



Appeal Decision

Site visit made on 12 July 2019

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 August 2019

Appeal Ref: APP/C1950/W/19/3227024

Warrenwood Manor (Equestrian area), Hornbeam Lane, Brookmans Park, Hatfield, AL9 6JF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Nigel Brunt against Welwyn Hatfield Council.
 - The application Ref 6/2018/3188/OUTLINE dated 14 December 2018 was refused by notice dated 29 March 2019.
 - The development proposed is erection of a single storey equestrian building to form covered manege and riding area.
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Decision

1. The appeal is allowed, and outline planning permission is granted for the erection of a single storey equestrian building to form covered manege and riding area at Warrenwood Manor (Equestrian area), Hornbeam Lane, Brookmans Park, Hatfield, AL9 6JF in accordance with the terms of the application ref: 6/2018/3188/OUTLINE, dated 14 December 2018, subject to the conditions in the schedule at the end of this decision.

Procedural Matter

2. The appeal proposal is seeking outline planning consent with landscape details reserved.

Main Issue

3. The main issue to be considered is whether the proposal would be inappropriate development in the Green Belt and its effect upon the openness of the Green Belt.

Reasons

4. The appeal site is located within the existing equestrian site located at Warrenwood Manor and is located within the Metropolitan Green Belt. Warrenwood Manor is a very large country house which is accessed via Hornbeam Lane, a private drive which has public access via a bridleway from the B158 to the North. The equestrian use occupies around 13 hectares of land which is just over half of the Warrenwood Manor Estate.
5. The existing equestrian complex is extensive and is noted to include a substantial stable block which includes stabling for around twenty horses, with two residential flats over the top and storage facilities underneath, a hay and feed barn, a horse walker and an 80m x 40m outdoor manege. The site is fully

enclosed with brick and post and rail boundaries and two electric gates, through which access is gained. There is an extensive parking area, which saw around half a dozen horse boxes and lorries parked at the time of my site visit, and an expanse of hardstanding and block paved walkways.

Inappropriate Development

6. Paragraph 145 of the National Planning Policy Framework 2019 (the Framework) regards the construction of new buildings as inappropriate in the Green Belt apart from those which fall into the listed exceptions in a) to g). Paragraph 145 b) allows the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport and outdoor recreation. Paragraph 145 b) does, however, contain a specific test about whether openness is preserved, and whether the proposal conflicts with the purposes for including land within the Green Belt, in determining whether a proposal should be categorised as inappropriate development.
7. The appeal proposal seeks consent to erect a building over much of the existing outdoor manege in order to create a covered manege and riding area. This is considered to fall under the categories of outdoor sport and outdoor recreation. It therefore falls to consider whether the proposal would preserve the openness of the Green Belt or conflict with the purposes of including land within it.

Green Belt Purposes and Openness

8. As outlined above the equestrian facilities surrounding the appeal site are extensive. The proposal would occupy a footprint which is smaller than the existing outdoor manege. Paragraph 134 of the Framework outlines the five purposes of including land within the Green Belt. The proposal would not conflict with these purposes and does not represent encroachment into the countryside given the site footprint and occupation already discussed above. It therefore falls to consider the actual effect on openness as an essential characteristic of the Green Belt.
9. Whether any change would cause harm to the openness can depend on factors such as locational context, its spatial or visual implications, as well as scale. In considering the scale of the proposal in its locational context it would be viewed within the same context as a substantial equestrian set-up, as described above, and is a short distance to the North East of Warrenwood Manor itself which is a dwelling which is very substantial in size. The Western boundary of the appeal site is lined with trees along its length.
10. I find the scale of the proposal, and the changes as a result of it, would impact upon the openness of the Green Belt in spatial terms due to the introduction of a building which is of considerable scale where no such building is currently in place. Despite this consideration of scale, or a volumetric approach, alone is not sufficient to support that the development would cause harm to Green Belt openness.
11. Despite there being impact upon the site's openness, in spatial terms, the case of *Goodman Logistics Developments (UK) Ltd v Secretary of State for Communities and Local Government and another* [2017] EWHC 947 (Goodman Logistics Case) concluded that it is relevant to take into account visual perception as a factor which may reduce the spatial harm from the effect of a development on the openness of the Green Belt. Other considerations include

- those relevant to how built up the Green Belt currently is as well as factors relevant to the visual impact of the development. The visual dimension of the Green Belt is an important part of designating land as Green Belt. The perceived effect upon openness could be less than might be expected because, for example, the development would have a limited effect upon people's perception of openness from beyond the boundary of the site.
12. The countryside adjacent to the appeal site is undulating and gradually slopes down, before rising to Cucumber Lane. At the time of my site visit I drove along Cucumber Lane and found that views of the appeal site, and the equestrian area itself, were limited. Views of the proposed building would be very limited. The largest visual impact would be from Hornbeam Lane itself, for users of the Bridleway. Whilst this impact is noted I consider the impact would be limited in the short time users of the public right of way are passing and the existing views from the bridle path and woodland is already limited by the extensive, established, trees and vegetation present.
 13. I note that views of the building could potentially be heightened when the trees are not in leaf, however, I am of the opinion that the limited visual impacts could be mitigated through landscaping improvements to be agreed within a reserved matters application. This would serve to further restrict views of the site when considering the impact of the proposal in the eyes of the viewer.
 14. Overall visibility beyond the immediate site is very limited but the proposal would be visible from Hornbeam Lane which would have some limited implications for the openness of the Green Belt in visual terms. Despite this, given the location of the proposal, I do not find that this would erode or cause harm to the openness of the site or the wider Green Belt. In the case of this appeal the location of the proposal is within an extensive equestrian complex with very limited visibility beyond the immediate area.
 15. Similarly to the approach in the Goodman Logistics Case the introduction of a building, which would cover part of the existing larger manege would have a limited effect upon people's perception of openness from beyond the boundary of the site. I find this would preserve the openness of the Green Belt. The appeal scheme would be an appropriate facility for outdoor sport and outdoor recreation, and would preserve the openness of the Green Belt and would not conflict with the purpose of including land within the Green Belt as required by paragraph 145 b) of the Framework. As a result of this the proposal would not be inappropriate development within the Green Belt.
 16. The proposal would be consistent with Welwyn Hatfield District Plan 2005 Policy GBSP1 which seeks to maintain the Green Belt and Welwyn Hatfield Borough Council – Draft Local Plan Proposed Submission 2016 emerging Policy SADM34 which states that within the Green Belt planning permission will be granted in accordance with national policy.

Other Matters

17. The comments, relating to the adjacent bridleway, are noted. Given the distance between the proposed building and the public right of way (PROW) I do not find that it would result in the PROW being obstructed or diverted, or result in deterioration in the condition of the route, given the space within the existing equestrian complex. I also note the comments of the Rights of Way consultee regarding the construction process, however, neither the Highway

Authority nor the Council have considered it necessary to require a construction management plan to be secured by condition. I have no evidence before me to conclude differently and furthermore, there is a large area of space within the site which can be utilised during construction.

Conditions

18. The Council only suggested a single condition, relating to compliance with plans, which did not take into account that the application was outline requiring submission of reserved matters. The proposal seeks outline planning consent with landscaping reserved. A condition relating to the submission of the reserved matter is therefore necessary. A plans condition, for the matters considered within this appeal, is included to define the consent granted. A condition relating to submission of external materials is required to ensure a satisfactory finish for the building. A condition restricting the development to non-commercial use is required to restrict the use of the facility to that which it was applied and granted for.

Conclusion

19. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be allowed.

Eleni Randle

INSPECTOR

-SCHEDULE OF CONDITIONS-

- 1) Details of the landscaping (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved;
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission;
- 3) The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved;
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans: drawing no. 703/LP1 (location plan), drawing no. 51B (proposed site plan), drawing no. 52 (layout: proposed), drawing no. 54 (roof plan: proposed) and drawing no. 53A (elevations & typical section proposed);
- 5) The development shall be carried out in accordance with the external material details specified on drawing no. 53A (elevations & typical section proposed);
- 6) The covered manege and riding area hereby permitted shall only be occupied 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 purposes.

-End-