

**WELWYN HATFIELD BOROUGH COUNCIL  
EXECUTIVE DIRECTOR - PLANNING, PUBLIC PROTECTION AND GOVERNANCE**

**DELEGATED APPLICATION**

**Application No:** 6/2018/3188/OUTLINE  
**Location:** Warrenwood Manor (Equestrian area), Hornbeam Lane, Brookmans Park, Hatfield, AL9 6JF  
**Proposal:** Outline permission for erection of single storey equestrian building to form covered manege and riding area with landscape details reserved  
**Officer:** Mr David Elmore

**Recommendation:** Refused

6/2018/3188/OUTLINE

| <b>Context</b>                          |  |
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| <b>Site and Application description</b> | <p>The application site is approached off the main road, Cum Cum Hill, via Hornbeam Lane, and forms part of the 24ha Warrenwood Manor Estate. The estate includes the main dwelling 'Warrenwood Manor' to the western side of Hornbeam Lane and 13 hectares of land to the eastern side of Hornbeam lane in equestrian use ancillary to the residential development. The equestrian area includes an associated stable building with habitable accommodation above, a 80m x40m manege and grassland.</p> <p>The site is located within the equestrian area and covers much of the existing manege. The western boundary of the equestrian area runs closely parallel to the site and is lined with trees along its length. To the east are very pleasant views of the uninterrupted undulating countryside. The site and wider area is rural in character.</p> <p>The application site is washed over by the Metropolitan Green Belt and located within Brickendon Wooded Slopes Landscape Character Area.</p> <p>Outline planning permission is sought for the erection of a single storey equestrian building to form a covered manege and riding area in association with the equestrian use with landscaping details reserved. Details for consideration therefore include appearance, means of access, layout and scale.</p> <p>This application is a re-submission following refused application 6/2018/2149/OUTLINE. The same building is proposed but in a different location within the equestrian area. In application 6/2018/2149/OUTLINE the building was proposed to be located in an area of undeveloped grassland to the immediate south-east of the existing manege. That application was refused by reason of inappropriateness in the Green Belt. The current application proposes the building to be sited on much of the area occupied by the existing manege.</p> |
| <b>Constraints (as defined within</b>   | <p>GB - Greenbelt<br/>           LCA - Landscape Character Area (West End - Brickendon Wooded</p>  |

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| <b>WHDP 2005)</b>                | <p>Slopes)<br/> PAR - PARISH (ESSENDON)<br/> ROW - BRIDLEWAY (ESSENDON 018) - Distance: 20.09<br/> Wards - Brookmans Park &amp; Little Heath<br/> HEN - No known habitats present (high priority for habitat creation)<br/> SAGB - Sand and Gravel Belt</p>  |
| <b>Relevant planning history</b> | <p>Application Number: 6/2018/2149/OUTLINE<br/> Decision: Refused<br/> Decision Date: 06 December 2018<br/> Proposal: Outline permission for erection of single storey equestrian building to form covered manege and riding area with landscaping details reserved</p> <p>Reason for refusal:<br/> <i>'The proposed building, by reason of its scale and location, would represent inappropriate development in the Green Belt and result in a material loss of Green Belt openness. Very special circumstances necessary to justify the development do not exist. Consequently, this proposal is contrary to Policy GBSP1 of the Welwyn Hatfield District Plan 2005, Policy SADM34 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and the National Planning Policy Framework 2018'.</i></p> <p>Application Number: 6/2017/2725/FULL<br/> Decision: Declined to Determine<br/> Decision Date: 05 January 2018<br/> Proposal: Change of use of part of first floor stables building to residential flat for use by visiting family members and relatives</p> <p>Application Number: 6/2017/2001/FULL<br/> Decision: Refused<br/> Decision Date: 01 November 2017<br/> Proposal: Change of use of part of first floor stables building to residential flat for use by visiting family members and relatives</p> <p>Application Number: 6/2017/1405/FULL<br/> Decision: Granted<br/> Decision Date: 24 August 2017<br/> Proposal: Change of use of part of first floor of stables building to residential flat for the stables manager</p> <p>Application Number: 6/2016/1953/FULL<br/> Decision: Granted<br/> Decision Date: 03 February 2017<br/> Proposal: Retention of single storey equestrian storage barn</p> <p>Application Number: S6/2015/1106/FP<br/> Decision: Refused<br/> Decision Date: 19 August 2016<br/> Proposal: Retention of parking area for cars and horseboxes, horse holding area and manège area with associated fencing and lighting</p> <p>Application Number: S6/2012/2655/S73B<br/> Decision: Granted</p> |

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|                                       | <p>Decision Date: 12 March 2013<br/> Proposal: Time extension of planning permission S6/2009/2556/MA<br/> (Change of use to equestrian with associated manege, rides and landscaping)</p> <p>Application Number: S6/2012/2656/S73B<br/> Decision: Granted<br/> Decision Date: 14 February 2013<br/> Proposal: Time extension of planning permission S6/2009/2574/FP<br/> (Erection of new dwelling, three bay garage block, garden store together with retention and alteration of the existing stables, landscaping and all other ancillary works. Following demolition of partially constructed dwelling, adjoining stables and garage blocks)</p> <p>Application Number: S6/2009/2556/MA<br/> Decision: Granted<br/> Decision Date: 21 January 2010<br/> Proposal: Change of use to equestrian with associated manege, rides and landscaping</p> <p>Application Number: S6/2009/2574/FP<br/> Decision: Granted<br/> Decision Date: 18 January 2010<br/> Proposal: Erection of new dwelling, three bay garage block, garden store together with retention and alteration of the existing stables, landscaping and all other ancillary works, following demolition of partially constructed dwelling, adjoining stables and garage blocks</p> <p>Application Number: S6/2000/1492/FP<br/> Decision: Refused<br/> Decision Date: 05 March 2001<br/> Proposal: Erection of twenty box stable building</p> <p>Application Number: S6/1999/0372/FP<br/> Decision: Granted<br/> Decision Date: 09 August 1999<br/> Proposal: Change of use of land to equestrian with associated manege, rides and landscaping</p> |           |          |
| <b>Consultations</b>                  |  |           |          |
| <b>Neighbour representations</b>      | Support: 0   | Object: 0 | Other: 1 |
| <b>Publicity</b>                      | Site Notice Display Date: 16 January 2019<br>Site Notice Expiry Date: 6 February 2019<br>Press Advert Display Date: 16 January 2019<br>Press Advert Expiry Date: 30 January 2019   |           |          |
| <b>Summary of neighbour responses</b> | Comment from 40 Grange Park Avenue summarised as follows: <ul style="list-style-type: none"> <li>- No objection to development provided that Bridleway 18 is not obstructed or diverted in any way.</li> </ul>   |           |          |
| <b>Consultees and responses</b>       | Welwyn Hatfield Borough Council Client Services Team - No objection<br>Welwyn Hatfield Borough Council Public Health & Protection Team - No objection  |           |          |

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|  | <p>Hertfordshire County Council Highways Team - No objection</p> <p>Hertfordshire County Council Lead Local Flood Authority - No objection</p> <p>Hertfordshire County Council Rights of Way - Comment:</p> <p>If and when this development is to proceed Essendon Public Bridleway 18 Hornbeam Lane must be protected to its' present width and current surface condition. The bridleway must remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. The safety of the public (walkers, cyclists and horse riders) using the route must be a paramount concern during works, safe passage past the site must be maintained at all times, especially as this route forms part of the popular Hertfordshire Way promoted walk. The condition of the route must not deteriorate as a result of the works. Any adverse effects to the surface from traffic, machinery or materials must be made good by the applicant to the satisfaction of this Authority. All materials must be removed at the end of the construction and not left on the Highway or its' verges.</p> <p>The Ramblers Association – Comment:</p> <p>If this planning application is approved, regarding the public rights of way listed above, continuous unchanged safe access to and along them (including appropriate safety signage for both works operatives and rights of way users) should be maintained throughout the works, as well as beyond, except where one or more temporary closures during the works are explicitly allowed for in the approval of the planning application. Furthermore, any such explicit closures should be kept to the minimum and be carried out in full compliance with the law, through HCC's CROW Service.</p> <p>Essendon Parish Council: No objection</p> |
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**Relevant Policies**

NPPF  
 D1    D2    GBSP1    GBSP2    M14  
 Supplementary Design Guidance (SDG)  
Others: Policies R11, R17, D8 & RA10 of the Saved District Plan; Policies SP9, SADM11, SADM14 SADM16 & SADM34 of the Emerging Local Plan

**Main Issues**

**Green Belt**

The site is washed over by the Metropolitan Green Belt. The proposed development is for a single storey building with a simple pitched roof. This building would have a footprint of 2,128sqm (66.5m long x 32m wide), eaves height of 5.4m and ridge height of between 8.1m-8.2m

The proposed building would be used as a manege and riding area in association with an existing equestrian use and ancillary to the residential use of Warrenwood Manor house. This is considered to fall under the categories of outdoor sport and outdoor recreation.

The National Planning Policy Framework 2019 (NPPF), in paragraph 145, sets out the exceptions to inappropriate development in the Green Belt. One of these exceptions is the provision of appropriate facilities for outdoor sport or outdoor recreation; as long as the facility preserves the openness of the Green Belt and do not conflict with the purposes of including land within it.

The Welwyn Hatfield District Plan 2005 (Saved District Plan) in Policy GBSP1 makes clear that the Green Belt will be maintained in the

Borough. The Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 (Emerging Local Plan) is consistent with the NPPF.

#### *Openness*

Paragraph 133 of the NPPF outlines that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

The courts have held that the impact of a development on Green Belt openness involves both a spatial and visual assessment.

It is clear from the above measurements that the proposed development would be substantial in scale and cause demonstrable harm to Green Belt openness in spatial sense.

In terms of a visual assessment, the main views of the site and proposed building from public vantage points would be from Hornbeam Lane and, at a greater distance, from Cucumber Lane. Hornbeam Lane is a bridleway (Essendon 018) and runs closely parallel to the west of the equestrian site. Access to the site itself taken from Essendon 018.

Views of much of the north-west facing gable of the proposed building would be visible when approaching the site from Hornbeam Lane (i.e. the paved track portion). The height, width and scale of the building would be therefore clearly apparent from this public vantage point.

The narrower track of the bridleway immediately to the west of the site is well enclosed on both sides by established trees. These trees would inevitably reduce views of the proposed building, however the presence of this building would still be obvious by users of the bridleway particularly as a result of its sheer length – proposed at some 66.5m, and close proximity to the bridleway. Views of the building from this portion of the bridleway would be heightened when the trees are not in leaf.

Notwithstanding the above, it is considered that views from Cucumber Lane would be very limited given both the separation distance and presence of landscaping.

Taking account of the above, it is considered that the proposed building by reason of its location, footprint, scale and bulk, would result in harmful loss of Green Belt openness in both a spatial and visual sense. Consequently, the proposal is inappropriate development in the Green Belt, in conflict with Policy GBSP1 of the Saved District Plan, Policy SADM34 of the Emerging Local Plan and the NPPF.

#### *Purposes of including land in the Green Belt*

Paragraph 134 of the NPPF states that the Green Belt serves five purposes:

- a) *To check the unrestricted sprawl of large built-up areas;*
- b) *To prevent neighbouring towns from merging into one another;*
- c) *To assist in safeguarding the countryside from encroachment;*
- d) *To preserve the setting and special character of historic towns;*  
*and*
- e) *To assist in urban regeneration, by encouraging the recycling of*

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|   | <p><i>derelict and other urban land.</i></p> <p>The proposal would be built wholly within the footprint of an existing manege in the equestrian area. As operational development would not extend out onto undeveloped land it is considered that there would be no encroachment into the countryside, nor would there be any conflict with any of the other purposes of including land in the Green Belt.</p>   |
| <b>Design (form, size, scale, siting) and Character (appearance within the streetscene)</b> | <p>Policies D1 and D2 of the Saved District Plan, together with the Council's SDG, require high quality design and that a development respects and relates to the character and appearance of its area. These policies are broadly consistent with the Council's Emerging Local Plan and the NPPF.</p> <p>The proposed building would have a form and appearance indicative of a rural building. Whilst very large in scale, views of the building from the wider area would not be unduly prominent. It is therefore considered that the proposal is acceptable in this respect.</p>  |
| <b>Impact on neighbours</b>   | <p>The proposed building is well separated from the nearest residential property so as to ensure that the living conditions of its occupiers, and all other residential occupiers in the area, would be maintained.</p>  |
| <b>Access and highway considerations</b>  | <p>Access arrangements from the highway would remain as existing. The Highways Authority have been consulted for this application and present no objection.</p> <p>Comments have been received from Hertfordshire County Council's Rights of Way Team and The Ramblers Association outlining that Essendon Public Bridleway 18 Hornbeam Lane must be protected, remain unobstructed, un-diverted and safe for use during construction works with a grant of planning permission.</p> <p>Any wrongdoing in the above respects would be matter to resolve between the applicant/developer and County Council rather than that under the remit or control of the planning system. In certain case planning permission may be subject to the submission and agreement Construction Management Plans (CMP) to be implemented during the course of building works. However it is noted that such a requirement has not been recommended by the Highway Authority in this case.</p>   |
| <b>Other considerations</b>   | <p><i>Whether there are any very special circumstances to clearly outweigh harm to the Green Belt</i></p> <p>Paragraph 144 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.</p> <p>It is considered that the proposal would represent inappropriate development in the Green Belt as there would be a material loss of Green Belt openness. In accordance with the NPPF, substantial weight is afforded to this harm.</p> <p>A very special circumstance has been advanced and rests on the need for an all-weather facility for the applicant's daughter to enable her to train in the sport of dressage all year round. It is understood from a letter of support by the daughter herself, that she is one of the top under 18 dressage riders in Great Britain (GB) with the goal of becoming a</p> |

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|                          | <p>professional competing at international level. Her top 3 horses have been homed at Warrenwood for almost 2 years, one of which has been classed as an Olympic prospect. It is outlined that the existing outdoor manege restricts her ability to train as much as required and that this current facility is potentially dangerous for her horses in certain weather conditions. This has resulted in her trainer refusing to train her at Warrenwood at particular times and means that she must travel to her trainer's complex to use his indoor arena. It is therefore argued that the proposed indoor arena would eliminate all problems and assist in achieving her competitive ambitions.</p> <p>The reasoning behind the need for the development is clear however Officers are not persuaded by this justification. It is considered that the provision of such a facility is that of mainly convenience. The applicant's daughter does have access to the required indoor arena at her trainer's complex to meet her full training demands, albeit access is not ideal. In any case, the need for a facility to support personal competitive sporting goals would not outweigh harm to the Green Belt. This consideration is afforded very limited weight.</p> <p>The Design &amp; Access Statement expresses that the proposed indoor manege would obviate the need for the provision of the external lighting to the current outdoor manege. The existing flood lighting that serves to illuminate the outdoor manege was included in the reason for refusal of planning application S6/2015/1106/FP. Whilst this application was refused, it was decided by Committee Members to under-enforce on this flood lighting and resolution is ongoing. It is considered that removal of the flood-lighting would not, when taken together with the other consideration advanced, would only be afforded limited weight.</p> <p>There is a lack of harm in terms of quality of design, existing character and living conditions of neighbouring properties, however these are taken as neutral neutral factors.</p> <p>In weighing the balance, it is considered that the harm to the Green Belt by reason of inappropriateness would not be clearly outweighed by other considerations.</p> <p>Finally, it is noted that local residents have not objected to the development proposal. However, a lack of public concern, in itself, is not a compelling reason to allow development that would conflict with local and national planning policy.</p> |
| <p><b>Conclusion</b></p> | <p>The proposal is inappropriate development in the Green Belt. The NPPF clearly states that inappropriate development is harmful to the Green Belt, and that substantial weight should be attached to that harm.</p> <p>The other considerations advanced by the applicant offer only limited weight in favour of the scheme and do not outweigh the harm identified. Accordingly, there are no very special circumstances to justify the proposal. Consequently, the proposal would conflict with Policy GBSP1 of the Saved District Plan, Policy SADM34 of the Emerging Local Plan and the NPPF.</p>  |

**Reasons for Refusal:**

1. The proposed building, by reason of its scale and location, would represent inappropriate development in the Green Belt as a result of harm to Green Belt openness. Very special circumstances necessary to justify the development do not exist. Consequently, this proposal is contrary to Policy GBSP1 of the Welwyn Hatfield District Plan 2005, Policy SADM34 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and the National Planning Policy Framework 2019.

**REFUSED DRAWING NUMBERS**

2.

| <b>Plan Number</b> | <b>Revision Number</b> | <b>Details</b>                           | <b>Received Date</b> |
|--------------------|------------------------|--|----------------------|
| 52                 |                        | Layout: Proposed                         | 14 December 2018     |
| 53A                |                        | Elevations and Typical Section: Proposed | 14 December 2018     |
| 51B                |                        | Site Plan: Proposed                      | 14 December 2018     |
| 50A                |                        | Site Plan: Existing                      | 14 December 2018     |
| 703/LP1            |                        | Location Plan                            | 14 December 2018     |
| 54                 |                        | Roof Plan: Proposed                      | 7 January 2019       |

1. **POSITIVE AND PROACTIVE STATEMENT**

The decision has been made taking into account, where practicable and appropriate the requirements of paragraph 38 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 viewed on the Council's website or inspected at these offices).

**Determined By:**

Mr Colin Haigh  
29 March 2019