
Appeal Decision

Site visit made on 19 January 2021

by Julie Dale Clark BA (Hons) DipTP MCD DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24/02/2021

Appeal Ref: APP/K3415/W/20/3259277

Church Farm, Church Lane, Armitage WS15 4BA

- 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 P Smith against the decision of Lichfield District Council.
 - The application Ref 20/00298/FUL, dated 10 February 2020, was refused by notice dated 24 June 2020.
 - The development proposed is change of use of land from agriculture to equine and the erection of a stable block.
-

Decision

1. The appeal is dismissed.

Main Issues

2. I consider that the main issues are:-
 - whether the proposed stables constitutes inappropriate development in the Green Belt and its effect on openness; and
 - 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

Green Belt

3. The appeal site is located within the Green Belt and the National Planning Policy Framework¹ explains that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new buildings is considered to be inappropriate unless they are for one of the exceptions cited in the Framework. One such exception is the provision of appropriate facilities (in connection with the existing use of land or change of use) for outdoor sport and outdoor recreation, amongst other things, as long as the facilities

¹ Ministry of Housing, Communities and Local Government National Planning Policy Framework, February 2019 (the Framework).

preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. The Framework clarifies that the essential character of Green Belts are their openness and sets out the five purposes of Green Belts. Amongst other things these include safeguarding the countryside from encroachment. This is reflected in Local Plan Policy NR2².

4. The appeal site comprises an open area of land behind a hedge to the west of Church Lane. Directly opposite is the access to a large distribution centre which has a wide entrance / egress and a substantial hardstanding area. At the time of my site visit there were a number of heavy goods vehicles entering and leaving the site. Further along Church Lane there are residential properties and a church.
5. The stables would be located opposite the entrance to the distribution centre, close to the road. An existing field access would be used for access and an area of parking and vehicle manoeuvring would be provided. A turning area for a Land Rover and a horse box is shown on the submitted plans.
6. The stables would be modest in size comprising three stables and a tack room. In themselves I do not consider that they are excessive but would be an appropriate facility for outdoor sport and recreation. However, the Framework also requires such facilities to preserve the openness of the Green Belt and safeguard the countryside from encroachment. My concern lies with the location of the stables which would be roughly located around the centre of the Church Land boundary which, notwithstanding that they would be sited close to the road, would make them appear quite isolated in the field. Parking and manoeuvring space for vehicles and horse boxes would also take place around the stables creating a developed area unrelated to any other buildings or features. There is a hedge along the Church Lane boundary but I do not consider that this is of such robustness to overcome the impact on the openness of the land that would be caused by locating the stables as proposed.
7. I consider that the proposal would have a harmful effect on the openness of the Green Belt and given the isolated location away from other buildings or significant features, it would appear as development encroaching into the countryside.
8. I therefore conclude that the proposal would be inappropriate development in the Green Belt contrary to the Framework and Local Plan Policy NR2. This carries substantial weight.

Other Considerations

9. The appellant explains the impact of the proposal on the character and appearance of the area and I agree that the stables would be modest and provide appropriate facilities to stable horses. I also note that the appellant does not intend to run any kind of commercial enterprise from the site. I have taken into account the case law cited by the appellant but find nothing that is at odds with my reasoning. I have also taken into account the various

² Lichfield District Council Local Plan Strategy 2008 -2029, Adopted 17 February 2015.

policies referred to by the Council in its decision notice. I have considered these and all other matters raised but I have afforded them only limited weight in assessing the acceptability of this proposal.

Conclusion

10. The Framework makes it clear that inappropriate development should not be approved except in very special circumstances. Very special circumstances to justify inappropriate development will not exist unless the harm, caused by inappropriateness, and any other harm, is clearly outweighed by other circumstances.
11. I have taken all matters raised into consideration but conclude that very special circumstances do not exist to clearly outweigh the harm caused by inappropriate development in the Green Belt. I conclude that the proposal would conflict with the Framework and Local Plan Policy NR2.

J D Clark

INSPECTOR