
Appeal Decision

Site visit made on 3 June 2025

by V Goldberg BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 June 2025

Appeal Ref: APP/J1915/W/24/3357834

Keepers Cottage, Unclassified Road U31 north from The Street Haultwick to Mentley Lane, Great Munden, Hertfordshire SG11 1JN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Alice Costley against the decision of East Hertfordshire District Council.
 - The application Ref is 3/24/1688/FUL.
 - The development proposed is retrospective construction of an ancillary cabin. Change of use of land from agricultural land to use class C3 residential (amendment to previously refused application reference 3/23/2311/FUL).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form states the development was completed on the 2nd October 2023. During my visit, I noted that the cabin had been erected. However, the appeal proposes amendments to the erected cabin, I have therefore considered the appeal on the basis of the plans before me.
3. The second reason for refusal in the Council's decision notice alleges that the development fails to demonstrate a functional link with the main dwelling. However, the description of development seeks permission for an ancillary cabin, therefore, it is not within the scope of this appeal to determine if the cabin is ancillary. Should the cabin be used other than for ancillary purposes, it would be open to the Council to take enforcement action, if expedient to do so.
4. On 12 December 2024, the Government published a revised National Planning Policy Framework (the Framework). Having reviewed the changes, I am satisfied that they do not affect the substantive matters of the appeal and that proceeding without further consultation with the main parties would not be prejudicial to their respective cases.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the surrounding countryside.

Reasons

6. The appeal site is an area within a wider site boundary, with the wider site containing Keepers Cottage, a detached residential dwelling with paddocks, menage, stables, equestrian buildings and significant areas of grazing land. It lies within the 'Rural Area Beyond the Green Belt' as defined in the East Herts District

Plan (EHDP)¹. These areas are recognised as a valued countryside resource particularly for their open and largely undeveloped nature. The appeal and wider site have an equestrian appearance that positively contributes to the rural character of the surrounding countryside.

7. To maintain the character and appearance of these rural areas, Policy GBR2 of the EHDP seeks to restrict development to proposals that would be compatible with the character and appearance of the rural area. The policy therefore sets out a list of the types of development that would be acceptable, this list does not refer to ancillary domestic buildings.
8. Whilst amendments to the building are proposed to give it more of an agricultural appearance, the building is not required for agricultural purposes and therefore it does not fall within the list of exceptions detailed within Policy GBR2.
9. The cabin is located parallel to the rear boundary of the site and in close proximity to a pair of stables and a small storage building. Whilst the cabin is viewed in the context of these nearby equestrian buildings, due to its size and design it appears distinctly different to them. This is because the cabin is significantly larger than these buildings and it has a residential appearance arising from the bifold doors and windows in its front elevation and the decking to the front. In addition, despite being located to the rear of the site, the open nature of the wider site and low boundary treatments result in the building being highly visible from the main road.
10. The appellant considers that the change of use of the land beneath the cabin does not result in harmful intrusion into the countryside, but this does not consider the harm arising from the erected cabin.
11. The appeal scheme proposes that the decking is reduced in size and the bifold doors and windows are covered by shutters to address the residential appearance of the cabin. However, decking is not agricultural in appearance and the shutters would need to open to allow light into the cabin to facilitate its use. At these times, the cabin would appear residential and stark in the context of the rural character and appearance of the area. As such, despite the use of appropriate materials, the amended appearance of the cabin is not similar to the removed stables, and the proposed amendments would not adequately address the residential appearance of the cabin.
12. Whilst the red line for the application has been drawn tightly around the building so that the land around the cabin would not be sufficient to be utilised as a residential garden, this would not address the residential appearance of the cabin and its decking.
13. Two stables and a concrete horse walker have been removed from further within the site to reduce the overall built form on site. Despite these structures being visually unattractive, unlike the cabin, they were in keeping with the equestrian use and therefore appropriate in this setting. In addition, the removal of these structures has resulted in the cabin being prominent from views from outside of the site. Whilst the cabin is approximately 105m away from the highway, the low level fencing allows views across the site. Therefore, despite having a high quality finish, due to its size and residential appearance, the cabin appears incongruous

¹ Adopted October 2018

and incompatible with the character and appearance of the surrounding countryside.

14. The appellant suggests that a landscaping scheme could mitigate views from the road, but landscaping which would screen the development would be at odds with the open nature of the site. In addition, the proposed bee haven around the cabin including the vegetated garden and ground level planters detailed in the BNG Report, would increase the residential appearance of the cabin.
15. The appellant suggests a condition removing PD rights, but this would not address the harm arising from the retention of the cabin. In any event, given the red line is drawn tightly around the building, there would be limited scope to alter the building through permitted development tolerances.
16. Whilst there are no openings at the rear of the cabin, views of the structure from the public footpath are screened by dense vegetation and further planting is proposed, this would not address the impact of the cabin viewed from the access track and main road.
17. For the reasons above, the development has an unacceptable impact on the character and appearance of the surrounding countryside. It is therefore contrary to policies GBR2 and HOU12 of the EHDP. Amongst other things, these policies seek to ensure that development is compatible with the character and appearance of the rural area and that it is well related to other residential land and does not involve harmful incursion into the countryside.

Other Matters

18. The appellant considers that any harm arising from the cabin should be reduced due to it being moveable and complying with the Caravan Act. However, the evidence before me, does not suggest that the cabin is intended to be temporary or moved. Furthermore, the decking and connected services would suggest that the cabin is a permanent structure.
19. Whilst the cabin provides the appellant with a space to work privately, this would not justify its size, which is clearly larger than what is required for a homeworking office.
20. There would be some modest economic and social benefits associated with the development in terms of employment to provide the amendments sought and meeting the needs of the occupants. However, these benefits do not outweigh the significant harm to the character and appearance of the surrounding countryside identified.

Conclusion

21. The development conflicts with the development plan and material considerations do not indicate that the appeal should be decided other than in accordance with it. Accordingly, for the reasons given above the appeal is dismissed.

V Goldberg

INSPECTOR