



Appeal Decision

Hearing held on 22 March 2023

Site visit made on 22 March 2023

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 April 2023

Appeal Ref: APP/J1915/W/21/3273413

Wheelwrights Farm, Rowney Lane, Dane End, Ware, SG12 0JY

- 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 James Cash against the decision of East Hertfordshire District Council.
 - The application Ref 3/20/1119/FUL, dated 10 May 2020, was refused by notice dated 21 October 2020.
 - The development proposed is construction of manege and access track.
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Decision

1. The appeal is allowed and planning permission is granted for construction of manege and access track at Wheelwrights Farm, Rowney Lane, Ware, SG12 0JY in accordance with the terms of the application, Ref 3/20/1119/FUL, dated 10 May 2020, and the plans submitted with it, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. I have also dealt with another appeal (APP/J1915/W/21/3269407) on this site. That appeal is the subject of a separate decision.

Main Issue

3. The main issue in this appeal is the effect of the development on the character and appearance of the area.

Reasons

4. The area has appreciable qualities in terms of its rural character with the extent of the attractive open countryside in between settlements. The broader site contributes to the coherence of the rural landscape, with the existing paddocks influencing the wider pastoral character. These are important contributing factors to the character of the area.
5. Equestrian activities are evident on neighbouring sites and are clearly a feature of the site. They are therefore not uncommon within the surrounding area. However, any associated development needs to be carried out in a manner which does not detract from the landscape. The proposed manege would be sited opposite to the existing stable block and its siting lessens the broader impacts across the area, and as such would be unobtrusive when viewed within the context of the existing site.

6. Having regard to the degree of landscaping around the site and the overall size and scale of the proposed manege I consider that the development is in keeping with and does not materially detract from the character and appearance of the area.
7. As regards the increase to the area of hardstanding, this has substantially less of an effect on the landscape and open countryside, given the scale of the increase proposed which will provide a small area at the entrance to the manege. The increased area of hardstanding is not unacceptable as regards the effect on the character and appearance of the area.
8. I conclude, that the proposed development accords with policies GBR2 and CFLR6 of the East Herts District Plan October 2018 (DP) which permits equine development in the rural area beyond the Green Belt, where the proposal is sited or landscaped to minimise visual intrusion.

Other Matters

Availability of grazing

9. The use of the site as a mixed equestrian use has been established through previous planning permissions. The amount of grazing available has remained the same and as such has been considered suitable for the number and size of stables permitted on the site.
10. The appellant has confirmed they have a holding of 3.24 hectares, with an area of 2.2 hectares available for grazing. The Council have indicated that most of this remains in agricultural use and if supplementary feed was brought onto the land then a change of use would occur. However, I am satisfied on the basis of the evidence before me that sufficient land is available to the appellant to provide grazing for the 5 stables that currently remain on the site.
11. The proposed manege will reduce the overall area of grazing, but not to a significant degree. The horses are housed within stables for part of the year and this would reduce the need for the horses to be grazed year round. The appellant confirmed that the use of the manege for exercise would help minimise degradation of the paddocks in winter months.
12. Therefore, I am satisfied that the site would have sufficient grazing available for the horses that would be kept in a personal capacity by the appellant.

Conditions

13. The Council has suggested 5 conditions. I have considered these in light of the Planning Practice Guide and the tests of the Framework and where necessary amended them for clarity. In addition to the standard implementation condition it is necessary, for the avoidance of doubt, to define the plans with which the scheme should accord.
14. In the interests of the character and appearance of the area a condition to agree a scheme of landscaping would be necessary in this case given the lack of detail on the submitted plans. Similarly, to limit the visual impact of the development details of any external lighting are also required to be submitted.
15. I consider that it is necessary to impose a condition restricting the use of the manege to limit commercial or business uses noting the existing equine use of the site is limited to a personal use for occupiers of the site.

Conclusion

16. For the reasons given above I conclude that the appeal should be allowed.

G Pannell

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr & Mrs J Cash
Philip Brown, BA Hons, P Brown Associates

FOR THE LOCAL PLANNING AUTHORITY:

Annabel Graham Paul, Barrister Francis Taylor Building
Emily Temple BSc (Hons) MSc MRTPI, ET Planning
Steve Jarman BSc (Hons) DipTP, Opinion Research Services
Kay Mead BA (Hons), Dip, MRTPI, East Herts District Council
Paul Steven B.A.L Arch, Dip (Hons) L. Arch, East Herts District Council
Ciaran MacCullagh MA MSc IHBC, East Herts District Council
Rachael Collard MA, BA (Hons), East Herts District Council

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan 1:1250; PBA1 Rev B Site Layout Plan; Post and Rail Fence 1:20; Cross Section of manege 1:20.
- 3) The manege to which this permission refers shall be used only in connection with horses owned by and/or on loan to the occupiers of the site known as Wheelwrights Farm within the land edged blue on the 1:1250 site location plan and shall not be used for any commercial training purposes.
- 4) Details of any floodlighting within the site shall be submitted to and approved in writing by the local planning authority before the hereby permitted manege is first brought into use. Development shall be carried out and maintained in accordance with the approved details.
- 5) No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include indications of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.
- 6) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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