



Appeal Decision

Site visit made on 28 July 2020

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 August 2020

Appeal Ref: APP/R1038/W/20/3250727

Cowley Hall Farm, Cowley Lane, Holmesfield S18 7SD

- 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 & Mrs Corker against the decision of North East Derbyshire District Council.
 - The application Ref 19/01197/FL, dated 6 December 2019, was refused by notice dated 24 January 2020.
 - The development proposed is New American barn stable arrangement and the provision of a new 60m x 20m horse exercise arena.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of the proposal has been amended by the Council and described as 'Application for American barn style stables and manege (revised scheme of 19/325/FL).'

Main Issue

3. The main issues are:
 - Whether the proposal is inappropriate development within the Green Belt having regard to the National Planning Policy Framework (the Framework) and development plan policies;
 - The effect of the proposal on the openness of the Green Belt and the purposes of including land within it;
 - Whether any other harm exists, having specific regard to the effect on the character of the countryside; and
 - If the development is inappropriate, whether the harm, by reason of appropriateness 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

4. The appeal site forms part of a grassed field and area of hardstanding, located broadly behind the main dwelling of Cowley Hall Farm. The appellants are

currently residing in temporary facilities located on the hardstanding area. The grassed field is bound by other fields surrounded by hedgerows and the neighbouring Springfield House. The land falls away towards the east and horse jumps are evident within the field.

5. The area is rural in character with farms and stone cottages and substantial dwellings flanking Cowley Lane. It is located within the open countryside within the North East Derbyshire Green Belt.

Whether inappropriate development, including its effect upon openness.

6. The Framework confirms that the essential characteristics of Green Belts are their openness and their permanence. In this context, Paragraph 145 of the Framework states that other than for limited exceptions, the construction of new buildings in the Green Belt is inappropriate. However, Paragraph 145 advises that certain forms of development are not inappropriate in the Green Belt. This includes, at paragraph 145(b), the provision of appropriate facilities for outdoor sport, outdoor recreation (in connection with the existing use of land or change of use) as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
7. Policy GS2 of the North East Derbyshire District Council's Local Plan 2005 is consistent with this part of the Framework in this regard. Openness has a spatial and visual dimension to it.
8. Both a large arena and an American barn are proposed to be located within the west side of the field. The use would be in connection with the keeping of horses in association with the appellants equestrian interests to which they have provided the relevant horse passports to identify their horses.
9. The precise size of each stable meets the minimum sizes of the British Horse Society Standards and is not disputed by the Council. The remaining storage space within the building is considered necessary for the appellants to house various horse tack, hay, feed and other horse paraphernalia in connection with training and eventing. The proposal is however required to preserve the openness of the Green Belt and due to its proposed size, would consist of a footprint of a very large scale.
10. Whilst the appellants horses may be engaged in a number of equestrian activities and eventing, the precise details and the requirements to support each of these equestrian functions is not before me. The perceived harm that would arise by virtue of external storage, or other external buildings used for storage has not been demonstrated by the appellants. Therefore, no comparison can be made to assess whether external storage would have a greater impact on the openness of the Green Belt. I find there is no justified need for such a large barn over and above the need to stable their horses.
11. The barn may be positioned close to the boundary with Springfield House and it may somewhat relate to these buildings, but these are well contained within their own curtilage and this proposal would not be read as the same site. It is distinctly separate. Furthermore, the proposal would be substantially spatially separate from the other buildings of Cowley Hall Farm. As a result of the spatial aspect of the proposal, it would fail to protect the openness of the Green Belt, but would instead conflict with the purposes of it.

12. In relation to the all-weather surfaced arena, as the proposal would be located on sloping land, an element of cutting and filling would be required to each of its four sides to provide a level arena. This would be more pronounced on the eastern side of the ménage which is its most visually exposed side. Moreover, its size is extensive, and in this open location it would be further highlighted given the proposed enclosure to surround it.
13. The existing hedgerow perimeters to part of the field would provide some element of screening from the wider countryside, however, overall, it would appear prominent and would have the consequence of appearing visually intrusive within the Green Belt. This form of development would not preserve its openness and therefore it would conflict with Policy GS2 of the North East Derbyshire District Council Local Plan 2005.

Character of Countryside

14. As I have found harm would arise to the openness of the Green Belt, I have also found that a harmful change would occur to the character and appearance of the countryside. Therefore, it would also not meet the aims and objectives of Policies GS6 and R6 of the Local Plan for development within the countryside to be in keeping with the character of the countryside, amongst other considerations.

Other Matters

15. An all-weather arena and stables close to their living quarters may be more convenient for the appellant's in many respects, including greater flexibility to use the facility. Although, in terms of the distance they currently travel to the livery yard and training ground, this is not presented to me. There are likely financial benefits to the appellants to stable and exercise their horses close to where they live. However, whilst some matters weigh in favour of the proposal, nevertheless, none of these matters alter my decision.
16. The security benefits of stabling their horses together, and alongside internally housing equipment for security reasons close to the appellants living quarters is recognised. The horses' welfare and that they would be in one social arrangement, and the appellants relationships with the horses may be strengthened as a consequence of living close by, also forms part of my overall consideration. Nonetheless, it does not persuade me in favour of the proposal.
17. There are large quantities of hay proposed to be stored within the stables. The production of hay for horses would occur on the appellant's own land although I apply limited weight to the benefits of this against the harm that would arise to the openness of the Green Belt.
18. The safety of horse riders using the proposed all-weather ménage has been brought to my attention, although I could not say for certain that this proposal would lead to any greater safety effects than any other arena environment.
19. Taking account of these matters raised, and despite no objections received to the proposal from third parties, it does not outweigh the conflict of the proposed development with the purpose of the Green Belt.
20. Whilst other stable buildings have been brought to my attention at Millthorpe Lane which may be associated with the personal needs of the applicant at the time, from sight of the information before me, the size of the barn at

approximately 14.4m by 10.3 is smaller in scale to that of the proposed barn. The two sites are therefore not directly comparable.

21. At Cartledge Hall Farm riding arena, where the appellants advise that the extension to the riding arena has been subject to level changes, the site is a riding school and is not the same circumstances as the appeal proposal. In any event, each application is determined on its own individual merits to which I have applied my own planning judgement to this particular appeal.

Green Belt Balance and Conclusion

22. I have concluded that the proposal would harm the openness of the Green Belt and is therefore inappropriate development, which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. There are no other considerations in favour of the development that clearly outweigh the harm arising from inappropriateness, a matter that attracts substantial weight. The very special circumstances necessary to justify the proposal do not, therefore exist.
23. For the reasons given, and having had regard to all other matters raised, the appeal is dismissed.

Alison Scott

INSPECTOR