

DELEGATED FILE NOTE

CASE OFFICER: ...Henry Thomas.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/02313/FP	Erection of menage with permeable surface and installation of 1m high timber fence surround and two 4m poles for flood lights.	1 Church Cottages Bibbs Hall Lane Ayot St Lawrence Welwyn Hertfordshire

Submitted Plan Nos

3548/22A

D1	Sustainable design
D3	Protecting living conditions
SP1	Sustainable development in North Herts
SP5	Countryside and Green Belt
SP9	Design and Sustainability
T2	Parking
HE1	Designated heritage assets
SECN12	Achieving well-designed places
SECN13	Protecting Green Belt Land
SECN16	Conserve + enhance historic environment

2.0 **Site History**

- 2.1 25/00804/FP - Proposed barn for stabling and garden machinery store (amended plans received 04.08.2025).

2.2 Neighbouring properties:

2 Church Cottages

94/00947/1 – Land rear of 2 Church Cottages, detached stables/store building.

Conditional Permission.

3.0 **Representations**

3.1 **Site Notice and Neighbour Notification** – One neutral comment and one objection received both raising concerns to the proposed floodlights and its potential impact on neighbouring amenity and wildlife.

3.2 **The Gardens Trust** – No comment.

3.2 **Kimpton Parish Council** – No comment to make.

3.3 **NHC Ecology** – No objection.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.2 The application site is paddock land used in connection with 1 Church Cottages on the north side of Bibbs Hall Lane in a residential part of Ayot St Lawrence. The site is located outside of any settlement boundary and lies within the Green Belt.

4.2 **Proposal**

4.2.1 Planning permission is sought for the erection of menage with permeable surface and installation of 1m high timber fence surround and two 4m poles for flood lights.

4.2.2 The menage would be approximately 40m by 20m encased by a 1.1m high timber fence. The proposed floodlights would be sited on 4m high timber poles.

4.3.1 The key considerations are:

- The Principle of Development in the Green Belt
- Design/Impact on the Character of the Area
- Impact on the Amenities of Neighbouring Properties
- Highways, Access and Parking
- Heritage Assets
- Landscaping

The Principle of Development in the Green Belt

4.3.2 The site is within the Green Belt. Paragraph 154 of the Framework advises that a local authority should regard the construction of new buildings as inappropriate in the Green Belt with certain exceptions including those set out in sub-paragraph b) which states:

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, 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

- 4.3.2 In this case the proposed development is in association with an equine use associated with the adjacent dwelling and not for any commercial purposes. Such a use can reasonably be described therefore as an outdoor recreational activity and therefore the proposed building and use would fall within those uses described in sub-paragraph b) of paragraph 154 of the Framework. The proposal is therefore considered to be an appropriate use within the Green Belt and no very special circumstances are required to be demonstrated.
- 4.3.3 With regard to the visual impact on the Green Belt, the menage is a low-lying form of development which would be set well into the site and would therefore not harm the openness of the site.

Design/Impact on the Character of the Area

- 4.3.4 Policy D1 of the Local Plan states that planning permission will be granted provided that development responds positively to the site's local context in addition to other criteria. Policy SP9 of the Local Plan further considers that new development will be supported where it is well designed and located and responds positively to its local context. These considerations are echoed in Section 12 of the NPPF.
- 4.3.5 The menage is a form of development is considered acceptable in rural, countryside areas as it is largely low-level development and is un-intrusive in the immediate locality, as evidenced by the submitted fencing drawing.
- 4.3.6 The proposed floodlights are modest in diameter. The proposed height would be similar to the existing tree line which would provide screening for road users and neighbouring dwellings to the south of the site.
- 4.3.6 In terms of the use of this proposed development for the personal and private keeping of the applicants' horses, and not for commercial purposes, it is considered that the frequency of use will be intermittent and informal in association with a private facility. Therefore, whilst the Council do acknowledge that there will be some increased activity on this site as a result of the development, it is considered that the nature and frequency of this use would not result in harm to the wider character of the area.
- 4.3.7 Overall, it is considered that the proposed equestrian use and associated menage would be acceptable in design terms and would respond positively to the site's local context, in accordance with Policies SP9 and D1 of the Local Plan and Section 12 of the NPPF.

Impact on the Amenities of Neighbouring Properties

- 4.3.8 Policy D3 of the Local Plan states that planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions.
- 4.3.9 The proposed development would be sited away from the neighbours to the south by approximately 26m and 35m to the residential annexe and dwelling of Priors Holt who are the closest neighbours. The use of the site is considered to be intermittent and informal, as it is to be privately used by the applicant. The proposed floodlights are on 4m high posts, these lights will be directed downwards and into the menage so will not cause any interference or disturbance to the neighbouring properties or the users of Bibbs Hall Lane. I recommend a condition for hours of operation to prevent light spill during anti-social hours.
- 4.3.10 As such, the proposal would comply with Policy D3 of the Local Plan.

Highways, Access, and Parking

- 4.3.11 The proposal seeks to use an existing access and the proposal is for a residential menage, the proposal is therefore unlikely to generate any significant increase in traffic.

Heritage Assets

- 4.3.12 In my opinion, given the nature of the development and the distance between this proposal and the Listed Church to the northeast of the site, the proposal would not result in any level of harm to the setting or significance of this heritage assets. This is in accordance with Policy HE1 of the Local Plan and Section 16 of the NPPF.

Climate Change

- 4.3.13 The proposed development would be relatively small in scale and would have no significant implications for the local environment in terms of carbon emissions and therefore would be generally in compliance with Section 14 of the NPPF.

Biodiversity

- 4.3.14 The proposal and the submitted Biodiversity Gain Plan have been considered by the North Herts Ecologist and is considered acceptable. The proposal will be subject to the mandatory requirements of Biodiversity Net Gain under Article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 4.3.15 Overall, the proposal would have an acceptable ecological impact subject to the mandatory BNG condition which would deliver measurable gains in biodiversity, in accordance with Policy NE4 of the Local Plan.

4.4 Conclusion

- 4.4.1 The proposed development is considered acceptable and in accordance with Policies SP1, SP5, SP9, D1, D3 and HE1 of the NHLP 2011-2031 and Sections 2, 12,13 and 16 of the NPPF 2024.

4.5 **Alternative Options**

4.5.1 N/A

4.6 **Pre-Commencement Conditions**

4.6.1 The agent is in agreement to the proposed pre-commencement conditions.

5.0 **Recommendation**

5.1 That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. The development hereby granted permission shall be used solely for the private use in association with 1 Church Cottages, and shall not be used for or in connection with any commercial activity.

Reason: The site is within the Green belt wherein development for commercial purposes would not be allowed unless special reasons or justification is presented to allow the policy presumption against development to be relaxed.

4. The floodlights hereby approved shall only be used between the hours of 8.00am and 9.00pm on any given day.

Reason: To prevent light spill towards road users and residential properties. Local Plan Policy D3.

Biodiversity Net Gain

1. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
 - (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - (b) the planning authority has approved the plan.The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be North Hertfordshire District Council.
There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply (<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>).
Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Proactive Statement:

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 17 December 2025	