



Appeal Decision

Site visit made on 9 April 2025

by **P B Jarvis DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 June 2025

Appeal Ref: APP/J1915/W/24/3356883

Warren Farm, Green Tye, Hertfordshire SG10 6JD

- 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 Joanna White against the decision of East Herts District Council.
 - The application Ref. is 3/24/1207/FUL.
 - The development is change of use from agricultural to equine use, row of three stables, 36 feet by 12 feet, to also include a 12 feet by 12 feet hay/feed/equipment store. The stables are traditional wooden clad stables and the hay store would also be built to match. A small arena has been laid on top of a hardcore area already on site, of 20 metres square, with added sand surface and wooden fencing.
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Decision

1. The appeal is allowed and planning permission is granted for change of use from agricultural to equine use, row of three stables, 36 feet by 12 feet, to also include a 12 feet by 12 feet hay/feed/equipment store. The stables are traditional wooden clad stables and the hay store would also be built to match. A small arena has been laid on top of a hardcore area already on site, of 20 metres square, with added sand surface and wooden fencing, at Warren Farm, Green Tye, Hertfordshire SG10 6JD in accordance with the terms of application reference 3/24/1207/FUL and subject to the following conditions:
 - 1) The development hereby permitted shall be implemented within three years of the date of this permission.
 - 2) The development hereby permitted shall relate to the following approved plans: Warren-Plan-001 and Warren-Plan-002.
 - 3) The development hereby permitted shall only be used for private leisure purposes and not used for any commercial activity, including hiring, hacking, livery or tuition.

Preliminary Matters

2. The description above is a slightly shortened version of that included on the application form under details of the proposed development. The stable building and manège have already been built. The existing earth bunds are not included in the description provided by the Appellant but are noted in the Council's statement as having been erected some years ago, therefore they are not considered as part of the development and it is not my role in determining an appeal under S78 of the Act, to determine whether or not they are lawful. In any event, their existence is not determinative in my decision.

Main Issues

3. The main issues are:

- Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and relevant development plan policies.
- Whether there are sufficient bridleways in the area to serve the development and thereby minimise risk to other highway users.

Reasons

Whether inappropriate development

4. The Framework states at paragraph 154 that development in the Green Belt is inappropriate unless one of a number of listed exceptions apply. These include at (b) the provision of appropriate facilities in connection with the existing use of land or a change of use, including buildings, for outdoor sport, outdoor recreation, [and others] as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. Paragraph 154 (h)(v) also includes material changes in the use of land (such as changes for outdoor sport or recreation) provided they preserve openness and do not conflict with the purposes of including land in the Green Belt. Policy GBR1 of the East Herts District Plan (2018) (EHDP) states that development proposals within the Green Belt will be assessed in accordance with government guidance contained in the Framework.
5. The development relates a change of use of about 1.4 hectares of land from agricultural land to equestrian. The land is rectangular in shape and has been divided into smaller paddocks by post and rail fencing. It lies to the east of a complex of former agricultural buildings of relatively large scale now comprising a rural business park and heritage craft centre and through which vehicular access to the appeal site is gained.
6. The stables and manège, which are already in place, are located in the northern part of the site which is screened to an extent by the existing earth bunds located along the southern and eastern boundaries of this part of the appeal site. The stable building is relatively modest in size, of minimum size required to provide suitable covered areas for the keeping of the horses on the land, and the proposed small addition of similar dimensions, would provide for the storage of hay, feed and related equipment related to and therefore appropriate to the equestrian use. Together with the adjoining manège, which also provides an appropriate facility to allow for the exercising and training of the horses, they comprise a small proportion of the overall size of the site.
7. The stable building would be increased in size as a result of the hay store addition but, overall, I consider that the resulting building would still remain a relatively small building in the context of the site and its surroundings and of a size that would not be unduly large in the context of what is an 'appropriate facility'. Whilst it would be seen from the car park area of the adjoining site it would not appear as a visually intrusive or large building in this view nor from the more distant views from the Public Right of Way running along the southern boundary of the site. The existing bund provides some screening effect, but the extended stable building would still

be visible and in my view, notwithstanding the existence of the bund, would have a limited effect spatially and visually.

8. The manège comprises a roughly square area surfaced in loose gravel surrounded by an approximately one-metre-high post and rail fence with gate. As noted above, the area is relatively small compared to the overall site and replaced what was a previous hardstanding area. It has an essentially 'open' appearance and whilst the surrounding fencing has introduced an additional 'built' element, the overall spatial and visual impact is limited.
9. The Appellant has referred to a High Court Judgement¹ which notes that all new buildings in the Green Belt will have some impact on openness and the physical presence of such buildings is not in itself regarded as harmful to openness or purposes. Indeed, paragraph 154(b) refers to the provision of 'appropriate facilities' implying that in principle, facilities for the uses referred to can be suitable for a Green Belt location. Further case law referred to by the Appellant also supports the position that the issue of use is relevant in considering the effect on openness² and that visual impact is not the only consideration nor that the preservation of openness relies on a site being free from development³.
10. Whilst the stable building has introduced built development on the site, its limited scale and the relatively small size of the proposed hay store addition, when considered in the context of the adjoining much larger scale buildings, would result in little effect on the openness of the Green Belt. For the above reasons, the manège has a limited effect. Whilst the extended building and the fencing surrounding the manège would be visible from nearby public areas, these are some distance away and the overall scale of the buildings being of single storey height and minimum footprint and low fence in the context of similar fencing is such that they would have limited spatial and visual impact on Green Belt openness, particularly given that their use and visual appearance can reasonably be said to be associated with 'appropriate facilities'.
11. Similarly, there would be little effect on purposes, with only minor encroachment of the countryside. The Council suggests that it would result in the unrestricted sprawl of the built-up area, but the existing complex of buildings does not comprise a large built-up area as described in Framework paragraph 143(a). In any event, the development is associated with a use that is commonly found in such rural areas and could not be described as 'urban sprawl' to which Framework paragraph 142 refers. The development would not conflict with any of the other purposes.
12. The Council has referred to appeal decisions (APP/J1915/W/24/3341694 and APP/J1915/W/23/3331655) where similarly sized, small-scale stables have been found to be inappropriate development. However, from the information provided it would seem that the impact on Green Belt openness was based on the particular site circumstances and context having regard to both spatial and visual effects. In this case, the site context in particular is quite different.
13. Overall, having regard to the above, I find that, in this case, Green Belt openness is and would be preserved and there is and would be no conflict with its purposes. I therefore find that the development would fall within the exceptions of paragraph

¹ R (Lea Valley Regional Park Authority) v Epping Forest DC [2016]

² Europa Oil and Gas v Secretary of State for Communities and Local Government [2013]

³ Samuel Smith Old Brewery (Tadcaster) and others v North Yorkshire County Council [2020]

154 (b) and (h)(v) and is therefore not inappropriate development. In this regard it would comply with the Framework and EHDP Policy GBR1.

Whether there are sufficient bridleways such as to minimise impacts on local highways

14. Policy CLFR2 of the Much Hadham Neighbourhood Plan 2019 to 2033 (MHNP) states that planning applications for new stables should identify an access route to the bridleway network of sufficient quality to support the number of stable units on the site and demonstrate that use of the access route will not bring added danger to other road users or to horse and rider.
15. The appellant has provided a letter from the British Horse Society (BHS) which states that in its opinion access to Much Hadham 034 bridleway, which runs to the south of the site, looks excellent. I saw at the time of my site visit that there is direct access to this bridleway via a gate from the southern paddock of the appeal site. This bridleway connects with the extensive network within the area and provides adequate and suitable routes for the equestrian use.
16. It is of note, as emphasised by the BHS, that horse riders have a right to use the local highway network and whilst given the convenient access to the bridleway network, the appellant may choose to use the local roads. Whilst these comprise of mainly rural lanes, they did not appear to be heavily used and their use by horse riders would not be uncommon. As such, the development is unlikely to result in any unacceptable conflicts with road users.
17. Overall, compliance with MHNP Policy CLFR2 has been demonstrated.

Conditions

18. The Council has suggested a number of conditions which I have reviewed in the light of Framework paragraphs 56 and 57. In addition to the standard time condition, a condition to refer to the approved plans is also necessary in the interests of clarity and as the approved plans indicate that the hay store is to be finished in matching materials, a separate condition in this regard is not necessary. The Council also recommends a condition to ensure that the stables are not used for any commercial purpose and as that is what has been applied for and is the basis on which the use has been assessed, such a condition would be necessary.

Conclusion

19. I therefore conclude that this appeal should be allowed and planning permission granted.

P B Jarvis

INSPECTOR