



Appeal Decision

Site visit made on 16 January 2024

by H Senior BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 March 2024

Appeal Ref: APP/R0660/W/23/3325190

The Dairy, Wrexham Road, Ridley, Cheshire CW6 9SA

- 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 Steve Kibble against the decision of Cheshire East Council.
 - The application Ref 23/0612N, dated 15 February 2023, was refused by notice dated 29 June 2023.
 - The development proposed is to build a horse stable block.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the determination of the application the Government published a revised National Planning Policy Framework (the Framework) on 19 December 2023 which was updated on 20 December 2023. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I consider that there is no requirement for me to seek further submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by my taking this approach.
3. In the banner heading above, I have amended the description of development from that shown on the application form to remove reference to the site history, as this does not describe the proposed development.

Main Issue

4. The main issues are:
 - the effect of the proposal on the character and appearance of the area, and
 - whether or not the proposal is appropriate in the open countryside having regard to local policies.

Reasons

Character and appearance

5. The appeal site is in an area designated as open countryside. The proposal is to construct a stable building within a field next to a dwelling known as The Dairy. The field has been levelled and reseeded. The land has previously benefitted from planning permission for change of use to equine use and a timber stable (19/3898N) which has now lapsed.

6. Policy RUR 7 of Cheshire East Site Allocations and Development Policies Document (2022) (SADPD) requires that stables for equestrian use in the open countryside does not form isolated development, is constructed of materials appropriate for the intended use and that the design is appropriate to its intended equestrian use.
7. The stable would be constructed with dark grey composite cladding to the walls with a light grey metal roof. There would be two door openings to the proposed tractor and mower store. The materials and size and space of the proposed stable do not reflect those of a traditional style stable. It would therefore appear as an incongruous addition to the countryside.
8. I conclude that the proposal would harm the character and appearance of the area. It would conflict with Policies PG6, SD2 and SE1 of the Cheshire East Local Plan Strategy (2017) (CELPS) and Policies RUR7 and GEN1 of the SADPD which together amongst other matters seek to ensure that development in the countryside is well related to existing buildings and is of a design and materials suitable for the intended use.

Open Countryside

9. Policy PG6 of the CELPS allows development in the open countryside for specified purposes, including outdoor recreation.
10. The stable would be accessed via the existing access for the dwelling house, although there is no detail of any hardstanding around it or from the current hardstanding and gate into the field.
11. The field in which the proposed stable would be situated is adjacent to a residential dwelling, with an additional garage building. As the planning permission for change of use of the land and construction of a stable has lapsed, there is no extant equestrian use.
12. The planning application does not seek change of use of the land and as such does not seek to establish that the stable is justified by its use for outdoor recreation. Thus the stable does not meet any of the exceptions set out in Policy PG6.
13. I conclude that the proposal is not appropriate in the open countryside having regard to local policies. It would conflict with Policy PG6 of the CELPS. This policy seeks to restrict development to ensure the preservation of the countryside.

Other Matters

14. I do not have the full details of the previous application for the previously approved stable block before me and in any event, I have to determine the proposal before me on evidence submitted and the development plan policies before me.
15. On my visit I saw the stable building in the neighbour's garden. This differs from the current proposal as it located to the rear of the property and is constructed from timber. In addition, I note that the SADPD was adopted in 2022 so the previous proposal was determined having regard to different planning policies.

16. I note the appellant's concerns regarding the Council's handling of the case and the accuracy of the Parish Council comments. However, this is a matter between the parties and does not affect my determination of the appeal in this case.
17. The appellant is concerned that the lack of a stable block could reduce the market value of the property. I am unable to take this matter into account in the determination of the appeal.

Conclusion

18. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Consequently, for the reasons given, the appeal is dismissed.

H Senior

INSPECTOR