



Appeal Decision

Site visit made on 1 May 2024

by L N Hughes BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 May 2024

Appeal Ref: APP/A3010/W/24/3339180

Saundby Park Farm, Gainsborough Road, Saundby, Retford DN22 9BS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Belinda Stott against the decision of Bassetlaw District Council.
 - The application Ref is 23/00575/FUL.
 - The development proposed is a menage for private use.
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Decision

1. The appeal is allowed and planning permission is granted for a menage for private use at Saundby Park Farm, Gainsborough Road, Saundby, Retford, DN22 9BS in accordance with the terms of the application, Ref 23/00575/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - PL_03 Red Line Boundary/Blue Line Adjoining Ownership Boundary
 - PL_05 Proposed Site Plan
 - PL_08 Proposed Land Drainage Arrangement
 - PL_09 Proposed Site Sections
 - PL_10 Proposed Perimeter Fence
 - 2) The menage hereby permitted shall not be used at any time other than for purposes ancillary to the residential use of Saundby Park Farm, including not for commercial use.

Preliminary Matters

2. The application form description of development is "Regularisation of unauthorised creation of menage for private use", and the decision notice description is "Retain Menage for Private Use". As regularisation and retention are in this instance not descriptions of a development type, I have amended the description to "menage for private use".
3. The proposal was completed in February 2023, and appears to be as shown on the submitted plans.

Main Issues

4. The main issues are:

- the effect of the proposed development on the character and appearance of the countryside; and
- the need for the proposed development.

Reasons

Character and Appearance

5. The site comprises a 68m x 40m menage partly bounded by post and rail wooden fencing, a grassed area to its south, and a gravelled pathway along the site's western boundary. It was previously a grassed field incorporating some cross country jumping fences. Directly south is a gravelled parking area and a site access. The dwellinghouse and outbuildings including stables lie to the south-west. A hedgerow just outside the site's western boundary separates it from another smaller menage and other outbuildings, and from grazing fields. To the north and east is an area of woodland. The wider site itself lies within open countryside, with fields on all sides.
6. Openness is an important characteristic of this rural landscape, as identified in the Bassetlaw Landscape Character Assessment (2009), whereby the site lies within the 'Mid-Nottinghamshire Farmlands' area. This is described as almost entirely arable farmland and small pastoral fields associated with farms with hedgerow farm boundaries, plus scattered blocks of woodland, villages, and isolated farmsteads. Policy Zone 03 landscape actions are to conserve the open rural character of the landscape, including the historic field pattern and woodland, by containing new development within historic enclosed boundaries, and maintaining existing hedgerows.
7. The appeal site's previous grassland would have made a positive visual contribution to the landscape, but although now a sand surface, the land remains open. Fields do vary in their visual appearance, including cultivation for different crops which may involve bare earth. I find the menage surface has a minimal impact within this wider context. Its construction did not remove any hedgerow or trees, and it is set within existing boundaries in a relatively sheltered position between the existing hedgerow and the large area of tree cover. The Council's officer report also acknowledges that the development is not highly visible on the landscape and has no negative visual impact at this open countryside location, being surrounded by established woodland to two sides and a hedge line and buildings on the other two sides.
8. The previous jumping fences within the site were smaller and less impactful than the new menage fencing. However, such fencing is not unusual in this rural context, and it is relatively unobtrusive. I also find that a menage is not in itself an untoward feature in the context of its position within the wider site, where there is clear equine activity including an existing menage and stabling.
9. Overall therefore, I find the development does not cause harm to the character and appearance of the countryside. It complies with the Bassetlaw District Core Strategy and Development Management Policies DPD (CS) (2011) Policies DM3(ii) and (iii), DM4, and DM9, and the Bassetlaw Landscape Character Assessment Policy Zone 03. Together and amongst other matters, these aim

for development to respect the landscape character and its landscape setting, and for its scale, design, and form to be appropriate for its location and setting. The proposal would also comply with the National Planning Policy Framework ('the Framework') (2023) paragraph 135, which also requires developments to add to the overall quality of the area, and be sympathetic to local character and landscape setting.

Need for the Proposed Development

10. The CS Policy DM3 criterion (C)(i) specifically supports proposals for domestic equine facilities where they can demonstrate that they are necessary in the specific location proposed, and that other more suitable sites are unavailable.
11. Firstly, the Council considers that the smaller existing menage is an adequate size for personal use, with insufficient demonstration of the need for the larger appeal site size. However, the appellant identifies the existing 20m x 40m to be a 'novice' standard, with a larger size required for the appellant's son to train at international competition standard of showjumping and eventing. He wishes to pursue a career in professional horsemanship, and train at elite athlete standard. On the evidence put before me, I see no reason not to accept this aspiration as genuine.
12. Menage sizes are specified by the governing body, which identifies a minimum size of 4,000 m² for an outdoor competition arena, incorporating a minimum 50m width. Training on a similar size as for competitions is necessary to accustom the horses, and also for horse welfare to jump high fences safely. The size built is therefore much closer to this necessary competition size than the smaller existing menage.
13. Achieving and maintaining international competition standard requires daily training of several horses. If the appeal size menage were not available at Saundby Park Farm, frequent horse box journeys would be required to other facilities, all of which are over an hour's journey. This would add to the carbon footprint of the activity, and impact horse welfare and thus their training ability.
14. Secondly, the Council considers that even if the menage size were necessary, the area immediately east of the existing menage would be more suitable, being closer to the existing buildings, and the car parking. However, the appeal menage is also still very close to the main activity on the wider site. I also identified above that it generates no harm to the countryside character and appearance, and therefore there would be no particular visual advantage for this alternative siting.
15. Moreover, it would require removal of approximately 40m of hedgerow, which would have a negative impact on the site's character. This would thus conflict with the conservation aims in the Bassetlaw Landscape Character Assessment, as well as harming biodiversity. Due to the level change across this area, substantial earthworks would also be required, and would further increase the visual impact with retaining walls.
16. Overall therefore, I find that there is an evidenced need for the size of the menage, and that no other more suitable sites are available. It would comply with the CS Policy DM3 in this regard.

Conditions

17. I have attached the statutory condition to specify the approved plans, to provide clarity for the terms of the permission. I have also imposed the Council's condition that the menage should only be for ancillary residential use, subject to slight amendment to align with paragraph 56 of the Framework and the Planning Practice Guidance. This is necessary because such use was the basis for my determination, and also to ensure there is no harmful impact from additional commercial vehicle movements.

Conclusion

18. For the reasons given above, and having regard to all other matters raised, I conclude the development accords with the development plan taken as a whole, and therefore the appeal is allowed.

L N Hughes

INSPECTOR