
Appeal Decision

Site visit made on 29 May 2020

by David Wallis BSc (HONS) PG DipEP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 June 2020

Appeal Ref: APP/H1515/W/19/3243806

Copperfields, Ingatestone Road, Blackmore CM4 0NZ

- 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 Steve Burns against the decision of Brentwood Borough Council.
 - The application Ref 19/01393/FUL, dated 4 October 2019, was refused by notice dated 29 November 2019.
 - The development proposed is construction of a stable block.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The emerging Brentwood Local Development Plan has not yet been through an Examination in Public. Given its status and degree of preparation, I afford very little weight to any emerging policies.

Main Issues

3. The main issues for the appeal 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; and
 - whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations and if so, would this amount to the very special circumstances necessary to justify the proposal.

Reasons

Whether the proposal would be inappropriate development

4. The appeal site is a field immediately adjacent to the residential curtilage of Copperfields, which is a two-storey dwelling flanked by detached garages. The field is currently physically separated from the curtilage by fencing and is further subdivided by timber post and rail fencing. At the time of my visit this area was being mown and was visibly different from the land shown for grazing purposes on the proposed plans. The proposed stable would be located in this

field in close proximity to an existing detached garage, served by an entrance through the existing hedgerow.

5. Paragraph 145 of the Framework sets out that all new buildings are to be considered inappropriate development in the Green Belt, then provides a list of exceptions. In this instance, the proposal seeks permission under paragraph 145(b) insofar as it relates to a facility for outdoor recreation.
6. I acknowledge that the construction of the proposed stables could be deemed to be the provision of an appropriate facility for outdoor recreation. It would therefore be commensurate with paragraph 145 (b), providing that the stables preserved the openness of the Green Belt.
7. Whilst stables are synonymous with the countryside, the size and proportions of the proposed building, regardless of its conformity with the British Horse Society guidance, would be significant. Its proposed position would result in development associated with Copperfields sprawling eastward, continuing the linear form of development at this plot along Blackmore Road towards the dwellings of No.1 and No.2 Little Jessops. The result would be a significant encroachment into the countryside, reducing the verdant gap that separates Copperfields from these nearby dwellings, thereby spatially reducing the openness of the Green Belt.
8. It follows that the proposed development would not preserve the openness of the Green Belt and thus would fail the second limb of paragraph 145(b). The proposal would therefore be inappropriate development in the Green Belt. The Framework makes clear that Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Other Considerations

9. I acknowledge that the proposal represents a revised scheme following an earlier refusal. However, each case must be determined on its merits and I find the location of the proposed stable in this instance would cause spatial harm to Green Belt openness. Even if additional landscaping were secured by condition, this would not overcome the spatial conflict with openness identified above.
10. Whilst the proposal would not cause harm in terms of landscape character, highway safety or to the living conditions of nearby residents, the absence of harm is neutral in the planning balance. Restricting the use by planning condition would not serve to mitigate the harm to openness.
11. It has been put to me that the circumstances in this appeal are comparable to other stables that have been allowed. However, I do not have full details of the schemes underpinning those cases and so cannot be certain that the circumstances are the same. I give little weight to any other comparable schemes.
12. Policy GB26 of the LP sets out that stables may, exceptionally, be allowed outside of a residential curtilage. No evidence is before me to justify why the stable has to be located outside the curtilage of Copperfields.

Planning Balance

13. I have found that the proposed development would constitute inappropriate development in the Greenbelt and would have a significantly harmful impact on the openness of the Greenbelt. The Framework states that substantial weight is given to such harm.
14. Against this has to be balanced the factors in favour of the proposed development (other considerations) as outlined above. These considerations are not, neither individually nor cumulatively, of such significance as to outweigh the harm that would be caused by the development. Consequently, the very special circumstances necessary to justify the appeal do not exist.
15. On this basis, the proposal would be conflict with Policies GB1, GB2 and GB26 of the Brentwood Replacement Local Plan 2005 (the LP), which seek to only allow development appropriate to a Green Belt when very special circumstances can be demonstrated.

Conclusion

16. For the reasons set out above, I conclude that the appeal is dismissed.

David Wallis

INSPECTOR