



Appeal Decision

Site visit made on 5 April 2022

by Thomas Hatfield BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 April 2022

Appeal Ref: APP/P2365/D/22/3292850

Crucked Barn, Coopers Lane, Hilldale, Heskin, PR7 5PU

- 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 Mrs Corinne Kennedy against the decision of West Lancashire Borough Council.
 - The application Ref 2021/1208/FUL, dated 14 October 2021, was refused by notice dated 25 January 2022.
 - The development proposed is described as "*single storey oak framed freestanding stables*".
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - (a) Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework ('the Framework') and development plan policy;
 - (b) The effect of the proposal on the openness of the Green Belt; and
 - (c) If the proposal 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 the development.

Reasons

Inappropriate development in Green Belt

3. Paragraph 149 of the Framework states that the construction of new buildings in the Green Belt is inappropriate, subject to a number of exceptions. One such exception is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the 'original building'.
4. Annex 2 of the Framework defines the 'original building' as it existed on 1 July 1948 or, if constructed after that date, as it was built originally. In this case, it is agreed that previous extensions to the 'original building' have already increased its volume by significantly more than 40%, which is the maximum

level specified in part GB4 of the Council's Development in the Green Belt Supplementary Planning Document (SPD) (2015).

5. The proposed stable block would have a built volume of 269.4 cubic metres, compared to a built volume for the original building of 340.1 cubic metres. If the proposal were considered as an extension to Crucked Barn, this would result in a substantial cumulative increase to the built volume of the host property. In this regard, paragraph 149 c) of the Framework refers to "*disproportionate additions over and above the size of the original building*" (my emphasis). Accordingly, I consider the overall increase in built volume to be the most relevant measure here. In my view, a cumulative increase of this scale would clearly be disproportionate for the purposes of paragraph 149 c).
6. The appellant asserts that the proposal should be considered as a facility for outdoor sport and recreation under Paragraph 149 b) of the Framework. However, even if I were to take that approach, I note that proposals under this criterion are required to preserve the openness of the Green Belt. However, for the reasons set out below, I do not consider that the openness of the Green Belt would be preserved in this case. Accordingly, the proposal would not comply with the exception at Paragraph 149 b).
7. It is asserted that part GB5 of the Development in the Green Belt SPD, relating to new stable buildings, is supportive of the development. However, that does not override national policy relating to Green Belts. In any case, I note that the SPD requires such proposals to have a maximum ridge height of 3.5 metres, and each stable to have a maximum floor space of 14 square metres. From the information before me, it is unclear whether these requirements are met in this case.
8. For the above reasons, I conclude that the proposal would be inappropriate development in the Green Belt, which Paragraph 147 of the Framework states is harmful by definition and should not be approved except in very special circumstances. The proposal would also be contrary to Policy GN1 of the West Lancashire Local Plan (2013) and guidance contained in the Development in the Green Belt SPD (2015).

Openness

9. The proposal would introduce a new building on land that is currently free from built development, that would be positioned away from existing buildings. Whilst it would be well-screened to the south, and partially screened by boundary planting to the north, it would still be visible along the access track and from open land to the north, particularly when the leaves are off the trees. The proposal would therefore fail to preserve the openness of the Green Belt. In this regard, the Framework advises that openness is an essential characteristic of Green Belts.

Other considerations

10. The appellant states that the proposal is intended to accommodate their horses, which are currently stabled around 3 miles away. The proposal would remove the need to travel between the property and those stables and would therefore result in a modest reduction in vehicle emissions. It would also allow for easier observation and security. However, little information has been provided to substantiate the claim that "*the provision of the stables is essential*

to the welfare of the horses”, and from the evidence before me, it is unclear whether that is the case.

11. The proposal would be appropriately designed to its rural context and would be constructed in timber. No harm would arise to the character and appearance of the surrounding countryside.

Conclusion

12. The proposal would constitute inappropriate development in the Green Belt and would reduce openness in this location. The Framework states that substantial weight should be given to any harm to the Green Belt. Even when taken together, the other considerations do not clearly outweigh the harm in this case. Consequently, the very special circumstances necessary to justify the development do not exist. The proposal would therefore be contrary to Policy GN1 of the West Lancashire Local Plan (2013), the Development in the Green Belt SPD (2015), and guidance contained in the Framework relating to Green Belts.
13. For the reasons given above I conclude that the appeal should be dismissed.

Thomas Hatfield

INSPECTOR