages. They are well known long established trainers of Hackney horses. Georgina judged at horse shows around the UK and has for many years competed at national hackney carriage driving competitions including the Horse of The Year Show.

They ran the business by continuing renting out the large barn to Pelly Kouzelis for her business whilst the Turners managed the DIY stables and clients. However their long experience and professional knowledge enabled them to improve the type of service to DIY clients with advice and assistance at times on horse management and welfare requirements.

In order to segregate and ensure no harm came to their Hackney horses from mixing with the livery client's horses - they rebuilt and converted much of the top barn to stables for their exclusive use and also operated a segregated exercise regime. They invested more capital in the business and erected a further storage barn specifically for equestrian storage purposes.

They also supported the continuation of on-site clinics and training by visiting professional trainers and coaches for clients at the yard plus outside horses/owners and this continued up until 2015.

Mr & Mrs Turner advertised the equestrian complex for sale including the domestic accommodation and land and completed the sale in May 2015.

Hamptons Equestrian sales literature includes "A viewing is essential to appreciate the impressive equestrian set up that is currently operational and could provide a business revenue".

Notes

In March 2015 the purchaser applied, in advance of the May 2015 completion and change of ownership, for planning permission for a change of use to convert a number of what became the vacant commercially rated outbuildings (demolished stables) to domestic dwellings. No record can be found of any attempt to secure a commercial business, equestrian or otherwise, for the site despite the local high demand from horse owners for properly managed equestrian livery premises.

Planning permission was eventually refused by Dacorum Borough Council Development Committee.

Pelly Kouzelis, has approached the new owner about the possibility of the yard being reopened and or used again but has yet to receive a clear answer. It is understood the domestic accommodation in the coach house has been let to tenants.

Information:

Professional Trainers who worked with clients at the yard include:

<i>Ernest Dillion.</i>	<i>Fellow British Horse Society Specialises in Horsemanship and all aspects of training & coaching.</i>
<i>Chris Haywood.</i>	<i>British Horse Society - instructor. Production of riders at all levels – former riding master Household Cavalry.</i>
<i>Louise Spate</i>	<i>International Dressage rider, judge and coach. Coaches at all levels from Pony Club through to National levels.</i>
<i>Lisa Keys.</i>	<i>British Horse Society - instructor. International Event Rider – teaches all levels including Pony Club.</i>

For information:

<i>Susan Ricketts</i>	<i>Sue (Meyerding) is married to Derek Ricketts – co selector with</i>
<i>Di Lampard</i>	<i>for the UK show jumping 2015/16 European and Olympic team.</i>

4 January 2016

Dear Ms Palmer,

**Dacorum Planning Ref: 4/03481/15/MFA
Conversion of two stables and extension to The Coach House at Flaunden House Stables.**

On behalf of the British Horse Society (BHS) Hertfordshire Committee, I now provide the further information as promised in our report and letter 31 Dec 2015.

This is to address the proposed Section 106 agreement for the above application plus some additional information received over the holiday period. We have yet to complete our observations on the Aitchison Raffety Viability Report circulated on 24 December and will forward this separately.

Section 106 Agreement.

The current planning application suggests that some remaining stables and some land could be designated for local livery purposes. It is important that these proposals meet the necessary welfare, legislative and infrastructure requirements to ensure such operations can be well managed.

You will be aware that a large number of Local Planning Authorities, particularly in areas with a large equine population, have produced and adopted Local Policy Guidelines (LPG) to assist them in determining both planning applications for recreational and commercial riding establishments or livery yards and the production of accompanying Section 106 agreements.

A number of the common features in the DEFRA and the National Equine Welfare Council (NEWC) guidelines and the LPG's are highly appropriate for the above application and we request the three items underlined below are included in the Section 106 agreement/deed proposed:

Plans to be submitted for approval to demonstrate the stables and the supporting buildings and infrastructure for the operation of the livery yard are in accordance with:
DEFRA Code of practice for the Welfare of Horses, Ponies, Donkeys and Hybrids.
NEWC Compendium for the Welfare of Horses, Ponies and Donkeys.
BHS Approval Criteria for Livery Yards.

(Reason: to ensure the livery yard development is suitable for purpose and designed, planned and erected in accordance with advice from an appropriate source of information).

Details to be provided for designated on-site parking areas for livery yard staff, horse owner's and regular visitors motor vehicles.

(Reason – to prevent offsite parking in a narrow country road and local lanes creating congestion and damage to verges in the rural area - regular visitors will include Vet's, Farriers, Physio's, and Equine Dentists. For the proposed yard a minimum of six defined parking spaces).

Transport maintained and available on site should emergency veterinary treatment be required.

(Reason - the provision of a trailer and towing vehicle and or horse box is a welfare requirement for the transportation to a Veterinary hospital for sick animals requiring urgent lifesaving surgery if diagnosed by a veterinary surgeon or other competent person).

Additional information received and verified following our report and 31 Dec letter.

Flaunden House stables and land as has been demonstrated was a professional show jumping

and horse breeding establishment in the 1980'/1990's and then became a long established commercial equestrian venue until the purchase, closure and eviction of tenants and horses in April/May 2015.

We understand the LPA had asked Relic Studio to provide: *strong evidence that every reasonable effort has been made to secure business, recreation or tourism-related reuse, before residential conversion is considered.*

Our extensive enquiries found no evidence of this having taken place amongst recreational riders a number of whom kept their horses for many years at this equestrian venue.

We wish to place on record that two local experienced livery yard managers made enquiries expressing an interest to rent or lease all or part of the equestrian premises and land.

They heard nothing from Relic for a long period of time but by then partial demolition of the yard infrastructure had taken place plus land maintenance had been abandoned resulting in a site looking semi derelict. Local contractors have suggested it would not take long to restore the land and surrounds back to good order given suitable weather conditions.

We also understand Dacorum Borough Council include the following as part of their policies: *An applicant for planning permission may seek to demonstrate through an independent assessment that the land or buildings are surplus to requirements. Developers will need to consult the local community and demonstrate their proposals are widely supported by them.*

We understand the Developers have met with the local parish council and some residents but learn that they did not support the proposals.

As indicated above no evidence can be found of the developer consulting with the displaced horse owners or business tenants from the equestrian venue they purchased.

We assume the independent assessment is the Aitcheson Rafferty Viability Report - Relic Studio forwarded to the LPA circulated as a public document on 24 Dec 2015.

Our comments and observations as previously indicated will be forwarded separately.

It remains our opinion that this venue should remain in equestrian use and the provisions requiring the Coach House to be used in conjunction with this activity be maintained.

4 January 2016

Dear Ms Palmer,

**Dacorum Planning Ref: 4/03481/15/MFA
Conversion of two stables and extension to The Coach House at Flaunden House
Stables.**

**British Horse Society Hertfordshire – observations on the Aitcheson Rafferty –
Viability Report.**

We regret to note that this Viability Report is incomplete and repeats the misleading and inaccurate information included within and submitted with the above application.

The author in 2.1 of the Viability Report describes this venue as a farm establishment set within 16.5 acres of land, despite evidence readily available from a few simple searches and local enquiries that it is a long established equestrian centre.

In 10.2 the report states:

There is no evidence of any previous viable equestrian business at the Property, and no records of any business operating at the Property at Companies House. No accounts have been produced. Any previous equestrian use must have been on a low key basis.

The following clearly demonstrates the errors in these misleading statements.

This venue is well documented in a variety of records as having been an established professional showjumping equestrian yard with four international riders in residence from the early 1980's until the early 2000's. Three of whom represented GB teams internationally and one as part of the British Olympic Team. The contact details of the three riders are available from The British Show Jumping Association should the LPA require them to provide confirmatory evidence.

Companies House records a number of companies registered at this address for this period but we have assumed the accompanying accounts to be irrelevant for this exercise.

The equestrian venue was sold in 1998 to Mr & Mrs Goldie who leased and rented out the stables and the large American barn as livery yards to commercial equestrian businesses and individual tenants. They later sold Flaunden House and some land but retained possession of the coach house, stables and the majority of the land - trading as Flaunden House Stables.

Companies House records show Mr & Mrs Goldie at Flaunden House as Directors of Huntley Construction Limited – General Construction, Civil Engineering and Property Developers. The last annual return was shown to be in 1999 and the company was dissolved in 2002. Companies House records show Mr Goldie was a director of Crownband Limited registered and recorded as - Management of Real Estate. The records show accounts were made up to 2008, 2009 and 2010 for a dormant company and in Jan 2012 an application was submitted to have the company struck off. It is our understanding that accounts for such companies when struck off are forwarded to HM Revenue and Customs and will not be available in the Companies House Records.

It is not known where Mr Goldie recorded the income derived from Flaunden House Stables and as he and his wife moved abroad some years ago it has not been possible to obtain any further information.

Companies House records also show Sarah Franklin of The Equestrian Trading Company Limited was trading at Flaunden House Stables from 1999 to 2006. The company is still in

existence but relocated to Tiverton, Somerset in 2006. Accounts are available.

The Equine Chartered Physiotherapist Mrs Lorna Skinner MCSPC. HPC MBacC ACAPT has records to demonstrate she has treated clients horses at the yard from 1991, initially at the request of a veterinary surgeon of Park Veterinary Centre. She entered into a contract with Mr Goldie to rent 8 stables in the American barn for 2004 and 2005 for her own horses and as a rehabilitation unit for clients' horses. She continued with regular visits to the yard to treat clients' horses up until shortly before the then new yard owners Mr & Mrs Turner left. Mrs Skinner now divides her physiotherapy practice time between her many clients in and around SW Herts. and her stables in Derbyshire.

Both Lorna Skinner and Sarah Franklin paid business rates for the commercial premises (stables) to Dacorum Borough Council.

Ms Kouzelis rented the American barn from 2006 to operate her livery business, paying rent initially to Mr & Mrs Goldie and then to the new owners - Mr & Mrs Turner. She paid business rates direct to Dacorum Borough Council.

As she and Mrs Skinner are sole traders their accounts are submitted to HMRC and are not available as public records.

The equestrian venue was purchased by Mr & Mrs Turner in 2009 and whilst Companies House records show Georgina Turner as a director of the Hackney Horse Society based at Flaunden House Stables, the accounts are those of the Society and therefore not relevant.

Mr & Mrs Turner sold the business due to illness and moved to Devon. We assume the accounts for their professional Hackney Horse training yard and the continuing livery business they controlled were also declared as sole traders.

In view of the fact that the author of the Viability Report was not able to take the above information and commercial operations of this venue into account we suggest the conclusions are incomplete as it fails to provide an assessment of the potential to retain the venue as a viable equestrian venue and livery yard and the estimated revenue.

Prior to receipt of the Viability Report we had already researched the supply and demand for livery yards in this area and confirm there is a shortage of such yards and most have waiting lists and no vacancies. There is a high demand from amateur competitive riders who seek a venue with good training facilities through to recreational riders with less demanding requirements.

The British Horse Society members who were evicted from Flaunden House Stables have maintained a social media group and with others in the group have provided Flaunden Parish Council with names of the horse owners keen to return to this equestrian venue should it reopen.

Flaunden House Stables prior to the latest purchase operated as a long established livery yard and equestrian centre. Our enquiries reveal a number of local livery yards of a similar size with about 30 stables, have been operating for many years as viable businesses. Some registered with local authorities where they also hire out horses and others only provide livery services ranging from full livery to DIY livery.

We also checked with two yards and a local builder who provide maintenance services to farms and equestrian yards as to what level of annual maintenance costs they would apportion per stable. They could not immediately provide a definitive answer but suggested the figure of £500 per stable quoted in the Viability Report was fanciful and unrealistic. The builder suggested the figure probably applied to a large firm of contractors who operated

in the commercial buildings sector changing high man hour and travelling costs that would be an unattractive supplier to a rural equestrian business.

It is our conclusion from the information we have obtained that Flaunden House Stables has the potential to remain as a viable equestrian commercial business.

We therefore suggest that the current owners should actively market the site in this manner as required by Dacorum Borough Council and the latest planning application be refused.

The Coach House domestic accommodation has a long standing restriction in place that it can only be used in conjunction with the equestrian establishment. We strongly recommend that this be retained and be continues to be occupied by a proprietor or their staff to fulfill this requirement.