



Appeal Decision

Site visit made on 22 June 2021 by Hannah Ellison BSc (Hons) MSc MRTPI

Decision by R C Kirby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 July 2021

Appeal Ref: APP/V4250/W/21/3271881

Land north of Manchester Road, Astley, Wigan

- 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 Geoffrey Clark against the decision of Wigan Metropolitan Borough Council.
 - The application Ref A/20/90415/FULL, dated 10 November 2020, was refused by notice dated 25 January 2021.
 - The development proposed is the erection of 5 stables, tack room, feed store, W.C./washroom and access drive.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues in this case are:
 - Whether the proposal would be inappropriate development in the Green Belt;
 - The effect of the proposal on the character and appearance of the area; and
 - If found to be inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations and if so, whether this amounts to the very special circumstances required to justify the proposal.

Reasons for the Recommendation

Whether inappropriate development

4. The appeal site is located in the Green Belt where Policy CP8 of the Wigan Local Plan Core Strategy (September 2013) (the CS) notes that development will only be allowed in accordance with national planning policy. Paragraph 145 of the National Planning Policy Framework (the Framework) establishes that the construction of new buildings is inappropriate development in the Green Belt unless it meets a number of exceptions. The proposed development would be subject to the exception in paragraph 145 b) which concerns the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and

- allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
5. Therefore, to ascertain whether or not the proposal would be inappropriate development, an assessment of its effect on openness and the purposes of including the site within the Green Belt is required.
 6. Paragraph 133 of the Framework states that a fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. When applying the concept of openness to the particular facts of a case, a number of factors are capable of being relevant, and openness might have a spatial as well as a visual aspect.
 7. The appeal site is part of a large open field on the north side of Manchester Road which lacks buildings or other development. The proposed development would introduce substantial built form where currently no buildings exist and the hardstanding comprising of the access road and areas around the buildings would further increase the total amount of development within the site.
 8. In visual terms, the existing landscaping along the western and southern boundaries would provide a degree of screening of the proposal when viewed on the approach to the site from the west. However, due to the proposal's siting close to the highway and at a point where the boundary treatment is less extensive, it would be highly visible from the public realm immediately adjacent to the site. Although further landscaping could be introduced, the development would also be readily apparent through the proposed access point on the approach to the site from the east.
 9. The nearby cemetery, appeal site and the surrounding fields on the northern side of the highway, along with the field directly opposite the appeal site on the southern side of Manchester Road, create a clear visual break and separation between the built-up areas of Leigh and Astley. Given the location of the appeal site, the proposed development would result in a clear encroachment into the countryside and would contribute to the merging of two built up areas.
 10. For these reasons, the proposal would fail to preserve the openness of the Green Belt and it would conflict with two of its purposes. As such, it would not fall within exception 145 b) of the Framework, or any other exception in paragraphs 145 or 146, and therefore constitutes inappropriate development in the Green Belt. For the same reasons the proposal would also conflict with Policy CP8 of the CS.

Character and appearance

11. The appeal site and wider field is a large expanse of open, undeveloped land. It contributes positively to the rural character of this stretch of Manchester Road between the built-up areas of Leigh and Astley.
12. It is acknowledged that stables are characteristic features of the countryside and the proposed buildings would be screened to an extent and would be a modest design that reflects their equestrian use. However, the appeal site is predominantly open, and the proposal would be sited close to the highway and have extensive coverage, including the access road and surface around the buildings. As such, this proposal would appear as an intrusive and prominent addition in the wider open landscape and would therefore cause adverse harm

to the open, undeveloped rural character and appearance of this part of the street scene. The use of alternative materials would not overcome these concerns.

13. Accordingly, the proposal would harm the rural character and appearance of the area, thus would conflict with Policy CP10 of the CS which seeks to ensure that development respects the character and identity of its locality in terms of its siting, size and scale, amongst other things.

Other considerations

14. My attention has been drawn to previous approvals at a nearby location. Whilst the proposed stable development in the examples may be of a greater scale than the appeal proposal, taking into consideration the associated access track, I note that the sites are set close to and relate to existing surrounding built development. In terms of the proposed dwelling, I note that it was considered as limited infilling in a village. As such, based on the information before me, the examples are read within a different context to the appeal proposal thus the circumstances are not directly comparable and do not therefore serve to justify the proposal.
15. It is acknowledged that the siting of the proposed development addresses land stability concerns raised by the Coal Authority, in terms of the location of coal fissures. I also note that no concerns have been raised with regards to the proposed access or the living conditions of nearby residents. Be that as it may, these are neutral matters that do not overcome the concerns I have found above.

Whether very special circumstances exist

16. The Framework states that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by way of inappropriateness, and any other harm, is clearly outweighed by other considerations.
17. The proposal would constitute inappropriate development in the Green Belt and would cause harm to its openness, to which substantial weight is given. I have also found that the proposal would harm the character and appearance of the area, which I afford considerable weight.
18. Therefore, the advanced considerations in support of the appeal do not clearly outweigh the harm I have identified. Consequently, the very special circumstances necessary to justify the development do not exist.

Conclusion and Recommendation

19. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given above, I recommend that the appeal should be dismissed.

H Ellison

APPEAL PLANNING OFFICER

Inspector's Decision

20. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree that the appeal should be dismissed.

RC Kirby

INSPECTOR