
Planning Statement

Stables at Kingswood Lilley Bottom, Lilley, Luton,
Hertfordshire, LU2 8NH

Prepared by Savills (UK) Limited

Applicant: Mr Stephen Hughes

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1. Introduction

- 1.1. This Planning Statement has been prepared by Savills (UK) Limited ('Savills Planning') and is submitted in support of a Full Planning Application. It is made on behalf of Mr Stephen Hughes ('the Applicant') for the proposed development at Kingswood Lilley Bottom, Lilley, Luton, Hertfordshire, LU2 8NH ('the Site').
- 1.2. The Site is located within the planning jurisdiction of North Herts District Council (NHDC). A site location plan showing the Site in the context of the surrounding area is submitted as part of this application.

Background

- 1.3. Planning permission was granted (reference 06/01021/1) on 11 September 2006 for the change of use of land from boarding kennel business to part residential curtilage. This included the retention of menage and fencing, stable buildings, hay store, and changing/ staff room. Condition 1 of the Permission states that the menage, stables and associated facilities permitted, shall be used solely in connection with the use of the land for grazing, exercising of horses in association with Kingswood, Lilley Bottom and shall not be used for or in connection with any commercial activity.
- 1.4. The Site has recently been sold to the Applicant, who proposes to use the stables at the Site for livery use which will be run by his daughter. This application therefore proposes the change of use to ensure the Site can be used for commercial activity, separate to the residential curtilage. The application proposes the use of the existing buildings on Site and does not propose any internal or external works.
- 1.5. Further details of the application proposals are provided in Section 3 of this Statement.

Description of Development

- 1.6. This application seeks full planning permission for the following proposals:

"Change of use of the stables buildings, ménage and associated facilities at Kingswood to commercial equestrian use (Sui Generis)."

Supporting Information

- 1.7. This Planning Statement sets out the application proposals and relates them to national and

local planning policies. This Statement should be read in conjunction with the drawings, as well as the supporting documents.

1.8. The documents submitted are as follows:

- **Site Location Plan**, prepared by Pentangle;
- **Existing Plan**, prepared by Pentangle; and
- **Planning Statement** (this document), prepared by Savills Planning.

1.9. In addition to the above, an **Application Form/Ownership Certificate, Community Infrastructure Levy (CIL) Additional Questions Form**, and **Covering Letter** (prepared by Savills) have also been supplied. The accompanying covering letter gives a clear overview of the proposed development. The **Application Fee** has also been provided under separate cover.

Structure of this Planning Statement

1.10. The structure of this Planning Statement is set out as follows:

- **Section 2 (Context of the Proposals)** provides background to the proposal, including a description of the site and surrounding area and planning history of the site;
- **Section 3 (The Proposed Development)** sets out details of the development proposal;
- **Section 4 (Planning Policy Framework)** sets out the relevant planning policy framework that the proposal is considered to be considered against;
- **Section 5 (Planning Assessment)** sets out the discussion of the material planning considerations arising from the application proposals; and
- **Section 6 (Conclusions)** presents our conclusions.

2. Context of the Proposal

- 2.1. This section provides details of the background to the application proposals and provides the context within which the application is being made.

The Site and Surrounding Context

- 2.2. The Site is located on the eastern side of Lilley Bottom, within Lilley, a rural location, to the east of Luton. The Site is surrounded by agricultural fields and buildings, equestrian uses and residential dwellings. A site location plan showing the Site in the context of the surrounding area is submitted and provided at **Figure 2.1** below.



Figure 2.1: Site Location Plan

- 2.3. The Site comprises an equestrian facility which is currently part of the curtilage to the existing house at the Site, Kingswood, Lilley Bottom. The equestrian facilities are accessed via a separate tarmac driveway which leads out through gates to Lilley Bottom.
- 2.4. The equestrian facilities comprises a manège, three separate stables blocks with a staff sitting room and kitchenette. The Site provides 16 stables with complementary stores, a rug room, and a horse solarium. Paddocks are located adjacent to the property which are leased by the Applicant. Photographs of the Site are provided at Figure 2.2 – 2.9 below.
- 2.5. The Site is located within Metropolitan Green Belt as designated on North Herts Policy Map (2022). The Site is not located within a Conservation Area and does not contain any statutory listed building.

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- 2.6. The Environment Agency's Flood Map for Planning indicates that the site is situated within Flood Zone 1, which is defined as land that has less than 1 in 1,000 annual probability of river or sea flooding.



Figure 2.2: Existing Access to Site



Figure 2.3: Lilley Bottom Looking South



Figure 2.4: Lilley Bottom Looking North



Figure 2.5: Tarmacadam Driveway Leading to the Stables

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Figure 2.6: Existing Manège

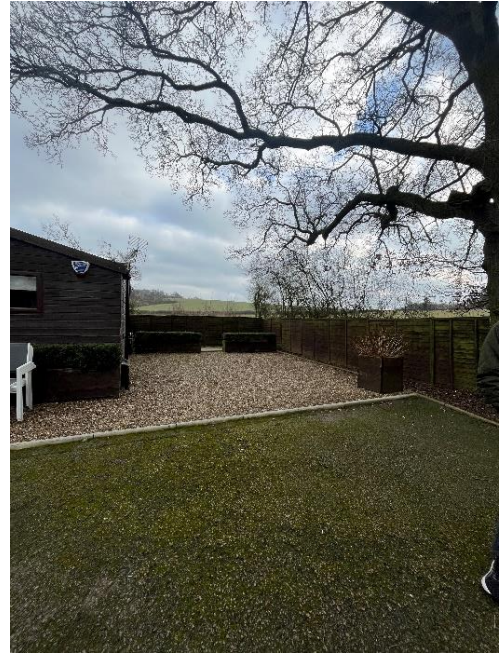


Figure 2.7: Existing Parking Area



Figure 2.8: Existing Stable Blocks



Figure 2.9: Existing Stable Blocks

Planning History

- 2.7. A desk-top based search has been undertaken with regards to the planning history for the Site. A summary of the relevant planning history for the Site is set out at **Table 2.1** below.

Table 2.1 – Site Planning History

Application Reference	Description of Development	Decision
06/01021/1	Retrospective application for the Change of Use of land from boarding kennel business to part residential curtilage. Retention of menage and fencing, stable buildings, hay store, and changing/ staff room.	Approved 11/09/2006
90/1162/1	Tennis Court and surrounding fence (as amended by plans received 3 June 1991)	Approved 13/06/1991
1/532/88	Erection of detached house with triple garage and formation of new vehicular access following demolition of existing dwelling and outbuildings.	Approved 06/06/1989
1/741/87	Erection of single storey front, side and rear extensions, detached triple garage and formation of new vehicular access (revised by plans received 15 June and 15 July 1987).	Approved 28/07/1987
1/1282/86	Erection of additional kennels and cattery buildings, extension to existing cattery, erection of ancillary buildings, formation of parking area and alterations to access.	Approved 25/09/1986
1/2158/86	Erection of boarding kennels and cattery with ancillary building following demolition of existing buildings.	Approved 05/02/1987

- 2.8. Planning permission was granted (reference 06/01021/1) on 11 September 2006 (“the Permission”) for the change of use of land from boarding kennel business to part residential curtilage. The Permission included the retention of the manège and fencing, stable buildings, hay store, and changing/ staff room.
- 2.9. Condition 1 of the Permission states that the manège, stables and associated facilities permitted, shall be used solely in connection with the use of the land for grazing, exercising of horses in association with Kingswood, Lilley Bottom and shall not be used for or in connection with any commercial activity.
- 2.10. This application proposes the change of use to ensure the Site can be used for commercial activity as a livery yard. Further details regarding the proposed development are provided in Section 3 below.

3. The Proposed Development

- 3.1. The application proposes the change of use of the stables buildings, ménage and associated facilities at Kingswood to commercial equestrian use (Sui Generis). The application proposes the use of the existing buildings on Site and does not propose any external works. Photographs of the existing buildings are provided at Figures 2.5 – 2.9 above.
- 3.2. The existing, established boundary treatments will be fully retained. The equestrian facilities will be accessed via the separate tarmacadam driveway which leads out through gates to Lilley Bottom. The Site provides sufficient provision for parking spaces to be provided on Site, including parking provision for horse lorries if required. Parking will not be permitted on the road which is already controlled as shown by Figure 2.3.
- 3.3. The proposal will be operated by the Applicant as a livery yard, a form of licence to use the premises by third parties to keep their horses within the stables. There are 16 stables on Site providing stabling for 16 horses. The horses will either be on DIY, part or full livery. DIY livery ensures the horses are cared for by their owners, part livery will include an aspect of horse care which will be provided by the stable hands on Site and full livery, ensures staff are responsible for all horse care. Owners will pay a monthly fee to the Applicant for the provision of care and use of the facilities.
- 3.4. It is anticipated that a number of the stables will be leased on DIY livery. The Applicant will employ three staff members as stable hands to assist with the care of those on part or full livery.
- 3.5. Owners will be able to use the manège for riding lessons but the manège will not be in use as a riding school.

4. Planning Policy Framework

- 4.1. The development proposals have taken account of relevant national and local planning policy. This section of the Planning Statement sets out a summary of the relevant planning policy documents and the following section demonstrates compliance with these policies.
- 4.2. In accordance with section 38(6) of the Planning and Compulsory Purchase Act (2004), planning applications should be determined in accordance with the development plan unless other material considerations indicate otherwise. For the purpose of this statement, and in accordance with s38(2), the development plans for the assessment of this application comprise the North Hertfordshire Local Plan 2011 – 2031 (adopted November 2022).
- 4.3. The development plan is supported by other material considerations including the National Planning Policy Framework (NPPF) and associated guidance contained within the Planning Practice Guidance (PPG) relevant Supplementary Planning Documents/Guidance (SPDs/SPGs) produced by NHDC, which are referenced to in this Planning Statement.

National Planning Policy Framework

- 4.4. At the national level, the Government published its National Planning Policy Framework (NPPF) in December 2024. The NPPF provides an overarching framework for the production of local policy documents and at the heart of the NPPF is a presumption in favour of sustainable development (paragraph 10).
- 4.5. For decision-taking, Paragraph 11 sets out that, in the context of the presumption in favour of sustainable development, this means:
- c) approving development proposals that accord with an up-to-date development plan without delay; or*
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*
- 4.6. The Government expects the planning system to deliver the homes, business, infrastructure and thriving local places that the country needs, while protecting and enhancing the natural

and historic environment.

- 4.7. The Government has published Planning Practice Guidance (PPG) to support the NPPF, providing further guidance on specific planning issues and processes.

Local Planning Policy

At the local level, the North Hertfordshire Local Plan 2011 – 2031 was adopted on 8 November 2022 and replaces the saved policies of the District Plan Second Review and Alterations. The Local Plan sets out the long term vision for the district by identifying how and where new homes, jobs and infrastructure will be delivered. The plan encourages high-quality sustainable design and consideration for the natural environment.

5. Planning Considerations

- 5.1. This section assesses the proposals against the national and local planning policy and relevant material considerations.

Land Use

(i) Principles

- 5.2. The application Site is within the designated Green Belt and therefore an assessment of the impact of the development is a key Green Belt consideration. The Government attaches great importance to Green Belts (NPPF paragraph 142). The fundamental aim of the Green Belt policy is to prevent urban sprawl by keeping land permanently open. NPPF paragraph 153 outlines that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness.
- 5.3. Paragraph 154 criterion b) of the NPPF states exceptions to inappropriate development in the Green Belt are the provision of appropriate facilities (in connection with the existing use of land or change of use), including buildings for outdoor sport, as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. NPPF paragraph 154 criterion h)iv) also permits the re-use of buildings which are of permanent and substantial construction, provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within in.
- 5.4. At the local level, Local Plan Policy SP5 (Countryside and Green Belt) states development proposals will be permitted in the Green Belt where they would not result in inappropriate development.
- 5.5. The Site has been in equestrian use for approximately 19 years. The existing stable buildings are of permanent and substantial construction and will be retained for the purpose of equestrian use. The Site is screened by roadside boundary hedging and vegetation in the grounds of Kingswood dwellinghouse.
- 5.6. In the context of the surrounding area, the use of the land for the purpose keeping of horses and a small scale equestrian facility should be considered appropriate. Historically, the Site was used by the previous owner for private use within the curtilage of the dwellinghouse. However, there are 16 stables on site providing sufficient land for the provision of livery

stables.

- 5.7. Equine uses are by their nature acceptable in rural areas given the amount of space required to tend to horses. Equestrianism is a common recreation in this location and the proposal is therefore in keeping with the surrounding landscape.
- 5.8. The application proposes the change of use of the stable buildings, ménage and associated facilities to commercial equestrian use (Sui Generis). No alterations to the buildings are proposed. As such, the openness of the Site and the surrounding area will not be harmed. The proposed development is acceptable in this location and will not conflict with the purposes of including land within the Green Belt. The proposals are therefore considered to be in accordance with national and local planning policy.

(ii) Rural Economy

- 5.9. NPPF paragraph 85 states planning decisions should help create the conditions in which businesses can invest, expand and adapt. Furthermore, NPPF paragraph 87 states that decisions should recognise the specific locational requirements of different sectors.
- 5.10. Local Plan Policy SP3 (Employment) states the Council will proactively encourage sustainable economic growth, support new businesses to build on the District's strength. The Local Plan states (paragraph 5.47) that the Council will be supportive of appropriate located facilities that support the rural economy and rural businesses and which respect the character of the countryside.
- 5.11. To assist with the care of horses on full or part livery, the applicant will employ up to three staff members as stable hands. As such, the proposed change of use will provide employment for 3 FTE positions, this is a 100% uplift from the existing employees on Site. The proposal therefore actively encourage economic growth and supports the rural economy in accordance with the NPPF and Local Plan Policy SP3.

(iii) Summary

- 5.12. The proposed change of use is ideally suited to the Site and location which has existing structures on Site that can be utilised. The proposals will not have any impact on the Green Belt and will ensure the provision of 3 FTE positions to the local area. The keeping of horses and a small scale equestrian facility in this location should therefore be considered appropriate.

Highways and Transport

- 5.13. NPPF paragraph 116 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, would be severe.
- 5.14. At the local level, Local Plan Policy T1 (Assessment of Transport Matters) outlines that planning permission will be granted provided that the development does not lead to highway safety problems or cause unacceptable impacts upon the highway network.
- 5.15. The Site is access from Lilley Bottom (see Figures 2.2 – 2.5) which is a rural, minor road wide enough for two standard cars to pass each other. Speeds are restricted to the national speed limit. The immediate pedestrian environment outside the Site is typical of a rural location, with no dedicated footways present near the Site access.
- 5.16. Lilley Bottom is a moderately busy road, which provides access for surrounding equestrian and agricultural uses. The road and existing access can sufficiently accommodate the traffic associated with the proposed use without causing any congestion. The access road within the Site is approximately 5 metres wide, is fenced off from the main house, is a straight road with clear visibility and provides safe passing spaces. Visitors will be directed to the access road which can accommodate the parking of vehicles along the southern boundary.
- 5.17. The application proposes to provide accommodation for up to 16 horses. It is anticipated that 4 of the stables will be leased on DIY livery and 12 will be on part/ full livery. Assuming that 4 of the stables are on DIY livery and are visited by their owners at least twice a day, the use would generate a maximum of 8 visitors (or 8 trips) to the Site daily. This naturally does not consider an arrangement where horse owners retain multiple horses on site and therefore one visit can cover trips to multiple horses. With regards to the other 12 horses on part or full livery, these will be looked after by the stables hands employed on Site resulting in a further 3 visitors (or 6 trips).
- 5.18. On this basis, it can be concluded that the stables have the potential to generate circa 14 daily trips (to or from the Site), through different modes of travel. It is expected that the majority of trips will be completed by car, but it is not excluded that owners could walk or cycle to the Site.
- 5.19. Given the low level of vehicular trip generation and the likelihood that vehicular access to the Site will be taken in equal measure, the impact on the local road network will not be significant

or material for the purpose of highway safety or capacity and can be accommodated without having a detrimental impact on the operation of the network.

- 5.20. Access to the Site for all types of vehicles will remain from Lilley Bottom, as it is at present. In consideration of the trips generated by the proposed use, the level of vehicular traffic generation is likely to be imperceptible on the local highway network.
- 5.21. It is therefore considered that the application is in accordance with NPPF paragraph 116 and Local Planning Policy T1. The proposals will not result in highway safety problems or cause unacceptable impacts upon the highway network and should therefore be considered acceptable.

Car Parking

- 5.22. Local Plan Policy T2 (Parking) states planning permission will be granted provided that parking for non-residential development is provided having regard to the standards set out in the SDP. The Council's SPD does not provide any parking standards for stabling and equestrian uses, which typically generate a low number of trips and are set within an informal set up. Allocated parking for such uses is typically limited to informal layouts.
- 5.23. Parking will be located on the existing hard surfacing presently used for parking and other activities associated with equestrian use. The Site includes sufficient informal provision of a number of parking spaces on Site. Horse owners are expected to visit the Site at different times of the day and there should therefore be no issues with parking arrangements at the Site. No parking overspill would be expected from the proposed development, both due to the significant space available for informal parking within the site and the restrictions along Lilley Bottom.
- 5.24. The provision of informal car parking spaces on Site is considered to be in accordance with Local Plan Policy T2.

Delivery and Servicing

- 5.25. The proposal allows for all bedding and feed requirements to be stored on Site within the existing stable complex, therefore there would be no significant increase in traffic generation relating to deliveries. There is adequate room for a horse box to enter the site and turn within the Site to leave in forward gear through the existing vehicular access gate at the site entrance.

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- 5.26. Refuse and recycling collection will be organised by the Applicant via a private servicing arrangement. The Applicant will arrange the removal of horse manure and ensure the Site is in clean and safe order.

Summary

- 5.27. Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds where the cumulative impacts of the development are “severe”. The proposal is considered to have a negligible impact on the highway, as such are no grounds for refusal in relation to highways and the application should be considered in accordance with national and local planning policy.

Amenity

- 5.28. Local Plan Policy D3 (Protecting Living Conditions) states planning permission will be granted for development proposals which do not cause unacceptably harm to living conditions.
- 5.29. There are no dwellings adjacent or near the site that would be adversely affected. The closest dwelling is Kingswood which is a sufficient distance from the Stables. Any associated noise or disturbance is not considered to be any different from the existing equestrian use. As such, the proposal is not considered to impact the amenity of occupiers or any neighbouring properties in accordance with Local Plan Policy D3.

Hours of Operation

- 5.30. The proposed use of the Site should not be restricted in terms of operating hours. As with any agricultural or equestrian use, the Site will need to be accessible at all hours.

6. Conclusions

- 6.1. This Planning Statement has been prepared in support of a full planning application, submitted to North Herts District Council, on behalf of the Applicant (Mr Stephen Hughes) for the Site at Kingswood Lilley Bottom, Lilley, Luton, Hertfordshire LU2 8NH.
- 6.2. The application Site is located within Green Belt,. The application proposes the change of use of the stables building, ménage and associated facilities at Kingswood to commercial equestrian use (Sui Generis).
- 6.3. The Site comprises an existing equestrian facility which is currently within the curtilage of Kingswood, Lilley Bottom. The equestrian facilities comprises a manège, three separate stables blocks with a staff sitting room and kitchenette. The application proposes the change of use of the stables buildings, ménage and associated facilities at Kingswood to commercial equestrian use (Sui Generis). The application does not propose any external works.
- 6.4. The proposal will be operated by the Applicant as a livery yard, a form of licence to use the premises by third parties to keep their horses within the stables. The horses will either be on DIY, part or full livery. The proposed change of use will provide employment for 3 FTE positions, this is a 100% uplift from the existing employees on Site. The proposed development is acceptable in this location will not conflict with the purposes of including land within the Green Belt.
- 6.5. The proposal is considered to have a negligible impact on the highway, as such are no grounds for refusal in relation to highways and the application should be considered in accordance with national and local planning policy.
- 6.6. NPPF paragraph 11 requires that development which accords with the Development Plan be approved without delay. It is clear that the development does accord with the Development Plan and, therefore should be approved without delay