



Appeal Decision

Site visit made on 6 June 2022

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 June 2022

Appeal Ref: APP/T0355/W/21/3285209

Vine Paddocks, Sturt Green, Rolls Lane, Holyport, Maidenhead SL6 2JQ

- 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 Ms Jeanette Jones against the decision of Royal Borough of Windsor and Maidenhead.
 - The application Ref 20/00529, dated 28 February 2020, was refused by notice dated 23 April 2021.
 - The development proposed is use of land for private equestrian use and erection of new equestrian yard comprising of stables, storage barn, open arena and associated hard standing.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Policies GB1, GB2 and GB7 of The Royal Borough of Windsor and Maidenhead Local Plan adopted in 2003 referred to in the Council's reason for refusal have been superseded by Policy QP5 of the Royal Borough of Windsor and Maidenhead Local Plan 2013 – 2033 (the Local Plan) which has been adopted since the Council made its determination. Both main parties have been given the opportunity to comment on the relevance of the new Plan policies.
3. A revised version of the National Planning Policy Framework (the Framework) has been published since the planning application was determined by the Council. I have had regard to the revised Framework in reaching my decision.
4. During the course of the Council's consideration of the planning application the size of the barn was reduced by removing one of the bays and reducing its height by 0.5m. I have had regard to amended plan P19-080 10 Revision B in reaching my decision.

Main Issues

5. The main issues raised in respect of this appeal are: -
 - a) Whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies and the effect of the proposal on the openness of the Green Belt; and

- b) Whether harm by reason of inappropriateness would be clearly outweighed by other considerations. If so, would those amount to the very special circumstances required to justify the proposal?

Reasons

Inappropriate development and openness

6. The Framework sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristic of Green Belts being their openness and their permanence. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 137 of the Framework indicates that openness is one of the essential characteristics of Green Belts.
7. Policy QP5 of the Local Plan protects the Green Belt from inappropriate development and states that planning permission will not be granted, unless very special circumstances are demonstrated. This policy also states, *"new equestrian development (including lighting and means of enclosure) should be unobtrusively located and designed so that it does not have a significant adverse effect on the character of the locality, residential amenity, highway safety and landscape quality"* (paragraph 6).
8. Paragraph 149 of the Framework sets out a list of exceptions to inappropriate development. One of those exceptions (paragraph 149b)) would allow for the provision of appropriate facilities (in connection with the existing use of the 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. Paragraph 150 of the Framework states that any material change in the use of land (such as changes for use for outdoor sport or recreation, or for cemeteries and burial grounds) are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.
9. The appellant proposed use relates to the stabling of polo ponies and a polo practice arena intended for private outdoor sport/recreation. This would comply with the exceptions, but only on the proviso that the proposal would preserve the openness of the Green Belt.
10. The proposal seeks the erection of a new equestrian yard comprising eight stables, store barn, open arena, new access with entrance gate, road and pathways with new fencing on land that is currently agricultural land. The proposal would result in new development, and this would reduce openness by virtue of creating built development in the Green Belt.
11. I acknowledge that there is an extant planning permission in place for a similar equestrian development at the site. The extant scheme has permitted the access and roadway within the site. However, that scheme involves a lesser number of stables and storage. The plans for that scheme provided by the appellant show that the barn would be of lower height and would include four stables. A separate stable block did not form part of that proposal. This demonstrates there to be differences between schemes and thus their respective impact upon openness of the Green Belt will differ.

12. The stable would accommodate eight horses and a grooming area and the barn would provide storage for equipment and horse related paraphernalia. Both buildings would be of substantial size and would have an adverse impact on the visual openness of the land. Collectively the works would replace open fields with buildings, hardstandings and arena. Given the size of the proposal this would have a significant spatial impact upon the openness of the Green Belt. Although the structures may be of a type typically found within the rural area in terms of appearance and materials, these matters do not obviate the impact of the development upon the openness of the Green Belt.
13. The proposed buildings would be positioned behind two lines of trees in a similar vein to the barn constructed on the neighbouring field at Thimble Farm. I accept that this vegetation would filter public views of the development. Nonetheless, the presence of boundary hedgerows and mature trees would not be sufficient in isolation to argue that the impact on openness is outweighed by landscaping features.
14. The proposal would cause harm as it would fail to preserve the openness of the Green Belt. As such, the proposal would not comprise an exception to the inappropriate development when assessed against any of the exceptions within paragraphs 149 and 150 of the Framework. Consequently, the proposal would be inappropriate development which, by definition, would be harmful to the Green Belt. It would also conflict with one of the purposes of including land in the Green Belt, to assist in safeguarding the countryside from encroachment. The proposal would also conflict with Policy QP5 of the Local Plan.

Other considerations

15. The provision for eight horses on the site and the size of the site would provide sufficient space to meet BHS standards. Also, eight stables is the minimum number to play the polo sport as each player requires four ponies. Tack, equipment, vehicles and ponies are targeted by thieves and the proposal could offer a security benefit for the appellant. It is understood that the polo governing body has offered its support for the proposal. Overall, these are personal benefits for the appellant and hold moderate weight in favour of the proposal.
16. The proposal has been found to be acceptable with regard to ecology, drainage and trees. The proposal has good access to the adjacent highway and would not impact upon road safety. Being distant from residential properties, there would be no adverse impact upon the living conditions of local residents. However, in planning terms the proposal would be required to be acceptable with regard to these matters in their own right and as such these matters lend no support for the proposal.

Conclusions

17. I have identified that the development would be inappropriate development in the Green Belt as defined by the Framework as it would not preserve the openness of the Green Belt as required by the Framework. The proposal would conflict with Policy QP5 of the Local Plan. Therefore, the proposed development would by definition, be harmful to the Green Belt, harm which the Framework indicates should be given substantial weight. The benefits of

the other considerations, which at best hold moderate weight, do not outweigh the harm that I have identified.

18. Having regard to all matters raised, I conclude that there are no considerations sufficient to clearly outweigh the harm to the Green Belt. Consequently, the very special circumstances necessary to justify the development do not exist. The proposed development conflicts with the development plan and the advice in the Framework. For the reasons given, I conclude that the appeal should fail.

Nicola Davies

INSPECTOR