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Standing up for Hertfordshire's countryside

Ben Glover
Planning and Building Control
North Hertfordshire District Council
Council Offices
Gernon Road
Letchworth Garden City
Herts SG6 3JF

Our Ref:

Your Ref:

17th April 2020 (by email)

Dear Mr. Glover,

Application No. 20/00569/FP
Erection of stables and storage building and provision of access road
and hard standing.
At Brookend Farm House, Stevenage Road, St Ippolyts,
Hitchin, Hertfordshire SG4 7NU

CPRE Hertfordshire has concerns regarding this proposal for development in the Green Belt.

The Planning Support Statement accompanying the application provides a series of reasons why the applicant wishes to use the land for grazing and to erect support facilities on it, but does not actually address the planning issues which arise.

The documentation contains ambiguities. The Application heading says that it is for 'stables and storage building' but the Planning Support Statement and the Covering Letter refer solely to a 'proposed storage barn'. This requires to be clarified.

If it is intended that the field is to be grazed by livestock, as the Planning Support Statement says, and that the storage barn is to support that use, then the development can be classed as agricultural and, as such, is not an inappropriate use under National Planning Policy Framework 145(a). As the site is below 5 hectares, permitted development rights do not apply.

However, if the proposal is for the erection of facilities for private equine use, then it is not appropriate. Under Section 336 of the Town and Country Planning Act 1990, horses kept for recreation are not classed as an agricultural activity. NPPF 145(b) permits facilities for outdoor recreation. Policy 2 of the current North Herts Local Plan and Policy SP5(c) of the Submission Local Plan, currently under Examination in Public, and to which the Council can give weight, will only permit development proposals in the Green Belt where they would not

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President: Sir Simon Bowes Lyon, KCVO
Chairman: Richard Bullen

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result in inappropriate development. This introduces a further ambiguity. It is a moot point whether or not the proposed use of stabling in this context constitutes outdoor recreation.

The Council will have to determine whether the proposed structure is a barn or a stable. The building will sit in an open field, clearly visible from the countryside to the west and from Brookend Lane. (The site lies in Brookend Lane, not Stevenage Road as stated in the application documentation.) *Timmins v. Gedling Borough Council (EWHC 654)* held that “*any construction harms openness quite irrespective of its impact in terms of its obtrusiveness or its aesthetic attractions or qualities*”. If the Council determines that the building is stabling which does not constitute appropriate development then very special circumstances have to be demonstrated which outweigh the harm to the openness and other harm to the Green Belt. No case for very special circumstances has been presented.

In determining the planning balance, the Council will have to reconcile the ambiguities raised.

Yours sincerely,

David Irving