



Appeal Decision

Site visit made on 27 October 2020

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 24th November 2020

Appeal Ref: APP/D2320/W/20/3255761

Salt Pit Farm, Salt Pit Lane, Mawdesley, Ormskirk L40 2QX

- 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 Doyle against the decision of Chorley Borough Council.
 - The application Ref 19/00801/FUL, dated 15 August 2019, was refused by notice dated 07 May 2020.
 - The development is erection of stable block, hardstanding areas and creation of sand paddock (Retrospective).
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of the development was changed. On the basis of the evidence, including the plans, and in the interests of clarity, I have adopted the description in the banner heading above from the decision notice and the appeal form.
3. The development has already been carried out. Therefore, I have determined the appeal on the basis that permission is sought for the development that has been implemented.

Main Issues

4. The main issues are:
 - i) Whether or not the development is inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies; and
 - ii) 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 it.

Reasons

Whether or not inappropriate development in the Green Belt

5. The appeal relates to an area of land associated with Salt Pit Farm, which is a substantial detached dwelling with a range of outbuildings set in generous

grounds. The appeal scheme comprises a stable building, hard standing and sand paddock. It is in the Green Belt between Mawdesley and Ecclestone.

6. Paragraph 143 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Policy 145 of the Framework sets out that the construction of new buildings should be regarded as inappropriate in the Green Belt, subject to certain exceptions. Paragraph 146 states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. The stables, hardstanding and sand paddock are dealt with in turn below.

a) Appropriate facilities for outdoor sport or outdoor recreation

7. Paragraph 145 b) of the Framework relates to the construction of new buildings for the provision of appropriate facilities for outdoor sport or outdoor recreation, as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
8. The keeping and riding of horses is generally accepted to an outdoor countryside pursuit. Consequently, the provision of a suitable building to provide shelter for horses could be considered an appropriate facility for outdoor sport or outdoor recreation. In this regard, the Central Lancashire Rural Development Supplementary Planning Document (SPD) Adopted October 2012 does not specify the size of the building, but it sets out that an appropriate private facility in the countryside would accommodate no more than 3 horses.
9. The stable building is approximately 18 metres x 3.7 metres with a pitched roof 3.4 metres to the ridgeline and which overhangs the front of the building to provide a covered area. It has the appearance of a stable and it is constructed in timber with a felt roof, which are appropriate materials for a building of this type. Nevertheless, by virtue of its scale, including 4 stables for the keeping of the appellant's 3 horses, it is larger than would be typical of a private stables for the purposes of the SPD.
10. The building results in a permanent footprint and bulk of development where there was none previously, corresponding to a small spatial and visual loss of openness. The stable is widely separated from the appeal dwelling and it visibly encroaches into the countryside. Although equestrian development is characteristic of the countryside, by virtue of its large size and unsympathetic siting the stable fails to preserve the openness of the Green Belt.

b) Material changes in the use of the land

11. Paragraph 146 b) engineering operations and Paragraph 146 e) material changes in the use of land (such as changes for use for outdoor sport or recreation, or for cemeteries and burial grounds) both require that they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. In this regard, the hardstanding is an engineering operation and the sand paddock is a material change in the use of the land.
12. The large expanse of hardstanding between the stables and the sand paddock has resulted in a large spatial loss of openness of the Green Belt. While the private stables would not be expected to result in an increase in the number of

vehicles associated with the appeal property, there is encroachment of domestic vehicles into the countryside. Moreover, there would be nothing to prevent the use of the hardstanding for alternative or overflow parking for the dwelling.

13. The appeal site is not readily visible from the road. Nevertheless, given the topography of the surrounding countryside I find that the use of the hardstanding, particularly by domestic vehicles, would be conspicuous from locations in the wider area particularly during times of year when hedgerows and trees are not in leaf. Consequently, the hardstanding results in a moderate adverse visual impact in this location.
14. Therefore, the hardstanding does not preserve the openness of the Green Belt. It also conflicts with the third purpose of the Green Belt, which is to assist in safeguarding the countryside from encroachment.
15. The sand paddock is approximately 19 metres by 38 metres, surrounded by low post and rail fences. Irrespective that it is a relatively standard size, its large spatial footprint does not preserve the openness of the Green Belt. Moreover, by virtue of its significant degree of separation from the appeal property and its encroachment into the countryside, it also conflicts with the third purpose of the Green Belt.

c) Findings

16. The hardstanding does not meet the exception set out in Paragraph 146 b) of the Framework and the sand paddock does not meet the exception in Paragraph 146 e). The conclusion in relation to the stable building is more finely balanced but its relatively large size and scale, without adequate justification, and its degree of encroachment into the countryside lead me to conclude that it does not strictly meet the exception set out at paragraph 145 b). Irrespective, when considered as a whole, the cumulative effects of the development result in a significant and harmful loss of openness and it conflicts with the purposes of the Green Belt. Consequently, it is inappropriate development and it conflicts with the SPD and the policies in the Framework that protect the Green Belt.

Other Considerations

17. The keeping of horses is likely to entail visits by the farrier and veterinary surgeons and will require access for horse boxes, small machinery for the transport of feed and bedding and, in exceptional circumstances, emergency vehicles. Nevertheless, it is relatively commonplace for people to keep a low number of horses in the countryside for private use without the benefit of a yard area that would not look out of place in a commercial equestrian development. There is no substantive evidence to demonstrate that the hardstanding is the minimum required in connection with the keeping of 3 horses. Therefore, this is a matter that carries very limited weight in favour of the proposal.
18. The sand paddock provides a safe area for the appellant and her children to exercise their horses, particularly when field conditions are unsuitable. In this regard, while my attention has been drawn to the Animal Welfare Act 2006, I am aware that the large majority of horse owners appear able to meet the welfare needs of their horses in respect of exercise without access to a sand

paddock. Therefore, although the sand paddock will undoubtedly be a benefit to the appellant and her family, it has not been demonstrated that it is essential in connection with the keeping of horses for private family use. Therefore, this carries limited weight in favour of the scheme.

19. I accept there is a need to provide shelter for the appellant's horses, although it has not been demonstrated that the stable is the minimum size required for the keeping of 3 horses and associated equipment. It has also not been demonstrated that there are no alternative solutions, including different forms of shelter in different locations, that could provide similar benefits. However, the welfare requirements of the horses in relation to the need for shelter is a matter that weighs to a moderate degree in favour of the scheme.
20. My attention has been drawn to schemes permitted elsewhere, including on appeal, for equestrian development in the Green Belt. The appeal decision relates to a much smaller scheme than is proposed here, where the Inspector concluded that the harm to openness would be very marginal and it would not conflict with purposes of including land within the Green Belt. On the basis of the evidence before me, the planning permissions relate to small scale development in accordance with the SPD. Full details of the scheme at Salt Pit Croft have not been provided but it was determined in a much earlier policy context. Therefore, none of the schemes appear directly comparable to the appeal scheme and they carry neutral weight in the balance.

The Green Belt Balance

21. I have concluded that the development is inappropriate development in the Green Belt. It has resulted in a significant loss of openness of the Green Belt and it conflicts with the purposes of including land within it. These matters attract substantial weight.
22. There are no other considerations before me that would clearly outweigh the harm to the Green Belt by reason of inappropriateness and loss of openness. Therefore, the very special circumstances as required by the Framework and necessary to justify the development do not exist.

Conclusion

23. Therefore, the appeal is dismissed.

Sarah Manchester

INSPECTOR