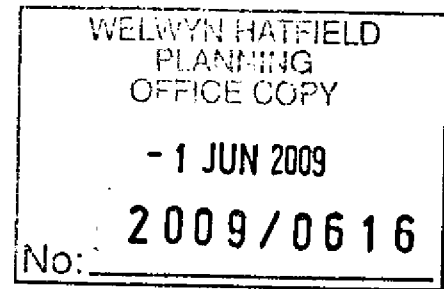


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Planning, Design & Access Statement

**in support of an application for retrospective planning permission to
retain six columns with attached lights around the perimeter of an existing manege**

at

Cooper's Field Stables, Cooper's Lane Rd., NORTHAW, Herts. EN6

for

Mr Barry WHEELER

March 2009

J R Orsborn BA Hons; Dip TP; MRTPI; DMS; MCMI

1.0 Background.

- 1.1 This Design and Access Statement is submitted on behalf of Mr Barry Wheeler to meet the requirements of The Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2006 as they relate to an application to retain the six poles and attached flood lights sited around the perimeter of the manege at Cooper's Field Stables, off Cooper's Lane Road, Northaw, EN6.
- 1.2 The extent of Mr Wheeler's land ownership together with the location of the manege relative to the stables and tackroom is illustrated on the 1:2500 plan. This plan also shows the location of the 6 existing poles around the manege. Access to the site from Cooper's Lane Road is also illustrated. Also enclosed are photographs of the poles and attached lights.
- 1.3 The statement explains the design principles and concepts that have been applied by reference to the following:-
- Physical, historical and policy context
 - Amount of development
 - Layout
 - Scale
 - Landscaping and
 - Appearance
- together with relevant policy in respect of access.

2.0 Context.

2.1 Physical Context

2.1.1 The application site is located on the north side of Cooper's Lane Road, not far from the junction with Cattlegate Hill. The site occupies low lying land in the valley formed by Northaw Brook. It is a considerable distance from Cooper's Lane Rd to the south and from Northaw Rd West to the north. It is accessed via a long, winding driveway which initially runs due north/south for a short distance (about 100m) off Coopers Lane Rd before it splits into two branches. One branch continues in a northerly direction and serves the holding known as Northaw Brook Meadow whilst the westerly branch takes a winding route across open land to join up with an east/west track which runs parallel with the brook.

2.1.2 To the south east of the application site there is a recent residential development known as Woodgate Avenue. The open ground between Mr Wheeler's land and that residential estate is

understood to be in the control of residents of the new houses.

2.1.3 The land holding which Mr Wheeler controls is approximately 4.5 ha (11 acres) and comprises pasture land used for horse grazing together with a modest building located in the south west corner of the field which contains the manege. Mr Wheeler has owned this land for several years.

2.1.4 The locality is generally quite well wooded. The field boundary to the north adjoining the west/east section of the access track is screened by mature planting (see photographs) and there is screen planting in the vicinity of the stable block.

2.2 Historical Context

2.2.1 Planning permission (S6/2000/372/FP) was granted in June 2000 for the erection of 6 stables, tack room and feed store together with access track off Coopers Lane Rd. Then in April 2003 permission (S6/2003/0371/FP) was granted for the formation of a manege and new hard standing. Condition no. 3 of that permission states that "No floodlighting or other means of artificially illuminating any part of the manege shall be installed and/or operated". The reason given for imposition of the condition was "In order to protect the visual amenity of the area".

2.2.2 That application was submitted by a specialist agent (Mr Pain of Eddlethorpe Grange Farm in Yorkshire) who also constructed maneges. Once the planning permission was issued to the agent, Mr Wheeler instructed him to arrange for construction of the manege. The lighting was installed concurrently with the manege, Mr Wheeler had not been aware that a specific condition had been imposed preventing lighting. Hence, he was very surprised when the matter was raised in a letter to him dated 12th December 2008 from the Council's Enforcement Officer (ref. JR/EN/08/534), particularly having regard to the considerable period of time (over 5 years) that the lighting has been in situ.

2.2.3 I consider it a material consideration that planning permission (S6/2002/0070/FP) was granted in December 2002 for the installation of lighting to a manege on the neighbouring property, Northaw Brook Meadow, subject to various conditions. I attach a copy of that planning permission at **Appendix A** to this statement. That permission also authorised six lighting columns.

2.3 Policy Context.

2.3.1 The application site lies within the Metropolitan Green Belt. It is accordingly necessary to have

regard to advice in PPG2:Green Belts that once a green belt has been defined, the use of land within it has a positive role to play in fulfilling a variety of objectives, one of which is to provide opportunities for outdoor sport and outdoor recreation near urban areas (paragraph 1.6). Hence small scale facilities related to outdoor sport and recreation are generally accepted as “appropriate development” within as green belt (paragraph 3.4). It will no doubt have been on this basis that planning permissions has been granted in the past for equestrian activity both on the application site and on the adjoining land to the east at Northaw Brook Meadow, Coopers Lane Rd.

2.3.2 Policies from the Welwyn Hatfield Local Plan Adopted April 2005 relevant to this application are RA1 Development in the Green Belt and R20 Light Pollution.

2.3.3 Policy RA1 Development in the Green Belt states:-

Within the Green Belt, as defined on The Proposals Map, except for development referred to in policies RA2, RA3, RA4, RA5, RA6, RA7, RA8, RA9 and RA16, or in very special circumstances, permission will only be given for the following purposes:-

- (i) Agriculture, forestry or mineral extraction
- (ii) Small scale essential facilities for outdoor sport and outdoor recreation or for cemeteries and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purpose of including land within it;
- (iii) The re-use of buildings in accordance with policy RA17.

2.3.4 Policy R20 states that:-

In order to minimise light pollution, external lighting scheme proposals, including floodlighting, will only be approved where it can be demonstrated that all of the following criteria can be satisfied:

- (i) the scheme proposed is the minimum needed for security and operational purposes or to enhance the external appearance of the building to be illuminated;
- (ii) glare and light spillage are minimised;
- (iii) the amenity of residential areas is not adversely affected;
- (iv) the visual character of historic buildings and conservation areas are not adversely affected;
- (v) there would be no adverse impact on the character or openness of the countryside and green belt;

- (vi) there would be no adverse effects on ecology and the natural environment including wildlife;
- (vii) there would be no dazzling or distraction of drivers using nearby roads.

3.0 Need for The Lighting

3.1 Mr Wheeler and his family breed piebald (black and white) and skewbald (brown and white) ponies for "showing". These are shown at events (including Olympia) organised by The British Skewbald and Piebald Association all over the country. They keep a stallion at the application site which needs daily exercising. This is undertaken primarily by Mr Wheeler's daughter who works in central London for The Jockey Club. Hence she has to exercise the stallion early in the morning (usually about 6.30 to 7am) before she goes to work and again in the evening (6-7pm) when she returns. During the period of "winter time" (ie late October to the end of March) it is dark at these times. This is the reason why flood lighting of the manege is essential.

4.0 Design Principles.

4.1 Amount and Layout of Development.

4.1.1 The application seeks to retain the 6 wrought iron poles which are located one per corner and one equidistantly along the longer sides of the manege together with the halogen lamps and cowls affixed to them. See photographs. Each pole is approximately 3m tall and is attached to the top of the post and rail fencing which encloses the manege, giving an overall height of just under 4m. The bulbs are 75 watt.

4.2 Scale.

The scale or extent of the lighting is the minimum necessary to provide adequate light to all of the riding surface. The manege is a standard size (20m x 40m) and it is normal to install 6 poles to provide adequate lighting to this size of manege.

4.2 Landscaping.

As previously mentioned, the site is already well screened by existing planting. It is understood that extensive planting was proposed on land between the new houses and Mr Wheeler's property as part of the original application for the Woodgate Avenue development. This would have provided a more immediate screen to the dwellings but does not appear to have been undertaken.

4.5 Appearance.

The poles are standard light column poles made from wrought iron with metal cowls fixed over the lamps. The lamps are angled downward to a) maximise the amount of light onto the manege and b) minimise light spillage.

5.0 Access.

5.1 There are no implications for access arising from this application.

6.0 Analysis.

6.1 Given that the lighting is required in connection with an established and authorised outdoor sporting and recreational activity, I consider that it constitutes appropriate development within the guidelines of PPG2 and there is accordingly no need to demonstrate the existence of any very special circumstances to justify the grant of retrospective permission.

6.2 The determining issue, therefore, is compliance with policy R20, as analysed below.

- (i) As explained above, the scheme is the minimum needed for operational purposes and to allow the applicant and his daughter to give daily exercise to their stallion throughout the winter months when the amount of natural daylight is limited and does not coincide with the times when they can be available;
- (ii) glare and light spillage are minimised by the cowls;
- (iii) given the length of time that the lighting has been in existence, we have no reason to believe that the amenity of residential areas is adversely affected by it;
- (iv) there are no historic buildings or conservation areas in the vicinity of the site;
- (v) as with (iii) we are not aware that the lighting has given rise to any adverse impact on the character or openness of the countryside and green belt. Given the existence of authorised lighting on the adjacent property at Northaw Brook Meadow, I consider it would be difficult to argue against my client's proposal on grounds of adverse impact on the countryside;
- (vi) again, the same arguments apply with regard to ecology and the natural environment including wildlife as with (iii) and (v).
- (vii) there would be no dazzling or distraction of drivers using nearby roads because the nearest roads are in excess of 100m away.

6.3 Finally, I consider it relevant to review the conditions which were imposed on S6/2002/70/FP to assess their relevance/appropriateness in this instance. I consider that the first three conditions of that permission have already been met at the application site in that the lighting is there, cowls

have been fitted and the angle of the lighting is set at no more than 35 degrees.

6.4 Mr Wheeler is happy to accept a time restriction on use of the lighting provided that this does not prevent the lighting being used early in the morning or in the evening as has been the case ever since it was installed. Hence, we would suggest a condition to the effect that the lights shall not be in use between the hours of 9pm and 6am unless otherwise agreed in writing with the LPA. Mr Wheeler is also happy to accept a condition that the lighting be switched off when the manege is not in use because he does this in any event in the interests of economy.

7.0 Conclusion

7.1 Having regard to all of the above, I conclude that the requirements of Adopted Local Plan policy are met and that no harm will be caused by regularising use of the lighting in the manner in which it has been used for in excess of 5 years. We accordingly look forward to the grant of retrospective planning permission in due course.