
Appeal Decision

Site visit made on 28 November 2019

by R Morgan MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th January 2020

Appeal Ref: APP/P3040/W/19/3236179

Elms Farm, Leake Road, Costock, Loughborough LE12 6XA

- 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 Chris Brown against the decision of Rushcliffe Borough Council.
 - The application Ref 18/02450/FUL, dated 16 October 2018, was refused by notice dated 1 March 2019.
 - The development proposed is equine stables.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the Council determined the application, the Rushcliffe Local Plan Part 2: Land and Planning Policies has been adopted (October 2019). In its appeal statement the Council has stated that the policies referred to in its decision notice have been replaced with Policy 1 (Development Requirements) and Policy 22 (Development within the Countryside) of the Local Plan Part 2. The objectives of these policies are similar to those referred to in the decision notice and, as they now form part of the development plan for the area, I have taken them into account in this decision. Both parties have been provided with an opportunity to comment on this change in circumstances.

Main Issue

3. The main issue in this case is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site is located in a field bordering onto Leake Road in an area of countryside. It is located some 400 metres from the main buildings and existing equine facility at Elms Farm. These buildings are set well back from the road and are reached via a long track, which also provides access to a butchers' shop and holiday cottages which form part of the farm business.
5. The proposal for new stables and associated parking would allow the Elms Farm business to further diversify by providing stallion and colt livery. This would be an appropriate use in the countryside, the principle of which is supported through Policy 22 and paragraph 83 of the National Planning Policy Framework. Policy 22 is permissive of appropriate development in the countryside, subject

- to criteria which include the need to conserve and enhance the appearance and character of the landscape. The policy also says that where appropriate, new built development should be well integrated with existing buildings.
6. The siting of the proposed stables would be completely detached from any of the existing farm buildings in a field which currently has no built development. It would be accessed via a new, separate entrance onto the road. The development would be sited in the corner of the field, so the existing trees and hedgerows along the field boundary and road frontage would provide some screening. However, despite the existing screening and the neutral colour of the proposed materials, the stables, new access and areas of hardstanding would be clearly visible from the road.
 7. Leake Road is a busy route between East Leake and Costock. The distance between the two settlements is not particularly far and there are already a number of existing rural businesses which front onto the road. However, the appeal site is located on a section of the road which, on its southern side, is currently undeveloped. This provides a physical and visual gap between the settlements and contributes to the open, rural character of the area. The proposal would add to the built development along Leake Road, and due to its siting and prominence, would erode the rural character of the immediate surrounding area.
 8. The appellant contends that other locations on the farm would have a greater visual impact. However, the field to the east of the site is similarly flat and bordered by hedges. Whilst the land to the south rises uphill, which could make the development more prominent, no persuasive evidence has been provided to demonstrate that this could not be mitigated by an appropriate design and/or landscaping scheme.
 9. The appellant has explained that it is necessary to keep stallions and colts separate from the existing stables which house breeding and grazing mares, for reasons of safety and to protect the mares from injury or impregnation. This accords with guidance from the British Horse Society. However, there are no specific guidelines on the extent of separation that is necessary, and the Council's advisor suggests that in his experience, a separation distance of 50 metres has been effective.
 10. In this case, the proposed siting is approximately 400 metres away from the existing buildings, but the need for such a degree of separation has not been adequately justified. The Council also refers to the other measures which could be used to ensure that horses are separated, such as through double fences, but the appellant does not appear to have explored this option.
 11. I acknowledge the appellant's comments about traffic management around the site and the benefits of reducing exposure of the stallions or colts to traffic which could spook them. However, there may be other, less isolated locations on the farm that could achieve the same objectives. Convincing evidence that this is the only practical location for the access has not been provided.
 12. The appellant has sought to demonstrate that there are no suitable sites available to purchase in the surrounding area which could be used for the new facility. However, there is no detailed explanation as to why other locations on the farm which would be closer to the existing built facilities, such as the fields

to the east and south east of the appeal site or the area to the rear of the butchers' shop and holiday cottages, could not be used for the new facility.

13. I therefore conclude that by reason of its siting the proposed development would not be well integrated with existing development and would be harmful to the character and appearance of the area. As a result, it conflicts with Policy 22 of the Local Plan Part 2.

Conclusion

14. For the reasons given, I conclude that the appeal should be dismissed.

R Morgan

INSPECTOR