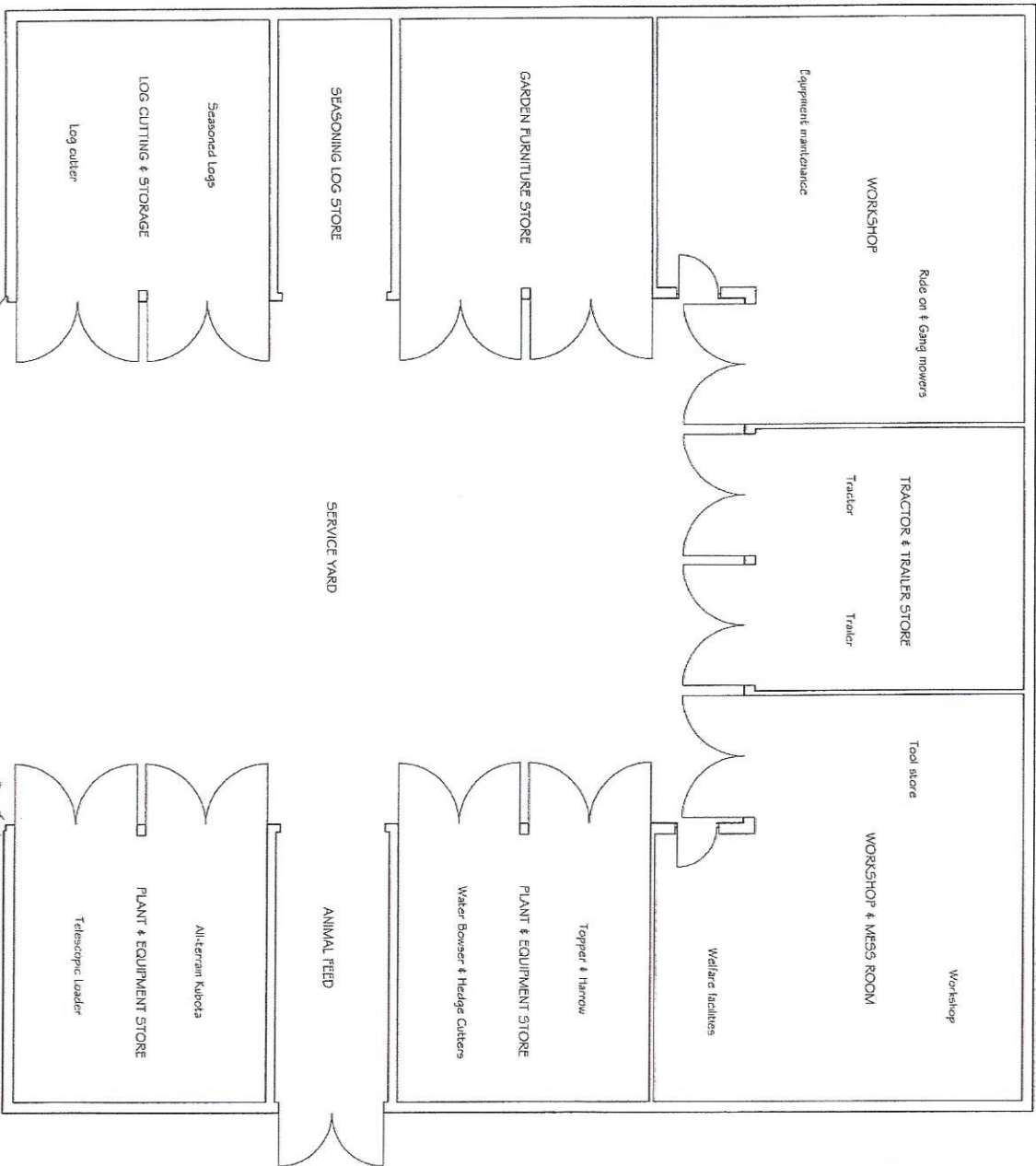


APPENDIX 5



LAYOUT



Rev'd: Annotation updated
 Rev A: Scale Bars added

PNA

2 The Coach House, Corneybury Farm
 Ermine Street, Buntingford, Herts SG9 9RS
 Tel: 01763 271292 / 01707 276595
 Copyright © email: info@pna.co.uk

WARREN WOOD MANOR
 Hornbeam Lane
 Essendon, Herts

Maintenance & Groundsmans Store
 Floor Layout as Constructed

January 21
 August 20
 Scale: 1:100
 Date November 20

Dis. No
 703 / 402

APPENDIX 6

Rural Land Register (RLR) Map Map Legend

Rural Land Register

-  Your RLR Parcel(s)
-  Adjacent RLR Parcels
-  SPS Permanent Ineligible Features
-  Unconfirmed Boundaries

English Region Boundaries

Non-LFA (N)	
Disadvantaged (D)	Other land outside SDA (EOUT)
Moorland Disadvantaged (MD)	
Severely Disadvantaged (S)	Other land within SDA (ESDA)
Moorland Severely Disadvantaged (MS)	Moorland within SDA (EMOR)
National Boundary	

Ordnance Survey MasterMap™

Lines

-  Water
-  Buildings, Greenhouses
-  General Obstructive Boundary Feature
-  Change of Vegetation
-  Road/Track and Railways
-  Administrative Boundary
-  Path

Labels

- BS Boundary Stone

For further information about what these features mean, please see our guidance booklet. For further information about any OS features or labels, please see the OS website or OS maps.

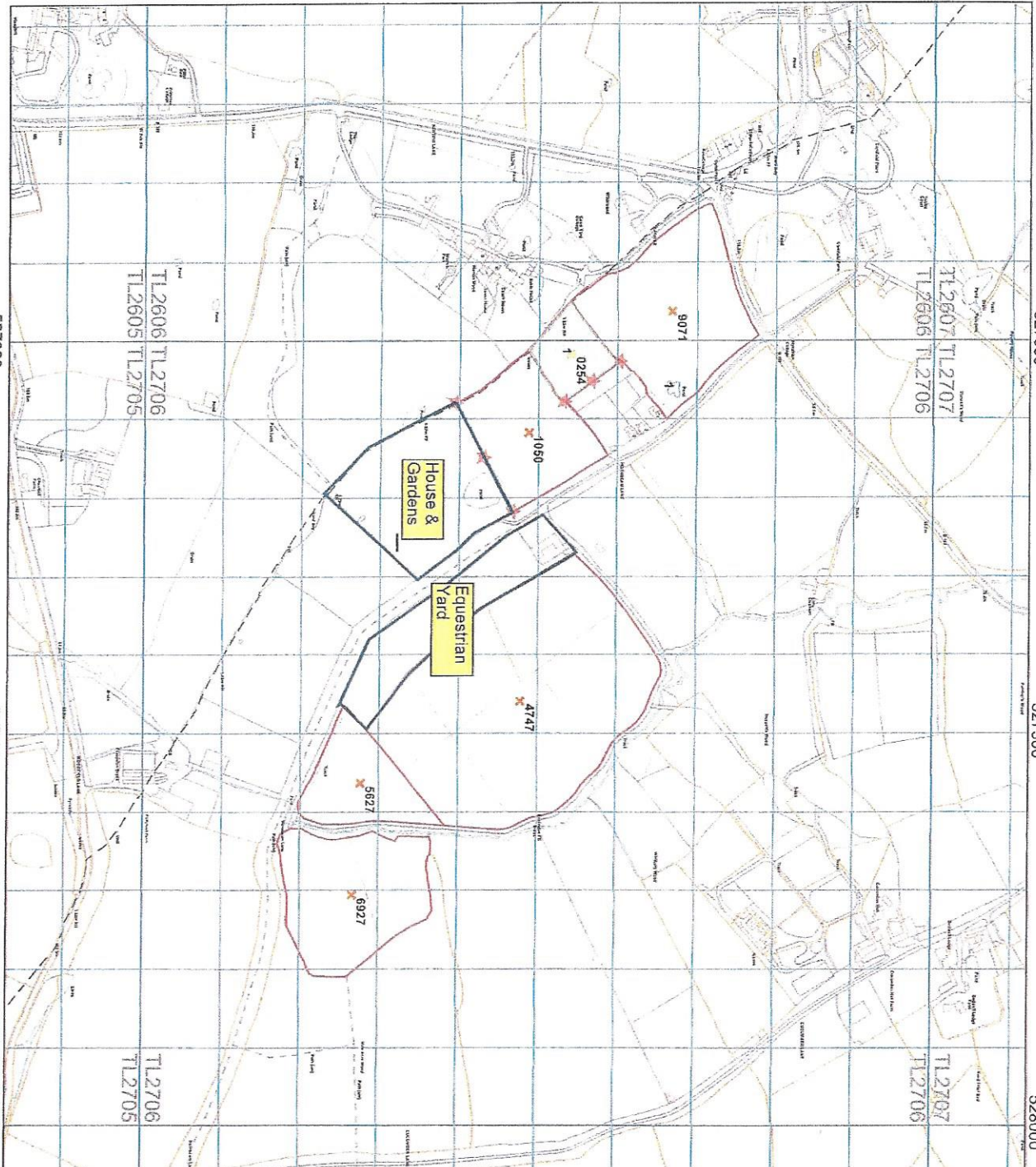
527000 527500 528000

207000

206500

206000

527000 527500 528000



Rural Land Register (RLR) Map

SBI - 120403147

Page 1 of 11

- Legend**
- Your RLR Parcel(s)
 - SPS Permanent Ineligible Features
 - Adjacent Parcel Boundary
 - Unconfirmed Boundary

RLR Information				
Sheet ID	Parcel ID	Total Area (ha)	SPS Recorded Area (ha)	English Region
TL2606	9071	3.31	3.29	N
TL2706	1050	2.00	2.00	N
TL2706	0254	0.75	0.00	N
TL2706	4747	7.89	7.89	N
TL2706	5627	1.45	1.45	N
TL2706	6927	2.78	2.78	N

Scale - 1:5000

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Date: 29/1/2014

Please return this sheet to us if you want to make any changes to the parcels shown on it.

Rural Land Register (RLR) Information
 SBI - 120403147 Main CPH - 18/159/0166
 Warrenwood Manor Estate - Field Information Data Sheet

Land Parcel Data

Map Sheet No.	Sheet ID	Parcel ID	CPH Number for the Land Parcel	English Region	Total Area (ha)	SPS Recorded Eligible Area (ha)	Permanent Ineligible Features (ha)	Permanent Ineligible Features ID	Description	Area (ha)
Map 1 of 1	TL2606	9071	18/159/0166	N	3.31	3.29	0.02	1	Pond	0.023
	TL2706	1050	18/159/0166	N	2.00	2.00	0.00			
	TL2706	0254	18/159/0166	N	0.75	0.00	0.75	1	Woodland	0.752
	TL2706	4747	18/159/0166	N	7.89	7.89	0.00			
	TL2706	5827	18/159/0166	N	1.45	1.45	0.00			
	TL2706	6927	18/159/0166	N	2.78	2.78	0.00			

Totals

Totals:	No. Of Parcels	Total Area (ha)	SPS Eligible Area (ha)
	6	18.18	17.41

APPENDIX 7

**NOTES OF FORMAL PRE-APPLICATION MEETING TO DISCUSS THE SINGLE-
STOREY STORAGE AND MAINTENANCE BUILDING AT WARRENWOOD MANOR
ESTATE.**

DATE: WEDNESDAY 3 MAY 2017

VENUE: WELWYN HATFIELD COUNCIL OFFICES

ATTENDEES:

Ms S. Smith (Planner Welwyn Hatfield Council)

Ms F. Nwanze (Planner Welwyn Hatfield Council)

Carolanne Brunt (Owner- occupier applicant)

Nigel Brunt (Owner-occupier applicant)

Phil Koscienc (Planning Consultant)

Jim Powell (JSP Management)

PURPOSE OF THE MEETING: Following two formal refusals of consent and disagreement between the parties on whether the development, which was within the Green Belt, was '*appropriate*' or '*inappropriate*' in accordance with the National Planning Policy Framework (NPPF), the meeting was requested to discuss the issue of whether '*very special circumstances*' existed, sufficient to accord with the NPPF.

PK said the officers had been supplied with several documents for this formal (fee paid) meeting in advance which were as follows;

- ✓ *Pre-application letter dated 8 March 2017*
- ✓ *Design and Access statement relating solely to the issue of very special circumstances*
- ✓ *Letter from applicant dated 10 March 2017 explaining the history of the estate and its development since his ownership from 2013 and reasons why the building was built and the need and circumstances surrounding this.*
- ✓ *Independent report from consultant Jim Powell of JSP Management, dated 6 January 2017, explaining and justifying the need for the building.*
- ✓ *Internal layout plan of the building and uses ref 703/402B*
- ✓ *Extract from Rural land register showing the extent of the estate lands and uses.*

SS said the JSP report had not been enclosed with the pre-application documents. PK said it had. SS said in any event it didn't matter as she had seen it as it had been forwarded to her before and had read it.

POINT 2 Whether the owners domestic garages could be utilised instead

PK pointed out that all the domestic garages attached to the house were fully occupied with purely domestic uses incidental to the residential house, and that they were in any event conditioned to be for such uses. The ground level garages were used to park the owners cars and a basement garage was used as a cycle gymnasium [REDACTED]
[REDACTED]

CAB said, it would be entirely unsuitable to have agricultural machinery around the house where the families 5 children and 4 dogs play for safety reasons alone.

SS would not accept why logs couldn't be stored in the building though.

NB said that logs were cut with a log cutting machine and circular saw (a noisy activity) and seasoned and stored in large quantities due to the abnormal volumes needed for the house heating. This could not be done by the house although a few logs could be stored for convenient use by the house.

PK asked if this point could therefore be accepted but SS said she was not convinced and we needed to submit photographs of the current uses of the domestic garages and further information to justify why the areas could not be used.

POINT 3 The vehicle access track leading to the storage building

SS said that the block paved vehicle access track, although it didn't affect the openness of the Green Belt as it did not contain built development, was an urban feature in itself which was unacceptable. She said it was too wide and didn't like the surface materials.

NB stated that it was this width (3-4metres) for safety reasons as if one of his children or other person met a vehicle or machinery coming along the track there was adequate room to step aside. That the materials matched the other surface materials around the house approach.

SS suggested that there was no need for the width as persons could simply step aside onto the grass if approached by a machine or vehicle.

PK/NB informed the meeting that the track was lined by rose beds which not only offset any visual presence of the track but made it impossible to step aside. That aside, in winter stepping on to wet or muddy grass and the danger of slipping is not an option particularly for children.

SS said on balance she would accept a width of 3 metres only and a different surface material such as grass pavers.

CONCLUSION

FN suggested that it might be a better option to appeal the refusal. That if following the submission of further information to justify '*very special circumstances*' the officers were of the view that the information was still insufficient they would formally decline to accept a further planning application and had powers to do so under the Planning Acts.

PK queried this suggesting that would be prejudging any future application and that given we were seeking to work with the council and submit further information and evidence in a genuine attempt to address this matter this would be an unreasonable position, and queried its legitimacy. The point was left undetermined.

Following the meeting SS sent an email requesting the submission of further information prior to 19 May 2017.

APPENDIX 8

Warrenwood Manor

Equestrian Land & Manège

Warrenwood Stables
approved at appeal

Storage Barn

Stables on adjoining land
approved in 1990

HORNBEAM LANE



APPENDIX 9

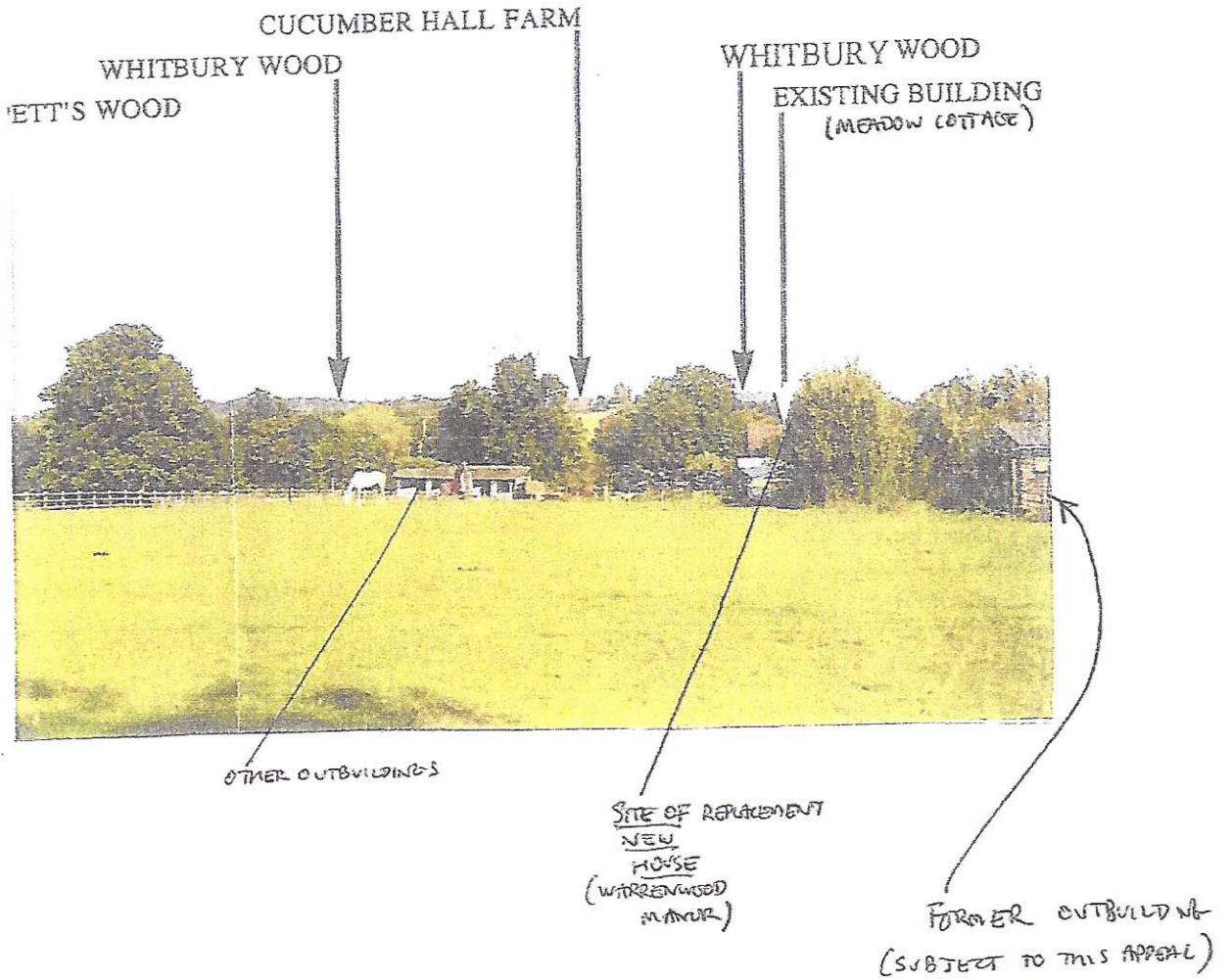
2013: AERIAL VIEW OF SITE (BING MAPS) SHOWING FORMER BUILDING ON SITE OF PROPOSED STORAGE BUILDING IN BOTTOM LEFT HAND CORNER



CLOSE UP VIEW OF ABOVE



PHOTOGRAPH SHOWING FORMER DWELLING ON THE SITE (MEADOW COTTAGE/SPIKE ISLAND) circa 2000. THE FORMER OUTBUILDING IS JUST SHOWING ON THE RIGHT OF THE PHOTO

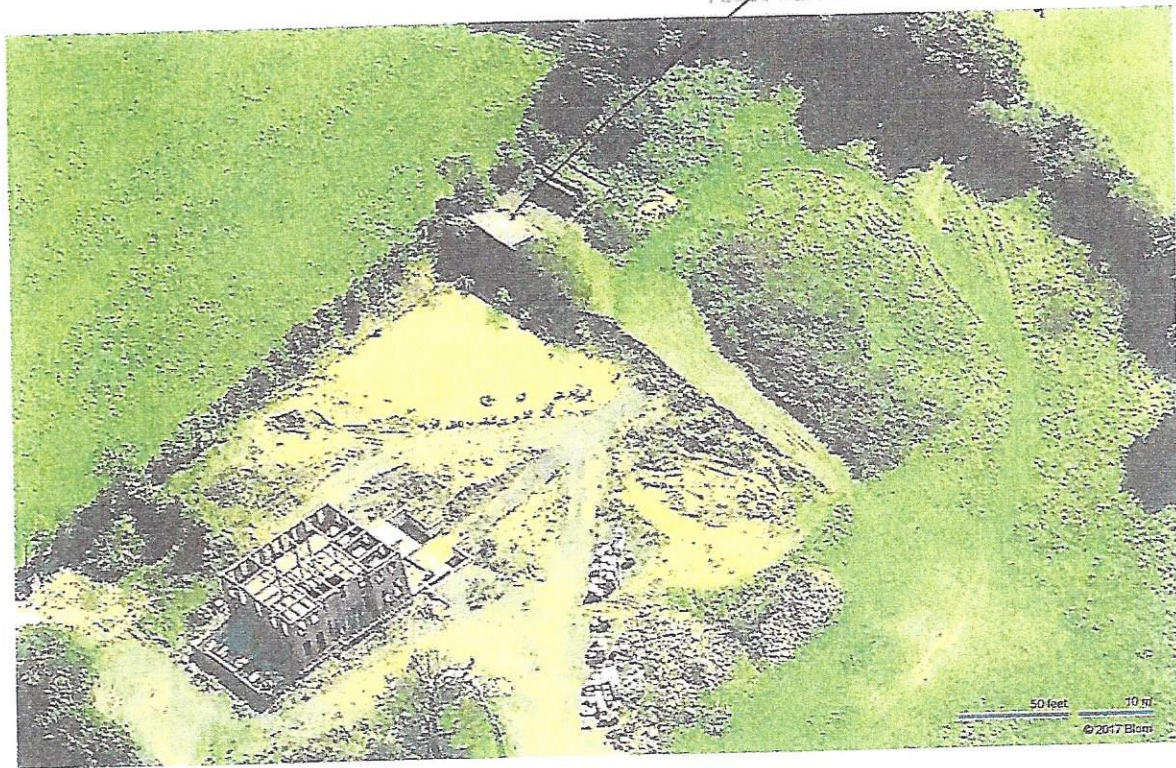


bing maps

Welwyn Hatfield, AL9 6JF, United Kingdom

Type your notes here.

APPEAL SITE



circa 2013

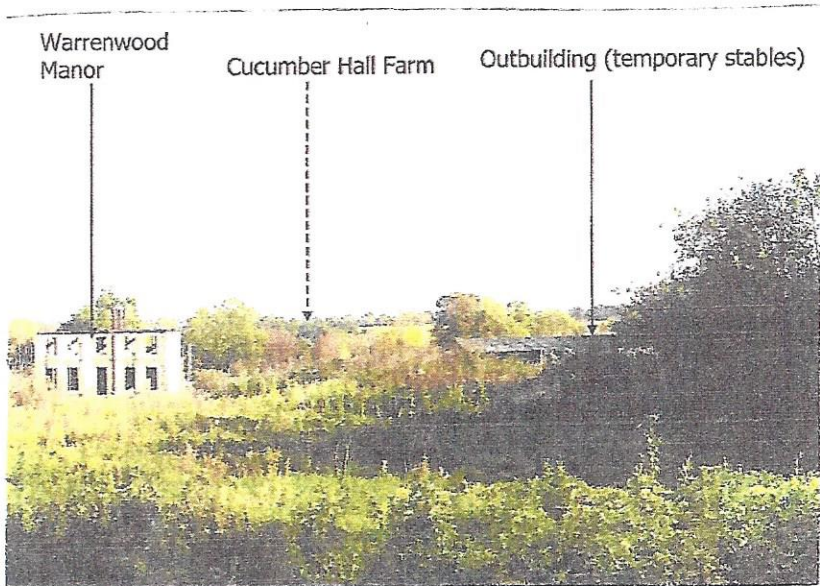
2000: AERIAL VIEW OF SITE (GOOGLE EARTH) SHOWING FORMER BUILDING ON SITE OF PROPOSED STORAGE BUILDING IN BOTTOM LEFT HAND CORNER



2005 SAME VIEW



2013: FORMER OUTBUILDING ON THE SITE PRIOR TO DEMOLITION



FORMER OUTBUILDING ON THE SITE (circa 2000s)

APPENDIX 10



Appeal Decision

Inquiry held on 20 June 2001

by **B C Wilkinson** BEng(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Transport,
Local Government and the Regions

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail: enquiries@planning
inspectorate.gsi.gov.uk

Date

5 JUL 2001

COMPASS
UNDER LICENCE FROM HMSO
TEL: 01452 75566

Appeal Ref: APP/C1950/C/00/1053673

Hornbeam Lane, Essendon, Hatfield

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Rose Limited against an enforcement notice issued by Welwyn Hatfield District Council.
- The Council's reference is A1037.
- The notice was issued on 22nd September 2000.
- The breach of planning control as alleged in the notice is the laying of three strips of concrete and the deposit of builders rubble and hardcore on the land between and around the strips.
- The requirements of the notice are to remove to an authorised site the concrete strips, the builders rubble and the hardcore.
- The period for compliance with the requirements is one month.
- The appeal is proceeding on the grounds set out in section 174(2) (a), (c) and (g) of the 1990 Act.

Summary of Decision: The appeal is allowed following correction of the notice in the terms specified in the Formal Decision below.

Appeal Ref: APP/C1950/A/01/1060428

Hornbeam Lane, Essendon, Hatfield

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Rose Limited against Welwyn Hatfield District Council.
- The application (Ref. S6/2000/1492/FP), is dated 8th November 2000.
- The development proposed is the construction of a 20 box stable building for equestrian use.

Summary of Decision: The appeal is allowed and planning permission granted subject to conditions set out in the Formal Decision below.

The Appeal Site and the Planning Background

1. The appeal site lies on the east side of Hornbeam Lane, an unmetalled bridlepath in rolling, wooded countryside to the south of Essendon. The plan accompanying the enforcement notice covers the whole of a large field, known as the East Field, currently divided into paddocks. However, the alleged breach of planning control is in a relatively small area in its north-western corner. The proposed stable to which the Section 78 appeal relates is intended to be built in this same part of the field. The whole of the site lies within the Metropolitan Green Belt.
2. In April 1999 planning permission was refused for a change of use of the East Field to equestrian purposes, the construction of a 30 box stable building, the formation of a menage and rides and associated landscaping. A report dealing with the implications of keeping a string of polo ponies accompanied this application. The main reasons for refusal were that the proposed stable building constituted inappropriate development within the green belt,

and that there were no special circumstances sufficient to justify the harm caused to the openness of the area. A subsequent application relating to the same area of land was submitted for a change of use to equestrian purposes (with associated rides, menage, and landscaping) and was approved in August 1999. In January 2000 an application for a stable building comprising 24 timber loose boxes was refused, for a reason similar to that invoked in the April 1999 decision.

3. The stable proposed in the present appeal would have dimensions of about 32m x 22m x 7m. The Council resolved to refuse this application on 5th March 2001, in ignorance of the fact that an appeal against non-determination had by then been submitted. The reasons intended by the Council were similar to those involved in the previous refusals of those applications which included a stable building.
4. The local development plan for this area comprises the Hertfordshire Structure Plan Review 1991-2011 (1998) and the Welwyn Hatfield District Plan Alterations No 1 (1998). A review of the latter has recently been placed on deposit but because of the early stage in its emergence I have attached relatively little weight to its proposals. In any event its current proposals do not appear to involve any significant alterations in respect of the provisions most relevant to the present appeals

Correction to the Notice

5. Both parties agreed that the dimensions specified in Section 3 of the notice were incorrect, but both accepted that I could, without injustice, correct the notice to reflect the true dimensions. I see no reason to take a different view and I shall correct the notice and determine the appeal on the basis of the notice as corrected.

The Appeal on Ground (c)

6. Part 6 of Schedule 2 to the 1995 General Permitted Development Order (GPDO) deals with agricultural buildings and operations. Class A grants permission for the carrying out on agricultural land comprised in an agricultural unit of 5 Ha. or more, of any excavations or engineering operations which are reasonably necessary for the purposes of agriculture within that unit.
7. For these purposes agricultural land is defined as land which, before the development was carried out, was in use for agriculture for the purposes of a trade or business. The Council did not, at the inquiry, challenge evidence on behalf of the appellants that the land on both sides of Hornbeam Lane has, in recent years, been used for the production of haylage and for the grazing of sheep. Both activities fall within the definition of agriculture and, since the products of a sheep flock of about 50 were sold, I am satisfied that a trade or business was involved, albeit a relatively small scale one. It follows that the operations alleged in the enforcement notice were carried out on agricultural land. Furthermore, since an agricultural unit is defined as agricultural land which is occupied as a unit for agricultural purposes I am satisfied that the appellants' holding comprises an agricultural unit. The fact that it has been used partly for equestrian purposes does not alter my conclusion in this regard.
8. The Council appears to have reached similar conclusions when, under the prior notification procedure, they determined in March 1998, that a barn could be built on the land without the need for specific planning permission.

9. The appellants' holding comfortably exceeds 5Ha in extent, and I have no doubt that the development that has taken place comprises engineering operations. Bearing in mind my conclusions that this is agricultural land comprised within an agricultural unit I consider that the development alleged in the notice was permitted under the terms of the GPDO. For this reason, and having regard to all other matters raised, I consider that the appeal should succeed on ground (c). Accordingly the enforcement notice will be quashed and the application deemed to have been made under section 177(5) of the Act as amended does not need to be considered. Nor do the appeals on Grounds (a) and (f).

The Section 78 Appeal

10. From what I have seen, heard and read I consider that there are two main issues in determining this appeal. The first is whether the development constitutes inappropriate development within the green belt. The second is the effect it would have upon the character and appearance of its surroundings.
11. Both parties agreed that the main local policy relating to this appeal was GB3 of the Local Plan, which provides that within the Green Belt permission will normally be granted only for three categories of development. It was common ground that the only category potentially applicable in the present case was the second which allows for :

“essential small scale facilities for outdoor sport and outdoor recreation, or ... for other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it;”

This reflects the provisions of Planning Policy Guidance 2 – Green Belts (PPG2), Section 3.4 of which states that the construction of new buildings inside the green belt is inappropriate unless it is for one of a list of purposes. One of these is virtually the same as the second category of GB3 except that the PPG2 reference does not include the words “small scale”.

12. In the present instance the planning permission for equestrian purposes related to a use that would be for outdoor recreation and would also, in my view, preserve the openness of the green belt and avoid conflict with the purposes of including land within it. As they granted permission for such a use the Council presumably took a similar view. Consequently, in relation to Policy GB3, the proposed stable building is appropriate development so long as it is small scale and essential for the equestrian purposes previously granted permission. Although the application for these purposes was simply for equestrian use, the documents which accompanied it, and the site's history, clearly indicated that the intention was to provide for the exercising and training of a string of polo ponies. The associated facilities such as the menage and surfaced ride were entirely consistent with such a use.
13. The Council's witness suggested that as the appellants had already received a refusal of permission for a block of 30 stables and must, therefore, have realised that there was no guarantee of receiving permission for stables, they ought to have sought an alternative siting for them. However, I find such a position hard to accept. It had been explained to the Council that the polo ponies would need to be exercised and trained in groups on a frequent and regular basis. For this to be done whilst they were stabled away from the site would necessitate trips by more than one horse box on an almost daily basis up and down the narrow, roughly surfaced track which is Hornbeam Lane. Such a procedure would be a source of harm to the ponies, the local environment and the interests of traffic and

Although this has not yet been formally agreed by the Council I am satisfied that a combination of new planting and existing trees and hedges would be sufficient to reduce the visual impact of the stable to negligible proportions.

19. There is likely to be considerable activity on the site when the proposed development is in operation, but most of that would arise from the already permitted use of the land for equestrian purposes. The addition of the stables would be unlikely to substantially increase such activity and might even reduce it. Moreover, the nature of the activity as a whole would be of a kind generally appropriate to the countryside and would be unlikely to cause any significant environmental harm. Bearing in mind all of these factors I conclude that the proposals would not significantly harm the character and appearance of its surroundings. On that basis, and bearing in mind my conclusion as to the appropriateness of the proposals, I am satisfied that they would be consistent with the relevant policies of the local development plan including Policy CR18 which relates specifically to stables in the countryside.
20. Taking into account my conclusions on the main issues I have identified I am satisfied that the proposed development would not, in planning and environmental terms, cause unacceptable harm, and that granting permission for it would be consistent with local and national planning policies. I am unaware of any other material considerations sufficient to indicate any other decision except the approval of the development. For the reasons given above and having regard to all other matters raised, I conclude that planning permission should be granted and the appeal allowed.

Conditions

21. Because full details of the materials to be used in the construction of the stables are not on the plans I consider that a condition should be imposed allowing for the Council's approval of such materials. Furthermore, because my conclusions on the acceptability of the stables depend to a large extent upon the particular details of the appellants' proposed use of the land, I consider that the use of the stables should be restricted to purposes associated with that use. Finally, as successful landscaping is necessary to reduce the impact of the proposal to acceptable proportions I shall impose a condition requiring the timely implementation of such landscaping.

Formal Decision

Appeal Ref No : APP/C1950/C/00/1053673

22. In exercise of the powers transferred to me, I direct that the enforcement notice be corrected by the deletion of Subsection 3(i) : and the substitution therefor of the following :
"Developing the land by laying thereon three strips of concrete, each 4.5m wide, 33m long, and 20cm deep set 4.5m apart."
23. Subject to this correction I allow the appeal and direct that the enforcement notice be quashed.

Appeal Ref No : APP/C1950/A/01/1060428

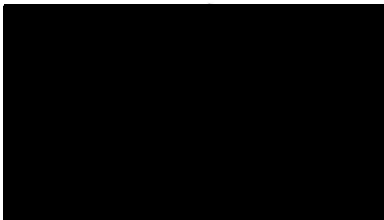
24. In exercise of the powers transferred to me, I allow the appeal and grant planning permission for the construction of a 20 box stable building for equestrian use at Hornbeam

Lane, Essendon, Hatfield in accordance with the terms of the application Ref.S6/2000/1492/FP dated 8th November 2000, and the plans submitted therewith, subject to the following conditions:

- 1) *The development hereby permitted shall be begun before the expiration of five years from the date of this decision.*
- 2) *No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.*
- 3) *The stable building hereby permitted shall be occupied only in conjunction with the equestrian use permitted on the adjoining land and shall not at any time be used for any commercial livery or riding school.*
- 4) *Unless the local planning authority shall have previously agreed otherwise in writing, the stable building hereby permitted shall not be begun prior to the approval of the landscaping and management plan required by Condition 2 of Planning Permission No S6/0372/99/FP (dated 9th August 1999).*

Information

25. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court within 6 weeks from the date of this decision.
26. This decision does not convey any approval or consent that may be required under any enactment, by-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.
27. An applicant for any approval required by a condition attached to this permission has a statutory right of appeal to the Secretary of State if that approval is refused or granted conditionally or if the authority fails to give notice of its decision within the prescribed period.
28. Attention is drawn to the enclosed note relating to the requirements of the Chronically Sick and Disabled Persons Act 1970, as amended.



APPEARANCES

FOR THE APPELLANTS:

Mr R Jameson He called	Solicitor, Jameson and Hill, Solicitors
Mr A M Perryment	Director of Appellant Company
Miss J R Orsborn BA(Hons) DipTP MRTPI	Planning Consultant and Appellants' Agent

FOR THE LOCAL PLANNING AUTHORITY:

Mr J Easton He called	Of Counsel, Instructed by Welwyn Hatfield D C
Mrs B J Skipper BSc(Hons)	Senior Area Planner, Welwyn Hatfield D C

DOCUMENTS

Document 1	List of persons present at the Inquiry
Document 2	Letter of Notification and Related Documents
Document 3	Statements by the Main Parties
Document 4	Copy of the Enforcement Notice
Document 5	Documents Relating to Planning Application S6/2000/1492/FP
Document 6	Recent Photographs of the Site and Surroundings
Document 7	Correspondence between the Council and the Appellants' Agent
Document 8	Documents Accompanying Evidence by Miss Orsborn
Document 9	Documents Accompanying Evidence by Mrs Skipper

APPENDIX 11

SUMMARY PLANNING HISTORY

The main elements of the planning history of the 24 hectare (60 acre) Warrenwood estate, and its development in recent years are as follows.

- ✓ In 1990, planning permission was granted at appeal for a replacement dwelling of the former detached house, 'Meadow Cottage' (known locally as 'Spike Island'), located on the west side of Hornbeam Lane.
- ✓ At that time the gardens of Meadow Cottage were not as extensive as now but extended to the north (just beyond the duck pond) and west of the house and included a swimming pool, tennis court and domestic stables sited to the west of the house, along with some other outbuildings within the curtilage.
- ✓ In 1998, the site was purchase by [REDACTED]
- ✓ In 1999, the LPA granted planning permission for a change of use of land totalling 13 hectares on the east side of Hornbeam lane, to equestrian use with associated manege, rides and landscaping.
- ✓ In 2001, following several refusals by the LPA, planning permission was granted at appeal for a 20 horse stable block on the equestrian site on the east side of Hornbeam lane.
- ✓ A series of consents granted by the LPA then followed to modify the design and layout of the various elements including the dwelling, stables and equestrian area and manege location.
- ✓ Whilst work commenced on the new stable block, and replacement dwelling, the development stalled due to lack of funds, and throughout the 2000s the site and all the buildings remained half finished, and the land on both sides of Hornbeam lane appeared as a derelict building site.
- ✓ The applicant, Nigel Brunt acquired the site in 2013, with the intention of completing the house for his family and 5 children to live, along with the stables and equestrian area due to the family interest in horses.
- ✓ In 2013, planning permission was granted by the LPA for a modification to the design of the house.
- ✓ By 2015 the various developments were completed comprising a substantial country house set within a 60 acre estate with an equestrian area manege and 18 horse stable block.

APPENDIX 12

Apart from the exceptions in Policy RA1, within the Green Belt settlements of Essendon, Newgate Street, Northaw, and Lemsford development will only be permitted to accommodate the specific needs of the settlement and the surrounding local rural area for housing, employment, local facilities, services and leisure.

Extensions to Dwellings in the Green Belt

- 15.7 The Council is concerned about the impact created by extensions to existing dwellings on the openness of the Green Belt.
- 15.8 The extension of a dwelling may be an appropriate development in the Green Belt provided that it would not result in disproportionate additions over and above the size of the original dwelling. The impact of the development on the character of the area, which may vary between different parts of the Green Belt, will also be a significant factor. As a general principle no extension will be approved that would either by itself or taken together with outstanding permissions and previous extensions to the property, make the property more prominent or visually obtrusive.
- 15.9 This policy will also cover those outbuildings of a size and scale that require planning permission (e.g. stables, kennels, garages etc.), because the curtilages of dwellings have an important role in maintaining the openness of the Green Belt.

Policy RA3 – Extensions to Dwellings in the Green Belt

Permission for extensions to existing dwellings within the Green Belt will be allowed only where all the following criteria are met:

- (i) The proposal would not individually or when considered with existing or approved extensions to the original dwelling, result in a disproportionate increase in the size of the dwelling;
- (ii) It would not have an adverse visual impact (in terms of its prominence, size, bulk and design) on the character, appearance and pattern of development of the surrounding countryside.

This policy also applies to those outbuildings for which planning permission is required.

Replacement of Dwellings in the Green Belt

- 15.10 The overriding presumption is against inappropriate development within the Green Belt. There are however certain circumstances where the Council considers that it is acceptable to allow the replacement of an existing dwelling. For example, the dwelling may be structurally unsound or incapable of habitation.
- 15.11 In order to safeguard the Green Belt, any replacement dwelling should have no greater impact on the surrounding area than the original. The attractiveness of the rural landscape and local distinctiveness of the area can be harmed by inappropriate urban or suburban design. Therefore, any replacement dwelling should reflect its rural setting in terms of scale, design, materials and location.

APPENDIX 13

SUMMARY OF PLANNING ISSUES

Warrenwood Manor estate storage and maintenance building.

The proposal is for the retention of a single-storey storage building to serve the house, gardens and land on the estate comprising 24 hectares (60 acres) in total.

The building provides essential lockup storage and garaging facilities for equipment and machinery to maintain the house and grounds.

There are 3 full-time groundsman and 2 part-time employed on the estate, based at the building who also have a small mess room and repair workshop within the building for house and grounds maintenance.

There are no other buildings to provide these facilities.

The total land holding comprises residential formal and informal gardens, agricultural land, woodland, landscaped parkland and a large equestrian area, stables and pasture land.

The building is sited on the west side of the house within the informal garden area which also includes a tennis court, childrens play equipment, swimming pool, duckpond and lawns.

The site was previously occupied by an old residential outbuilding of the former house which was recently demolished.

The applicant lives in the house with his wife and 5 children.

Ordinarily such a curtilage outbuilding sited within large residential grounds and behind the principal elevation of the dwelling may have benefitted from "permitted development" but such rights were removed by a condition of the new dwelling consent, hence an application for planning permission is needed.

The planning history of the site is extensive. A replacement dwelling was first granted at appeal in 1990, followed by an appeal consent for the stable block in 2001 on the equestrian area (east side of Hornbeam Lane) which had been granted prior consent by the council. There followed a series of renewals for changing designs on each element. The stables and equestrian consents were all conditioned to be used residentially (non-commercial) linked to the house as incidental facilities.

The applicant purchased the site in 2013. At that time all the buildings were incomplete and the site and surrounding land barren and derelict [REDACTED]

[REDACTED]

Since then the house and stables have been completed to a high standard with substantial landscaping across the grounds.

The site is within the Metropolitan Green Belt.

Therefore national and local policies for Protecting Green Belt Land are relevant, particularly those within the National Planning Policy Framework (NPPF) and the local plan the Welwyn Hatfield District Plan (2005).

The two main issues raised by the proposal relate to whether the building constitutes 'appropriate' or 'inappropriate' development in accordance with the NPPF and, if the latter, whether any '*very special circumstances*' exist which outweigh any inappropriateness.

The council consider the building is 'inappropriate' development under national and local policies. The appellant counters this by saying the building houses agricultural and forestry machinery and is a replacement of a previous building and previously developed site so in principle this is 'brownfield land' which could be one of the exceptions within the NPPF and regarded as not inappropriate.

Moreover, local development policy RA3 of the Welwyn Hatfield District Plan (2005) which reflects the NPPF with regard to extensions and alterations to a dwelling states that this will also include outbuildings provided they are not disproportionate. The appeal building is sited behind the principal elevation of the house and separated from it and is subservient and not considered to be disproportionate in relation to the dwelling. Therefore the appellant considers it meets this policy and is appropriate development.

The building may be large but relative to the size of estate it serves it is proportionate, given the degree of self-sufficiency the applicant is seeking to achieve for his house and grounds in terms of running and maintenance.

The council and appellant disagree on this first main issue of whether the building is 'appropriate'.

On the second main issue of whether any '*very special circumstances*' exist the council have made it known that they agree that the design, form, siting, bulk, scale, character and appearance etc are acceptable and reflect the rural character, and there is no harm to neighbouring amenity and also agree that there is a need for such a building .

However, they say the size is excessive, and has not been sufficiently justified to qualify as very special circumstances, and suggest some of its facilities could be accommodated within the applicants domestic garages adjoined to the house. However, these domestic garages are fully occupied with the appellants own cars and domestic recycling facilities and a cycle gymnasium. In any event, for health and safety reasons the sort of activities and machinery proposed for the appeal building cannot be intermixed with his domestic garage so close to the house where children play: a separate building divorced from the house is required.

To justify the size of the building two independent reports have been commissioned by JSP Management Ltd which outline the specific use of the building and conclude its size is what would be expected for an estate of this size and type.

The essential operating need cannot be met by other on site buildings.

The appellant considers there are therefore, '*very special circumstances*', and that these are not outweighed by harm to the Green Belt or any other harm.

The siting of the building next to the dwelling and set back behind its front elevation, and in a hollow, respects the pattern of rural development within the area and any views thereto from public places are short, intermittent and limited by the densely wooded undulating area and tall treed and dense hedgerows. Any potential impact on the Green Belt is minimal, taking also into account its close grouping with the house and respectful and low key design.

The Parish Council have no objections.