
Appeal Decision

Site visit made on 10 January 2017

by Julia Gregory BSc (Hons), BTP, MRTPI, MCMI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 06 February 2017

Appeal Ref: APP/E3715/W/16/3160264

Spinney Farm, Main Street, Withybrook, Coventry CV7 9LX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr John Mac against the decision of Rugby Borough Council.
 - The application Ref R16/0794, dated 10 May 2016, was refused by notice dated 8 September 2016.
 - The development proposed is the construction of new stables and manage.
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Preliminary matter

1. The Council has raised no concerns about the manage and given that there is planning permission for such a facility as a fallback, I shall concentrate on the stable.

Decision

2. The appeal is dismissed.

Main Issues

3. The main issues are whether the development amounts to inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies; the effect on the openness of the Green Belt and any other harm; and whether harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations to amount to the very special circumstances necessary to justify the development.

Reasons

4. Planning permission was granted for the erection of a new 6 bay stable and associated feed and tack rooms and creation of a manege in 2014. Subsequently, the stable that was built was not in accordance with the approved plans. The Council issued an enforcement notice and stop notice in respect of the building, and an appeal in respect of the enforcement notice was dismissed, including one on ground (a) that planning permission should be granted. The building remains and the scheme seeks to reduce the height of the building by decreasing the pitch of its roof.
 5. Policy CS1 of the Rugby Borough Council Core Strategy (CS) specifies that new development will be resisted in the Green Belt and will only be allowed where national policy on the Green Belt allows for it. One of the exceptions is the provision of facilities for outdoor sport, outdoor recreation, and for cemeteries
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- so long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.
6. The previous Inspector concluded that the existing building would be inappropriate development being detrimental to openness.¹ I have no reason to conclude otherwise in respect of the altered building and I note that there is no dispute that the development would amount to inappropriate development in the Green Belt.
 7. Whilst the height of the roof and the roof pitch would be reduced the width and depth of the building would still be larger than that permitted. This would increase its massing overall and its effect on the openness of the Green Belt in comparison with the scheme approved.
 8. I acknowledge that the planning permission for the slightly smaller stable block is a material consideration that supports the proposal but it does not clearly outweigh the harm because of inappropriateness and the increased harm to the openness of the Green Belt. Very special circumstances do not therefore exist.
 9. I conclude that the stable building would be inappropriate development contrary to CS policy CS1 and the Framework. There would be harm to openness and those harms are not clearly outweighed and cannot therefore amount to the very special circumstances necessary to justify the development.
 10. For the reasons given above I conclude that the appeal should be dismissed.

Julia Gregory

Inspector

¹ ALL/E3715/C/15/3132713 & 714