



Appeal Decision

Site visit made on 9 July 2024

by J Smith MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 August 2024

Appeal Ref: APP/R1038/W/23/3336059

Border View Farm, Rod Moor Road, Dronfield Woodhouse, Derbyshire S18 8XL

- 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 Alex Merryman against the decision of North East Derbyshire District Council.
 - The application Ref is 23/00466/FL.
 - The development proposed is Retention of a block of 5 stables.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I noted during my site visit and in the evidence before me that the building has already been erected. It appears that the building had been built in accordance with the plans. The appeal is therefore determined on that basis.

Main Issues

3. The main issues are:
 - whether or not the development is inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any development plan policies; and,
 - whether any harm by reason of inappropriateness would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

4. The appeal site is located within the Green Belt and countryside. The Framework sets out that the provision of new buildings in the Green Belt should be regarded as inappropriate other than for certain exceptions. These include buildings for the provision of appropriate facilities for outdoor sport as long as the facilities preserve the openness of the Green Belt. I note that the North East Derbyshire Local Plan 2021 (LP) and the Dronfield Neighbourhood Plan 2019 (NP) policies listed in the reason for refusal are consistent with the National Planning Policy Framework (the Framework).
5. Policy SS10 of the LP sets out the purposes where development is not considered to be inappropriate in the Green Belt. These include buildings for the provision of appropriate facilities for outdoor sport and recreation, providing that these buildings preserve the openness of the Green Belt. Policy

ENV1 of the NP holds a strong presumption against development that would conflict with the purposes of the Green Belt, or adversely affect its open character. Policy SS9 states that development proposals within countryside locations will be approved where it involves small scale employment uses related to local farming or recreation, amongst other things. However, point 3 of Policy SS9 notes that where development falls within the Green Belt, the provisions of Policy SS10 of the LP apply.

6. The matter of whether the building is inappropriate or not due to its location in the Green Belt is not a disagreement between the parties. As noted by the Council, stable buildings can be appropriate facilities associated with outdoor sport and recreation. I find no reason to disagree and therefore, I now turn to the matter of openness.
7. Openness is an essential characteristic of the Green Belt that is capable of having spatial as well as visual aspects. The development is a block of five stables. The stable block is situated adjacent to a covered riding area. The structure which covers the riding area does not benefit from planning permission and is subject to an enforcement notice. The stable block is sited towards the rear of the appeal site away from an expanse of farm buildings of contrasting sizes and design.
8. When viewed from the public footpath to the rear, the stables stand out on their own due to its position away from the main farm complex. This creates a perception of visual separation between the stables and farm complex. As such, the stable block is sited in an open area of the site away from the network of farm buildings with the backdrop of open fields to the rear. Despite the variety of structures to the front of the appeal site, its rear is characterised by open fields and as a result, the openness of the Green Belt is clearly evident around the site and wider area. Collectively, sited in this location and away from the main complex of farm buildings, the stable block further advances the built form into the Green Belt and as such, reduces the visual and spatial openness of the Green Belt.
9. An appeal decision is cited by the appellant. However, no evidence or appeal decision has been provided and therefore I cannot ascertain the relevance or reasoning behind this appeal decision to the appeal under consideration here.
10. For the reasons given above, I conclude that the development does not preserve the openness of the Green Belt and conflicts with the purposes of including land within it. As such, it constitutes inappropriate development in the Green Belt, such that it conflicts with Policies SS9 and SS10 of LP, Policy ENV1 of the NP and the Framework.

Other Considerations

11. The proposal would be harmful to the openness of the Green Belt and so would be inappropriate development. Substantial weight should be given to the harm to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt and any other harm is clearly outweighed by other considerations.
12. The appellant states that the general practice of stabling and livery has been undertaken at the farm for several years and the stable block subject to this appeal is an extension of this practice to meet the demand for the services

provided. Furthermore, this has allowed farm diversification to occur on the site, allowing for members of the family to retain employment on the farm. It is noted that the building is constructed from timber which is a material generally used in the construction of stable buildings. These are positive, but limited benefits of the appeal.

13. It is also contended by the appellant that there is a high demand for equestrian facilities from residents in the wider urban area. The provision of a stables located here would allow residents to locate their horses at this site, rather than each individual owner requesting their own stable facility. In their consideration, this would prevent the provision of stables over fields which would have a greater effect upon the Green Belt. Each building would be required to be assessed on their own merits and as such, I ascribe minimal weight to this matter.
14. These other considerations would not clearly outweigh the harm to the Green Belt by reason of inappropriateness and through a greater impact on the harm to openness. Consequently, the very special circumstances necessary to justify the proposed development do not exist.

Conclusion

15. The proposal would conflict with the development plan. Material considerations, including the Framework, do not indicate that the decision should be made other than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

J Smith

INSPECTOR