

Church Wood, Three Houses Lane, Hertfordshire

Appeal Statement against North Herts Council for the refusal of application 24/01042/FP

October 2025



WARNER

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1 Introduction

This Statement of Case is submitted by Warner Planning on behalf of our Client D&A Architectural and Structural in conjunction with an appeal against the refusal of application 24/01042/FP under the authority of North Herts Council and was validated with the following description:

“Change of use of land to equestrian and erection of stables and covered ménage.”

The Planning Application (24/01042/FP) was submitted to the Council on the 24th of April 2025 and was subsequently made valid. The application was given a determination date of the 24th July 2025 and was taken to the committee on the 4th September 2025 with the recommendation for refusal.

The appeal proposals constitute appropriate rural development that preserves the openness of the Green Belt in visual and spatial terms, reflects the established equestrian character of the locality, and accords with the National Planning Policy Framework (NPPF 2024), the North Hertfordshire Local Plan (2011–2031), and the Knebworth Neighbourhood Plan.

This Statement describes the site and surroundings (Chapter 2), the proposed development (Section 3), the planning policy context (Chapter 4), and provides a detailed Statement of Case addressing each reason for refusal and other material considerations (Chapter 5), followed by a conclusion (Chapter 6). Please also refer to the documents list submitted in accompaniment of this appeal submission.

The Council’s three refusal reasons (Green Belt, character/appearance, and drainage) are each rebutted in Chapter 5. The evidence demonstrates that the development meets NPPF paragraph 154(b) as an appropriate facility for outdoor recreation, preserves openness, results in no unacceptable landscape harm, and manages surface water by SuDS within a Flood Zone 1 site. The Council’s handling of late-stage amendments was procedurally unfair and contrary to NPPF paragraph 38.

It is considered that there are compelling grounds to support the proposed development, including:

- The provision of appropriate development within the Green Belt
- A proposed use, expected in the Countryside, and respects the nearby equestrian uses
- The limited development, which results in retention of the openness of the Green Belt
- Continued relationship with the setting and appearance of Three Houses Lane



- A development that adheres to and complements local and national policy
- The implementation of supporting infrastructure for the site
- The retention and re-use of the existing access point to the site
- Ongoing investment into a rural-based economy benefiting the local community.
- Occupation of the building is low-impact activity limiting disruption in the countryside through noise and disturbance.

In making this planning appeal, it is our purpose to highlight that the application proposes a high quality, sustainable development that will complement the immediate locality, and the wider area.

The planning balance clearly weighs in favour of the proposal. Warner Planning respectfully requests that the appeal be allowed subject to conditions.



2 The site and surrounding area

The site is situated at Church Wood, Three Houses Lane, which is most closely linked to the settlement of Codicote. Three Houses Lane is a road that services the nearby residential properties, agricultural premises and equine/commercial facilities. The application site comprises an area of approximately 0.42 hectares.

Codicote is classified as a village in the North Hertfordshire Local Plan and set out in Policy SP2 of the North Herts Local Plan will be allocated:

“Approximately 13% of housing delivery along with supporting infrastructure and facilities.”



Figure 1: Site location in the context of the wider locality (indicative not for scaling).





Figure 2: Aerial image of the application site.

Codicote is recognised as a village under Policy SP4 of the Local Plan. Subparagraph (a) of Policy SP4 states that:

“The Council will make provision for an appropriate range of retail and service facilities across the district and are committed to protecting the vitality and viability of all centres. We will:

a) Promote, protect and enhance the provision of shops, financial and professional services, café or restaurants, pubs or drinking establishments or takeaways in the following centres in our retail hierarchy:

i. the town centres of Hitchin, Letchworth Garden City, Baldock and Royston;

ii. 13 existing local centres consisting of:

- village centres at Ashwell, Codicote and Knebworth;*
- seven centres in Hitchin*
- two centres in Letchworth Garden City; and*
- the centre at Great Ashby; and*



iii. 2 new local centres north of Baldock and East of Luton within the strategic housing sites identified in this Plan;”



Figure 3: The existing site access from Three Houses Lane.

The site is located North of the village of Codicote by approximately three miles and Northwest of Welwyn town by approximately 4 miles. The site is surrounded by woodland within its immediate locality, with the nearest neighbouring properties being located approximately a mile to the East and West.

The site is accessed off Three Houses Lane via a private drive, which is electronically gated. The site is bounded by fencing and dense hedgerows and vegetation. The fencing was recently installed to help tackle the issue of trespassing on-site. The site has private parking by providing a hard-surfaced area on site.

The dominant use along Three Houses Lane is residential properties and equine use.



Planning History

The below table sets out the planning history upon the site. This information is sourced from a search of the North Hertfordshire Councils planning application search engine.

Reference	Address	Proposal	Status
24/01042/FP	Church Wood, Three Houses Lane, Codicote, Herts	<i>"Change of use of land to equestrian and erection of stables and covered ménage."</i>	Permission Refused September 2025 (This appeal)
24/02343/FP	Church Wood, Three Houses Lane, Codicote, Herts	Change of use of existing site from agricultural to use Class B8 (Storage and Distribution). Extensions and alterations to existing barns; erection of detached temporary structure of three years and supporting substation and concrete base. Installation of hardstanding for outside storage and parking and installation of electric front entrance gates. Drainage pond and associated outfall pipe, alterations to surface access track (Development has commenced).	Permission Refused March 2025 Appeal withdrawn September 2025
05/01337/1	Church Wood, Three Houses Lane, Codicote, Herts	Erection of detached building to provide machinery store and workshop.	Conditional permission November 2005
14/02866/1AG	Land At Church Wood, Three Houses Lane, Codicote	Erection of storage barn	Prior approval not required December 2014
18/01478/AG	Proposed Barn, Church Wood, Three	Agricultural Barn (open sided) for the storage of straw (as amended by	Prior approval



	Houses Lane, Codicote, Hertfordshire	forms and location plan received 10 July 2018)	not required July 2018
20/00614/PNQ	Church Wood, Three Houses Lane, Codicote, Hertfordshire	Prior Approval notification – Class Q: Conversion of agricultural building onto one 3-bed dwelling	Refused May 2020
22/01891/FP	Proposed Barn at Church Wood, three Houses Lane, Codicote, Hertfordshire	Change of Use of existing agricultural barn to one 3-bed dwelling	Conditional permission September 2022
24/1002/FP	Church Wood, Three Houses Lane, Codicote, Herts	Change of use of existing barns to office space and the erection of a supporting substation	Withdrawn
24/01042/FP	Church Wood, Three Houses Lane, Codicote, Herts	Change of use of land to equestrian, erection of stables and covered menage.	With the Council for validation

The existing built form is not part of this application redline.

Local Precedent

Within the locality, there is clear precedence for the change of use of several premises to equine use and associated stable and menage construction. Some of these precedent applications are set out below:

Reference	Address	Proposal	Status
20/02541/FP	Lodge Farm, Park Lane, Old Knebworth, Hertfordshire	Erection of indoor horse-riding arena, stables, tack room and storeroom	Granted Permission
19/00777/LDCE	Land North of Oakleigh, Codicote Road, Welwyn, Hertfordshire	Lawful Development Certificate (Existing Use): Unit 5 - General Industrial and Storage (Mixed B2 and B8 Use). Unit 6 - General Industrial (B2 Use). Unit 7c - General Industrial (B2 Use). Unit 7d - General Industrial and Storage (Mixed B2 and B8 Use).	Granted permission



		Unit 8 - Equestrian. Unit 9 - Equestrian. Unit 11 - Storage (B8 Use). Unit 12 - Storage of Plant and Equipment (B8).	
05/00101/1	Jacob Farm, Nup End, Old Knebworth, Knebworth, SG3	Conversion, recladding and extension to existing barn to create 10 stables. Relocation of hay store and single storey building for 6 stables for use as Horse Stud Farm. Car parking and turning areas	Granted Permission
82/01009/1	Keepers Cottage, Rustling End, Codicote, SG4 8TD	Erection of detached double garage and stables.	Permission Granted
77/00532/1	Land in Park Lane, Knebworth, SG3 6PH	Erection of 3 stables and tack room	Permission Granted



Site Attributes and Constraints

Attribute / Constraint	Applicability
Green Belt	The site is located within the Green Belt. However, it is accepted as Grey Belt land.
Area Of Outstanding Natural Beauty (AONB)	The site is not located within an AONB
Conservation Area	The site is not located within a conservation area
Listed Buildings	There are no listed buildings upon the site or within the immediate area surrounding the site.
Flood Zone	The site is located within Flood Zone 1 from fluvial sources, and the majority of the site is not at risk from surface water flooding, although there is a small area at risk to the east of the eastern barn on the site.
Environmental Designation (such as SPA/ SANG/ Wildlife Site)	There are no known environmental designations upon the site. However, the application site is directly adjacent to designated ancient woodland. The site is also located within close proximity to a designated Site of Special Scientific Interest.
Within a Neighborhood Plan Area	The site is located within the designated area for Knebworth Neighborhood Plan.
Public Rights of Way	There are no public rights of way upon the site



3 Proposed Development

This section outlines the appeal proposal, which seeks full planning permission for the change of use of land to equestrian use and the erection of an equine menage, associated stable facility, and the creation of an access track at Three Houses Lane, Church Wood, Codicote (Easting: 521348 - Northing: 220552).

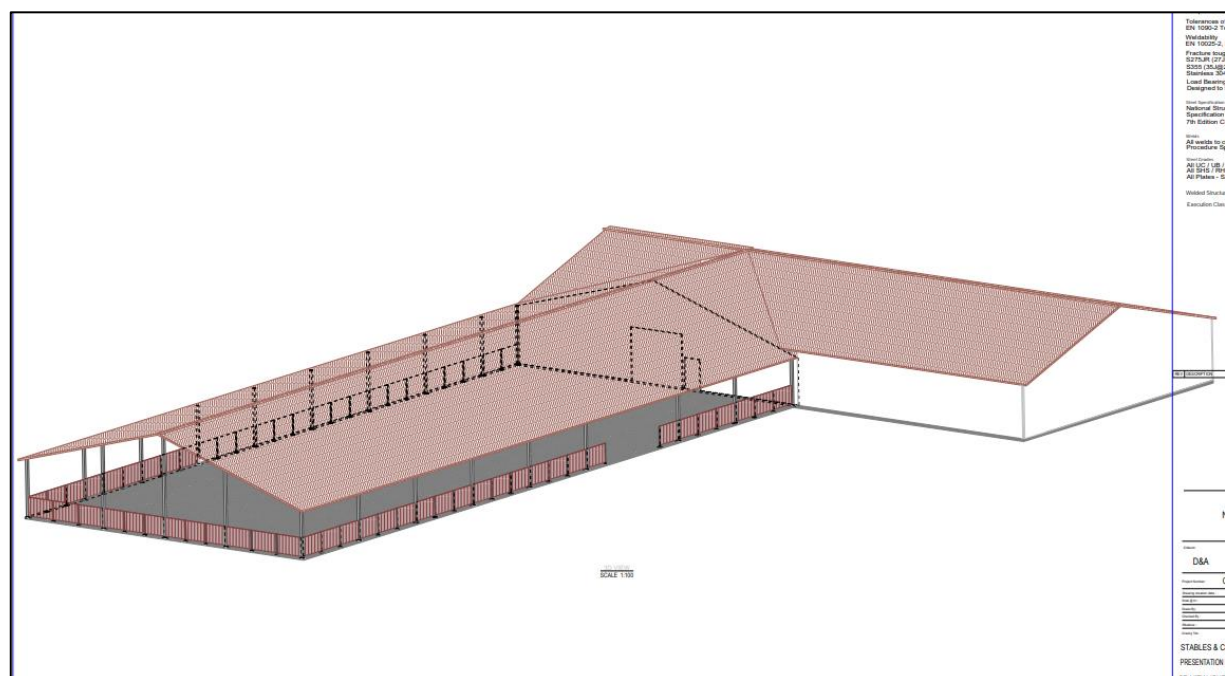
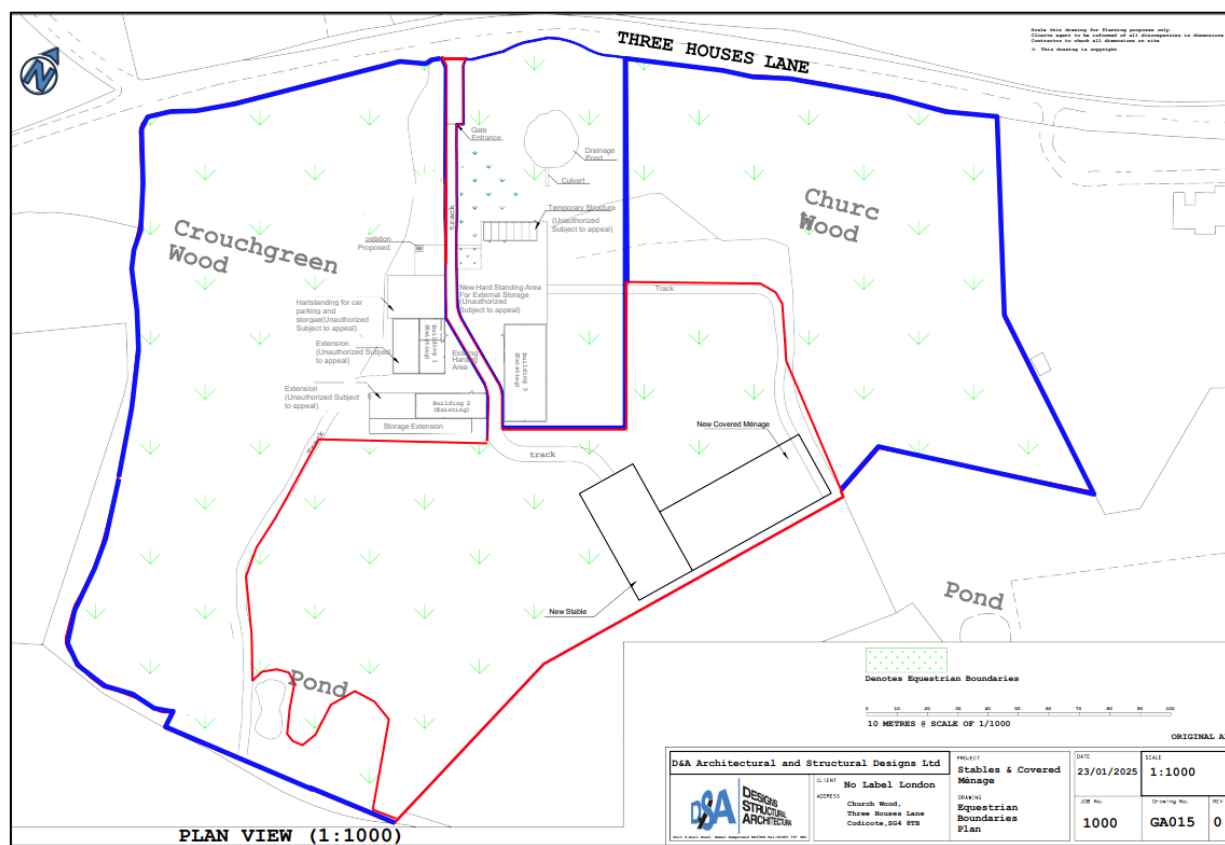
The proposal/development would consist of the following:

- The change of use of associated land to equine use
- The creation of a covered menage
- The erection of a stable block facility
- The extension of the existing access track through the site to extend to the equine facility
- Sustainable fabrication of the built works on site
- Existing access will continue to be utilised by the proposed scheme.
- Ecological preservation and enhancement measures
- Potential for landscape/woodland management

The works on site have taken precedence over other properties within the immediate locality and reflect a common design style of equestrian facilities within Codicote. Section 5 of this Statement explores the design approach on-site in further detail.

The built form on site has been constructed in compliance with Local Plan Policy Sp9, and it is our opinion that the new development is well designed and located and responds positively to its local context.





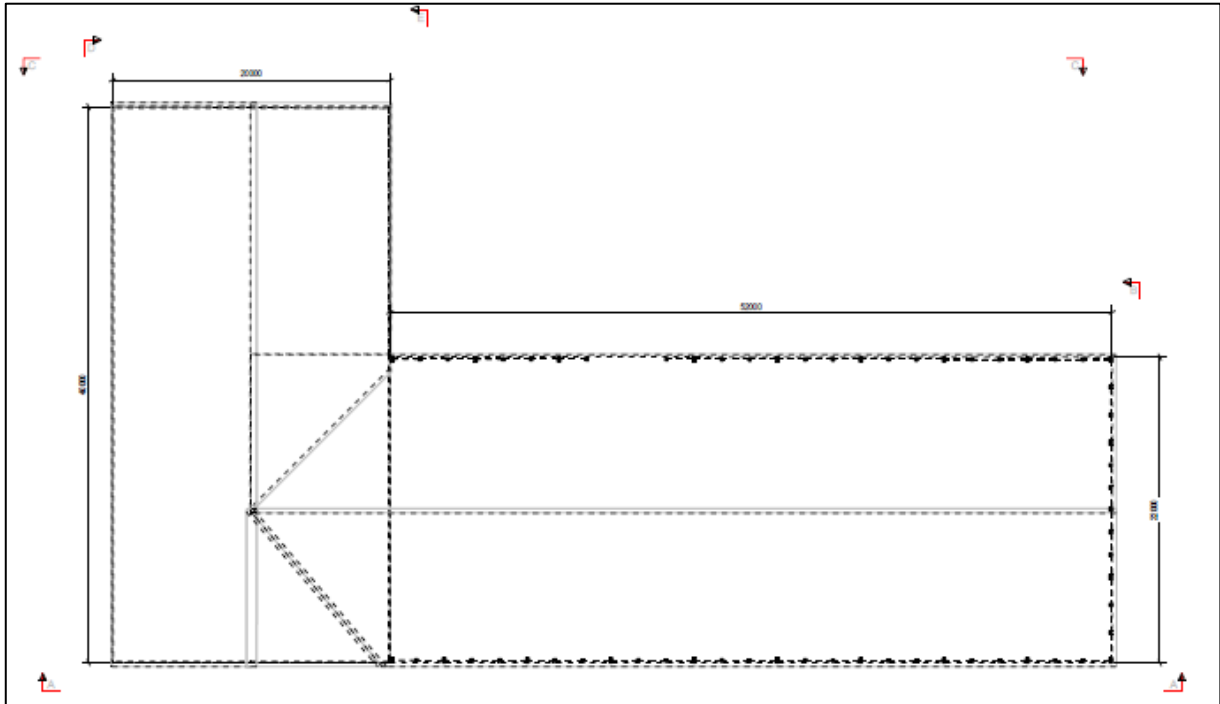


Figure 6: Proposed floor plan.

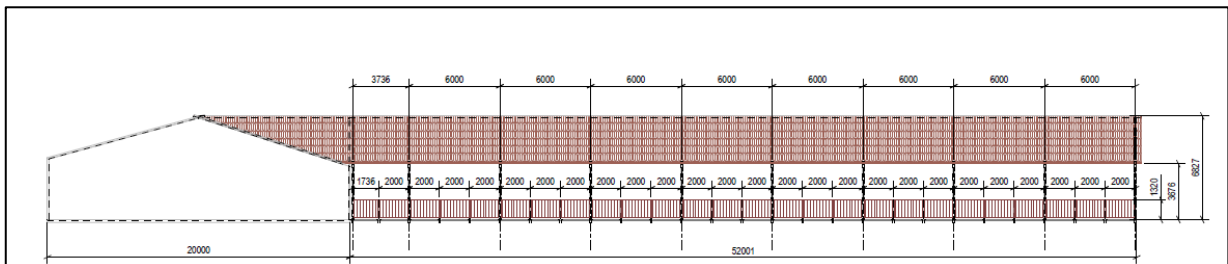


Figure 7: Proposed Elevation.

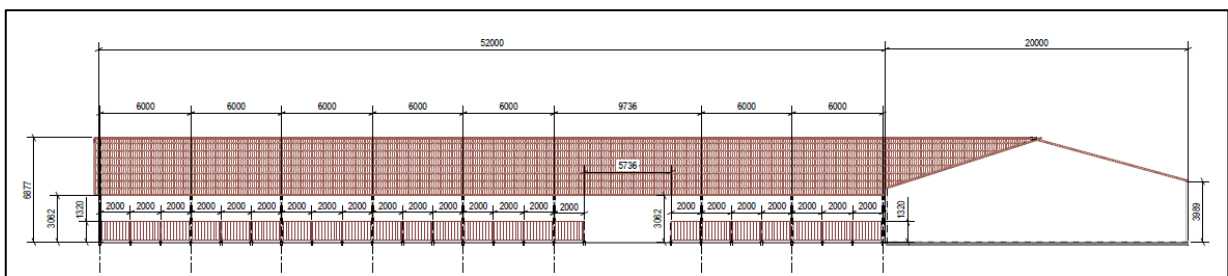


Figure 8: Proposed Elevations

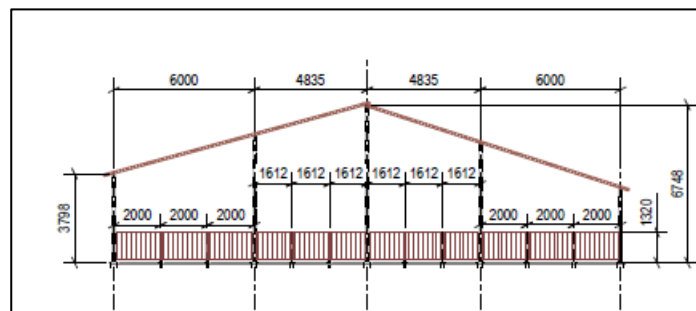


Figure 9: Proposed Elevations

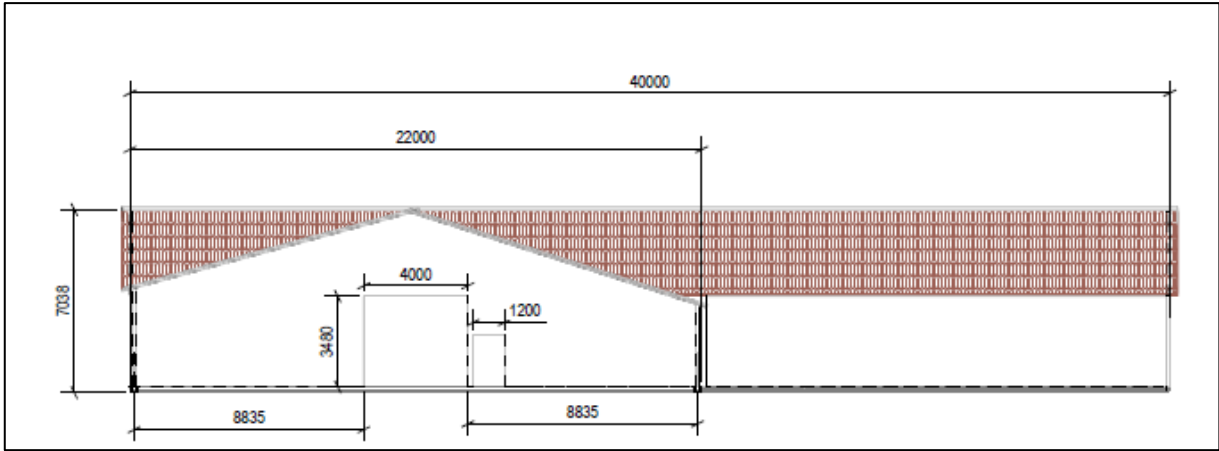


Figure 10: Proposed Elevations

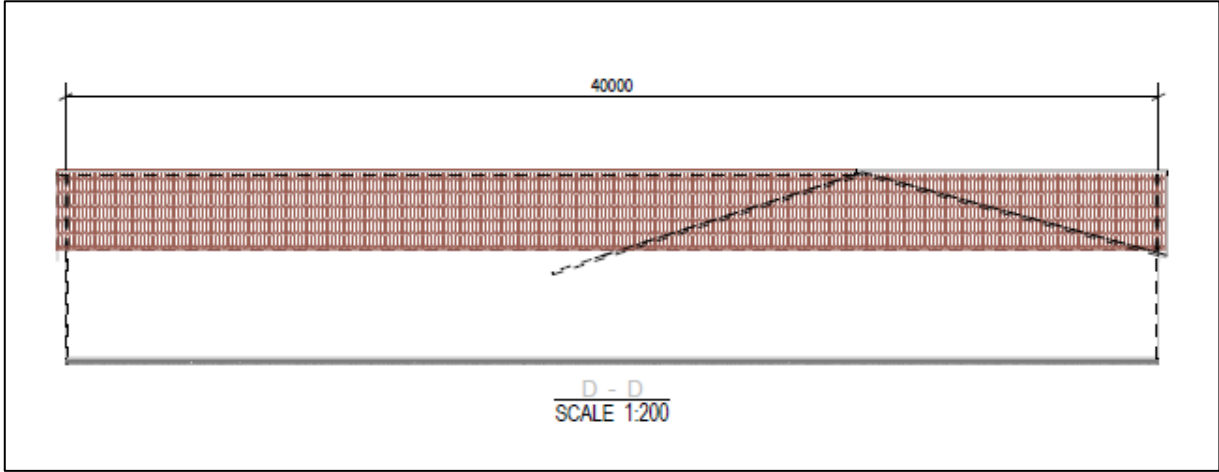


Figure 11: Proposed elevations



4 Planning Policy Context

The planning policy context relating to the application site is formed through:

- National Planning Policy
- Local Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan material for this proposal comprises:

- North Hertfordshire Local Plan 2011-2031
- Knebworth Neighbourhood Plan

Other material considerations include:

- Planning Obligations SPD
- Sustainability SPD

National Planning Policy Framework

The National Planning Policy Framework (NPPF 2024) sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing, and other development can be produced.

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework must be considered in preparing the development plan and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.

At the heart of the Framework is a "presumption in favour of sustainable development". Therefore, where there are no relevant development plan policies or the policies which are most important for determining the application are out of-date, planning permission should be granted unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole.

Chapter 2 of the NPPF sets out guidance towards achieving sustainable development. The



guidance emphasises that achieving sustainable development should be supported by the provision of economic, social, and environmental objectives. The guidance states that.

"The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs"

Chapter 6 of the NPPF sets out guidance towards building a strong, competitive economy. Paragraph 88 states the following:

"Planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings.*
- b) the development and diversification of agricultural and other land-based rural businesses.*
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and*
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship"*

Paragraph 115 of the NPPF states that:

"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

Chapter 11 of the NPPF sets out guidance towards making effective use of land. Paragraph 124 (d) of the NPF states that:

"Planning policies and decisions should:

...

- e) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lockups and railway infrastructure) ..."*



This is furthered by Paragraph 127:

“Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to:

a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework; and

b) make more effective use of sites that provide community services such as schools and hospitals, provided this maintains or improves the quality-of-service provision and access to open space.”

Chapter 12 of the NPPF sets out guidance towards achieving well designed and beautiful places. Paragraph 131 specifically states that:

“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.”

Chapter 13 of the NPPF sets out guidance towards protecting Green Belt Land. Paragraph 142 of the NPPF states that:

“The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.”

Paragraph 143 sets out the five purposes of the green belt:

“Green Belt serves five purposes:

a) to check the unrestricted sprawl of large built-up areas.

b) to prevent neighbouring towns merging into one another.

c) to assist in safeguarding the countryside from encroachment.

d) to preserve the setting and special character of historic towns; and



e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.”

This is furthered in paragraph 153 of the NPPF which states the following.

“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

Paragraph 154 of the NPPF sets out the exemptions for development in the green belt:

“A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry.*
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) 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.*
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.*
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.*
- e) limited infilling in villages.*
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
 - not have a greater impact on the openness of the Green Belt than the existing development; or*
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority;”*

North Hertfordshire Local Plan 2011-2031

Strategic Objectives:



ENV4

Mitigate the effects of climate change by encouraging the use of sustainable construction techniques, the appropriate use of renewable energy technologies and reducing the risk of flooding.

ECON1

Support a vibrant, diverse and competitive local economy that provides a range of job opportunities enabling new and existing businesses to grow and thrive.

ECON2

Ensure an adequate supply of employment land, office accommodation and support facilities to meet the needs of new and existing businesses within our urban and rural areas.

ECON8

Ensure all development is supported by the necessary provision of, or improvements to infrastructure, services and facilities in an effective and timely manner to make development sustainable and minimise its effect upon existing communities

SOC2

Encourage safe and vibrant mixed communities that provide for the needs of all North Hertfordshire's residents.

Policy SP1 – Sustainable Development in North Hertfordshire

This Plan supports the principles of sustainable development within North Hertfordshire. We will:

- Maintain the role of key settlements within and adjoining the district as the main focus for housing, employment and new development making use of previously developed land where possible.
- Ensure the long-term vitality of the district's villages by supporting growth which provides opportunities for existing and new residents and sustains key facilities.
- Grant planning permission for proposals that, individually or cumulatively:
 - delivers an appropriate mix of homes, jobs and facilities that contribute towards the targets and aspirations in this Plan.
 - create high-quality developments that respect and improve their surroundings and provide opportunities for healthy lifestyle choices.
 - provide the necessary infrastructure required to support an increasing population.
 - protect key elements of North Hertfordshire's environment including biodiversity, important landscapes, heritage assets and green infrastructure (including the water environment); and



- secures any necessary mitigation measures that reduce the impact of development, including on climate change; and Support neighbourhood plans and other local planning initiatives where they are in general conformity with the strategic policies of this Local Plan.

Policy SP5 – Countryside and Greenbelt

We support the principles of the Green Belt and recognise the intrinsic value of the countryside. Green Belt and Rural Areas Beyond the Green Belt are shown on the Policies Map. We:

- Have conducted a comprehensive review of the Green Belt. Land has been removed from the Green Belt to:
 - enables strategic development at the locations referred to in Policies SP8 and SP3.
 - enable local development around a number of the district's towns and villages; and
 - define boundaries for villages referred to in Policy SP2 which fall within the Green Belt but were previously 'washed over' by this designation.
- Have provided new Green Belt to cover, in general terms, the area bounded by the Metropolitan Green Belt to the east, the Luton Green Belt to the west and the A505 Offley bypass to the north.
- Will only permit development proposals in the Green Belt where they would not result in inappropriate development or where very special circumstances have been demonstrated; and
- Will operate a general policy of restraint in Rural Areas beyond the Green Belt through the application of our detailed policies.

Policy SP9 – Design and Sustainability

The Council considers good design to be a key aspect of sustainable development. We will:

- a) Support new development where it is well designed and located and responds positively to its local context.
- b) Require Strategic Masterplans to be produced for Strategic Housing Sites and other significant development. Significant development generally comprises residential development of 100 dwellings or more. Exceptionally, developments under 100 dwellings will be considered significant if there are site specific complexities and sensitivities that require a masterplan-led approach. In some circumstances a Strategic Masterplan may also be required to consider the cumulative impact of more than one site to support a co-ordinated and integrated approach to place-making and design.



- c) Require Strategic Masterplans and planning applications for Strategic Housing Sites and significant development to (as applicable):
- i. creates buildings, spaces and streets which positively reflect and respond to the local landscape, townscape and historic character
 - ii. create integrated, accessible and sustainable transport systems with walking, cycling and public transport designed to be the most attractive forms of transport and effectively linking into the surrounding areas.
 - iii. provide a clear structure and hierarchy of pedestrian friendly streets and well-connected footpaths and cycleways integrate with the wider built and natural environment and communities.
 - iv. plan for integrated and mixed-use communities with walkable locally accessible community, employment and retail facilities.
 - v. positively integrates with adjacent rural and urban communities and positively contribute to their character and the way the area functions, including addressing cumulative, cross boundary planning and infrastructure matters.
 - vi. create and accessible multi-functional green infrastructure network that provides:
 - a key structuring and functional place-making feature supporting healthy lifestyles, sport, play and recreation linking into the wider Green Infrastructure Network; and
 - a high-quality integrated network to support ecological connectivity, biodiversity net gain, climate adaptation and mitigation linking into the wider Ecological Network
 - vii. ensure the effective use of sustainable urban drainage and sustainable water management.
 - viii. ensure a hierarchy of linked, high quality and attractive public spaces and public realm that is safe, attractive and supports social interaction for all age groups; and
 - ix. design to last with a clear stewardship, management and maintenance strategy
- d) Ensure Strategic Masterplans are informed by a technical and design evidence base and include the following for Strategic Housing Sites and where applicable for other significant development:
- i. site specific vision and place-making principles
 - ii. Masterplan setting out the quantum, scale, type, mix and distribution of land uses, housing and community facilities.



- iii. Green Infrastructure Framework identifying the scale, distribution, type and design of green spaces, biodiversity net gain, strategic drainage and on and off-site linkages;
 - iv. Movement Framework setting out the key access points, strategic highways, street hierarchy and footways and cycleways (on and off site)
 - v. Urban Design Framework and design principles identifying how the site responds to local character and context and key structuring elements and layout principles (including heights and densities)
 - vi. Sustainability & Energy Framework identifying site-wide and building scale opportunities for low and zero carbon
 - vii. Illustrative Masterplan Layout
 - viii. Infrastructure Delivery, Phasing & Management Strategy
- e) Encourage the submission of Strategic Masterplans for the Council's consideration and agreement before the submission of a planning application. We will also confirm the scope and contents of individual Strategic Masterplans with applicants in pre-application discussions. Planning applications must be accompanied by a Strategic Masterplan. Where applications have already been submitted to the Council a Strategic Masterplan should be agreed with the Council prior to or as part of the grant of planning permission. Adherence to the Strategic Masterplan will be secured through planning conditions and/or legal agreement.
- f) Assess proposals against detailed policy requirements set out in this Plan and have regard to the Design SPD; and
- g) Adopt the Government's additional technical standards for the size of new homes, water efficiency and, in specified circumstances, accessibility.

Policy SP11 – Natural Resources and Sustainability

This Plan seeks to meet the challenges of climate change and flooding. We will:

- a) Support proposals for renewable and low carbon energy development in appropriate locations.
- b) Take a risk-based approach to development and flood risk, directing development to areas at lowest risk in accordance with the NPPF and ensuring the provision of Sustainable Drainage Systems (SuDS) and other appropriate measures.
- c) Support the principles of the Water Environment (Water Framework Directive) Regulations 2017 and seek to protect, enhance and manage the water environment.
- d) Give consideration to the potential or actual impact of land contamination and support proposals that involve the remediation of contaminated land; and



- e) Work with utilities providers, East Hertfordshire District Council and relevant agencies to ensure additional wastewater treatment capacity is delivered without harm to protected European sites.

Policy SP12 – Green Infrastructure, Landscape and Biodiversity

We will accommodate significant growth during the plan period whilst ensuring the natural environment is protected and enhanced. We will:

- a) Protect, identify, manage and where possible enhance a strategic multi-functional network of green infrastructure.
- b) Consider and respect landscape character, scenic beauty and locally sensitive features, particularly in relation to the Chilterns Area of Outstanding Natural Beauty.
- c) Protect, enhance and manage designated sites in accordance with the following hierarchy of designations and features:
 - Internationally designated sites
 - Nationally designated sites
 - Locally designated sites.
 - Non-designated sites that include important habitats and species
- d) Protect, enhance and manage biodiversity networks including wildlife corridors, ancient woodlands and hedgerows, wetland and riverine habitats, Local Geological Sites, protected species, priority species and habitats, and non-designated sites of ecological value and ensure measurable net gains for biodiversity; and
- e) Protect other open spaces and support provision of new and improved open space.

Development Management Policies (North Herts Local Plan)

Policy T1 – Assessment of Transport Matters

Planning permission will be granted provided that:

- a) Development would not lead to highway safety problems or cause unacceptable impacts upon the highway network.
- b) Mechanisms to secure any necessary sustainable transport measures and / or improvements to the existing highway network are secured in accordance with Policy SP7.



- c) Suitable Transport Statements, Transport Assessments and / or Travel Plans along with supporting documents are provided where required; and
- d) For major developments, applicants demonstrate (as far as is practicable) how:
 - i. the proposed scheme would be served by public transport.
 - ii. safe, direct and convenient routes for pedestrians and cyclists will be provided; and
 - iii. comprehensive integration into the existing pedestrian and cycle, public transport and road networks will be secured.

Policy T2- Parking

Planning permission will be granted provided that:

- Parking for non-residential development is provided having regard to the standards for non-residential development set out in the relevant Supplementary Planning Document.
- Proposals have regard to relevant Supplementary Planning Documents, strategies, or advice and.
- Applicants clearly identify how they provide for all types of parking demand and demonstrate that parking will be safe and of a design and layout that will function satisfactorily.

Variations from these standards will only be considered where applicants can demonstrate that the accessibility, type, scale, mix and use of the development; the availability of and opportunities for public transport; local car ownership levels; and on-street conditions justify such variations.

Policy D1 – Sustainable Design

Planning permission will be granted provided that development proposals:

- a) Respond positively to the site's local context.
- b) Take all reasonable opportunities, consistent with the nature and scale of the scheme, to:
 - i. creates or enhances public realm.
 - ii. optimise the potential of the site by incorporating Sustainable Drainage Systems (SuDS).
 - iii. reduce energy consumption and waste.
 - iv. retain existing vegetation and propose appropriate new planting.



- v. maximises accessibility, legibility and physical and social connectivity both internally and with neighbouring areas.
 - vi. future proof for changes in technology and lifestyle.
 - vii. design-out opportunities for crime and anti-social behaviour; and
 - viii. minimise the visual impact of street furniture and parking provision.
- c) Have regard to the Design SPD, and any other relevant guidance.
 - d) Within Letchworth Garden City have regard to the Letchworth Garden City Design Principles contained in Appendix 5; and
 - e) For residential schemes, meet or exceed the nationally described space standards and optional water efficiency standards.

Policy NE2 – Landscape

Planning permission will be granted for development proposals that:

- a) Respect the sensitivities of the relevant landscape character area and have regard to the guidelines identified for built development and landscape management.
- b) Do not cause unacceptable harm to the character and appearance of the surrounding area or the landscape character area in which the site is located, taking account of any suitable mitigation measures necessary to achieve this.
- c) Are designed and located to ensure the health and future retention of important landscape features; and
- d) Have considered the long-term management and maintenance of any existing and proposed landscaping.

Policy NE4 – Biodiversity and Geological sites

Planning permission will only be granted for development proposals that appropriately protect, enhance and manage biodiversity in accordance with the hierarchy and status of designations and features listed in Policy SP12.

All development should deliver measurable net gains for biodiversity and geodiversity, contribute to ecological networks and the water environment, and/or restore degraded or isolated habitats where possible. Applicants should, having regard to the status of any affected site(s) or feature(s):

- a) Submit an ecological survey that is commensurate to the scale and location of the development and the likely impact on biodiversity, the legal protection or other status of the site.
- b) Demonstrate that adverse effects can be avoided and / or satisfactorily minimised having regard to the hierarchy of protection below:



- i. locating on an alternative site with a less harmful impact.
- ii. providing adequate mitigation measures; or
- iii. as a last resort compensated for.

The acceptability of approach(es) to avoidance, mitigation and compensation will be commensurate with the status of the asset(s) likely to be affected by the application; Compensation is unlikely to be an appropriate solution for proposals affecting nationally or internationally designated sites other than in the most exceptional circumstances.

- c) Include appropriate measures to manage construction impacts by demonstrating how existing wildlife habitats supporting protected or priority species will be retained, safeguarded and managed during construction.
- d) Integrate appropriate buffers of complimentary habitat for designated sites and other connective features, wildlife habitats, priority habitats and species into the ecological mitigation and design. The appropriateness of any buffers will be considered having regard to the status of the relevant habitat. 12 metres of complimentary habitat should be provided around wildlife sites (locally designated sites and above), trees and hedgerows. It may be necessary to exceed this distance for fragile habitats such as ancient woodland or to provide appropriate root protection for mature trees; and
- e) Provide a long-term management and monitoring plan including mitigation measures as necessary.

Local Geological Sites are ratified by the Herts & Middlesex Wildlife Trust (HMWT) and are afforded the same protection as Local Wildlife Sites.

Policy NE7 – Reducing Flood Risk

Planning permission for development proposals will be granted provided that (as applicable):

- a) Development is located outside of medium and high-risk flood areas (flood zone 2 and 3) and other areas affected by other sources of flooding where possible.
- b) Where (a) is not possible, application of the sequential and exception tests is demonstrated where development is proposed in areas of flood risk using the Strategic Flood Risk Assessment (SFRA) and Environment Agency flood maps.
- c) An FRA has been prepared in accordance with national guidance that considers the lifetime of the development, climate change impacts and safe access and egress.
- d) It will be located, designed and laid out to ensure the risk of flooding is reduced whilst not increasing flood risk elsewhere.
- e) The impact of any residual flood risk will be minimised through flood resistant, resilient design and construction.
- f) Any flood protection and mitigation measures necessary will not cause harm to nature



conservation, heritage assets, and/ or landscape and recreation and, where possible, will have a positive impact in these respects; and

- g) Overflow flow routes and functional floodplain areas are protected from all development other than that which is “water compatible” and this must be designed and constructed to remain operational and safe for users during flood events, resulting in no net loss of flood plain storage and not impeding water flows or increasing flood risk elsewhere.

Policy NE8 – Sustainable Drainage System

Planning permission for development will be granted provided that:

- a) The most appropriate sustainable drainage solution is used taking into account technical, viability and design issues to reduce the risk of surface water flooding, enhance biodiversity, water quality and provide amenity benefits.
- b) It aims to mimic the natural drainage patterns and processes as far as possible; and
- c) Drainage solutions follow the SuDS hierarchy.

Knebworth Neighbourhood Plan

Policy KBBE 2 – Sustainable Buildings

Construction methods that engage low energy principles, including modular building that respects local character: the utilisation of simple design solutions such as orientation of buildings to optimise solar gain, with the aim of transitioning towards zero carbon energy usage; domestic scale (micro) energy generation from renewable or low carbon sources; and providing for rain water harvesting and grey water recycling, will be supported.

Policy KBBE 4 – Design

All development must demonstrate good design. Development must respect local character, which includes Knebworth’s Garden Village context. New housing development should incorporate sensitively designed car parking, bin storage, cycle storage and electric charging for bicycles and motor vehicles.

Policy KBEF 1 – Biodiversity

Development should minimise impacts on and provide net gains for biodiversity.

Major development should:

- a) Wherever possible, retain existing trees, hedgerows and green road borders to minimise disruption to wildlife
- b) Preserve existing and propose new wildlife corridors and habitats
- c) Reduce or eliminate gaps in existing corridors by diverse planting
- d) Create new corridors within developments to reduce built mass, enhance wildlife



diversity and to increase surface water retention. Some should connect with new small, wooded areas.

Policy KBEF3 Flooding and Drainage

Development should not result in a net increase in surface water run-off and should seek to reduce surface run-off.

Supplementary Planning Documents

Planning Obligations SPD

The Planning Obligations SPD outlines the overarching approach to planning obligations and aligns these to the Council's priorities and objectives.

The PSD sets out its main aims as stated below:

“Set out the requirements for planning obligations to ensure that the additional demands upon infrastructure, services and facilities arising from new development are provided for and are put in place at the right time.

Meet the relevant sustainability objectives contained within the Sustainability Appraisal to ensure that existing communities are not significantly harmed as a result of new development and prevention, compensation or mitigation measures are secured where it is necessary to protect or enhance the natural, built and historic environment.

Ensure the Council provides a more consistent, transparent, practical and streamlined approach to the negotiations of planning obligations in accordance with Circular 05/2005: Planning Obligations; and

Contribute towards achieving the district's vision and the Council's mission and strategic objectives as set out in the Corporate Plan (2005 – 2015) (see paragraph 2.7.9)”

Sustainability SPD

The newly adopted sustainability SPD sets out the North Herts priority to create sustainable communities. The SPD looks to achieve sustainable development through prioritising the provision of high-quality sustainable design, appropriate location for development, active travel opportunities and enhancing the natural environment. The SPD reflects on national and international climate agendas and aims to align North Herts to these.





5 Statement of Case

A formal decision notice for the application was issued on the 5th September 2025 based on three reasons for refusal, as set out below:

1. The application site is within an area designated in the North Hertfordshire Local Plan as Green Belt, within which there is a presumption against inappropriate development, unless very special circumstances can be demonstrated. In the view of the Local Planning Authority, the development does not fully comply with the exemption criteria set out under paragraphs 154 and 155 of the National Planning Policy Framework.

Furthermore, the development results in a materially greater impact on openness and would conflict with one of the five purposes of the Green Belt. As such, the harm to the Green Belt by reason of inappropriateness, as well as to openness and the purposes of the Green Belt, is not clearly outweighed by other material considerations and as a result, very special circumstances have not been demonstrated. Therefore, the development conflicts with the provisions of Policy SP5 of the North Hertfordshire Local Plan 2011 - 2031 or with the provisions of Section 13 of the NPPF

2. The development, by reason of its size and scale and associated activity and vehicular movement would result in an adverse visual impact and consequent harmful effect on the rural character and appearance of the area. The development would therefore be contrary to the provisions of Policies SP9, D1 and NE2 of the North Herts Local Plan 2011 - 2031 and Section 12 of the National Planning Policy Framework.

3. In the absence of a satisfactory flood risk assessment and site drainage strategy the development may give raised rise to surface water flooding which would be harmful to public health and amenity. The development would not be in accordance with the guidance in the NPPF and Planning Policy Practice guidance, or the North Herts Local Plan Policy NE8: Sustainable drainage systems (Reducing Flood Risk).

Taking each of the three reasons for refusal in turn, the following discussion will consider pertinent matters relating to each.

The first reason for refusal states that:

1. The application site is within an area designated in the North Hertfordshire Local Plan as Green Belt, within which there is a presumption against inappropriate development, unless very special circumstances can be demonstrated. In the view of the Local Planning Authority, the development does not fully comply with



the exemption criteria set out under paragraphs 154 and 155 of the National Planning Policy Framework.

Furthermore, the development results in a materially greater impact on openness and would conflict with one of the five purposes of the Green Belt. As such, the harm to the Green Belt by reason of inappropriateness, as well as to openness and the purposes of the Green Belt, is not clearly outweighed by other material considerations and as a result, very special circumstances have not been demonstrated. Therefore, the development conflicts with the provisions of Policy SP5 of the North Hertfordshire Local Plan 2011 - 2031 or with the provisions of Section 13 of the NPPF

The first reason for refusal relates to the demonstration of meeting the Green Belt exemption criteria for demonstrating very special circumstances for development in the green belt.

The site is located within the Grey Belt and meets the relevant criteria for Grey Belt qualification as set out in paragraph 155 of the NPPF (2024). Within 4.3.11 of the Case Officers report it is stated *"However, the authorised and last use of the land is for agricultural purposes land and the Annex in the NPPF specifically excludes 'land that is or was last occupied by agricultural or forestry buildings' as being considered previously developed land and therefore the site cannot be considered 'Grey Belt' land."*

The glossary of the framework states:

Grey belt: For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.

We emphasise that it states that land can also be considered if it does not strongly contribute to purposes a, b and d. This is confirmed in the Council's Green Belt review.

These purposes are:

- a) to check the unrestricted sprawl of large built-up areas.
- b) to prevent neighbouring towns merging into one another.
- c) to preserve the setting and special character of historic towns.

With regard to the site, Within the committee report for application 24/02343/FP the Council



acknowledged the application site as being Grey Belt land. The Case Officer states that:

“The site may be potentially considered as Grey Belt as the development is on land that does not strongly contribute to any of the purposes a), b) and d) in paragraph 143 of the NPPF.”

Turning to paragraph 155 (b), a demonstrable unmet need for the development proposed is necessary to make it appropriate development.

The equestrian sector in the United Kingdom remains a significant contributor to rural and leisure economies, with nearly one million horses owned across the country and the industry valued at over £4 billion annually. Despite this scale, national surveys indicate that around 22% of riders cite lack of access to facilities as a key barrier to participation.

This national backdrop underscores the continuing demand for high-quality equestrian infrastructure—particularly those facilities that provide all-weather, year-round access (such as indoor arenas/menages) and modern private stabling solutions for owners.

In Hertfordshire, while detailed published horse-population data by county remains scarce, the presence of specialist equestrian construction and refurbishment firms operating across the home counties—including Hertfordshire—points to sustained demand for new and upgraded stabling and indoor arena facilities.

The county’s mix of urban-fringe, rural, and commuter demographics supports a strong base of horse ownership and equestrian activity. Given that existing indoor ménage/arena capacity remains relatively limited (for example, only a small number of indoor arenas are advertised within the county) and land/ planning constraints are increasingly tight, the proposed development of new private stabling and an indoor ménage directly addresses a recognised supply-gap.

The provision of an indoor ménage in particular is of significant benefit—not only supporting equine welfare and rider performance through reliable, weather-independent training and exercise, but also enabling higher utilisation and commercial viability in a premium private-stabling context. Specialist industry providers confirm that indoor arena construction is a growing segment of equestrian real-estate development in the UK, designed to meet exactly this need.

In short, the proposed facility will enhance the county’s equestrian infrastructure, meet genuine demand from the private owner for their horses, and contribute to the sustainable growth of bespoke equine services in Hertfordshire. The appellant has a track record of having horses internationally and also has an agreement for additional land adjacent to the appeal site for further paddock land for the horses.



North Hertfordshire also demonstrates a clear need for enhanced facilities for horse breeding and personal equine use due to the combination of existing demand, gaps in services, and regulatory requirements. There are established veterinary and reproductive services in the area that handles everything from pre-breeding tests to foaling, indicating active breeding interest locally. The presence of yards like the North Herts Equitation Centre offering full and DIY livery, indoor and outdoor arenas, grazing, and stable accommodation testifies to horse ownership being a significant aspect of rural lifestyle in the area. However, while these commercial facilities exist, there remains a shortage of compliant, purpose-built infrastructure for private horse owners wishing to keep and care for their animals on their own land. Current facilities are often oversubscribed, require significant travel, or are not designed to meet modern welfare standards. The proposed development directly addresses this local shortfall by providing on-site stabling and exercise menage that meet best-practice standards, reducing the need for off-site journeys and supporting equine welfare. In this context, the proposal represents a proportionate and justified response to an evidenced local need in North Herts.

With respect to 155 (c) – national and local planning policy recognises that equestrian uses are inherently rural in character, requiring open land and suitable access, yet also forming an important part of the countryside economy and recreation network. The National Planning Policy Framework (NPPF) encourages the diversification of rural land-based activities and supports developments that enable rural enterprise and recreation, provided they are appropriately located and designed to protect the character of the countryside.

Equestrian uses are typically suited to edge-of-settlement or rural locations where there is:

- Direct access to the highway network for horseboxes and feed deliveries.
- Proximity to safe hacking routes, bridleways or quiet lanes.
- Sufficient land for stabling, grazing, and associated storage without visual intrusion or landscape harm.

These locational criteria ensure equestrian activity can take place in a manner that supports animal welfare, accessibility, and countryside enjoyment, while maintaining environmental sustainability and landscape integrity.

The site at Three Houses Lane satisfies each of these criteria and represents an appropriate and sustainable location for equestrian development. It is situated within an established area where equestrian and agricultural uses are already characteristic features of the landscape. The proposed stabling and indoor ménage would therefore sit comfortably within the local context, reinforcing rather than detracting from the area's existing rural identity.

The location benefits from excellent access via Three Houses Lane, allowing safe vehicular



movement for horse transport and deliveries (which will be minimal), while being well separated from residential concentrations to minimise amenity impact. The proximity to established bridleways and quiet rural lanes provides convenient and safe riding access, reducing the need for horse transportation and thereby lowering the environmental footprint of day-to-day operations.

In terms of sustainability, the proposal reuses an existing rural plot and makes efficient use of land within the open countryside for a low-intensity, land-based activity. The development would support local rural employment, sustain equestrian service providers (such as feed suppliers, farriers, and veterinary practices), and contribute to the vitality of the local rural economy in line with paragraphs 84 and 85 of the NPPF. The indoor ménage will further promote year-round equestrian activity, ensuring continued animal welfare and consistent local economic contribution irrespective of weather conditions.

Taken together, the characteristics of the Three Houses Lane site—its rural setting, accessibility, relationship to bridleways, and compatibility with surrounding land uses—make it an ideal and sustainable location for equestrian development. The proposal aligns with both national and local planning objectives for supporting rural enterprise, recreational opportunity, and the sustainable management of countryside resources.

Finally, 155 (d) golden rules – don't apply as the application is not residential.

Whilst we acknowledge the Council has not accepted the Grey Belt position for the application, we would like to set out how the development also complies to the Green Belt assessment criteria.

Paragraph 143 of the NPPF sets out the five purposes of the Green Belt:

“Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*
- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.”*

Whilst Policy SP5 of the North Herts Local Plan sets out the general resistance to development within the countryside and the Green Belt. The National Framework sets out exemptions to inappropriate development in the Green Belt. These are set out below:



“A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;*
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) 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;*
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) limited infilling in villages;*
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
 - not have a greater impact on the openness of the Green Belt than the existing development; or*
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority;”*

Point (b) of paragraph 154 is particularly relevant to this proposal, where it is stated that:

“b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) 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; ”

This proposal seeks permission for the change of use of land to equestrian use and the erection of an equine menage, associated stable facility, and the creation of an access track on site. It is our opinion that this would create the provision for appropriate facilities for personal outdoor recreation use.

There is a clear national pattern of councils and Inspectors accepting new equestrian buildings—including indoor riding arenas (ménages) and stabling—in Green Belt locations where proposals are rural in character, proportionate in scale, and designed and sited to preserve openness through careful massing and landscape mitigation. Decisions commonly treat equestrian development as compatible with the countryside and with Green Belt objectives where visual effects are limited and day-to-day impacts are managed by condition.



Recent decisions illustrate this approach. At Caldecote, Bushey (Hertsmere), permission was granted for a purpose-built equestrian centre including a 60 m × 25 m indoor arena in the Metropolitan Green Belt, with weight placed on demonstrated need, high-quality design and a landscape-led layout that limited visual impact. In North Yorkshire, a large indoor equine arena in the Green Belt was also permitted as part of equestrian facilities associated with outdoor recreation, with site-specific constraints addressed as part of the design and assessment. These examples show that new build menages and stabling can be accommodated where proposals are functionally justified, and their spatial/visual effects are tightly controlled.

Across such decisions, recurring themes include modest ridge heights and materials, siting that keeps new built form read against existing boundary features or landform, landscape planting/bunding and cut-and-fill to reduce visual exposure, and proportionate conditions controlling materials, external lighting, hours and intensity of use. These measures are routinely used to safeguard openness and amenity for new equestrian buildings in the Green Belt.

Applied here, the Three Houses Lane proposal follows that established pattern: it is a rural, land-based use of appropriate character; the new buildings are carefully scaled and sited to minimise visual effects; and standard conditions (materials, lighting, hours/use) can secure ongoing protection of openness. On this basis, the scheme aligns with national practice for accommodating new equestrian development in the Green Belt in a balanced and sustainable manner.

It is important to note at this juncture, that there is national recognition of the equine sector's rural economic and social contribution (as contained within DEFRA's British Horse Industry Confederation Strategy and NPPF paragraph 85). The proposal contributes to rural diversification consistent with paragraph 85 of the NPPF, supporting an established sector that underpins rural employment, land management, and animal welfare.

It is our opinion that the proposed development on the site is acceptable and would be an appropriate development within the Green Belt in compliance with point (b) of paragraph 154 of the NPPF.

Furthermore, national case law, including *Timmins v Gedling BC* [2015] and *Wychavon DC v SSCLG* [2008], establishes that small-scale equestrian facilities may constitute appropriate Green Belt development where they preserve openness and do not conflict with Green Belt purposes. The proposal, being modest in scale and closely associated with an existing rural cluster, is entirely consistent with these principles.

The land also benefits from an existing agricultural use, and the proposed equestrian use would not materially alter its appearance or intensity. On this basis, any structures required are comparable in scale and form to those that could otherwise be erected under agricultural



permitted development rights.

In light of the above, it is our view that the proposal satisfies the requirements of Grey Belt and Green Belt criteria, which subsequently complements the provisions of section 13 of the NPPF and Policy S5 of the North Herts Local Plan. The development is considered appropriate in line with the framework.

The second reason for refusal states:

2. The development, by reason of its size and scale and associated activity and vehicular movement would result in an adverse visual impact and consequent harmful effect on the rural character and appearance of the area. The development would therefore be contrary to the provisions of Policies SP9, D1 and NE2 of the North Herts Local Plan 2011 - 2031 and Section 12 of the National Planning Policy Framework.

The second reason for refusal relates to both the size and scale of the development proposed and the highways and transport impacts on the site.

The surrounding equestrian, commercial and agricultural structures on surrounding properties are of a similar size and style to those proposed. As set out in the figure below, the proposal is similar to Barn and is in keeping with the surrounding locality of Three Houses Lane, Codicote.



Figure 12: Aerial image of surrounding agricultural barns showing barn design precedent.

As demonstrated in the image above, the extensions and built form on the site match and



complement the surrounding buildings completely. In addition to this, within the delegated report for application 22/01891/FP that Case Officer states that:

“Visibility from general public views would be very limited due to the site being set back from the public highway and substantially obscured by surrounding woodland.”

The proposed equestrian development has been designed and sited to respect the rural character and appearance of the area and to integrate sensitively within its countryside setting. While the new buildings will introduce a modest amount of additional built form, they are typical of equestrian development commonly found within rural Hertfordshire and have been carefully proportioned and positioned to avoid visual intrusion. The proposed stables and indoor arena adopt a restrained, agricultural aesthetic with muted cladding and low ridge heights to ensure they assimilate with existing rural structures and hedgerow patterns.

The site layout has been informed by the existing landscape structure, retaining field boundaries and incorporating new planting to reinforce enclosure and soften views. The proposed development sits below the local ridgeline and will be read against the established vegetation and field context, significantly limiting any wider visual presence. As a result, the scheme will not appear incongruous or urbanising in nature but will maintain the open, spacious qualities characteristic of the surrounding countryside.

The additions on site further align with the aims of Chapter 12 of the NPPF and Policy KBBE4 of the Knebworth Neighbourhood Plan, which requires development to be well-designed and respect local character.

The proposal is an appropriate scale that does not cause adverse visual impact to the surroundings. It is consistent with buildings found in the Countryside.

The development maintains both spatial and visual openness. Spatially, its footprint occupies previously disturbed land; visually, it remains screened by existing vegetation and topography.



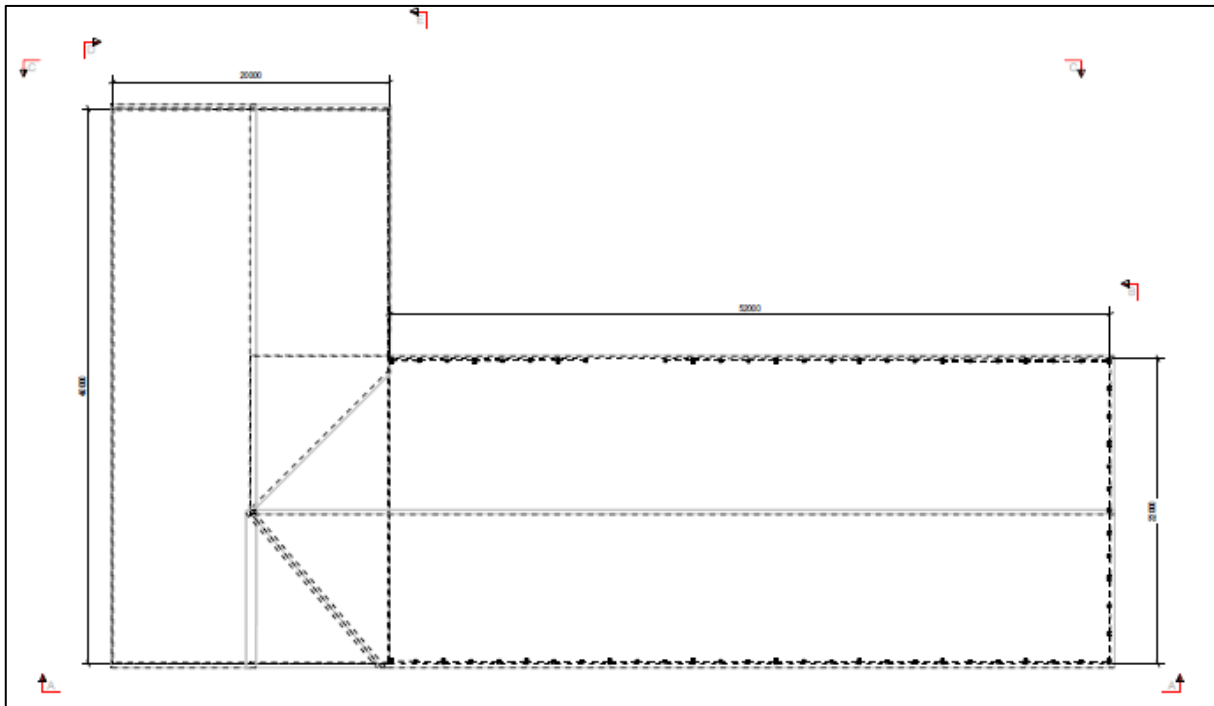


Figure 13: Proposed floor plan.

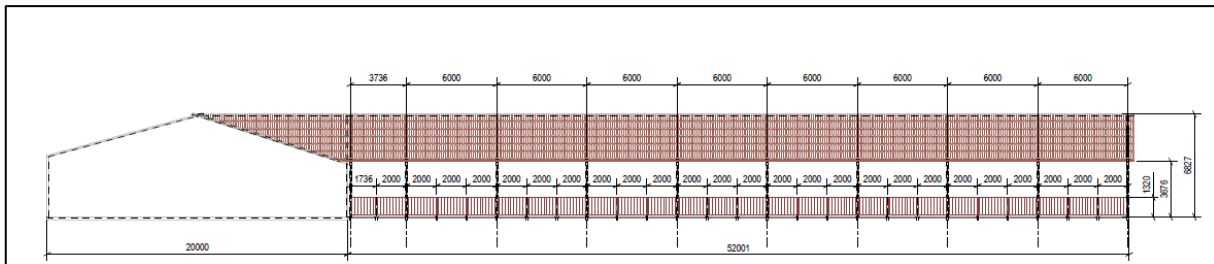


Figure 14: Proposed Elevation.

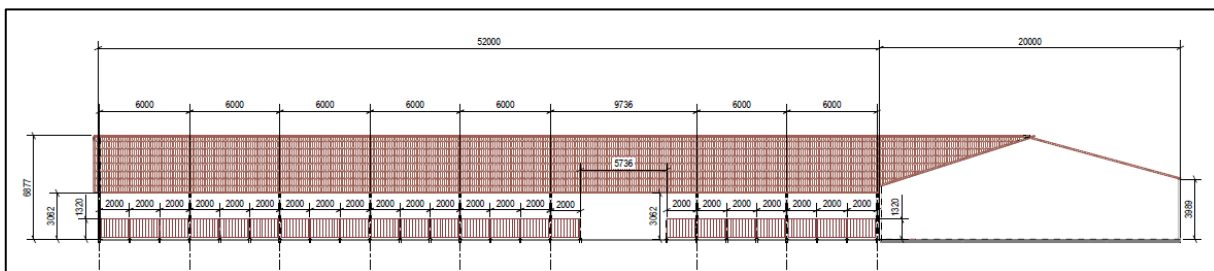


Figure 15: Proposed Elevations

In terms of activity and vehicular movement, the level of use associated with the proposal will remain modest and in keeping with a private equestrian facility. Vehicle trips will be limited to day-to-day deliveries and occasional horse transport, comparable to levels already associated with small rural enterprises. The access arrangements are suitable for such movements, and the activity generated will be contained within the site, with no adverse effect on tranquillity or the wider landscape character.



We contest the reason for refusals, suggesting that the use would increase vehicular traffic. As set out within the Planning Statement, the current lawful use on site is agricultural, with no limitation on vehicle movements along Three Houses Lane or operational hours. The Hertfordshire Highways consultation response concludes the following:

“The HA has reviewed the Design and Access statement and given the size and type of development and the users/visitors expected to travel by vehicle, the HA would acknowledge the proposed development is not expected to have relatively any significant traffic impact on the operation or safety of the highway network than the existing use.”

The nature of vehicle use associated with agricultural operations include large tractors, trailers, HGVS, and combines harvesters. Along with the dominant surrounding equine and agricultural use to the site, in accordance with Hertfordshire Highways Authority, there is no anticipated impact on the local highway network. The private use of the facilities further limits the provision for increased vehicle movements. Considering the “no objection” raised by Hertfordshire Highways, the vehicular movements as a reason for refusal seems unnecessary and unjustified.

Paragraph 89 of the NPPF states that:

“Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist”

Accordingly, the proposal accords with Policies SP9, D1 and NE2 of the North Herts Local Plan 2011–2031 and with Section 12 of the National Planning Policy Framework, which seek to ensure high-quality design that is sympathetic to local character and the rural setting. The careful siting, scale and design of the buildings, together with the proposed landscape mitigation, will ensure that the development preserves the visual qualities and intrinsic character of the countryside, representing a balanced and sustainable form of rural diversification consistent with local and national planning objectives. We reiterate that Hertfordshire Highways Authority raised no objection to the proposed development.

The Third reason for refusal sets out that:

3. In the absence of a satisfactory flood risk assessment and site drainage strategy



the development may give raised rise to surface water flooding which would be harmful to public health and amenity. The development would not be in accordance with the guidance in the NPPF and Planning Policy Practice guidance, or the North Herts Local Plan Policy NE8: Sustainable drainage systems (Reducing Flood Risk).

The application was submitted and then revisions were requested. Due to the negotiations with the Council and scope of the proposed development the drainage and SuDS information was not finalised due to the scheme changing so often. When the LLFA comments were returned, the Case Officer was advised that the relevant drainage information was being commissioned and that we were waiting for the scope of the proposed development to be finalised with the Council to be most economically efficient for the applicant in commissioning these drainage works.

It is unfair for the Council to put this forward as a reason for refusal, as they were aware these works were being produced and that it was not in the applicant's best financial interest to continue the FRA and SuDS report works when the scheme was in a stage of undergoing amendments at the Council's request.

We are pleased to be provide the drainage and SuDS strategy for the site now the scheme has been refused. The drainage report is written on the basis of the originally submitted plans due to the Council not uploading the amended plans when these were set in, nor giving us the chance to deliver the final amendments they requested. it is unclear as to what basis of plans the scheme is refused on.

The drainage report and SuDS strategy concludes the following:

“In conclusion, this report has identified the sources of flood risk and does not increase flood risk onsite or elsewhere within the wider area. The SuDS strategy will manage surface water runoff and considers the four pillars of SuDS.”

Finally, it should be noted that the proposal also aligns with the Council's Climate Change Strategy by reusing existing developed land, limiting new construction, and incorporating sustainable drainage and biodiversity measures consistent with the NPPF's presumption in favour of sustainable development.

Highways, Ecology and Other Material Considerations

Highways: No objection from the Highway Authority. Access utilises the existing point on Three Houses Lane with adequate visibility and internal circulation.



Ecology: Natural England raised no objection. The Council's ecologist sought further appraisal tied to works within the wider landholding; a condition can secure any necessary mitigation. The scheme delivers measurable biodiversity net gain through native planting and habitat creation in line with SP12 and NE4. Furthermore, it should be noted that the proposal will deliver a measurable biodiversity uplift through native hedgerow planting, improved grassland management, and habitat connectivity within the wider woodland setting. These enhancements accord with Local Plan Policy NE3 and emerging Biodiversity Net Gain requirements.

Amenity: The private nature of the equestrian use, limited operational hours, and separation distances ensure no unacceptable noise, lighting or disturbance. Via the appeal process, the appellant is happy to propose conditions to support any grant for approval.

Proactive and effective engagement with the Council

On behalf of the applicant, we wish to draw the Inspector's attention to the significant lack of communication experienced during the duration of this application submission, which unduly led to the scheme going to committee prematurely.

Throughout the determination period the Council requested several plan amendments, all of which were welcomed and promptly actioned by the applicant. On 2 September 2025, the Case Officer, Tom Rae, sought a set of final amendments. The agent responded the same day confirming the applicant's agreement in principle and indicating that the scheme would be downsized accordingly. We understand Mr Rae was then absent due to sickness from that date; however, no further communication was received and, notwithstanding the Council's own request for amendments, the application was taken to Committee on 4 September 2025 without affording the applicant an opportunity to submit the revised plans.

The agent was only made aware of the Case Officer's absence at the Committee meeting, where it was suggested the application should have been withdrawn. Given the Council's invitation to amend just two days earlier, and the applicant's immediate confirmation of willingness to do so, it was reasonable to expect a short pause to enable submission of the downsized scheme rather than progression to Committee. Recommending withdrawal at that late stage—following an £8,000 application fee and encouragement to work positively on amendments—placed an unreasonable burden on the applicant and cut across the positive, proactive engagement envisaged by national policy.

In these circumstances, weight should be given to the applicant's constructive approach, the Council's outstanding request for amendments at the point of Committee referral, and the clear intention to reduce scale and effects. A short deferral would have allowed a fair and efficient resolution of the remaining matters; the appeal proceeds on that basis.



To give further context on the poor communication and significantly delayed responses and cooperation from the Council, a timeline is set out below of key communications within this application process:

Date	Action/Correspondance
25 th April 2025	Application made valid
12th June 2025	Virtual meeting was held between Tom Rea (Case Officer), Dorel Icleanu (Applicant), and Simon Warner (agent). Case officer explained that the application is likely to go to committee and would provide an email with suggested amendments and information requirements to improve the chance of success of the application. Applicant confirmed happiness to consider amendments to make the scheme smaller. The agent explained that drainage consultants had been appointed; however, drainage work was to be completed once the revised scheme was agreed.
30th June 2025	Simon Warner sent an email to Tom Rea - no response
8th July 2025	Simon Warner sent an email to Tom Rea - no response
10th July 2025	Simon Warner sent a response to the TPO application, and sought an update – no response
14th July 2025	Simon Warner sent a chaser to Tom Rea to confirm receipt of TPO response - no response
15th July 2025	Simon Warner spoke with Tom Rea by phone, who confirmed receipt of TPO response and that he needed to review the equestrian and discuss with Shaun Greaves.
15th July 2025	Simon Warner sent an email to Tom Rea to confirm the discussion
15th July 2025	Tom Rea responded, "As advised we have not arrived at a firm conclusion on the equestrian application yet (24/01042/FP) and I will be in touch once we have a clear view ."
24 th July 2025	Simon Warner sent email to Tom Rea - no response
5th August 2025	Dorel Icleanu sent email to Tom Rea, seeking comments on the equestrian application and provided images of the removal of unauthorized elements on the wider site – no response
7th August 2025	Simon Warner sent email to Tom Rea - no response
7th August 2025	Out of the Office Received from Tom Rea noting back in the office 11 th July 2025 (presume typo and back 11 th August)



12 th 2025	August	Simon Warner sent email to Tom Rea - no response
18 th 2025	August	Simon Warner sent email to Tom Rea - no response
18 th 2025	August	Email from Tom Rea to Simon Warner – noting he would call Simon
19 th 2025	August	Tom Rea called Simon Warner and left message
21 st 2025	August	Simon Warner and Tom Rea spoke regarding reductions to the buildings, and flooding information. As noted, the applicant was willing to make reduction and had been waiting on the information discussed in the meeting of 12 th June. Simon Warner noted that the drainage work was underway but could not be completed until the scale of the amendments were known. Tom Rea confirmed that this was not vital at this stage, and that schemes had been advanced to committee before with a resolution to grant, subject to overcoming objection from the LLFA. Simon Warner explained that the application fee had been considerable, which would be lost if the application was withdrawn. Buildings of this type carry a high application fee, and the “free go” has been removed.
25 th 2025	August	Revised Plans sent to Tom Rea (these plans were not loaded to the application website)
26 th 2025	August	Tom Rea requested revised plans on the site plan
26 th 2025	August	Revised plan sent to Tom Rea
31 st 2025	August	Simon Warner email to Tom Rea for an update on the revised plans
1 st 2025	September	Tom Rea sent an email for further reductions to the plans
1 st 2025	September	Simon Warner called Tom Rea to discuss amendments – no connection
2 nd 2025	September	Simon Warner emailed Tom Rea to explain that the applicant is considering further amendments to the scale
2 nd 2025	September	Simon Warner emailed Tom Rea, Shaun Greaves and Anne McDonald to note that the applicant is looking at revised plans but wishes to discuss these with the Council – to avoid any unnecessary work – request deferral from the committee agenda. – no response
3 rd 2025	September	Simon Warner sent an email to Tom Rea - no response (we now



2025	understand that Tom Rea was on sick leave)
4 th September 2025	The application was considered by the committee and ultimately refused. It was reported to the committee that the Council had sought additional amendments to the scheme, which the applicant had said they were willing to make, but had not provided any plan, which didn't reflect the whole picture as set out above.



6 Conclusion

This Statement of Case is submitted by Warner Planning on behalf of our client, D&A Architectural and Structural, in support of an appeal against the refusal of application 24/01042/FP by North Hertfordshire District Council. The application—validated with the description “Change of use of land to equestrian and erection of stables and covered ménage”—was lodged on 24 April 2025, carried an officer target date of 24 July 2025, was reported to Committee on 4 September 2025 with a recommendation for refusal, and was refused on 5 September 2025.

The proposal is a modest, rural, land-based use of a type commonly found in Hertfordshire’s countryside. It has been carefully sited and designed with a restrained, agricultural vernacular, low ridge heights, muted materials and a landscape-led layout that reads with existing field boundaries and vegetation. As a result, the scheme preserves the rural character and appearance of the area and avoids unacceptable effects on openness. In policy terms, it aligns with the North Herts Local Plan 2011–2031 when read as a whole (including strategic and design policies such as SP9, D1 and NE2) and with Section 12 of the NPPF on achieving well-designed places, as well as national objectives supporting appropriate outdoor recreation in rural areas.

Concerns regarding size, scale and associated activity/vehicular movement are addressed through the proposal’s contained footprint, discreet siting and low-intensity operational model typical of a private equestrian facility. Trip generation is limited to routine deliveries, farrier/veterinary visits and occasional horse transport; the existing access can safely accommodate these movements with turning/parking provided within the site, thereby avoiding overspill or highway safety issues along Three Houses Lane. The development is further supported by proportionate site infrastructure (manure management, drainage strategy, surfacing and lighting controls) to safeguard amenity and the environment.

From an environmental perspective, the scheme embeds landscape mitigation and biodiversity measures that will soften views, reinforce the field structure and deliver incremental habitat improvements over time. The proposal introduces no urbanising features, and external lighting—if required—can be limited to low-spill, timed and sensor-activated fittings, controlled by condition. In combination, these measures ensure that the intrinsic character and beauty of the countryside are respected and that any residual effects are limited and acceptable.

The appellant has consistently engaged positively and proactively with the Council, responding to requests for amendments and indicating a willingness to downsize elements to address remaining concerns. That cooperative stance remains. If the Inspector considers it helpful, the appellant is willing to accept standard planning conditions to secure: (i) materials and colours; (ii) landscaping and maintenance; (iii) external lighting specifications and hours; (iv) restrictions on use/intensity; (v) parking/turning implementation; and (vi) drainage and manure



management details. Such conditions are effective and proportionate means to ensure ongoing compliance with Local Plan policies and the NPPF.

Should the Inspector be minded to allow the appeal, the appellant would welcome appropriately worded conditions to secure control over lighting, external materials, drainage, and non-commercial use, ensuring the development remains low-impact and compliant with Green Belt policy objectives.

In summary, there are compelling grounds to allow the appeal, including:

- Provision of appropriate rural equestrian facilities within the Green Belt without unacceptable harm to openness.
- Limited, well-contained built form with low visual catchment, read against existing boundaries/vegetation.
- A sympathetic relationship with the setting and appearance of Three Houses Lane.
- Policy compliance when the development plan is read as a whole, and clear alignment with the NPPF's design and rural recreation objectives.
- Supporting on-site infrastructure designed to protect amenity, ecology and water environment.
- Retention and use of the existing access, delivering safe and suitable access for all users.
- Economic benefits to the rural area through local spend and specialist support services (farriers, vets, feed suppliers).
- Low-intensity occupation and operations, limiting noise, lighting and disturbance—readily controlled by condition.

The project team would welcome a site visit at an appropriate time to assist the Inspector's assessment.

For the reasons set out in this Statement of Case, it is respectfully requested that the appeal be allowed.

