
Appeal Decision

Site visit made on 4 April 2017

by Caroline Jones BA (Hons) DipTP MTP MRTPI

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

Decision date: 3rd May 2017

Appeal Ref: APP/W4223/W/16/3167535

Ship Farm, Ship Lane, Grains Bar, Oldham, Lancs OL3 5RW

- 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 Ryan Hughes against the decision of Oldham Metropolitan Borough Council.
 - The application Ref PA/338789/16, dated 15 June 2016, was refused by notice dated 6 October 2016.
 - The development proposed is stables with existing access from Ship Lane.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In seeking to address the Council's third reason for refusal, the appellant submitted amended site plans showing a turning area within the site. The amended plan results in a minor revision to the red line boundary to include a small portion of land that is within the appellant's ownership. Given the minor nature of this amendment, I am satisfied that no-one's interests would be prejudiced by my taking the amended plan into account and I have considered the appeal on this basis.

Main Issues

3. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies.
 - The effect of the proposal on the character and appearance of the area.
 - The effect of the proposal on highway safety.
 - Would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.
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Reasons

Whether or not the proposal constitutes inappropriate development

4. Section 9 of the National Planning Policy Framework (the Framework) attaches great importance to the Green Belt, the essential characteristics of which are its openness and permanence. Paragraph 89 of the Framework establishes the construction of new buildings as inappropriate in the Green Belt subject to a list of exceptions. One such exception is the provision of appropriate facilities for outdoor sport and outdoor recreation, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.
5. Although it predates the Framework, Policy 22 of the Oldham Local Development Framework Development Plan Document – Joint Core Strategy and Development Management Policies (2011) (LDF) indicates that development in the Green Belt will be permitted provided it does not conflict with national policies on Green Belt.
6. The proposed stables would measure approximately 18 metres in length and 6 metres in width and would include four stables and a tack room. The Design and Access Statement submitted with the application states that the stables would be for the private use of the appellant. In my view, to qualify as ‘appropriate facilities’ any facilities must be commensurate in size to the reasonable requirements of the use to which they are put. The appellant has given no indication of the number of horses that they either currently own or intend to keep at the site. I also share the Councils concerns that the tack room is disproportionate to the size of the stables. I therefore consider that the proposed building is larger than it needs to be to allow for the reasonable requirements of the stabling needs for private use along with the storage of hay and straw. Given that I have not been provided with any objective evidence that the building has been designed to meet the stabling needs of the appellant for private use, I conclude that the proposal does not constitute ‘appropriate facilities’ for outdoor sport or recreation.
7. The fundamental aim of Green Belt policy, as set out in paragraph 79 of the Framework, is to prevent urban sprawl by keeping land permanently open. In that the proposal would locate a building on the site where there is currently none, it would materially reduce openness thereby failing to preserve it. The proposal would also conflict with the purposes of safeguarding the countryside from encroachment.
8. I therefore conclude that the proposal would form inappropriate development which is by definition harmful to the Green Belt, contrary to paragraph 89 of the Framework and Policy 22 of the LDF. I attach substantial weight to this harm.

Character and appearance

9. Given the isolated and elevated position of the appeal site, the proposed development would be visible from some distance. However, the proposed materials of stone, timber and steel sheeting would not in my opinion look out of place in what is essentially an agricultural landscape. Moreover, there are other examples of buildings constructed in similar materials in the locality,

some considerably larger than the proposed stable block, including those at the farm which lies to the east of the appeal site.

10. In view of the above, I consider the proposed stables to be an appropriate and characteristic building suited to its purpose. Stables and the keeping of horses in an activity commonly found in rural areas and the use of the appeal site for these purposes would not be inappropriate given its countryside location. The level of vehicle parking associated with small scale stables would not be unduly significant and additional screening could be secured through condition if the appeal had succeeded. Therefore, despite the concerns raised above in relation to the impact on openness, which is a specific Green Belt test, the appeal scheme would not in view materially harm the character and appearance of this countryside location.
11. I therefore conclude that the proposal would not have an adverse impact on the character and appearance of the area and find no conflict with Policies 9 and 20 of the LDF and paragraph 58 of the Framework which seek, amongst other things, high quality design that does not have an adverse impact on the visual amenity of the surrounding area. The lack of harm on this matter is a neutral factor neither weighing for or against the proposal.

Highway Safety

12. Ship lane is a narrow road of national speed limit and I can appreciate the Council's concerns regarding vehicles reversing out of the site or parking on the road. However, the submitted amended site plans now show a turning area within the site. Given the scale of the development and that the stables are for private use, I consider the appellant has adequately demonstrated that vehicles would be able to manoeuvre within the site to allow them to exit in a forward direction.
13. I therefore conclude that the proposals would not have an adverse impact on highway safety and find no conflict with Policy 9 of the LDF which seeks to ensure, amongst other things, that development does not harm the safety of road users. The lack of harm on this matter is a neutral factor neither weighing for or against the proposal.

Other considerations

14. The appellant has drawn my attention to the fact that the proposed development would be located on the footprint of the previous Ship Farm farmhouse and points out that the location of the access is as existing. However, the Council states that the buildings associated with Ship Farm were demolished between 1938 and 1956 which the appellant has not disputed. Having visited the site, I observed that any remnants of these buildings have since blended into the landscape and there was little evidence of an access at this location. This matter therefore carries very little weight.

Conclusion

15. The Framework indicates that inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances. In addition, any harm to the Green Belt carries considerable weight. In this case, I have found harm from inappropriateness as well as a loss of openness to the Green Belt. I give little weight to the other consideration referred to above. I consider that the substantial weight to be

given to Green Belt harm is not clearly outweighed either individually or cumulatively by other considerations sufficient to demonstrate the very special circumstances that are necessary to justify inappropriate development in the Green Belt.

16. For the reasons set out above and taking into account all other matters raised, I conclude the appeal should be dismissed.

Caroline Jones

INSPECTOR