



Appeal Decision

Site visit made on 17 May 2023

by J Symmons BSc (Hons) CEng MICE

an Inspector appointed by the Secretary of State

Decision date: 13 July 2023

Appeal Ref: APP/K3415/W/23/3314297

Dunroamin, Hungry Lane, Weeford, Staffordshire, Lichfield WS14 0PR

- 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 Keith Evans against the decision of Lichfield District Council.
 - The application Ref 22/00920/FUL, dated 20 June 2022, was refused by notice dated 20 December 2022.
 - The development proposed is new stable block to keep horses.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The emerging Lichfield District Local Plan 2040 is yet to be examined and there is currently a pause within the adoption process. Given its status and degree of preparation, I afford very limited weight to any emerging policies.
3. The Council refers to Core Policy 3 (CP3) of the Lichfield District Council Local Plan Strategy 2008-2029 dated 2015 (the Local Plan) in its decision notice, which relates to delivering sustainable development. However, within the Officer's Report, it is concluded that the development would accord with Policy CP3. Given this tension, and the main issues I have identified below, I therefore have no need to consider this policy further.

Main Issues

4. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt, including its effect on openness, having regard to the National Planning Policy Framework 2021 (the Framework) and relevant development plan policies; and
 - whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development

5. The appeal site is within the West Midlands Green Belt and consists of a rectangular-shaped open field which is bounded on 3 sides by a high hedge.

- The adjoining land to the north is developed with a variety of existing buildings and some storage containers.
6. The proposal would consist of a single storey, brick-constructed, L-shaped building with pitched roof. It would incorporate three stables, a food store, tack room and barn.
 7. Policy NR2 of the Local Plan controls development in the Green Belt. This policy refers to the Green Belt policy as set out in the Framework. Paragraph 137 of the Framework establishes that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence.
 8. Paragraph 147 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. The Framework makes it clear at paragraph 148 that substantial weight is given to any harm to the Green Belt.
 9. Paragraph 149 of the Framework sets out that the construction of new buildings should be regarded as inappropriate development in the Green Belt, subject to a number of exceptions.
 10. There is no dispute between the parties that the field has been used for the keeping of horses and I have little evidence to doubt this. Furthermore, although reference is made that part of the barn's function would be for storing some plant and equipment used for the upkeep of the surrounding fields, the primary function of the building would be related to the equestrian outdoor recreational use of the appeal site. As such the exception at paragraph 149(b) of the Framework, which allows for 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, applies. However, in this regard, development is not inappropriate provided that it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.
 11. While stables and barns are synonymous with the countryside, the size and proportions of the proposed building, would be significant, especially when taken in the context of the associated field's small size and the size of some of the nearby existing buildings. The proposal would be isolated and poorly related to the nearby close-knit group of existing properties due to its offset from the boundary corner and the separating grass strip. Even the use of rustic facing bricks, concrete tiles and dark staining on timber work would not reduce its size or isolated appearance. It would extend the existing building line south and further into the Green Belt.
 12. The openness of the Green Belt has a spatial as well as a visual aspect. 'Open' can mean the absence of development in spatial terms, and it follows that openness can be harmed even when development is not readily visible from the public realm.
 13. Due to the screening provided by both the high hedge and existing development the impact on visual openness from public vantage points would be limited. In spatial terms, irrespective of the appearance of the building, the proposal would introduce a sizeable built form to an area where there is currently no permanent structure. It would therefore have a significant impact

on spatial openness. Consequently, the proposal would not preserve the openness of the Green Belt and would fail to safeguard the countryside from encroachment. It would therefore be inappropriate development in the Green Belt. This is a planning harm to which I attach substantial weight.

Other considerations

14. The proposed building is intended to improve the safety of the horses. However, little detail has been provided to justify this, such as details of existing problems caused by the lack of stabling. I therefore give this limited weight in favour of the proposal.
15. The barn element of the proposal is detailed as being required for the storage of animal feed, plant, machinery and equipment. The appellant also advises that the existing buildings cannot be used as they are not currently available and are subject to a separate planning application. However, little substantive evidence to demonstrate the need for the storage and size proposed or that alternative smaller and/or separate facilities could not meet the requirements has been provided. I therefore give this consideration limited weight in favour of the proposal.
16. The proposed building's roof pitch is detailed as being necessary for the comfort and welfare of the horses and would provide potential future roof storage. However, little compelling evidence has been presented to show that a lower roof pitch could not meet these requirements. I therefore give this consideration limited weight in favour of the proposal.
17. Reference is made to an example of an approved development at Bluebell Cottage which was in the Green Belt. However, in contrast to this appeal, this was a residential rather than a stable development. I do not have the full details of this case and cannot be certain that the circumstances are the same. In any event each case should be considered on its individual merits. Consequently, this does not weigh in favour of the proposal.
18. As the proposal does not relate to a change of use, paragraph 150(e) of the Framework does not assist the appellant.
19. The appellant raises concerns about the Council's handling of this application in terms of time to determination and adequacy in considering submitted information. However, as this is an administrative matter they are outside the scope of my decision.

Whether very special circumstances exist

20. The proposal would cause harm to the Green Belt by reason of inappropriateness due to a loss of openness and conflict with the purposes of including land within it. I attach substantial weight to those harms. The other considerations of the scheme do not, either individually or cumulatively, clearly outweigh the harm to the Green Belt.
21. Consequently, the very special circumstances necessary to justify the development do not exist. The proposal would not comply with the Green Belt aims of Policy NR2 of the Local Plan, or the Framework.

Conclusion

22. For the reasons given above I conclude that the appeal should be dismissed.

J Symmons

INSPECTOR