

Application reference: 07/13/0465/F
Location: Mobile Home, Woodland Stables, Cock Lane, Hoddesdon, Herts. EN11 8LS
Description: Temporary planning permission for existing use of mobile home as a residential dwelling in connection with horse livery and cattery/rescue centre.
Case Officer: Gill Forbes

Application site and relevant history



Woodland Stables is located to the south of Cock Lane, in the Metropolitan Green Belt and in close proximity to Broxbourne Wildlife Site.

Chestnut Grove lies to the north and a Vineyard to the west.

The site was granted permission for a change of use from stables to livery yard in 2008 (reference 7/596/08). There are ten stables with adjoining paddocks and a manege on site.

A cattery with sufficient accommodation to house up to 15 cats also occupies a small area of an existing barn. A licence has been issued by Environmental Health Services for this use. Although the cattery does not have planning permission, it occupies only a small section of the livery stables and is therefore regarded as ancillary to the permitted use.

A mobile home, which is now timber clad, has been installed along the north-eastern boundary of the site which was subject to a Certificate of Lawfulness application for an existing use of the mobile home as a residential dwelling. The Certificate of Lawfulness (reference 7/11/981), was refused as the mobile home was not considered to be a permanent building. Although the mobile home has four feet that are concreted into the ground, this fixing is reversible and the structure could be removed in tact from the site.

The Certificate of Lawfulness failed with regards to a change of use of the land as the mobile home has been in situ for less than 10 years.

The site was also subject to an enforcement notice for the stationing and residential occupation of a mobile home on land without planning permission.

The applicant appealed against both the enforcement notice and the Council's refusal to issue a Certificate of Lawfulness. Both appeals were dismissed as the Inspector gave weight to the conflict with the Council's Green Belt Policies of allowing an additional home in the Green Belt.

This application seeks a temporary permission for the use of the mobile home as a residential dwelling in order to have a presence on site to care for the horses and cats boarded on the site.

Consultations

7, 8, 9, 10, 11, 12 Broxbournebury Mews, White Stubbs Lane

No objections

Leisure Services – No comments

Environmental Health Services – No comments

Herts and Middx Wildlife Trust – No objection, but recommend a Condition to prevent adverse impact on the integrity of the Broxbourne Wildlife Site

Issues

- The proposal would result in the retention of a mobile home in residential occupation in the Green Belt. Saved Local Plan Policies state that there is a presumption against the provision of additional dwellings in the Green Belt, unless very special circumstances are demonstrated.
- The National Planning Policy Framework (NPPF) also states that inappropriate is harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances would not exist unless the harm to the Green Belt is outweighed by other circumstances.
- The applicant states that the mobile home has been in situ since November 2007 and that they need to retain a presence on the site in order to care for the horses and cats that are located there day and night
- Mrs Barnes states that she is a qualified veterinary nurse and among the animals in her care she has an asthmatic horse and diabetic cat; both of which require constant monitoring and instant attention if medical problems arise (Documentary evidence of medication has been provided). The licence for the cattery is also dependent on a 24 hour presence on site and there are also a number of horses stabled in the livery yard. Therefore, there is a need for a constant presence on site and living close by would not fulfil these needs.

- The applicants also state that although they have CCTV installed its presence would not prevent a break in. As they have valuable tack and animals on site they consider that it is vital to have someone on site 24 hours a day to prevent theft or damage.
- The mobile home is located on the eastern boundary of the site with a screening of mature trees to the immediate north and east. There is a high gate located towards the rear of a private track off Cock Lane. The track is approximately 25 metres long, and neither the gate nor mobile home is visible from Cock Lane.
- There are wooded areas to the north and west so the mobile home is well screened from all directions and therefore has no detrimental impact on the appearance, or openness of the Green Belt.
- The mobile home is low lying and of a size suitable for the purpose and size of the site.
- No changes are proposed to the site that would have a detrimental impact on the adjacent wildlife site.
- The applicant has provided evidence that some special circumstances apply due to the nature of the business on the site, but the land remains as Green Belt. Therefore, it would not be appropriate to allow a permanent dwelling in the Green Belt, but a temporary permission due to the current special circumstances of the applicants is considered suitable so that the occupation of the land could be controlled.

Recommendation – Conditional Approval

Temporary approval for the existing use of a mobile home as a residential dwelling in the Green Belt as the development complies with Policies GBC2, GBC6, GBC8 and GBC19 of the Borough of Broxbourne Local Plan Second Review 2001-2011 (December 2005).

Conditions

GEN06 – Development in accordance with plans (as amended)
 GEN08 – Limited permission- Buildings and use (Temp Consent)
 GEN11 – Personal Permission
 Non-standard – Protection of wildlife site.

*Informative!
 Scenario 1*

Determined By:

Chairman – Cllr K Ayling

Head of Planning & Development – Douglas Cooper

Principal Planning Officer – Peter Quaile