

Appeal Decision

Site visit made on 26 April 2017

by Y Wright BSc (Hons) DipTP MSc DMS MRTPI

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

Decision date: 9 May 2017

Appeal Ref: APP/D2320/W/16/3165665

Laneside Farm, Brown House Lane, Chorley, Lancashire, PR6 8HR

- 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 Stephen Nolan against the decision of Chorley Borough Council.
 - The application Ref 16/00365/FUL, dated 15 April 2016, was refused by notice dated 27 July 2016.
 - The development proposed is removal of existing stables and replacement with proposed new stables for Clydesdale horses.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As not all of the correct plans were submitted with the appeal documentation I requested these prior to consideration of the proposal. I have taken the relevant plans into account within my decision.
3. The appellant is dissatisfied with the Council's handling of the planning application, particularly in relation to pre-application advice he received in relation to the location of the building. However it is not within my remit to consider this matter and I am determining the appeal solely on the planning merits of the appeal case that is before me.

Main Issues

4. As the appeal site is within the Green Belt the main issues are:
 - Whether the proposal is inappropriate development for the purposes of the National Planning Policy Framework and development plan policy; and
 - If it is inappropriate development whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether inappropriate development

5. Section 9 of the National Planning Policy Framework (the Framework) attaches great importance to the Green Belt, the essential characteristics of which are
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its openness and permanence. It also states that inappropriate development is by definition harmful and should not be approved except in very special circumstances. Paragraph 89 of the Framework indicates that except for a small number of exceptions, the construction of new buildings within the Green Belt should be regarded as inappropriate. Exceptions to this include 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.

6. Whilst I recognise that the existing small stable block would be demolished, the proposal would introduce a large permanent structure of considerable width and depth into a predominantly open and undeveloped paddock area. This would result in a considerable incursion of built form within an undeveloped part of the Green Belt which would cause spatial harm to openness in this location.
7. I note that the building would be screened to some extent from the south and west by existing boundary treatments and other buildings within the vicinity. This would lessen its visual impact to some degree, but it would not significantly reduce the overall harm to the openness of the Green Belt.
8. I note that the horses are kept as domestic pets for private use and whilst reference has been made to them being shown at events, no details as to the number of events and time of year attended have been provided. I therefore share the Council's concerns over the appropriateness of the nature of the facilities included in the proposal, particularly the sick bay, the indoor washing and drying area and the amount of storage.
9. However, even if I were to consider that the proposal would provide appropriate facilities for outdoor recreation, it would not preserve the openness of the Green Belt. Consequently the development would be inappropriate development within the Green Belt. This would not accord with the Framework and would be contrary to the Central Lancashire Rural Development Supplementary Planning Document 2012 (SPD) which amongst other things, indicates that development proposals within the Green Belt will be subject to Green Belt policy.
10. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. In accordance with the Framework I regard this harm as substantial.

Other considerations

11. In my view the provision of three stable bays of an appropriate size and construction for the care of three heavy breed Clydesdale horses kept for private use carries some moderate weight in favour of the proposal.
12. The Appellant has assessed the development against several development plan policies, not referred to by the Council in its reasons for refusal. I note that matters including its appearance, access and parking arrangements would be acceptable. There would also be no adverse impact on the living conditions of occupiers of neighbouring properties due to the significant distances to any nearby dwellings. Furthermore the Council has not raised any objections to the proposal in these regards. Nevertheless the lack of harm on these matters

would be neutral in effect and would neither weigh in support of or against the proposal.

13. I accept that conditions could be imposed on any planning permission to ensure that the building would not be constructed using cavity walls and would not be used for residential use. However such conditions relate more to reducing harm rather than providing positive benefits and I therefore give this no weight.
14. Stables and other buildings may well be a feature within the locality and the wider rural area, but this would not set a precedent or justify the addition of further built form that would not preserve the openness of the Green Belt. In any case each proposal must be considered on its own individual merits.
15. Whilst I have taken into consideration the 'at risk' status of the horse breed, the extended 25 year lease for the land, the lack of alternative buildings for use and the letters of support for the proposal, these factors combined carry little weight.

Planning Balance

16. I have found that the development would be inappropriate as it would not preserve the openness of the Green Belt. This carries substantial weight in accordance with the Framework. In terms of other considerations suggested by the Appellant these would have only moderate to little weight.
17. I therefore conclude that the harm by reason of inappropriateness would not be clearly outweighed by other considerations and therefore very special circumstances do not exist to justify inappropriate development in the Green Belt. The development is therefore contrary to the relevant provisions of the Framework and the development plan as a whole.

Conclusion

18. For the reasons given above, and having considered all other matters raised, I conclude that the appeal should be dismissed.

Y. Wright

INSPECTOR