



Dear Councillor

**DEVELOPMENT MANAGEMENT COMMITTEE - MONDAY, 17 NOVEMBER  
2025**

I am now able to enclose for consideration at the above meeting the following reports that were unavailable when the agenda was printed.

**Agenda Item  
No.**

**LATE REPRESENTATIONS(Pages 3 - 28)**

This page is intentionally left blank

## DEVELOPMENT MANAGEMENT COMMITTEE – 17<sup>TH</sup> NOVEMBER 2025

### LATE REPRESENTATIONS SUMMARY

**3a Hemingford Abbots - 25/01248/FUL - Change of use from dwelling (Use Class C3) & agricultural land to a wellness centre (Class E) and wedding and events venue (Sui Generis) with guest sleeping accommodation and parking**

#### Hemingford Abbots Parish Council comments

Early afternoon on Wednesday 12<sup>th</sup> November, Officers received a further letter (Appendix 1) from Hemingford Abbots Parish Council (HAPC). The letter is 11 pages long (with 10 associated appendices) and sets out 30 questions that HAPC would like officers to answer.

This is the third month in a row the application has been put on a DMC agenda. Due to letters being received from HAPC either the working day before or the day of DMC, Officers had to withdraw the item from the previous agendas to fully consider the content of the letters. This letter is a 3<sup>rd</sup> letter which has been received very late in the process, leaving Officers with very limited time to respond in writing prior to DMC.

The letter raises concerns with three applications on the same site 24/01218/P3MPA, 25/01451/CLED and the application before DMC (25/01248/FUL). 24/01218/P3MPA was issued on the 24<sup>th</sup> of September 2024. 25/01451/CLED was issued on the 4<sup>th</sup> September 2025. Following a revocation request from HAPC, the Council issued its decision not to revoke the CLED on the 28<sup>th</sup> October 2025.

24/01218/P3MPA and 25/01451/CLED have not been challenged via the formal Judicial Review process and any challenge now would be outside of the 6 week period for bringing such a claim, and therefore out of time. Good public administration requires finality, and public authorities need to have certainty as to the validity of their decisions

and actions. That is the basis on which the Council have and will proceed to consider the current application.

Given that the letter appears to conflate the issues relating to different applications, as well as conflating issues relating to the planning process with the Council's complaint process, Officers do not consider it appropriate or necessary to respond to each question in turn especially given that Officers have responded in detail to the revocation request. If HAPC is dissatisfied with this response, they are entitled to seek a response via the formal complaint process.

Officers have sought legal advice on both the 25/01451/CLED and the current application.

The advice from Officers to Members is that both 24/01218/P3MPA and 25/01451/CLED are lawful decisions of the Council, and remain material considerations in the assessment of the application before them.

#### Letter from Richard Buxton Solicitors on behalf of residents

In the afternoon on Wednesday 12<sup>th</sup> November, Officers received a letter from Richard Buxton Solicitors on behalf of residents. The Council has been asked to check that representations relating to the application have been made appropriately and properly. Officers have taken steps to check the position, and are satisfied that there is nothing which prevents the application from proceeding.

#### Houghton and Wyton Parish Council comments

Houghton and Wyton Parish Council have commented on the application:

*Houghton & Wyton Parish Council support Hemingford Abbots Parish Council in objecting to this application. The Parish Council has submitted objections to previous applications for this site related to the*



*proposed development as a wellness centre or wedding venue.*

*Reasons for objection include, but are not restricted to:*

- i) Generation of excessive noise from events, which would cause a nuisance to neighbouring properties and further afield including across the river.*
- ii) Increase in traffic to this small village causing disruption to local traffic and a nuisance to residents*
- iii) Damage to a historic listed building and its setting, including damage to ridge and furrow landscape.*

These comments are noted. Houghton and Wyton Parish Council do not raise any new material considerations that have not already been considered and addressed within the Officer Report.

**3b 24/01802/OUT - Hybrid planning application for up to 13,350 sqm floorspace in Use Classes E(g)(i) Office, E(g)(ii) Research and Development, E(g)(iii) Light Industrial, B2 (General Industrial), B8 (Storage and Distribution) and E/B8 (Trade Counter). Full planning permission for the access and internal road, landscaping and Plots 7 and 8 (up to 2861sqm floorspace). Outline application with all matters reserved except means of access for Plots 1 - 6 (up to 10,486sqm floor space). Land North Of Stocks Bridge Way, Compass Point Business Park, St Ives.**

There are no late representations for this item.

**3c Alwalton - 25/00922/FUL**

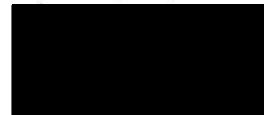
There are no late representations for this item.

**3d Fenstanton - 25/01003/FUL – Proposed erection of a self-build detached dwelling along with conversion of an existing garage into carport and associated works. (Resubmission of application ref 24/02387/FUL)**

There are no late representations for this item.



Hemingford Abbots Parish Council



Huntingdonshire District Council  
Planning Department  
Pathfinder House  
St Mary's Street  
Huntingdon  
PE29 3TN

12th November 2025

Attention: Lewis Tomlinson / Clara Kerr

**By email only:**



Dear Sirs,

**Hemingford Park – Application 25/01248/FUL for change of use from dwelling (Use Class C3) & agricultural land to wellness centre (Class E) and wedding and events venue (sui generis)**

Please find below Hemingford Abbots Parish Council's continued concerns regarding this application. This letter is submitted for proper and full consideration by the Development Management Committee scheduled for Monday, 17th November.

### **Conclusion and Request to Committee**

1.1 For the reasons laid out below, we do not believe that the planning process has been carried out fairly, consistently, and impartially.

1.2 This letter asks Members to recognise that different evidential standards appear to have been applied to different parties, and that material evidence has been omitted or treated unequally by the Local Planning Authority (LPA).

1.3 Further, it asks Members to consider whether HDC has dealt with this significant change of use and those related applications that have gone before it with the same robustness that other applications must overcome.

1.4 These queries call into question the conclusions drawn, and the fairness and transparency of the process adopted over this matter.

1.5 Unless and until HDC eradicates the discrepancies in evidential thresholds and critical analyses applied to public comments, eliminates imbalances in the consideration of public submissions, and ensures the full and thorough examination of expert reports, speculation as to the integrity of the planning process will prevail.

1.6 HAPC therefore requests that the Committee:

- Require the Case Officer to respond to the 'Outstanding Questions' set out below;
- Ask why those issues were not addressed in previous reports;
- Ensure that any further assessment of the application is based on a consistent and impartial evaluation of all available evidence, not only that which supports approval.

1.7 This is essential to uphold the principles of open, balanced and lawful decision-making which underpin the planning system and public confidence in it.

1.8 The concerns raised necessarily address three inter-related applications: the Class R prior-approval **(24/01218/P3MPA)**, the Certificate of Lawfulness for the tracks **(25/01451/CLED)**, and the current Change-of-Use proposal **(25/01248/FUL)**. Each relies upon the same factual premise—that the buildings and land were in lawful agricultural use. If that premise was incorrect, the earlier approvals were issued on a mistaken basis and cannot provide a sound foundation for the present recommendation. While those prior decisions have been made, Members should be aware that the Town and Country Planning Act 1990 enables a local planning authority to review or, where justified, to revoke or modify a decision that was granted in error or on inaccurate information. In any event, the Committee is not bound to treat such earlier approvals as reliable if it is not satisfied that they were lawfully made. Accordingly, Members are entitled—and indeed obliged—to examine the evidence underlying all three applications when considering the current one.

We will now lay out below the reasons behind our continued concerns:

## **2. Absence of Evidence**

2.1 Whilst the primary purpose of the CLED application was to demonstrate the length of time that the tracks had been in place, the qualification for the four-year rule (rather than ten) requires

evidence of agricultural use throughout those four years.

2.2 Planning Law states that “The onus or burden of proof in a Lawful Development Certificate application is on the applicant.” The Applicant has provided no tangible evidence of bona fide agricultural use between 2021 and 2025 – no farm business tenancy agreements post-2012, no agricultural invoice trail, and no livestock movement logs (AML 1 forms) were submitted.

2.3 In other recent CLED applications, for example 24/01092/CLED, where an applicant was required to prove a certain type of use over a four-year period, the application was refused on the grounds that;

*“\* No utility bills have been submitted showing that any of the units have been supplied on a self-contained basis*

*\* No Assured Shorthold Tenancy documents have been submitted*

*\* No Statutory Declaration has been provided by any tenant*

*\* No electoral roll information has been submitted*

*Taking into account the entirety of the evidence submitted by the applicant and assessed on ‘the balance of probabilities’ (not the stricter criminal test of ‘beyond reasonable doubt’), the applicant has failed to demonstrate that the occupation of Units 1 – 4 as permanent dwellings has occurred continuously for a period of 4 years.”*

Similarly, application 24/01056/CLED is robustly but reasonably assessed by Officers;

*“This application has not been accompanied by any evidence that demonstrates the property operated as a childminding business from its premises prior to 2017 (i.e. payment to staff, rotas, lists of registered children etc)” .... Overall, the application is not accompanied by sufficient factual information/evidence”*

2.4 HAPC believes that the applicant at Hemingford Park has not been held to anything like the same level of account, despite a significant series of applications that have elicited literally hundreds of objections from local residents over several years. A comparable requirement would be for the submission of agricultural bills for feed, fertilizer or vet’s services, farm tenancy agreements replacing the now lapsed 2012 put forward in support of the Class R application, herd inventories and records, a Statutory Declaration by a tenant farmer or similar. The lack of comparable scrutiny is, in our opinion, very concerning.

2.5 Further, in the Class R prior approval (24/01218/P3MPA) the Officer accepted that the building was ‘solely in agricultural use’ on 3 July 2012. However, aerial photographs and the applicant’s own heritage documents show that two separate barns existed, and a lease dated May 2012 refers to ‘farm buildings’ in the plural. Further, the applicant’s own submissions in support of applications in 2013 confirm the continued existence of the two barns [Appendix 1].

Accordingly, the barns could only have been joined (without permission) after the 2012 critical date. This confirms the qualifying agricultural building did not exist in the required form on the relevant date. The Case Officer was in possession of all of these facts prior to his determination, and it therefore prompts the question on what basis the decision was made.

2.6 No corroborating evidence of agricultural activity during the ten-year period has to our knowledge been provided, and no reference was made to the 2013 Business Case promoting holiday accommodation, spa access and equestrian livery. These omissions further weaken the evidential foundation for the Class R approval.

2.7 Taken together, these issues illustrate the absence of substantive proof for agricultural use across multiple applications.

### **3. Unequal Standards of Evidence**

3.1 Evidence submitted by residents—including dated photographs, social media posts, and observations of spa and equestrian use—has been dismissed as ‘anecdotal’ or ‘not determinative’.

3.2 Meanwhile, the Case Officer accepted, without requiring documentary support, unsworn email assertions from the applicant that:

- any equestrian use was “de minimis.”
- no commercial spa or events use had taken place.
- the site has been in continuous agricultural use since 2012.

3.3 The applicant claimed to have had no control over the sales particulars published when the property was marketed for £15 million, even though those particulars [Appendix 2]:

- prominently promoted an indoor arena, menage, horse-walker, spa and wellness facilities, and holiday accommodation;
- appeared across multiple publications over time.

3.4 This explanation was accepted despite the fact that:

- it is implausible that a property of this value would be marketed without owner approval;
- several distinct adverts were produced at different times;
- in one marketing video, published online in July 2022 when the indoor arena had supposedly been returned to agricultural use, the presenter appears to arrive in the applicant’s own car while advertising the equestrian and spa facilities.

3.5 Despite this, the Case Officer:

- did not question the contradiction between these advertisements and the applicant’s claim of no commercial/equestrian use;
- did not request evidence that the adverts were unauthorised or withdrawn;
- simply accepted the applicant’s denial.

3.6 By contrast, objectors were told that any proof of commercial use must be supported by sworn witness statements, even when dated images, financial transactions or bookings were available.

3.7 In one case, a resident submitted an invoice, bank transfer receipt, and written confirmation of payment for a spa service at the site. The Case Officer dismissed this on the basis that there was “no proof the customer actually attended.” This effectively reverses the burden of proof — requiring a paying customer to prove physical attendance *after* payment — a test wholly inconsistent with established planning practice. By contrast, the applicant has not been required to produce any equivalent verifiable evidence, despite carrying the statutory burden of proof.

3.8 At the same time, in the Class R determination, the Officer apparently accepted a single 2012 lease as evidence of agricultural use and ignored submissions from neighbours providing multiple examples of how the building had evolved into an indoor equestrian arena [Appendix 3]. Also, rather than support the application, the lease corroborated other evidence to show that in 2012 the building was still two smaller ones. This highlights inconsistent evidential standards.

#### **4. Unequal Treatment of Public Representations**

4.1 Objections from the same household were consolidated into a single entry, even where separate adults submitted independent representations or where objections related to different application stages.

4.2 Conversely, multiple letters of support from the same household were counted individually, producing an inflated perception of support.

4.3 The Case Officer did not report that:

- 70 of 71 objectors live within one mile of the site [Appendix 4].
- Only two supporters live within one mile.
- average distance: objectors 0.3 miles, supporters 7.3 miles.
- at least twelve supporters declared business or financial connections with the applicant.

4.4 We believe that these facts are material under planning practice but were not disclosed.

#### **5. Evidence of Non-Agricultural Use Not Addressed**

5.1 Despite dismissing resident evidence, the Case Officer made no reference to:

- the applicant’s own 2013 Business Case, which proposed holiday lets, spa access and equestrian livery rather than agriculture.
- subsequent planning approvals for stables, menage, a horse-walker, and conversion of agricultural buildings to residential and leisure uses.

- evidence of continued equestrian activities after 2021, even though the applicant claimed to be living abroad, and despite planning conditions restricting use of equestrian facilities to residents.

5.2 All of these documents were available to the LPA before decisions on Class R and the CLED were made, yet none were addressed in the Officer's Reports.

5.3 Moreover, professional evidence submitted by the applicant and by HDC itself confirms that the internal tracks were created and used for access to the spa and events venue, not agriculture;

**2021** - 21/01768/FUL - Cass Allen Noise Impact Assessment states *"access to events area car park will be via an access road through the centre of the site"* confirming tracks C and E were intended as access routes to the spa and events venue before they were laid [Appendix 5].

**2023** - 23/00003/NONDET – HDC's own Statement of Case confirms *"A new access has now been constructed across the parkland visually scarring this important landscape....and now leads to and showcases the elevation of the spa extension"* [Appendix 6].

**2025** - 25/01451/CLED – The Applicant's own solicitor, Clyde & Co, confirmed to their clients the tracks were *"constructed to facilitate construction of your new buildings"* [Appendix 7].

This evidence of non-agricultural use is sourced from three separate applications across the same four years that the applicant claims the benefit of agricultural use. The information is clear and conclusive; it is held on the Council's own portal; the sources are authoritative. The failure to consider them in the determination of the CLED surely renders that decision vulnerable, and should be explained by the Case Officer.

5.4 The Case Officer also failed to address that the Class R red line encompassed 963 square metres of new hardstanding laid in 2022 to serve as the principal car park for the spa and events venue [Appendix 8]. This surface did not exist in 2012, was never agricultural in nature, and constitutes operational development requiring full planning permission. Its inclusion within the Class R approval represents both an evidential and procedural error: it introduces post-2012 development into a prior-approval process restricted to pre-existing agricultural land. The omission of any reference to this matter in the Officer's report further undermines confidence that material non-agricultural evidence has been fully considered.

5.5 These omissions indicate that critical non-agricultural evidence was not given appropriate consideration.

5.6 Collectively, these factual gaps and questions reinforce the appearance of procedural imbalance.



## 6. Summary of Procedural Concerns

6.1 From the above, HAPC believes it is reasonable to conclude that:

- No substantive evidence of agricultural use has been produced;
- The applicant has not been held to a consistent evidential threshold;
- Objectors' evidence has been treated unequally;
- Material contrary evidence has been omitted or downplayed;
- No independent or sworn verification has been required from the applicant.

6.2 The combination of these procedural and factual deficiencies calls into question the reliability of the Case Officer's conclusions.

### A List of the Outstanding Questions

- These questions seek to show whether the planning process has been applied consistently, fairly, and transparently.
- Each asks the Case Officer to
  - Justify why different evidential standards appear to have been applied to the applicant compared with objectors.
  - and to address factual omissions relating to the Class R and CLED approvals.

#### 1. Evidence Standards

1.a Why were residents told their evidence of spa or equestrian use must include sworn statements from users, while the applicant was not asked to provide sworn statements confirming that no money was ever taken for spa treatments, venue hire, weddings, livery, or arena use?

1.b Why was resident evidence including an invoice, bank transfer receipt, and written proof of payment for a spa service dismissed on the basis that there was 'no proof they attended'?

1.c Why were no agricultural accounts, holding numbers, herd registers, farm invoices, or tenancy agreements requested from the applicant in support of claims of continuous agricultural use?

1.d In at least two recent CLED applications (e.g., 24/01092/CLED and 24/01056/CLED), applicants were refused because they could not produce tenancy agreements, statutory declarations, financial records or formal utility evidence. Why has a lower evidential threshold been applied in this case — despite the application relating to a far larger site and more complex uses?

1.e Why did the Officer accept that the building was 'solely in agricultural use' on 3 July 2012 when aerial photographs and the applicant's own heritage documents show that two separate barns existed and were only joined after 2013 without permission? [Appendix 1]

- 1.f Why did the Officer not reference or address the May 2012 agricultural lease submitted by the applicant, which refers to 'farm buildings' in the plural, contradicting the assertion that a single building existed?
- 1.g Is the Officer relying on the '3 July 2012' criterion or the '10-year continuous agricultural use' criterion under Class R? - and on what definitive evidence is that reliance based?

## **2. Marketing and Social Media Evidence**

- 2.a Why were professionally produced sales particulars advertising the indoor arena, menage, spa and leisure accommodation — published when the estate was marketed for £15 million — dismissed as 'irrelevant' or 'unauthorised'? [Appendix 2]
- 2.b If the applicant claims these adverts were produced without their approval, why was no evidence sought of their withdrawal, correction or legal challenge to the estate agents?
- 2.c Why were the applicant's own social-media posts advertising spa days, arena hire, and event previews dismissed as 'anecdotal' instead of being treated as evidence of non-agricultural use?

## **3. Public Representations – Treatment of Objectors vs Supporters**

- 3.a Why were multiple objections from the same household consolidated into one, but multiple letters of support from the same address were counted individually?
- 3.b Why were Members not informed that 70 of 71 objectors live within one mile of the site, compared to only 2 supporters in that same radius, and that at least 12 supporters declared business or financial links to the applicant? [Appendix 4]
- 3.c Why were these proximity and impartiality factors — which guide the weight afforded to responses in planning decisions — omitted from the Officer's report?

## **4. Selective Treatment of Evidence**

- 4.a Why were residents asked to provide evidence of physical attendance at the spa or arena, but the applicant was not required to provide evidence that the facilities were used only privately or without payment?
- 4.b Why were multiple planning approvals for stables, menage, horse walker and leisure uses (2013–2019) — demonstrating long-term non-agricultural use — omitted from both the Class R and CLED reports?
- 4.c Why was the applicant's 2013 Business Case (promoting holiday lets, spa access and equestrian livery) ignored, despite being held on the LPA's planning portal?

4.d Why did the Case Officer omit professional evidence from Clyde & Co confirming that the tracks were laid for construction access to the spa, and the Cass Allen Noise Impact Assessments (2021–2025) identifying the same access as serving the events car park? [Appendices 5&7]

4.e Why did the Officer omit the Council's own Statement of Case (Appeal 23/00040/NONDET) confirming that the access was new, urban in character, and was required to reach the spa and underground car park? [Appendix 6]

## **5. Planning Conditions and Enforcement**

5.a Why were ongoing equestrian activities not investigated despite planning conditions restricting the use of the menage and horse-walker to residents only, especially when the applicant claimed to be living abroad from 2021 onwards?

5.b Why were no site visits, enforcement enquiries, or monitoring undertaken despite photographic and documentary submissions showing continued commercial or equestrian activity?

## **6. Class R – Red Line Boundary and Car Parking**

6.a Why did the Officer accept a Class R red-line boundary including approximately 963 m<sup>2</sup> of hardstanding that did not exist before 2021 and was created following engineering works in early 2022 without planning permission? [Appendix 8]

6.b On what basis was this area treated as 'curtilage of the agricultural building' when no such surface existed in 2012 and no agricultural use has ever been demonstrated?

6.c Given that the Change-of-Use application relies on this area for parking, does the Officer accept that there is currently no lawful parking provision?

## **7. The Tracks – Agricultural Use or Commercial Access?**

7.a Why does the Officer's report make no reference to Clyde & Co's submission confirming that the tracks were installed for construction access to the spa?

7.b Given this professional evidence from both applicant and Council, on what basis were the tracks certified as agricultural in the CLED?

## **8. Class R and CLED – Chain of Reliance**

8.a What is the Officer's response to the assertion that both the Class R and CLED approvals rely on the same unproven assertion of agricultural use?

8.b If that foundation is unsound, would the Officer accept that the CLED and current Change-of-Use application cannot lawfully proceed until corrected?

### **9. Impartiality and Consistency**

9.a Why did HDC refuse other Certificate-of-Lawfulness applications where applicants failed to provide sufficient documentary evidence of the claimed use for the required period - but in this case granted a CLED despite the absence of business accounts, tenancy agreements, utility records, sworn affidavits, or agricultural documentation?

9.b Why has the applicant never been asked to provide any independent or sworn evidence to support key assertions, while objectors have been repeatedly asked to do so?

9.c Does the Case Officer accept that failure to apply equal evidential standards risks undermining procedural fairness and public confidence in the planning process?

### **Purpose of These Questions**

These are not matters of opinion, impact or planning balance. They are questions of fact and lawfulness that must be answered clearly and publicly before Members can be confident that the planning process has been lawful, consistent, and transparent.

HAPC respectfully requests that these questions be addressed in writing and reported to Members before any decision on application 25/01248/FUL is made.

Yours faithfully,



Parish Clerk, for and on behalf of Hemingford Abbots Parish Council

### **APPENDICES**

Appendix 1 – Evidence that the Class R building did not exist on 3<sup>rd</sup> July, 2012

Appendix 2 – Sales Particulars over which the Applicant claims to have had no control

Appendix 3 – Evolution of the Cowshed/barn into an indoor riding arena

Appendix 4 – Postcode breakdown of villager submissions (Support and Object)

Appendix 5 – Noise Assessment assertion that the “agricultural tracks” C&E were intended as the Spa and Events Venue access from the date of inception of Track E

Appendix 6 – HDC Statement of Case in 23/00003/NONDET confirming the “agricultural tracks” C&E were the intended access to the Events Venue

Appendix 7 – Clyde and Co letter confirming the “agricultural tracks” B&C were initially installed to facilitate the construction of the Spa

Appendix 8 – Applicant submissions showing circa 800m<sup>2</sup> hard standing laid in 2022 added to the Class R application

Additional Appendices

Appendix 9 – Photo showing applicant site making up 30% of the Hemingford Abbots Conservation Area

Appendix 10 – Overlay of Events Venue Access Road on “Agricultural Tracks” B, C and E

**Appendix 1 – Evidence of Cow Sheds being two separate buildings until and after 3<sup>rd</sup> July, 2012**

2006. Applicants Contamination Report in support of 24/01218/P3MPA

2008. Google Earth Images

2013. Applicants Site Plan submitted in support of 1300449LBC shows two buildings

Excerpts from agricultural lease agreement dated 4<sup>th</sup> April 2012 clearly showing the Farm Buildings in the plural – before they were joined.



ation of the Licence, to  
Farm **Buildings** in a cl  
s on the Land

k are retained within  
n the Farm **Buildings**  
nage caused by stock

Excerpts from Heritage Statement in support of 2013 Application 1301319FUL. Makes references to agricultural buildings and cow sheds in the plural.

located within the Hemingford Abbots Conservation Area. The chosen site is immediately to the south of an existing detached stable building beyond the walled garden and in close proximity to modern agricultural **buildings**.


wider significance of the conservation area. It is an equestrian structure that is of moderate scale and form when compared to the two large cow **sheds** and its



## APPENDIX 2. Evidence of the Agricultural Barn in use as an indoor riding arena after May 2021.

### HORSE & HOUND COULD NOT CONCEIVABLY FEATURE THIS ARTICLE WITHOUT THE APPLICANT'S CONSENT

**HORSE & HOUND**  
**The wow factor Three spectacular homes**  
 'Three spectacular horsey homes in a range of price brackets'  
 25 Aug 2022




Page 1

**HEMINGFORD PARK HALL**  
 Hemingford Abbots, Cambridgeshire

For you: a Grade II-listed sixbed main house with a couple of two-bed cottages, a two-bed apartment and a three-bed lodge. The house is home to the largest underground spa in Europe with two pools, four steam rooms, mud room, jacuzzi, sauna, salt room, massage and treatment rooms.

For the horses: six stables, horse-walker, indoor and outdoor menage. Set in 72 acres, with cross-country jumps and post-and-rail paddocks.

OIEO £15m



The Case Officer accepted the Applicants' explanation that they had no control of the content of features, adverts and videos (despite the video showing the presenter driving the Applicants' car).

We would like to question what rigour was applied here by the Case Officer. Photos had to be taken, copy approved and camera crews accommodated.

Is it reasonable to accept that the Applicants had no knowledge or control of these processes? The repeated reference to the indoor-arena proves conclusively that the building was not in agricultural use well beyond May 2021, as the Case Officer was told and apparently chose to believe without further scrutiny.

The Class R permission cannot be granted on a non-agricultural building, and without an agricultural building the CLED cannot confer agricultural use on the tracks.

### ISSUU.COM – ONLINE PROPERTY BROCHURE COULD ONLY BE COMMISSIONED AND SANCTIONED BY THE APPLICANT

A photograph of the indoor arena is featured in the specific Equestrian Facilities section that refers to the "arena quality floor surface".



### SCREENSHOT (WITH CAPTIONS) FROM APPLICANT'S PROMOTIONAL SALES VIDEO – JULY 2022



### FURTHER ADVERTISING REFERENCE TO THE INDOOR ARENA



Your horse will be well at home here, as this place comes complete with nine stables, an outdoor arena, indoor arena and a covered horsewalker.

#### EQUESTRIAN FACILITIES

Hemingford Park sits on 72 acres of private and level grounds, there is a large outdoor menage, a barn with an arena-quality floor surface, stables, a horse walker and cross-country jumps around the grounds.

For an avid horse rider this property offers everything, and the property is surrounded by an area of outstanding natural beauty, untouched and is simply wonderful for all riding needs.

The acreage and formal grounds have been meticulously kept over the past ten years by the current owners and their groundsmen. There are amazing spaces dotted around the property, including a yoga studio, outdoor gym, an assault course, woodland, and huge lakes (perfect for fishing).

A very impressive, private, and gated driveway leads to the property and gardens and acreage are simply beautiful.





**Appendix 3 – Evolution of the two Cowsheds on a working farm, through to an extended Cowshed on a mixed-use site, into a private indoor equestrian arena following the permission to “extend” was used to “convert” and then to a commercial indoor equestrian arena. Images from Applicants own submissions, own YouTube posting, own Facebook posting and 2 x 3<sup>rd</sup> party Facebook posts.**

3<sup>rd</sup> Party Facebook



2006. Two cow sheds shown in support of 24/01218/P3MPA



Photo circa **2018** in support of 18/02612/FUL. Two cowsheds now connected to make the two three bay sheds 1 x 7 bays. Rear four bays remain open for ventilation, front 3 bays already enclosed.



At this stage the building was in mixed use but transitioning towards equestrian use. At or around this time the tenant farmer's lease was revoked.

Applicant Facebook



2020 – Applicant confirms surface installation 8<sup>th</sup> January, 2020, and arena available to rent thereafter.

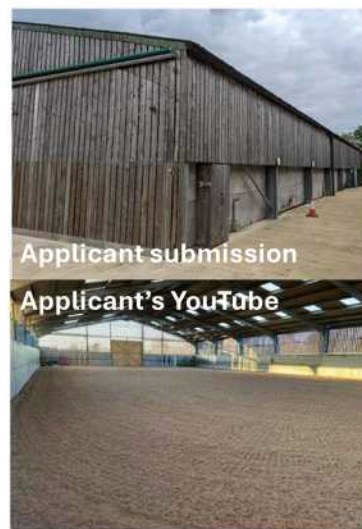
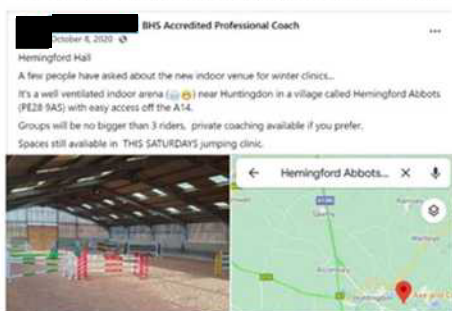


Photo circa **2019**. Connected building now enclosed to prepare for the pending indoor riding school. No agricultural use which may be associated with the site is any longer plausible, and nor is the expense of enclosing the sides, with no crops to store or scale or quantity of machinery to warrant such a large building.

2020 – High quality equestrian surface now added for use by horseriders.

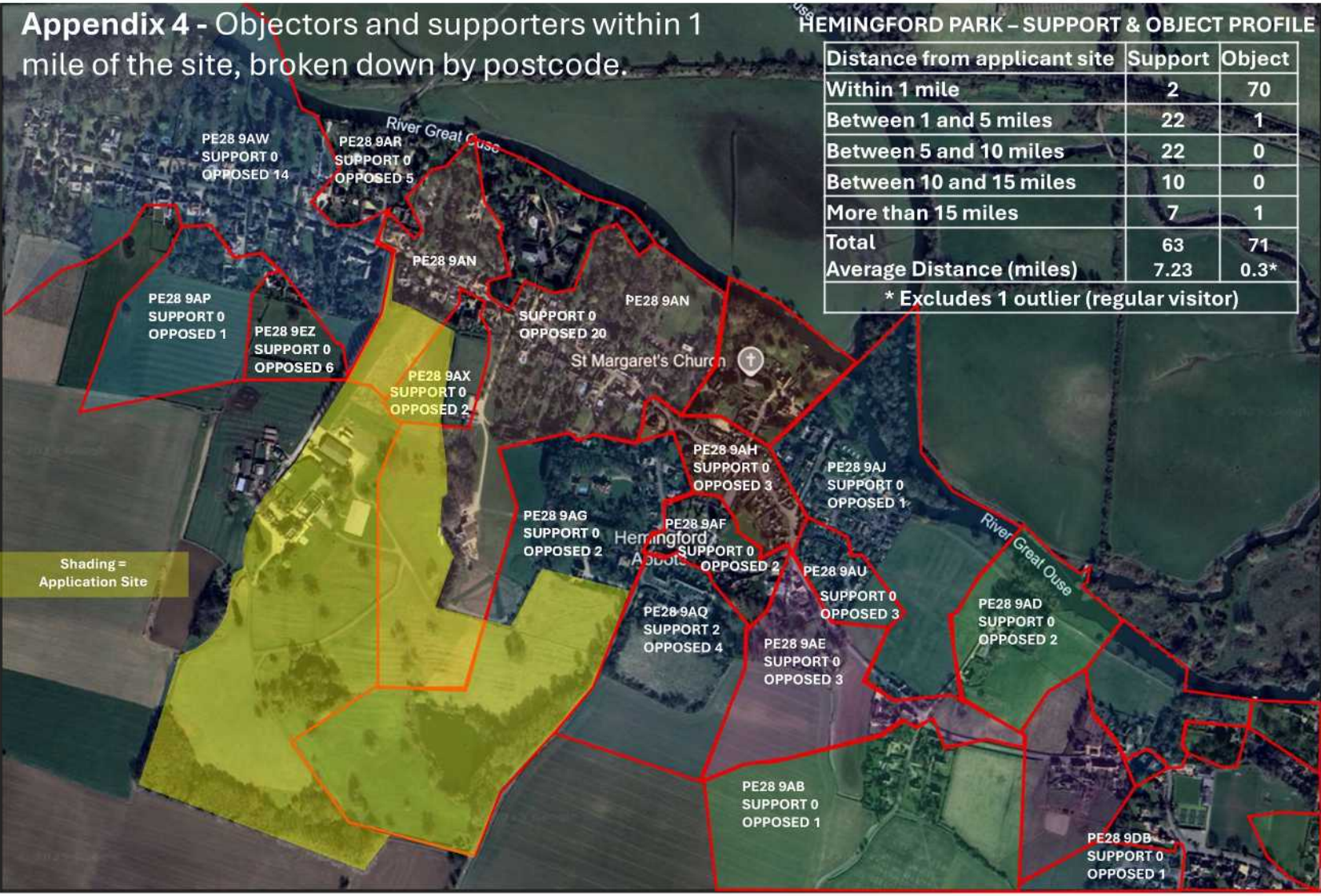
October **2020** – One of multiple coaches advertising the indoor arena.



3<sup>rd</sup> Party Facebook



Appendix 4 - Objectors and supporters within 1 mile of the site, broken down by postcode.



Postcode	Object	Support
PE28 9AN	20	0
PE28 9AW	14	0
PE28 9EZ	6	0
PE28 94R	5	0
PE28 9AQ	4	2
PE28 9AE	3	0
PE28 9AU	3	0
PE28 9AH	3	0
PE28 9AF	2	0
PE28 9AG	2	0
PE28 9AD	2	0
PE28 9AX	2	0
PE28 9AP	1	0
PE28 9AB	1	0
PE28 9AJ	1	0
PE28 9DB	1	0
TOTAL	70	2



## Appendix 5 – Extracts from 21/01768/FUL submitted 30<sup>th</sup> July, 2021

**21/01768/FUL** Change of use to allow for a mixed use as private residence (Class C3a), a wedding and corporate events venue (sui generis use) with ancillary guest accommodation and parking.

Noise Assessment by Cass Allen Associates in support of the application is dated **22<sup>nd</sup> September, 2021**.

The photograph (right) shows the same Track E connected to the Construction track C, and together they are marked by the blue dotted line and described in connection to the change of use as follows;

***“Access to the events area car park will be via an access road through the centre of the site”***

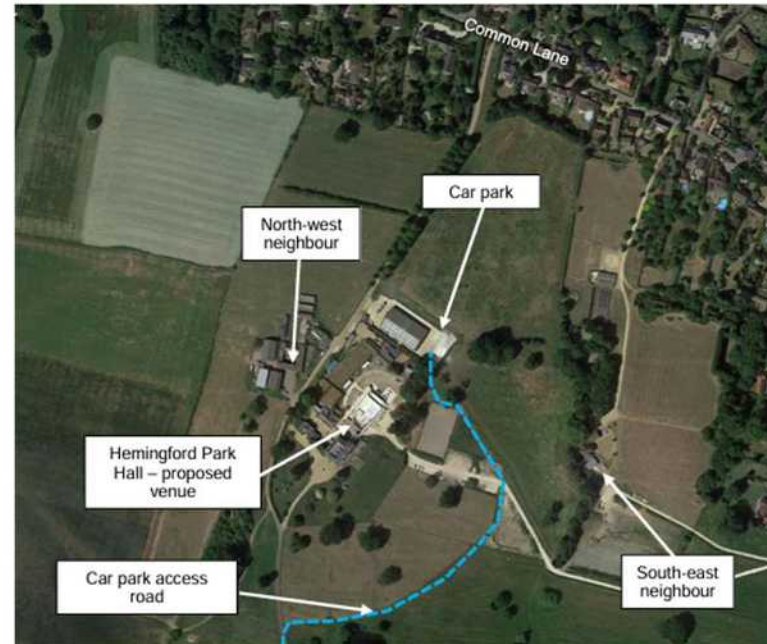
This shows that the Track E, which we know was laid in the summer of 2021, was intended to be the access road for the proposed events venue and was not an agricultural track which could benefit from the four-year rule.

Application 21/01768/FUL was appealed against non-determination, but the appeal was withdrawn on 17<sup>th</sup> February, 2023.

A new change of use application (23/01764/FUL) was submitted in September 2023. That application appears to have been removed from the HDC Planning portal and so potentially relevant content cannot be accessed.

**The exact same photograph and paragraph 2.2 is reproduced in the 2025 Noise Assessment that supports the current application 25/01248/FUL, confirming that the tracks were installed to serve the venue and so should not qualify for the four-year rule when assessing the CLED application.**

Figure 1 Site Location and Surrounding Area



- 2.2 The proposal is to allow for commercial use of the events venue for private weddings. Weddings will take place on Saturdays and up to 20 times per year. Access to the events area car park will be via an access road through the centre of the site. Potentially significant noise sources associated with this change of use are:

**Appendix 6 – Extracts from 23/00003/NONDET**

The applicant submitted **23/01739/HHFUL** in September 2023 and appealed against non-determination. HDC’s Statement of Case included evidence to confirm that at that time **Council Officers were firmly of the view that the “Agricultural Tracks” were in fact the access roads for the proposed events venue.**

Further to the above, the Council note that there are some works intended/completed which aren’t referenced in the description of the application and subsequent but which would be required in order to provide access to the lift to the underground car park. The 2014 approval was for a pavilion building, a folly set in a landscape beholden to the primary façade of the main house. This was a private facility accessible from the existing access points to the rear of the house, so no new access was required. A new access has now been constructed across the parkland visually scarring this important landscape and separating the house from the cricket pavilion, it branches away from the main approach to the house and now leads to and showcases the elevation of the spa extension, this erodes the principal approach to the house, making it less important and focusses the viewers attention on this ancillary structure. Views from the house are also disrupted and harmed.

The new access road terminates in a large, kerbed space in front of the spa extension which gives a hard and urbanising character to this structure. The access road splits in front of the menage to form a second branch which provides a link to the large agricultural barn (already accessible from the farm track to the rear) and turns into the walled garden to access the car lift. The underground carpark included in the development would not be accessible to vehicles if this road was not included in the applications.

**The HDC Statement of Case confirms as follows;**

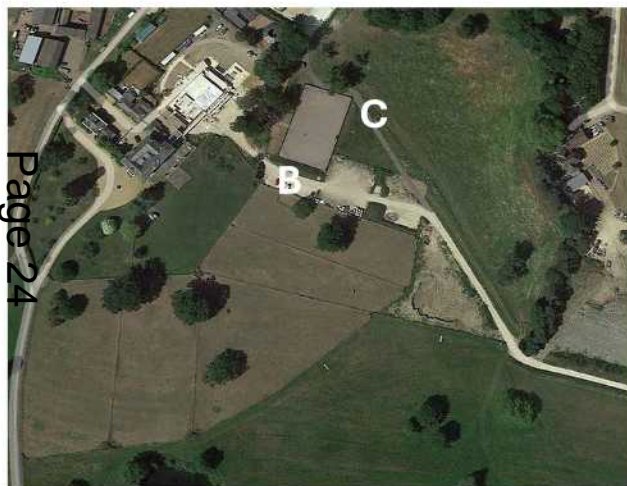
- The tracks are designed to showcase the events venue.
- The facilities are accessible from the existing access routes and so the track is not required other than to exhibit the venue.
- The tracks have scarred the landscape
- The tracks have caused contextual damage to the setting by;
  - Impacting the relationship with neighbouring properties
  - Re-orientating the primary access
  - Harmed and disrupted views from the house
- The tracks are kerbed (non-agricultural) in parts
- The tracks terminate at the spa extension
- The alleged agricultural building is already accessible via the farm track to the rear
- The tracks are required to access the car lift
- The underground car park is not accessible without the track



## Appendix 7 – Extracts from 25/01541/CLED submitted 1<sup>st</sup> August, 2025

28<sup>th</sup> May 2020.

Aerial view with tracks identified in 25/01541/CLED B and C. The applicant's solicitor (Clyde and Co) states at 1.2a of his letter that he was advised by the applicant those tracks were **"constructed in order to facilitate construction of your new buildings"**, and so clearly not an agricultural road.



CLYDE&CO



In addition, you have advised me of the following:

- (a) the Tracks comprise a porous hardcore surface and Tracks A-D (which were constructed in advance of Track E, as below) were **constructed in order to facilitate construction of your new buildings adjacent to Hemingford Park Hall and to avoid any inconvenience to neighbours caused by construction traffic using Common Lane;**

8<sup>th</sup> September, 2021.

Aerial view included with 25/01541/CLED with track E having been added. Submission states track E connects *"agricultural buildings located south-southeast east of Hemingford Park Hall and adjacent pastureland"*. **There are no such buildings, and the track can be seen to connect the drive from Rideaway to the junction of tracks B and C.**

The yellow triangle marks the south-southeast. There are no buildings in that direction. There are no agricultural buildings on-site, albeit the applicant claims the indoor riding arena that was previously used as a cowshed is still in agricultural use.

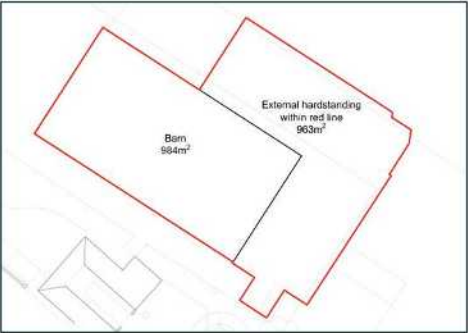


### The Track

- 2.3 Track E is located within the curtilage of the Hemingford Park estate and runs between agricultural buildings located south-southeast of Hemingford Park Hall and adjacent pastureland. The track comprises a laid surface of compacted limestone over rolled road planings over a permeable base and was installed to facilitate agricultural access across the estate. It is not surfaced with tarmac or other sealed material. The track has remained in situ since its completion and has not been materially altered or removed.

**Appendix 8 – Class R Application (24/01218/P3MPA) red line exceeds agricultural building curtilage.**

**Image 1**



**Image 1**

Block Plan showing the “Barn” for which the Applicant sought to obtain Class R development rights. The two connected cowsheds make up the rectangle marked “Barn 984m²”.

The L shaped area marked as “external hardstanding within the redline 963m²” is a combination of what is now hardstanding, but what on 3<sup>rd</sup> July, 2012 was rough grassland.

**Image 2**

Block Plan Redline is superimposed on a 2018 aerial photo showing the applicant building.

Within the redline is a yellow lined rectangle which maps the footprint of the “barn”, along with a concrete strip at the entrance to the barn which is marked by a dotted red line and infilled in pale red to show the operational curtilage of the building once cojoined in 2013.

The additional land within the redline shows rough grassland having no operational connection with the “barn” and so not eligible for Class R development rights.

**Image 2 - 2018**



**Image 3**

Same visual as Image 2 but updated to an aerial photo from 2022. This shows the hard standing circa 2,000m².

Engineered in 2021-22. The area of hard standing enclosed by the redline is labelled as parking in the applicant’s submissions for 24/01218/P3MPA and 25/01248/FUL. With presumed intention that the remaining hard standing is what the applicant refers to as “overflow parking”.

This area is not part of the curtilage of the “barn” and so is not eligible for inclusion in the Class R application.

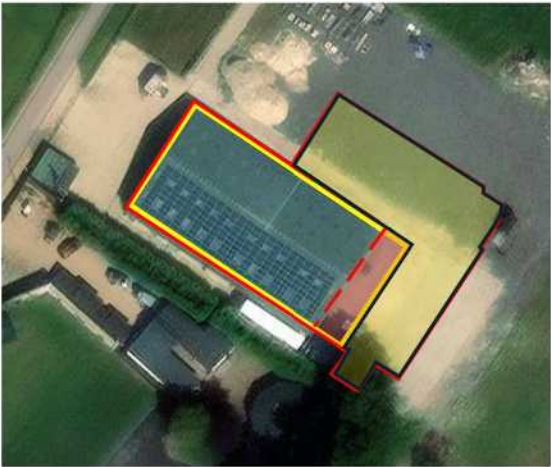
**Image 4 - 2025**

As Image 3 but superimposed on to an up-to-date aerial image.

The land not eligible for inclusion in the Class R application is now highlighted in yellow to indicate its significant mass, estimated at more than 800m².

The land is not eligible by virtue of not being part of the “barn” curtilage, having been engineered to hard standing in 2022 and not being “agricultural” in any respect.

**Image 3 - 2022**







## Appendix 9

Shows the split between Hemingford Park and the rest of the village footprint, indicating the potential impact if 30% of the village footprint is converted to unspecified (sui generis) commercial leisure use.

## Appendix 10 - 25/01451/CLED Certificate of existing lawful use for access tracks.

The recently approved application for a Certificate of Lawfulness for the “agricultural tracks” is a prerequisite for the approval of application 25/01248/FUL. The CLED application includes Photo 1 to claim that the 5 tracks A-E are agricultural (and so qualify for the four-year rule) and have been in situ for at least four years. This is despite the evidence in Appendix 7 that tracks A-D were developed for construction purposes, and at Appendices 5 & 6 that tracks C & E was installed as an access to the spa, car park and underground car park.

The “access road through the centre of the site” identified in the 2021 and 2025 noise assessments is included in Photo 2 for comparison of that road to tracks C and E. On the following page the two images are compared in more detail to show how the 2021 proposed access track through the centre of the site, and tracks C and E included in the 2025 CLED as agricultural tracks are in fact one and the same.

PHOTO 1



PHOTO 2





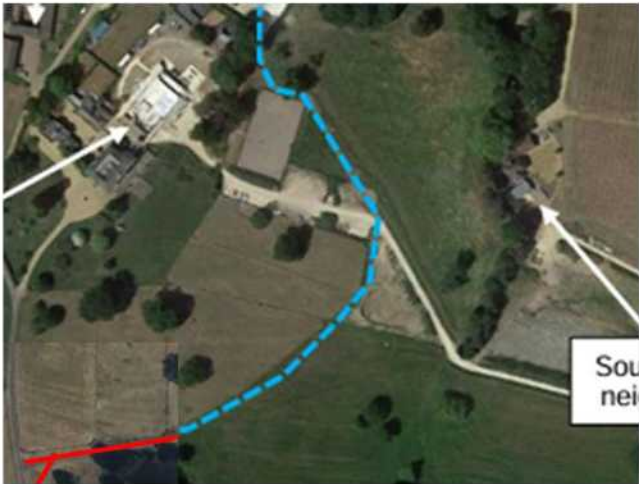
**Appendix 10 - 25/01451/CLED**

Images below show the dotted blue line included in the Noise Assessment for application 21/01768/FUL in September 2021, and identified as the “access road through the centre of the site” shortly after the track was installed. It matches exactly the “agricultural tracks” C & E included in the 2025 application, 25/015451/CLED

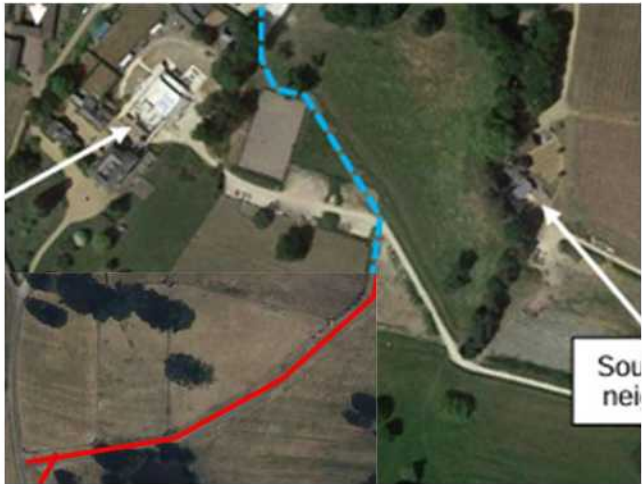
2021 Access road through centre of the site



Spur off drive from Rideaway access



Main stretch of track across ridge & furrow



CLED track E meets tracks B and C



CLED tracks C and E are the 2021 access road



As can be seen from the transitional photos, the “agricultural tracks” are actually the access road through the centre of the site, built without permission, objected to and referenced by HDC in 2023 (Appendix 6).

The road was subsequently renamed as agricultural tracks B, C and E, and HDC erroneously applied the four year rule to grant the CLED.

Accordingly, that CLED should be revoked as the 4-year rule is not applicable.