

Part I

Executive Member: Councillor Perkins

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 7 DECEMBER 2017
REPORT OF THE EXECUTIVE DIRECTOR (PUBLIC PROTECTION, PLANNING AND GOVERNANCE)

6/2016/2606/FULL

THE BELLBROOK, BULLS LANE, HATFIELD, AL9 7AZ

ERECTION OF TWO BOX STABLE BUILDING AND MANEGE FOR PRIVATE EQUESTRIAN USE WITH HARDSTANDINGS FOR STABLE YARD, PARKING AND TURNING, WITH ACCESS TRACK TO STABLES

APPLICANT: Mr Hassan

AGENT: Mr D Cookson

(Welham Green and South Hatfield)

1. Site Description

- 1.1 The application site comprises two parcels of land in the ownership of the applicant but in different uses. The first is a field located on the north side of Bulls Lane. It is in the Green Belt and is accessed from Bulls Lane by an unsurfaced access point and has a history of use for pig farming and horse grazing and there is an expired planning permission for stabling and manege on the field. It is considered that the lawful use of this land is agriculture. The eastern end of the field is planted with a row of evergreen trees, which mark the boundary with the garden of The Bungalow and part of the boundary with Nirvana.
- 1.2 The north east corner of the field is loose-surfaced hardstanding. The area was not included in the residential curtilage as approved (Ref No S6/2007/1540) or on the plan attached to the S106 Agreement dated 17.10.2008. This triangular piece of land sits between the grassed area of the field and the residential curtilage of Bellbrook and its lawful use is agricultural. It has not been included in the application site.
- 1.3 The second parcel is the residential curtilage; the house and garden beyond the north east corner of the field, known as Bellbrook. The boundary between the residential curtilage and the field was marked by a three-bar post and rail fence. This has been moved from its authorised position to a new position within the field between the loose-surfaced hardstanding and the grassed area of the field. The house has an existing right of access running east from the house then turning 90 degrees to the south and joining Bulls Lane via a gate, which is set back approximately 15m from the carriageway of Bulls Lane. This access is shared with the users of The Bungalow and Nirvana.
- 1.4 The applicant had constructed a 45m long and 5m wide driveway to his residential property from Bulls Lane across the east end of the field and across the hardstanding. The gated access from Bulls Lane to the field relates to previous agricultural uses. However, the driveway that leads from this access point across the field to the residential curtilage has been the subject of a

planning application and subsequent planning and enforcement appeals. Both appeals were dismissed on the basis of inappropriate development (change of use to residential) in the Green Belt, and the impacts on openness of the Green Belt caused by encroachment into the countryside and the visual impacts on the character of the area.

- 1.5 The current application has been submitted following discussions between the Applicant and Officers of the Council.

2. The Proposal

- 2.1 Full planning permission is sought for the erection of a building containing two stables, a tack room and a section for storage of hay (and a tractor, which is currently used to crop the grass). The building is for the use by the occupiers of Bellbrook house for their own recreation. The stable building would be located at the eastern end of the field, set off the rear boundary of The Bungalow and Nirvana and orientated to enable natural surveillance of the stables from the residential property.
- 2.2 The building would be L-shaped, approximately 12m wide with a depth of 3.55m and would be single storey, of timber construction with a pitched, ridged roof (3.4m high) with an eaves height of 2.3m. The roof materials are not specified but could be controlled by condition.
- 2.3 The proposal would use the existing unauthorised residential access drive from Bulls Lane, reduce its width from 5m to 3.7m and create a turning head/horse box parking area at the northern end. The surface of the access route would be changed from compacted gravel to grass-crete.
- 2.4 The proposal involves use of the access to service the stable. It would stop 5m short of the existing fence on the boundary of the application site.

3. Reason for Committee Consideration

- 3.1 This application is presented to the Development Management Committee because North Mymms Parish Council has objected to the application

4. Relevant Planning History

- 4.1 6/2017/1999/HOUSE – Erection of single storey extension. Under consideration.
- 4.2 6/2016/2493 - Erection of two box stable building and manege for private equestrian use with hardstandings for stable yard, parking and turning, with access track to stables and host dwelling. Withdrawn 7.12.2016.
- 4.3 S6/2015/1029/PA - Erection of ground floor extension to existing bedroom to accommodate bathroom with disabled access. Refused 18.9.2015 – adverse impact on openness and, therefore, harm to Green Belt not outweighed by special circumstances.
- 4.4 S6/2014/0347/FP - Formation of wooden decking patio to the rear of dwelling. Withdrawn 30.7.2014.
- 4.5 S6/2014/0124/LUE - Certificate of lawfulness for the retention of detached building known as 'the old barn'. Refused 9.6.2014.

- 4.6 S6/2012/2427 - Non material amendment following approval of planning permission S6/2012/0441/FP - Replacing the Porch with a reduced size open canopy and new Dormer window to the front elevation. Granted 13.12.2012.
- 4.7 **S6/2012/1648/FP** - Change of use of land from agriculture to residential to create additional vehicular driveway from Bulls Lane to existing dwelling (Bell Brook). Refused 13.12.2012. Appeal Dismissed 16.1.2014 on grounds of erosion of openness and inappropriate development in the Green Belt.
- 4.8 S6/2012/1192/NM - Non material amendment following approval of planning permission S6/2012/0441/FP - Additional window to side elevation and lower the height of the dormers on the front. Granted 18.7.2012.
- 4.9 S6/2012/0441/FP – Erection of rear extension and alterations. Granted 26.4.2012.
- 4.10 **S6/2007/1540/MA** - removal of planning condition 1 from previous planning permission S6/2002/1780/FP. Granted subject to Unilateral Undertaking regarding fence location.
- 4.11 White Lodge Farm (including Bell brook, The Bungalow) **S6/2007/0509/FP** - erection of stables, haystore, stables & tack room. Formation of ménage with paddock fence. Granted 21.5.2007.

Enforcement

- 4.12 ENF/2013/0430 – Operational development – construction of access driveway. Appeal dismissed on grounds of inappropriate development, impact on openness and on character of the area and the harm to the Green Belt not being outweighed by very special circumstances. The Enforcement Notice was upheld and amended to instruct: removal of the driveway and substructure and restoration of the land to its previous condition.

5. Relevant Planning Policy

- 5.1 National Planning Policy Framework
- 5.2 Welwyn Hatfield District Plan 2005
- 5.3 Supplementary Design Guidance, February 2005 (Statement of Council Policy)
- 5.4 Supplementary Planning Guidance, Parking Standards, January 2004
- 5.5 Interim Policy for Car Parking Standards and Garage Sizes, August 2014
- 5.6 Planning Obligations, Supplementary Planning Document, February 2012

6. Site Designation

- 6.1 The site lies within the Green Belt as designated in the Welwyn Hatfield District Plan 2005. It also lies within the Potters Bar Parkland Landscape Character Area.

7. Representations Received

- 7.1 The application was advertised by means of neighbour notification letters for 21 days. One response was received from a neighbouring property.

7.2 The received comments may be summarised as:

- The Unilateral undertaking from 2007 prohibits a new residential driveway in the proposed location.
- The shared access is an adequate width.

7.3 A response was also received from North Mymms District Green Belt Society and can be summarised as follows:

- Other horse-riding and stabling nearby – need can be met by existing facilities
- Stables would be more prominent than previously approved ones and create additional access point and driveway
- No compensatory demolition is proposed
- No very special circumstances exist to outweigh the harm to the Green Belt
- Additional planting around the driveway would impact on the openness
- Further built form in the Green Belt contrary to NPPF
- Cumulative impact would urbanise the predominantly rural character
- Represents encroachment of development into countryside

8. Consultations Received

8.1 **Hertfordshire County Council Transport Programmes and Strategy (HCCTPS)** - no objection subject to conditions requiring visibility splays for a 60mph road at the access and no structure overhanging the highway.

8.2 **Welwyn Hatfield Borough Council Public Health Department (EH)**- no objection subject to conditions over lighting and odour management

9. Town / Parish Council Representations

9.1 North Mymms Parish Council object to the application on the following grounds:

“The proposed facility could be relocated and existing vehicular access used, negating the need for additional access and hard standing on Green Belt land. The proposed development would affect the openness of the site due to its closeness to the road frontage. No special circumstances have been demonstrated. NMPC also OBJECT to the proposed ‘Change of Use’ of the land from Agricultural to Grazing. This is unnecessary as the land would still be classed as Agricultural type use.”

10. Analysis

10.1 The main planning issues to be considered are:

1. **Is the development inappropriate in the Green Belt and, if so, are there very special circumstances that outweigh that harm (NPPF, GBSP1, GBSP2, RA18)**
2. **Features high quality design which incorporates the design principles of the plan and Supplementary Design Guidance (GBSP1, GBSP2, D1)**
3. **Maintains and respects the living conditions of neighbouring occupiers (NPPF, D2, SDG)**
4. **Other planning matters**
 - (i) **Highways, vehicle access and parking**

1. Is the development inappropriate in the Green Belt

- 10.2 The Government attaches great importance to the Green Belt. The fundamental aim of Green Belt Policy as set out in the National Planning Policy Guidance 2012, is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. In the Green Belt, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 10.3 The main issues, in terms of Green Belt Policy, are whether the proposed development would be inappropriate in the Green Belt. This depends on the following:
- (i) The type of development proposed;
 - (ii) its effect on the purpose of including land within the Green Belt;
 - (iii) the impact on the openness of the Green Belt;
 - (iv) if it is considered inappropriate, are there any Very Special Circumstances that outweigh the harm to the Green Belt and any other harm.
- 10.4 The proposal includes two separate elements
- (a) the use of the field for stabling and horse grazing and riding
 - (b) construction of the stables and associated access road to serve them and parking and turning space for a horse box
- (a) Use of field for horse grazing and riding
- 10.5 The Inspector's decision letter (ENF/2013/0430) sets out that the lawful use of the field is agriculture. Prior to the construction of the driveway, the land was solely laid to grass. A previous owner grazed horses on the land but it has not been used for any specific purpose by the current owner. There has been no application for a certificate of lawfulness for use of any part of the field as residential.
- 10.6 The proposed use of the land for grazing horses is a sui generis agricultural use. Horse riding falls within use class D2. The use of land for stabling (distinct from the construction of any stable building) is a sui generis use when separate from a residential curtilage, such as this application site. The proposed use of the land for grazing, riding and stabling is considered to be a combination of D2, sui generis and agricultural uses. Mixed use are classed as sui generis and the

current proposal is, therefore, sui generis. Consequently it requires planning permission for change of use from agriculture.

10.7 The sui generis use of the land for stabling with ancillary grazing and riding can be considered as outdoor recreational uses and, as such, is appropriate in the Green Belt. This use would not conflict with the reasons for including the field in the Green Belt and would not adversely impact upon the openness of the Green Belt in this location. The use of this field as a separate planning unit would not be altered. It would remain separate from the residential use at Bellbrook but in private ownership for the owners' use and not as a commercial enterprise. Element (a) of the proposal would not, therefore, be inappropriate in the Green Belt.

(b) Stables, access road, parking and turning for horse box

10.8 This section considers the proposal to construct stables, an access road and parking and turning areas for a horse box. The relevant policies are Section 9 of the NPPF and Policy RA18 of the Welwyn Hatfield District Plan 2005. The NPPF makes clear that new buildings in the Green Belt are inappropriate unless they fall within one of the specified exceptions set out in paragraphs 89 and 90. The first of these exceptions is "buildings for outdoor recreation", which includes stables. In addition, the creation of a driveway, (the current one is unauthorised and requires planning permission) falls within the definition of an "engineering operation", which falls within the exceptions set out in paragraph 90 subject to the preservation of the openness of the Green Belt and not conflicting with the purposes of including land in the Green Belt. The incidental parking and turning area also fall within this definition. The site's planning history shows that planning permission was previously granted for stables and a manege in association with horse grazing in 2007 (S6/2007/0509/FP), which was partly implemented. In this context the principle of the proposed stable building is not considered to be inappropriate development within this planning unit (the field).

10.9 Policy RA18 of the Welwyn Hatfield District Plan 2005 (New Agricultural Buildings) states that planning consent will only be granted where the proposal would not harm the character of the surrounding landscape in terms of its siting, design and appearance. Proposals should also accord with the design policies of the Plan and the Supplementary Design Guidance (see section 2 below). The impact on neighbouring occupiers' living standards should not be adversely affected. This issue is considered below in Section 3.

10.10 The stable building would be single storey, of timber construction and positioned at the east end of the field, separate from but towards the built form of the adjacent single storey residential buildings. When viewed from the entrance to the field, it would appear some distance from the boundary but set against a backdrop of the buildings at Nirvana and the Bungalow and would be lower than those neighbouring properties. Given its design and positioning, the stable would not be out of character with the rural setting or unduly prominent in the field. In addition, the existing boundary vegetation and gates would screen the stable building when viewed from publically accessible viewpoints in Bulls Lane. Parking for the horse box would be within the site and screened behind the new stable building when viewed from the road.

10.11 In terms of the existing driveway, the Inspector's decision letter (S6/2012/1648/FUL) concluded that the extensive hard surface across a largely undisturbed field erodes the openness of the countryside, albeit to a limited extent. Putting the visual

considerations aside, the Inspector considered that the driveway would be inappropriate because it would erode the openness of the Green Belt by enabling residential use to encroach into the countryside. This was echoed in the Inspector's decision letter of ENF/2014/0430 (dated 21.6.2016). In terms of the visual impact, the Enforcement Inspector considered that the existing roadside vegetation; a 4m high hawthorn hedge, screened the driveway from public views from Bulls Lane and the visual impact of the access could be lessened by reducing its width and using a more sympathetic surface.

10.12 The current proposal makes amendments to the appearance of the access in line with the comments of the Inspector i.e. reducing the width from 5m to 3.7m and using a sympathetic surface (grass-crete) in place of road planings. These measures would make the driveway less visually intrusive and maintain the openness and character of the Green Belt in this location.

10.13 Subject to conditions over the materials used in the construction of the stables and the narrowing and resurfacing of the access, it is considered that element (b) is not inappropriate in the Green Belt provided the alterations to the access are implemented in a reasonably short timescale. It is recommended that a period of 12 months is allowed for this element to be implemented.

10.14 However, the acceptability of the proposal depends upon the stables being constructed and used for their lawful purpose and the access being amended in width and surfacing. To that end a Unilateral Undertaking is recommended containing the following covenants:

- (i) To commence development within 6 months of the date of planning permission
- (ii) Construction of the stable building shall be completed within 12 months of the date of the planning permission
- (iii) To use or occupy the stable building for the stabling of horses (including ancillary feed/hay store), tack room and field tractor
- (iv) To complete the amendments to the access road (to reduce its width to 3.7m and resurface it in grasscrete) prior to the first use of the stables or within 12 months of the date of permission, whichever is sooner.

A S106 as set out above is considered sufficient to comply with the spirit of the Green Belt Policies of the NPPF 2012 and the WHDP 2005.

Green Belt Conclusion

10.15 In conclusion, element (a) (the use of field for horse grazing and riding) is appropriate in the Green Belt. In addition, subject to conditions over the visual appearance and siting, element (b) (stables, access road, parking and turning for horse box) is appropriate in the Green Belt. Subject to a completed S106 securing timely construction of the stables and amendment to the width and surface of the access road, the proposals are acceptable in terms of the Green Belt Policies of the NPPF and the District Plan.

2. High Quality Design

10.16 Local Plan Policies D1 (Quality of Design) and D2 (Character and Context) aim to ensure a high quality of design and to ensure that development respects and

relates to the character and context of the locality, maintaining and where possible enhancing the character of the existing area. These policies are expanded upon in the Council's Supplementary Design Guidance 2005 (SDG), which requires the impact of a development to be assessed having regard to the bulk, scale and design of the proposal and how it harmonises with the existing buildings and surrounding area. In addition, chapter 7 of the NPPF emphasises the importance of good design in context and in particular, paragraph 64 states permission should be refused for development of poor design that fails to improve the character and quality of the area and the way it functions.

- 10.17 The application site comprises a field adjacent to a detached dwelling (converted from an abattoir) within a group of former agricultural buildings that are positioned in open countryside to the west of the small settlement of Bell Bar. The site and the wider area are washed over by Green Belt and are rural in character. The field is screened by the hedgerow of deciduous trees and bushes. However, the roof of the house at Bellbrook can be seen over the boundary treatment. The land to the north and west of the site and on the south side of Bulls Lane comprises open fields demarcated by boundary hedgerows. To the east is a tree nursery accessed from The Great North Road (A1000) to the north.
- 10.18 The site is within the Potters Bar Parkland Landscape Character Area. Policy RA10 of the Local Plan expects developments to conserve, maintain and enhance the local landscape character. The Welwyn Hatfield Landscape Character Assessment (WHLCA) describes the area around Bulls Lane as "relatively open with good access and long views" (page 97) and identifies the area around White Lodge Farm as one of low intensity farming and paddocks, small holdings and nurseries. Bulls Lane itself is winding and partially sunken with mature hedgerows arching over it. From these descriptions it is apparent that the application site contributes to the openness and rural character of the Landscape Area. The recommendations in the WHLCA include maintaining the agricultural appearance of dwellings and their curtilages, either new or converted, and that native species are used for hedging on perimeters. Exotic and ornamental species should only be used very close to a dwelling.
- 10.19 In this case the single storey stable building would be positioned towards the eastern end of the site and be set against the form of the existing converted farm buildings. It would not be prominent in the landscape when viewed from the road, being screened by the perimeter hedgerow and trees and would not close off the open views of the area. The perimeter vegetation would be retained and the use of wooden cladding and a low profile roof will assist in assimilating the building in its setting. The proposal to reduce the width of the access road from 5m to 3.7m and to use a sympathetic surface (grass-crete) in place of road planings would make the driveway less visually intrusive. No additional vegetation is proposed in order to maintain the open nature of the field.
- 10.20 The proposed layout would enable natural surveillance of the stables from the residential curtilage of Bellbrook and also enable a parked horse box to be screened from view from the road.
- 10.21 From both functional and visual perspectives, the proposal would be acceptable in terms of the design and impact on the Landscape Character Area. It would, therefore, and subject to a condition over implementation in accordance with the submitted plans and drawings, be in compliance with Policies of the NPPF and Policies RA10, D1 and D2 of the Welwyn Hatfield District Plan 2005.

3. Impact on Neighbours

- 10.22 Saved policies D1 and R19 of the Welwyn Hatfield District Plan 2005 and the Supplementary Design Guidance (SDG 2005) aim to preserve neighbouring amenity and in addition, paragraph 17 of the NPPF seeks to ensure high quality design and a good standard of amenity for all existing and future occupiers of land and buildings. The nearest properties are the residential units at the Bungalow and Nirvana and the stable, store and land at White Lodge Farm.
- 10.23 In terms of residential amenity the impacts on Nirvana and The Bungalow are considered in terms of day and sun light, overbearing impact, loss of privacy/overlooking, noise and odour. The occupiers of these properties have been consulted on the revised plans and Design and Access Statement.
- 10.24 Given the low profile of the buildings and positioning off the eastern boundary of the field with the Bungalow and Nirvana, the stables would not give rise to any loss of light or overbearing impact. It would not result in an increase in overlooking or a loss of privacy to these properties.
- 10.25 The main impacts may be considered to be noise and odour from the horses in the stables. The level of noise generated by two horses is not likely to be unreasonable given the rural context of the site and the adjacent buildings. The field could be used as a paddock without a stable building with resultant occasional animal noises and odours being generated. In this proposal the horses would be stabled overnight and any noise and odour would be contained to a large extent by the building fabric. Any lighting could be controlled by condition on planning permission.
- 10.26 The proposal is unlikely to result in an adverse impact on the living conditions of neighbouring occupiers. It is, therefore, in accordance with Policies D1 and R19 of the Welwyn Hatfield District Plan 2005, the Supplementary Design Guidance (SDG 2005) and the NPPF.

4. Other Planning Matters

- (i) Highways, vehicle access and parking

- 10.27 Saved Policy D5 requires all new developments to take account of and make provision for parking and traffic management. The proposed stable development would rely on an established field access off Bulls Lane that is set back 10m from the carriageway over unsurfaced but firm highway land through a 5m wide gap in the verge-side vegetation. The access is gated with a 2m high screen of rush matting. This effectively screens views into the site of the ground level in the field.
- 10.28 The house at Bellbrook was converted from a building associated with White Lodge Farm and has a shared access agreement over the land to the east. This access route turns a sharp corner then leads onto Bulls Lane. The occupant of Bellbrook wished to provide an alternative to the shared access for larger delivery vehicles (e.g. oil), which had difficulty manoeuvring the 90 degree bend. The applicant installed a 5m wide and 45m long driveway across the field for this purpose. A retrospective planning application for this driveway was dismissed on appeal and a subsequent Enforcement Notice to remove the access drive was upheld on appeal. The Inspector did not consider that the dimensions and layout of the shared access to the east amounted to Very Special Circumstances that

outweighed the harm that would be caused by residential encroachment into the field.

- 10.29 The current proposal differs significantly from those proposals as described in this report.
- 10.30 The Hertfordshire County Council Transport Programme and Strategy Department has commented that Bulls Lane is a 60mph local access road serving agricultural sites and a few scattered dwellings in a rural setting. Due to the increased use of the access for horse boxes and some residential purposes, a visibility splay of adequate dimensions for a road of this speed needs to be provided. In addition, the gates would need to continue to open into the site and not out over the 10m deep highway verge at the access point to Bulls Lane. Subject to these conditions the highway access is considered acceptable.
- 10.31 With regard to parking, the proposal includes provision of a turning head and an area for parking of a horse box. The Council's SPG 2004 on Car Parking Standards does not specify a parking requirement for stables. However, the proposed dimensions and layout are reasonable for the likely level of usage for stabling of two horses (one single or a double horse box). There would be no alteration to the car parking arrangements for Bellbrook on adjacent land.
- 10.32 Given the above considerations the proposal is considered acceptable in regard to Policies M14 and D5 of the Welwyn Hatfield District Plan 2005, the Supplementary Planning Guidance Parking Standards, January 2004 and the Interim Policy for Car Parking Standards and Garage Sizes, August 2014.

Planning Obligations

- 10.34 Where a planning obligation is proposed for a development, The Community Infrastructure Levy Regulations 2010, which came into effect from 6 April 2010, has introduced regulation 122 which provides limitations on the use of planning obligations.
- a. In summary, a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is –
 - (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.
- 10.35 Regulation 123 introduces further limitations and these relate to the use of planning obligations for the purpose of infrastructure. Where a local authority has a published list for infrastructure projects, the authority may not seek contributions through a legal agreement through section 106 of the Town and Country Planning Act 1990 (S106). In this case, the authority does not have a published list and therefore it is appropriate to seek contributions through an S106 legal agreement. This would be in accordance with policies M4 and IM2 of the Welwyn Hatfield District Plan 2005.
- 10.36 In this case the acceptability of the proposal depends upon the stables being constructed and used for their lawful purpose and the access being amended in width and surfacing prior to the incidental use as a residential access. To that

end a Unilateral Undertaking is recommended containing the following covenants:

- (j) To commence development within 6 months of the date of planning permission
- (v) Construction of the stable building shall be completed within 12 months of the date of the planning permission
- (vi) To use or occupy the stable building for the stabling of horses (including ancillary feed/hay store), tack room and field tractor
- (vii) To complete the amendments to the access road (to reduce its width to 3.7m and resurface it in grasscrete) prior to the first use of the stables or within 12 months of the date of permission, whichever is sooner.

A S106 Agreement, as set out above, is considered sufficient to comply with the spirit of the Green Belt Policies of the NPPF 2012 and the WHDP 2005.

Conditions

- 10.37 The National Planning Policy Guidance governs the use of conditions in planning and the power to impose conditions when granting planning permission is very wide. If used properly, conditions can enhance the quality of development and enable many development proposals to proceed where it would otherwise have been necessary to refuse planning permission. The objectives of planning, however, are best served when that power is exercised in such a way that conditions are clearly seen to be fair, reasonable and practicable. Conditions should only be imposed where they are both necessary and reasonable, as well as enforceable, precise and relevant both to planning and to the development to be permitted. In considering whether a particular condition is necessary, both officers and members should ask themselves whether planning permission would have to be refused if that condition were not to be imposed. If it would not, then the condition needs special and precise justification.
- 10.38 In this case it is considered necessary and reasonable to impose conditions over the following: construction in accordance with the submitted plans, submission of materials, visibility splays, gates to open inwards, details of any lighting scheme to be submitted prior to completion of the development. Timing and phasing would be the subject of a S106 Agreement.

11. Conclusion

- 11.1 In conclusion, element (a) (the use of field for horse grazing and riding) is appropriate in the Green Belt. In addition, subject to conditions over the visual appearance and siting, element (b) (stables, access road, parking and turning for horse box) is appropriate. The proposals are, therefore, acceptable in terms of the Green Belt Policies of the NPPF and the District Plan.
- 11.2 The proposal would be acceptable in terms of the design and impact on the Landscape Character Area and functionality of the layout on the site. It would, therefore, be in compliance with Policies of the NPPF and Policies RA10, D1 and D2 of the Welwyn Hatfield District Plan 2005.
- 11.3 The proposal is also considered acceptable in regard to highway and parking matters and, subject to conditions, to be in accordance with Policies M14 and D5

of the Welwyn Hatfield District Plan 2005, the Supplementary Planning Guidance Parking Standards, January 2004 and the Interim Policy for Car Parking Standards and Garage Sizes, August 2014.

12 Recommendation

12.1 It is recommended that planning permission be approved subject to a S106 Agreement to secure the following obligations:

- (i) To commence development within 6 months of the date of planning permission;
- (ii) Construction of the stable building shall be completed within 12 months of the date of the planning permission;
- (iii) To use or occupy the stable building for the stabling of horses (including ancillary feed/hay store), tack room and field tractor; and
- (iv) To complete the amendments to the access road prior to the first use of the stables is also required.

and the following conditions:

1. Prior to the commencement of development of the use hereby permitted an acceptable visibility splay shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

REASON: In the interests of highway safety.

2. No part of the site boundary treatment shall overhang or encroach upon highway land and no gate shall open outward over the highway land.

REASON: In the interests of highway safety.

3. No development shall take place until samples of the materials to be used in the external surfaces of the roof of the building hereby granted have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented using the approved materials and subsequently, the approved materials shall not be changed.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with the National Planning Policy Framework and Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

4. Details of any external lighting proposed in connection with the development hereby approved, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall not be carried out other than in accordance with the approved details.

REASON: In the interests of the visual amenities of the area in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

5. The development/works shall not be started and completed other than in accordance with the approved plans and details:

Plan Number	Revision Number	Details	Received Date
Site Location Plan	B	Location Plan Rev B	24 February 2017
LPS259-1.2	00	EXISTING SITE AND AREA	31 August 2017
LPS259-1.1	F	REVISED PROPOSALS plan and elevations	10 October 2017

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

Summary of reasons for grant of permission

The decision has also been made taking into account, where practicable and appropriate the requirements of paragraphs 186-187 of the National Planning Policy Framework and material planning considerations do not justify a decision contrary to the development plan (see Officer's report which can be inspected at these offices).

OR

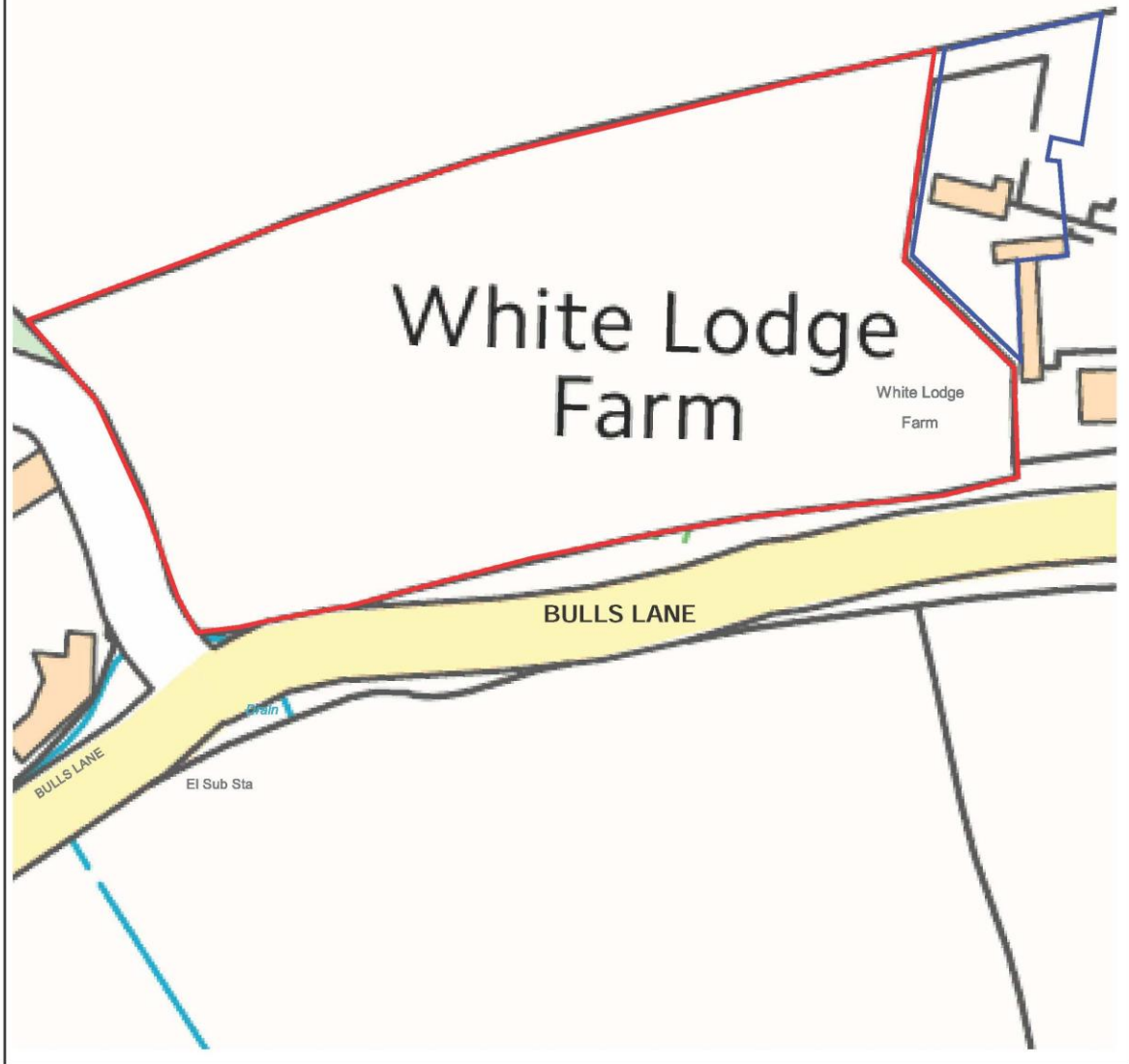
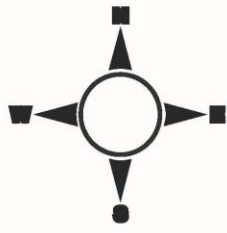
In the event that the applicant fails to agree any necessary extensions to the Statutory determination period, that powers are delegated to the Head of Planning to refuse planning permission on the basis of absence of the completed S106 Obligation for the following reason:

1. The applicant has failed to satisfy the sustainability aims of the plan and to secure the proper planning of the area by failing to ensure that the development proposed would provide a sustainable form of development in mitigating the impact on the environment, local infrastructure and services which directly relate to the proposal and which is necessary for the grant of planning permission. The applicant has failed to provide a planning obligation under S106 of the Town and Country Planning Act 1990 (as amended). The Local Planning Authority considers that it would be inappropriate to secure the required obligations by any method other than a legal agreement and the proposal is therefore, contrary to Policies of the National Planning Policy Framework and Policies GBSP1 and GBSP2 of the Welwyn Hatfield District Plan 2005.

Together with drawing numbers and positive and proactive statement.

June Pagdin (Planning)

Date 22.11.2017



Council Offices, The Campus
Welwyn Garden City, Herts, AL8 6AE

Title: The Bellbrook Bulls Lane Hatfield

Scale: DNS

Date: 2017

Project: DMC Committee

Drawing Number:
6/2016/2606/FULL

Drawn: Baras Mast-Ingle

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