



Appeal Decision

Site visit made on 18 November 2025

By Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 03 December 2025

Appeal Ref: APP/W1525/W/25/3371823

Blenheim Cottage, Back Lane, Little Waltham, Chelmsford, CM3 3PP

- 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 Mr Paul Harrison against the decision of Chelmsford City Council.
 - The application Ref is 25/00877/FUL.
 - The development proposed is proposed new stable.
-

Decision

1. The appeal is allowed and planning permission is granted for proposed new stable at Blenheim Cottage, Back Lane, Little Waltham, Chelmsford, CM3 3PP in accordance with the terms of the application, Ref 25/00877/FUL, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) Prior to first use of the development hereby permitted, details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. The works shall be carried out as approved prior to the first use of any part of the development or in the first available planting season following such use. The landscaping details to be submitted shall include:
 - a) hard surfacing including the grass grid hardstanding area;
 - b) existing trees, hedges or other soft features to be retained;
 - c) planting plans including specifications of species, sizes, planting centres, number and percentage mix;
 - d) Details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife;
 - e) Management details and a five year maintenance plan.

Main Issue

2. The main issue in this case is whether the proposed development is acceptable in the Green Wedge in accordance with local plan policy.

Reasons

3. The site is adjacent to Blenheim Lodge, a detached chalet style dwelling on a substantial plot, with an existing clinic building and garages, accessed from Back Lane. This part of Back Lane is a cul-de-sac because it has been cut off by a more recent highway, Essex Regiment Way, the A131 dual carriageway. Directly to the

north and west of the site are open fields, whilst the A131 effectively blocks any visual connection with the urban development to the south-east. In the immediate vicinity is the Green Wedge Bridleway network.

4. The proposed stable would be located on an area of grassland that sits on the western side of Back Lane and to the northeast of Blenheim Cottage, immediately adjacent to the curtilage of the dwelling. It would be accessed from Back Lane by a field gate, and from a gap in the existing 1m tall post and wire fence forming an informal southern boundary to the site, separating the grassland from the main domestic garden of the cottage. The north and western boundaries of the grassland consist of mature soft landscaping, whilst the eastern boundary (with the road) consists of a 1.8m close boarded fence with tall trees behind.
5. Directly to the north and west of the site are open fields which form part of the 'Green Wedge' (see below) and contribute to an attractive, open green space preventing the merging of the urban areas of Broomfield to the west and Beaulieu to the south and east. The surrounding open fields, as well as contributing to the rural character, also mark a clear break between the built form of the urban centres to the southeast and west, and a more agrarian countryside setting to the north.
6. In terms of development plan policy, the site and its surroundings are situated within a Green Wedge, under Policy S11 – The Role of the Countryside, of Chelmsford Local Plan 2013 to 2036 adopted May 2020 (LP). Part B of this policy deals with the Green Wedge, as follows: *"B) Green Wedge - The Green Wedge has an identified intrinsic character and beauty and is a multi-faceted distinctive landscape providing important open green networks, which have been instrumental in shaping the City's growth, character and appearance. These networks prevent urban sprawl and settlement coalescence and provide for wildlife, flood storage capacity, leisure and recreation, and travel by cycling and walking, which allows for good public access which will be further improved through the requirements of development allocated in the Local Plan. Development which materially harms the role, function and intrinsic character and beauty of the Green Wedge will not be approved"*.
7. Policy DM7 of the LP deals with 'New Buildings and Structures in the Green ,Wedge'. Part A covers *"New buildings and structures"*, under which *"Planning permission will be granted for new buildings and structures where the development does not conflict with the purposes of the Green Wedge, and is for: ... appropriate facilities for outdoor sport, outdoor recreation and cemeteries; ..."*. It is this part of the policy that is most determinative of a proposal such as the stables proposed in this appeal. At paragraph 8.51 of the supporting explanation for this policy it states, *"Buildings for outdoor sport and outdoor recreation include stables for the keeping of leisure horses."* (then a sentence on cemeteries) *"The size and scale of these types of development will be judged on a site-by-site basis in relation to their intended use"*.
8. Turning to the appeal proposal, the first sentence of the Design and Access Statement (D&A) submitted with the application states "The attached planning application is for a stable block to house maximum 3 donkeys/ leisure ponies as pets for the family". A little later the D&A further notes that *"The purpose of providing suitable stable facilities for Donkey/Leisure Ponies is to enable outdoor sport and recreational activity"*.

9. The delegated report begins the assessment against policy by noting that the proposed use of the stable building could fall within stated policy exceptions to development within the Green Wedge in accordance with Section A of Policy DM7. It then quotes the D&A sentence about 'as pets for the family'. What then follows in the report is an assessment that states that there is no information about whether the animals are already owned, makes reference to guidelines for stable sizes and the extent of grazing that would be required, and concludes that it has not been demonstrated that a building of the size, scale, and proportions of that proposed is necessary for the proposed use and that it would therefore not constitute appropriate facilities for outdoor sport and recreation. It then goes on to assess the impact of the stables on the Green Wedge, as a building that does not come within the ambit of the policy, with the conclusion that it would be in contravention of Policies S11 and DM7.
10. It is not clear whether this assessment has been made on the basis that the stables are for 'pets', and therefore do not come within the terms of Policy DM7, but most of this part of the officer's report is not relevant to a proper consideration of the proposed development against that policy. Certainly, I cannot see that there is any explanation in the report as to why the animals would not be kept for "*outdoor sport and recreational activity*".
11. In my view, the proposed stabling is for donkeys/ponies that would be used for outdoor recreational activity, even if that does not amount to 'sport'. As such the proposal comes within Policy DM7, subject to it not conflicting with the purposes of the Green Wedge. From the documentation provided to me, it is necessary to look to the reasoned justification for the policy to see what the purposes of the Green Wedge are, which is set out in paragraph 8.48. This states that the Green Wedge is a local landscape designation that recognises the crucial role of the main river valleys in providing important open green networks for wildlife, flood storage capacity, leisure and recreation and sustainable means of transport. It also has an important role in preventing settlement coalescence and maintaining a sense of place and identity for neighbourhoods. New buildings within the Green Wedge will be restricted to ensure that the openness and role and function of these landscapes are not adversely affected.
12. The proposed stables are a small structure, and would be set against and well enclosed on 2 sides by substantial trees and vegetation. It would not lead to settlement coalescence and would not interfere with maintaining a sense of place and identity for neighbourhoods. In addition, the openness, role and function of the landscape would not be adversely affected to a material extent. The following paragraph, 8.49, states that proposals for new buildings will be assessed to ensure that they are proportionate in size and scale in relation to their intended use. Paragraph 8.51 deals with buildings for outdoor sport and outdoor recreation including stables for the keeping of leisure horses, and requires the size and scale to be judged on a site-by-site basis in relation to their intended use. The proposed stable is not large, and could not be said to be of a size and scale that is out of keeping with the intended use.
13. There are no other considerations that have to be weighed under policy DM7 or its reasoned justification, and no other relevant policy has been identified in addition to Policy S11. The incidental new 'grass grid hardstanding area' and the access from the existing gate are expected associated features of a stable. The hard standing,

which is designed to appear as far as is reasonable to natural grass does not amount to a consideration that should lead to the refusal of permission.

14. Other legislation included in the council's documentation, for instance the Animal Welfare Act 2006, deals with matters of suitable housing and welfare needs: such matters should be left with the appropriate authorities.
15. My conclusion is that the appeal proposal for stables accords with Local Plan Policies S11 and DM7. Therefore, the appeal will be allowed.

Conditions

16. The statutory condition that provides a time limit on the start of development must be imposed. In addition, the council has suggested 3 conditions in the event that the appeal is upheld. I have considered these in the light of Planning Practice Guidance. These conditions are that the development accords with the plans, that details of hard and soft landscaping, etc, be submitted for approval, and that a written Biodiversity Net Gain Plan be submitted before development commences.
17. I consider that the first of these should be imposed for certainty and avoidance of doubt as to the development permitted, but can be incorporated into the terms of the permission. The second is necessary to integrate the development into its surroundings and promote biodiversity.
18. In respect of the third suggested condition, the general biodiversity gain condition has a separate statutory basis as a planning condition under Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended). The condition is deemed to apply to every planning permission granted for the development of land in England, unless exemptions or transitional provisions apply. Therefore, this condition is unnecessary. However, the appellant should note the legislative provisions mentioned above.

Terrence Kemmann-Lane

INSPECTOR