

Appeal Decision

Site Visit made on 20 April 2021

by R Sabu BA (Hons), BArch, MA, Pg Dip ARB RIBA

an Inspector appointed by the Secretary of State

Decision date: 28 April 2021

Appeal Ref: APP/J1915/W/20/3264828

Jenningsbury Farm, London Road, Hertford SG13 7NS

- 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 Martin Berry against the decision of East Hertfordshire District Council.
 - The application Ref 3/20/0975/FUL, dated 11 August 2020, was refused by notice dated 6 October 2020.
 - The development proposed is erection of new detached stable block.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the revised Framework and any relevant development plan policies including the effect on openness; and
 - would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Inappropriateness

3. The Framework establishes that new buildings within the Green Belt are inappropriate with a number of exceptions. Paragraph 145(b) of the Framework provides the exception of the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
4. Paragraph 146 of the Framework states that engineering operations are not inappropriate development in the Green Belt provided that they preserve the openness of the Green Belt and do not conflict with the purposes of including land it.
5. The proposed development would be for the construction of stables and the addition of hardstanding which would fall under outdoor sport and recreation and engineering operations respectively and may not be inappropriate subject to the facilities preserving the openness of the Green Belt which is assessed below.

6. The stable block would introduce built development on land that is currently undeveloped. Therefore, while the size of the existing manege would reduce, it would diminish the spatial openness of the Green Belt. The site is open and in keeping with the adjacent open countryside. The stable would be sited near the western side of the site, adjacent to the boundary. While the hedges along the boundary may screen the development to an extent and the stable may not be visible from the highway or neighbouring properties, the views from the open countryside across the site to the existing buildings nearby would be restricted by the proposal. As such, while I acknowledge that the building has been reduced in size from the previous application, the stable block would adversely affect the visual openness of the Green Belt.
7. The proposed hardstanding would not include development above ground level and given that the area would be for the use of horses, the hardstanding would not affect the openness of the Green Belt.
8. Consequently, the proposed development would not preserve the openness of the Green Belt and would therefore be inappropriate development in the terms of Policy GBR1 of the East Herts District Plan October 2018 which relates to development in the Green Belt and would conflict with the Framework in this particular regard.

Other considerations

9. I acknowledge the reduction in trips by private vehicle that would result from the relocation of the horses from their current location to the appeal site. While I note the cumulative distance, time and cost of travelling by private vehicle that would be reduced, this would not provide significant benefits in terms of environmental sustainability and I attribute this benefit limited weight in favour of the scheme.
10. The presence of horses on the site may attract visitors to the adjacent holiday lets which would contribute to the local economy. Given the limited number of holiday lets on the site, any benefit in this regard would also be likely to be limited. While I acknowledge the evidence with regard to the Covid-19 pandemic, this is a temporary situation which is not to form the basis for planning decisions made for long-term public interest. As such I attribute this point limited weight in favour of the scheme.
11. I note the evidence with regard to the need for the stables at the appeal site for security and welfare reasons including use of the existing manege for exercising the horses. While I note the evidence in this respect, similar circumstances are likely to be experienced by other horse owners and similar rural uses in the Green Belt, such that they can carry only limited weight in assessing whether very special circumstance existing in the terms of the Framework.

Conclusion

12. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to the harm to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt and any other harm are clearly outweighed by other considerations. The

substantial weight to be given to Green Belt harm is not clearly outweighed by the other considerations sufficient to demonstrate very special circumstances.

13. For the reasons given above the appeal should be dismissed.

R Sabu

INSPECTOR