

## PLANNING STATEMENT

Land adjacent to  
Drayton Manor Lodge  
Aylesbury Road  
Tring  
HP23 4LD

April 2023

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**RTPI**

Chartered Town Planners

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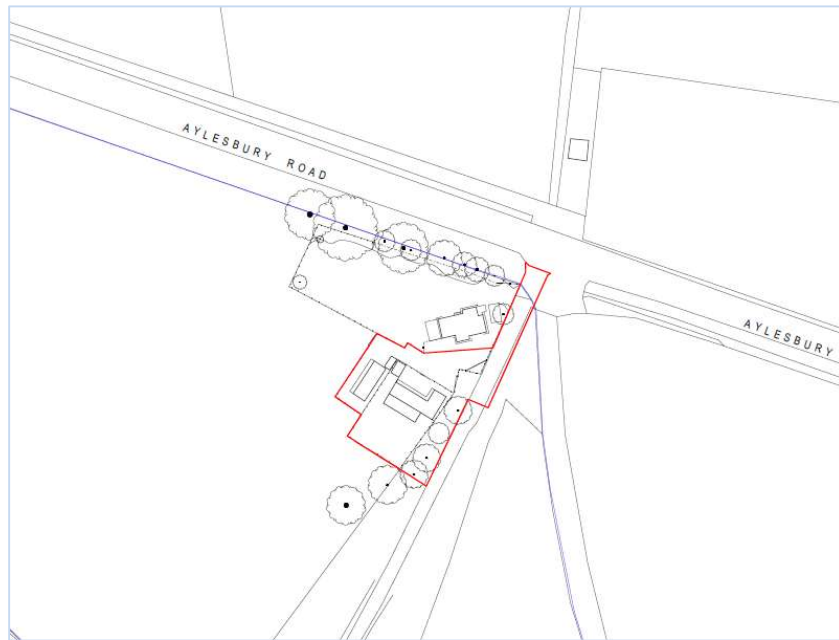
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## 1. INTRODUCTION

- 1.1 My name is James Holmes and I am a Chartered Town Planning Consultant. I have an MA in Town Planning and am a Member of the Royal Town Planning Institute.
- 1.2 This Statement is submitted in support of a planning application for the redevelopment of stable buildings on land adjacent to Drayton Manor Lodge, to provide a domestic care facility. The facility would be used solely by the applicant who is a child with severe medical needs, and would be ancillary to the use of the adjacent dwelling.
- 1.3 This statement sets out the case in support of the proposed development and confirms why it is acceptable, having regard to local and national planning policies and guidance. It focuses on the acceptability of the development in the Green Belt, which is the key policy constraint.
- 1.4 The proposal fully complies with planning policy for the Green Belt, and it is not necessary for very special circumstances to be shown. However, by way of background, and to better understand the nature of the development, it is confirmed that the applicant has a brain injury and requires 24 hours support for the rest of her life. As a child they are likely to only need 1:1 support but as they grow older this will change to 2:1 support. They have a specialist team of professionals who visit them to carry out rehabilitation.
- 1.5 The Planning Statement should be read alongside the Design Statement prepared by Pinchin Architects, which demonstrates that the scheme represents a high standard of design, which responds positively to the character of the local area.

## 2. THE APPLICATION SITE

- 2.1 The application site comprises of a group of stable buildings, located to the west of a private access track, which runs between Aylesbury Road (B4635) to the north east, and Drayton Manor to the south west, beyond the A41.
- 2.2 On the opposite side of Aylesbury Road is a new development comprising of 226 dwellings and 0.75 hectares of employment space, which was granted planning permission in October 2019 (4/00958/18/MFA). This land been removed from the Green Belt and now comprises part of the built-up area of Tring.
- 2.3 The application site is adjacent to the applicants home, which is Drayton Manor Lodge, but does not form part of the curtilage of the dwelling. It contains stable buildings with a combined footprint of some 152 sqm, and area of hardstanding totalling 467 sqm. The whole of the site constitutes 'previously developed (brownfield) land'.
- 2.4 The site is not adjacent to any Locally or Statutory Listed Buildings and is not within the setting of any designated heritage assets. It is not located in a Conservation Area.



*Site Location*

### Planning History

- 2.5 The council's records show that the application site has been subject to the following applications. It should be noted that the site boundaries for both of these applications excluded the curtilage of the dwellinghouse.

[4/01404/02/FHA](#)

- 2.6 In September 2002 planning permission was granted for the stable to the east of the site, adjacent to the access track.



*Stable granted planning permission in September 2002*

[4/00280/09/FUL](#)

- 2.7 In June 2009 planning permission was granted for the stable to the west of the site, as shown in the image below.



*Stable granted planning permission in June 2009*

- 2.8 The following applications relate to development within the curtilage of Drayton Manor Lodge, and are provided for background information only.

[4/00499/02/FHA](#)

- 2.9 In April 2002 planning permission was granted for the demolition of a garage and the construction of two storey side/front extension.

[22/01818/FUL](#)

- 2.10 In June 2022 a planning application was submitted for the demolition of the existing dwelling and construction of a replacement dwelling, 2.3 times larger than the existing. Officers considered that dwelling was not limited in size, as required by Green Belt policy. Concern was also raised about the demolition of Drayton Manor Lodge which was considered to be a non-designated heritage asset. The application was withdrawn in Oct 2022.

- 2.11 The current application does not propose any works to Drayton Manor Lodge, and instead proposes the redevelopment of existing stable buildings to provide for the applicant's needs. The redevelopment of the stables, as proposed by the current application, fully complies with

green belt policy and does not have any adverse impact on Drayton Manor Lodge, which would remain as existing.



*Application for replacement dwelling withdrawn Oct 2022*

[23/00415/LDP](#)

- 2.12 In Feb 2023, an application was submitted for a Lawful Development Certificate, to seek confirmation that a single storey rear extension to Drayton Manor Lodge could be constructed as permitted development. The application was approved in April 2023.

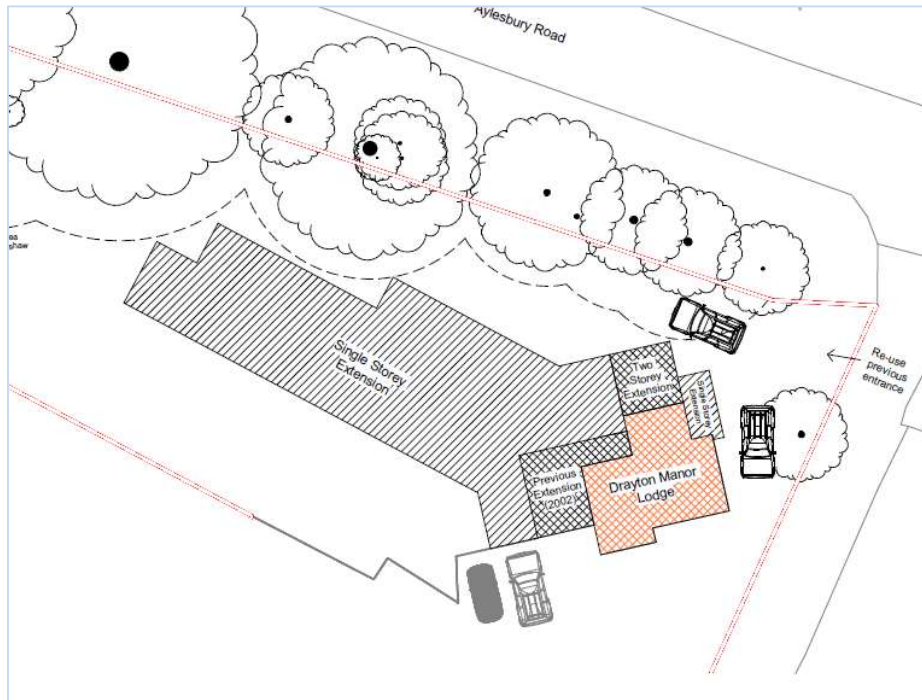
[23/00416/LDP](#)

- 2.13 In Feb 2023, an alternative application was submitted for a Lawful Development Certificate, to seek confirmation that a single storey rear extension to Drayton Manor Lodge could be constructed as permitted development. The application was approved in April 2023.

[Pre- Application Submission](#)

- 2.14 In October 2022, a pre application submission was made for a proposed 4 metre two storey front extension, and a 27-metre front and side single storey extension to Drayton Manor Lodge. Concern was raised by officers in respect of the form and scale of development proposed and the submission was withdrawn.

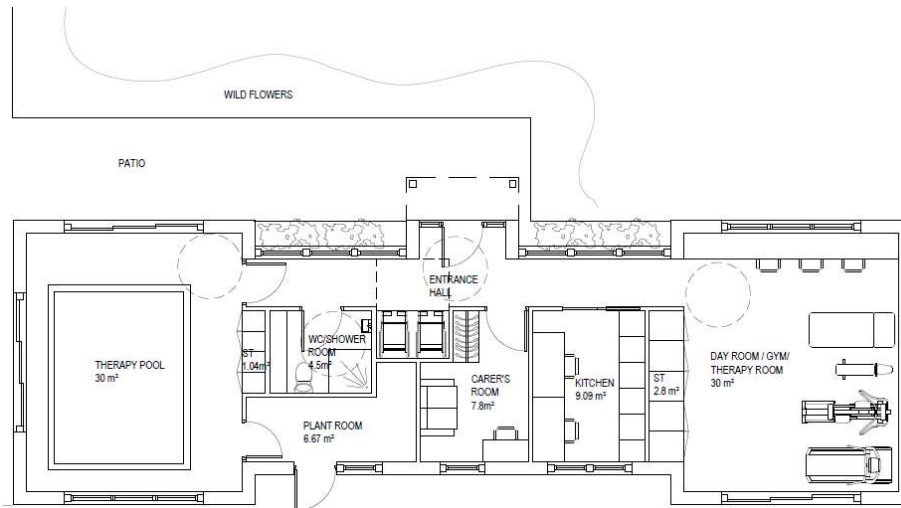
- 2.15 As noted above, the current application does not propose any works to Drayton Manor Lodge, and is fully acceptable having regard to all relevant policies.



*Pre application submission for 4 m two storey and 27 m storey front extensions*

### 3. PROPOSED DEVELOPMENT

- 3.1 The proposal is for the demolition of the existing stable buildings, to provide a well- designed building to provide for care needs of the applicant. The applicants home, at Drayton Manor Lodge, is modest in size and is not suitable to provide for all of their care needs.
- 3.2 The proposed development is described and illustrated in the Design Statement submitted in support of the application. In summary, the scheme would provide a single storey replacement building with a floor area of 109 sqm, sited wholly on previously developed land.
- 3.3 The scheme has been designed to meet the specific care needs of the applicant. It includes a therapy pool, carers room, kitchen and a multi-use day room, gym and therapy area. The room sizes are the minimum required for the needs of the applicant and carers.
- 3.4 The proposed care facility is not a dwelling and the applicant would continue to live and sleep and spend time with their family at their permanent home at Drayton Manor Lodge. The applicant would use the care facility only during the day, and the exact time of use will vary depending on their specific daily needs.



*Proposed Layout*

3.5 The applicants' carers would park on the existing gravel driveway, which is large enough to accommodate several vehicles.

**4. PLANNING POLICY FRAMEWORK**

4.1 Planning law requires that applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The Development Plan in respect of this application comprises:-

- Saved policies of the Dacorum Borough Local Plan (2004)
- Adopted Core Strategy (September 2013)

4.2 The following Development Plan policies are considered to be relevant to the determination of this planning application:-

**Dacorum Borough Local Plan 1991 - 2011 (2004)**

Policy 10	Optimising the Use of Urban Land
Policy 13	Planning Conditions and Planning Obligations
Policy 21	Density of Residential Development
Policy 51	Development and Transport Impacts
Policy 58	Private Parking Provision

**Core Strategy (September 2013)**

Policy NP1	Supporting Development
Policy CS1	Distribution of Development
Policy CS2	Selection of Development Sites
Policy CS5	Green Belt
Policy CS8	Sustainable Transport



Policy CS12	Quality of Site Design
Policy CS24	Chilterns Area of Outstanding Natural Beauty
Policy CS29	Sustainable Development
Policy CS31	Water Management
Policy CS32	Air, Soil and Water Quality

### Supplementary Planning Guidance

Parking Standards SPG (November 2020)

### National Planning Policy Framework (NPPF)

- 4.3 The National Planning Policy Framework was issued in July 2021 and the following paragraphs are considered to be relevant.
- 4.4 Paragraph 2 confirms that planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.
- 4.5 Paragraph 38 confirms that local planning authorities should approach decisions on proposed developments in a positive and creative way. They should work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development.
- 4.6 Paragraph 47 states that decisions on applications should be made as quickly as possible and within statutory timescales.
- 4.7 Paragraph 55 advises that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions.
- 4.8 Paragraph 56 advises that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Conditions that are required to be discharged before development commences should be avoided.
- 4.9 Paragraph 126 advises that good design is a key aspect of sustainable development, creates better places in which to live and work, and helps make development acceptable to communities.
- 4.10 Paragraph 130 provides guidance on the design of new development and advises that it should be sympathetic to local character, while not preventing or discouraging appropriate innovation.

4.11 Paragraph 149 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. However, certain forms of development are not defined as inappropriate development, including the redevelopment of previously developed land, which would not have a greater impact on the openness of the Green Belt than the existing development.

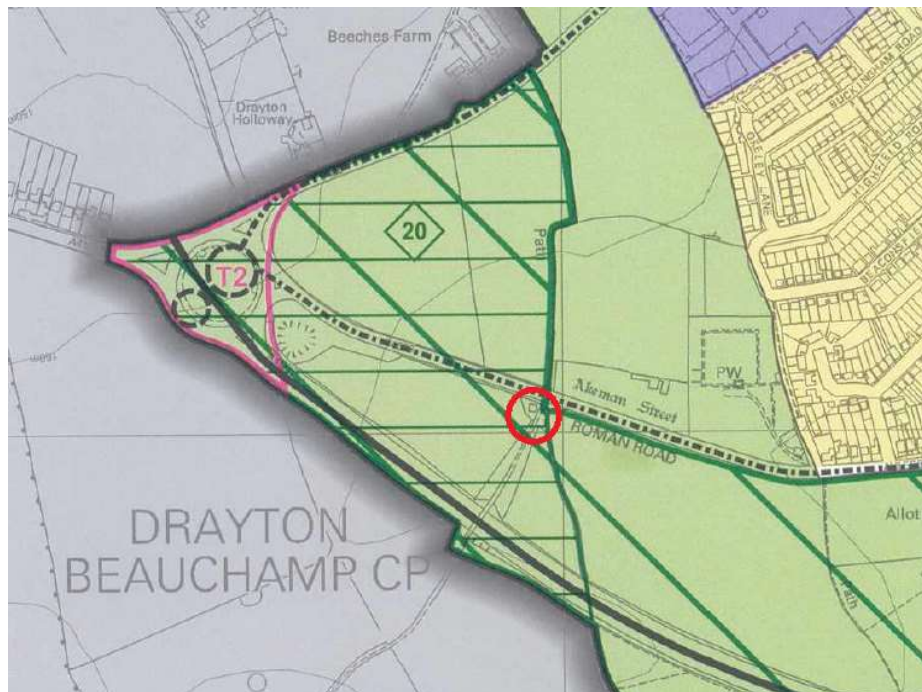
## 5. PLANNING APPRAISAL

5.1 It is considered that the redevelopment of the existing stable buildings, to provide a care facility ancillary to Drayton Manor Lodge, is fully acceptable in planning terms. We wish to make the following points in support of our case: -

### Policy Designations

5.2 An extract of the Dacorum Local Plan Proposals Map is provided below and shows the site is located within the Green Belt and AONB. These designations do not prevent the redevelopment of existing buildings, subject to the size of the replacement building, and the detailed design, which are both considered to be acceptable.

5.3 It should be noted that numerous stables and other previously developed sites in the local area, which are covered by the same policy designations, have secured planning permission for new replacement buildings. Details of which are provided in this statement.



*Extract of local plan showing site in the Green Belt and AONB*

### Appropriate development in the Green Belt

- 5.4 Planning law requires decisions to be made in accordance with the 'development plan', unless material considerations indicate otherwise. In Dacorum, the 'development plan' comprises of adopted Core Strategy (2013) and the saved policies in the much older Local Plan (2004). The site is not subject to a Neighbourhood Plan.

#### Core Strategy

- 5.5 Policy CS5 of the adopted Core Strategy (2013) states that the Council will apply national Green Belt policy to protect the openness and character of the Green Belt, local distinctiveness and the physical separation of settlements. The policy provides examples of types of development that "will be permitted" in the green belt, including "(e) the redevelopment of previously developed sites". The proposal is for the redevelopment of a previously developed site, which complies with this policy.

#### Local Plan

- 5.6 Policy 4 of the adopted Local Plan (2004) sets the council's overarching policy for the Green Belt. However, this policy is very old and does not reflect up to date Government guidance in the NPPF (2001) and is and is no longer used in decision making.
- 5.7 Policy 22 is not relevant to the proposed scheme as it only applies to extensions to dwellings in the Green Belt. The stables are not an extension and not in the curtilage of Drayton Manor Lodge. Policy 24 also does not apply as it relates only to replacement dwellings.
- 5.8 As such, it is concluded that the adopted local plan does not contain any up to date or relevant policies in respect of the redevelopment of previously developed sites such as this.

#### National Planning Policy Framework

- 5.9 The National Planning Policy Framework (NPPF) place a general presumption against 'inappropriate' development in the Green Belt. However, paragraph 149 of the NPPF states that the following is not defined as inappropriate development within the Green Belt:-

*"the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development."*

- 5.10 The proposed developed is not defied as 'inappropriate' and is fully acceptable in the green belt, for the reasons set out below.

### Site defined as previously developed land

- 5.11 The site is defined as previously developed land having regard to the definition in within Annex 2 of the NPPF. The site is occupied by a permanent structure and does not include any agricultural or forestry buildings. The site does not include the residential garden of the existing dwelling, or any parks, recreation grounds or allotments. No part of the site has been abandoned and reverted back to nature through the process of time.

**Previously developed land:** Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

### *NPPF definition of previously developed land*

- 5.12 The keeping of horses for recreational use does not fall within the definition of agriculture. There are many planning decisions which confirm that stables are defined as 'previously developed land'.

### Case Studies

- 5.13 In the case of Doone Brae Farm, Windmill Road (20/02081/FUL), Dacorum Council granted planning permission for the demolition of an existing bungalow, stables and outbuildings to provide 5 new single storey dwellings. The Officer's report concluded that the proposed scheme included the redevelopment of previously developed land, which is acceptable in the Green Belt.
- 5.14 In the case of Woodhouse Farm, Leeds (APP/N4720/A/2202180) planning permission was granted at appeal for redevelopment of stables to a single dwelling. The Inspector concluded that the stables and their curtilage fell within the definition of previously developed land as set out within the NPPF.
- 5.15 In the case of Burnley (APP/22315/A/14/2212311) outline planning permission was granted at appeal for four dwellings. It was accepted by both the appellant and the Council that the stables which were on the site constituted previously developed land in accordance with the NPPF. The Inspector also concluded that the land within the curtilage of the stable buildings also fell within the definition of previously developed land.
- 5.16 In Whitworth (APP/B2355/A/13/2194105) permission was sought for the demolition of existing buildings and the erection of a single 2-bedroom bungalow. One of the buildings to be demolished had been used as a stable for horses. The Council accepted and the Inspector

agreed that unless horses were being used for agricultural purposes, the stabling of horses would not be an agricultural use. On this basis the Inspector concluded that the stables and their curtilage were previously developed/brownfield land.

- 5.17 In Epping, Essex (APP/J1535/W/15/3007926) the appellants wanted to demolish existing stables and hardstanding and erect 5 dwellings. The Inspector accepted that the stables and their curtilage constituted previously developed land in accordance with the NPPF definition.
- 5.18 As set out above the definition of previously developed land includes the stable building and also its curtilage. The application site constitutes the land on which the stables are built and the curtilage of the stables. Therefore, the site on which the facility is proposed is all previously developed land in accordance with the NPPF, as confirmed by case law.

### Openness

- 5.19 It is also necessary under 149(g) to assess whether the proposal has a greater impact on the openness of the Green Belt than the existing development. Provided that the proposal does not have a greater impact on the openness of the Green Belt, it is not inappropriate development within the Green Belt.
- 5.20 As demonstrated in the table below, the proposed building has a smaller floor area, footprint and volume than the stable buildings to be demolished. The amount of hardstanding within the site would also be reduced compared to the existing. As such, the proposal will result in a clear enhancement to the openness of the Green Belt, because the amount of development on the site will be reduced as a result of the proposal.

	Existing to be demolished	Proposed Care Facility	Difference	Enhancement to openness?
Volume (m3)	385.8	384.6	-1.24 m3 <b>(-0.32%)</b>	Yes
Floor area (m2)	142.8	109.3	-33.41 m2 <b>(- 23%)</b>	Yes
Footprint (m2)	152.6	126.5	-26.1 m2 <b>(-17%)</b>	Yes
Hard Standing (m2)	467.8	302.0	-165.8 m2 <b>(-35%)</b>	Yes

*The proposed development would result in a significant enhancement in respect of the openness of the Green Belt*

- 5.21 National Planning Policy Guidance on the Green Belt advises that openness is capable of having both spatial and visual aspects, in other words, the visual impact of a proposal may also be relevant.





*Viewpoint 2 - Bottom of access track looking north. Site cannot be seen.*



*Viewpoint 3 - Directly outside of the site looking west. This is the only clear vantage point.*



*Viewpoint 4 - Taken from the access track looking west. Site well screened by trees.*



*Viewpoint 5 - Taken from the bridge at top of access track looking south. Site cannot be seen.*





*Viewpoint 6 - Taken from Aylesbury Road looking south east. Site cannot be seen.*



*Viewpoint 7 - Taken from the bridge over A41. Site cannot be seen.*



*Viewpoint 8 - Taken from Legion Field Crescent (part of the major new development on the opposite side of Aylesbury Road). Drayton Manor Lodge can be seen, but not the application site.*



*Viewpoint 9 - Taken from junction of Aylesbury Road and Legion Field Crescent  
Site cannot be seen.*

### Design and Impact on AONB

- 5.24 The site is located in the Chilterns Area of Outstanding Natural Beauty AONB and policy CS24 of the Core Strategy states that the special qualities of the AONB should be conserved.
- 5.25 As set out in the Design Statement prepared by Pinchin Architects, the proposal is of a high standard of design, which is fully in keeping with the character of the local area. The proposal utilises traditional local materials and adheres to the Chiltern Buildings Design Guide.
- 5.26 Prior to the submission of the application, the applicant team consulted with the Chiltern Society and the Chiltern Conservation Board, and neither provided any negative comments in respect of the design of the proposed building.
- 5.27 Not only is the proposal of a higher design than the existing buildings to be demolished, it also has a 23% smaller floor area results in a 35% reduction in hard standing. The scheme includes new planting and landscaping, including a wildflower area. The new planting proposed on the boundary of the site adjacent to the access track, which will help to screen the development.



*Proposal achieves a high standard of design and includes new planting and landscaping*

- 5.28 The proposal very clearly represents a considerable visual improvement on the site as existing, and an enhancement to the AONB. The development accords with policy CS24 of the Core Strategy.

## ACCEPTABLE IN ALL OTHER RESPECTS

### No adverse impact on Trees

- 5.29 The application is supported by a BS 5837 Arboricultural Report, Tree Constraints Plan and Impact Assessment prepared by Crawshaw Arborcare Ltd. This demonstrates that proposals lie entirely outside the root protection area of nearby trees and no direct tree impact will result.

### No adverse impact on Bats

- 5.30 As the proposal involves the demolition of several old stable buildings, the application is supported by a Preliminary Roost Assessment, prepared by Avril Consulting Group Ltd. This confirms that the buildings to be demolished have negligible suitability for roosting bats and no further surveys are recommended. The proposal would not conflict with any national, regional or local planning policies and will not have any adverse impacts on any bat species.

### No adverse impact on any Heritage Assets

- 5.31 The site does not contain any designated heritage assets and is not located in the setting of any such assets. The nearest designated heritage assets are the newly extended Tring Conservation Area which is over 200m from the site and Drayton Manor (not to be confused with Drayton Manor Lodge), which is 450 metres away on the opposite side of the A41. The site is not visible from either of these designated heritage assets and the proposal has no impact at all on their setting.
- 5.32 No works are proposed to Drayton Manor Lodge, which would remain as existing. However, by way of background, it should be noted that Drayton Manor Lodge is not a designated heritage asset. It is also not Statutory Listed and is not on the council's list of important non-listed buildings. It was built in a typical Rothschild style of architecture, but is not unique or outstanding in its own right. It has been previously extended, and also subject to unsympathetic alterations over time, which have diminished any limited historic significance it may have once had.

### No adverse impact on Highway Safety

- 5.33 The existing gravel driveway is large enough for several cars. The development accords with the council's Parking Standards Supplementary Planning Document (November 2020) and is acceptable having regard to Policy 51 of the Dacorum Borough Local Plan (2004) and Policy CS8 of the Core Strategy (September 2013).

### No adverse impact on Chilterns Beechwoods SAC

- 5.34 The proposal is unaffected by the recent moratorium on housing in respect of the Chilterns Beechwoods Special Area of Conservation (SAC). The proposal is not a new dwelling or a self-

contained annex and does not contain any bedrooms. It provides for the care needs of the applicant, but is not a 'residential care home' within use class C2. The council is able to approve the application without any mitigation being required.

## 6. CONCLUSION

- 6.1 In conclusion, the application is for planning permission is for redevelopment of stables to provide domestic care facility, which would be ancillary to the use of the dwelling at Drayton Manor Lodge. It would be used solely by the applicant, who is a child with severe medical needs.
- 6.2 Planning policy permits the redevelopment of brownfield land, providing that the development does not have a greater impact on the openness of the Green Belt. The Site clearly falls within the definition of previously developed (brownfield) land as demonstrated by the case law provided.
- 6.3 The scheme has been designed to safeguard openness of the Green Belt and the resultant building would be smaller in terms of both floor area and volume than the existing stables to be demolished. The proposed reduction in built form, and higher quality of design, will bring significant benefits to the openness of the Green Belt. The proposal is therefore not inappropriate development in accordance with paragraph 149 of the NPPF.
- 6.4 The proposal represents a considerable visual improvement on the site as existing and an enhancement to the AONB. The development accords with policy CS24 of the Core Strategy.
- 6.5 The redevelopment of existing stable buildings to provide for the applicants needs, is considered to be a much more appropriate form of development than the previous planning application and pre app submission for very large extensions to Drayton Manor Lodge. The current proposal does not propose any works to Drayton Manor Lodge.
- 6.6 The proposal is acceptable in all other respects. The supporting reports demonstrate that there would be no impact on bats or trees. The existing gravel driveway is large enough for several cars and the development accords with the council's Parking Standards Supplementary Planning Document (November 2020).
- 6.7 The NPPF advises that local planning authorities should approach decisions on proposed developments in a positive and creative way and should work proactively with applicants and seek to approve applications for sustainable development.
- 6.8 The proposal represents sustainable development, which complies with all relevant adopted policies and guidance, and we can see no reason why planning consent should be withheld.