



Appeal Decisions

Site visit made on 8 October 2024

by Richard S Jones BA(Hons), BTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 November 2024

Appeal A Ref: APP/A3655/W/23/3332357

Beech Rise, Lock Lane, Pyrford, Surrey GU22 8UX

- 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 Tracy Lewis against the decision of Woking Borough Council.
 - The application Ref is PLAN/2022/1174.
 - The development proposed is replacement barn, hay and feed and secure storage for plant. New barn to house agricultural machinery.
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Appeal B Ref: APP/A3655/W/23/3335791

Beech Rise, Lock Lane, Pyrford, Woking, Surrey GU22 8UX

- 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 Ms T Lewis against the decision of Woking Borough Council.
 - The application Ref is PLAN/2023/0679.
 - The development proposed is the demolition of existing stables and erection of a replacement stable block and equestrian equipment store.
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Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Preliminary Matters

Appeal A

3. The description of development in the application form is 'replacement barn, hay and feed and secure storage for plant. New barn to house agricultural machinery'.
4. Prior to validating the application, the applicant's agent confirmed that it was "fine" for the Council to amend the description to "new barn to house agricultural machinery". The words 'following demolition of existing field shelter' are also included in the Council's decision notice.
5. Nevertheless, the plans show it comprising five parts: a relocated and reconfigured field shelter, an open space, tractor and plant storage, and two unnamed spaces, one larger than the other, which the planning statement confirm would be stables.

6. Therefore, whilst I note the appellant's concerns that the amended description was subsequently used as a reason for refusing the application, I am nevertheless clear in the detail of what was proposed.

Appeals A and B

Main Issues

7. Both appeals relate to the same field, situated within the Green Belt. The reasons for refusing the applications are also broadly the same.
8. Therefore, the main issues for Appeals A and B are:
- whether the developments would amount to inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and relevant development plan policies;
 - the effect on the openness of the Green Belt;
 - the effect on the character and appearance of the area;
 - the effect on protected species and biodiversity; and
 - if the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the development.
9. For the avoidance of doubt, I have considered each appeal on its individual merits. Nevertheless, the appellant has requested that evidence submitted in respect of Appeal A, also be read in relation to Appeal B, and vice versa. Therefore, to avoid duplication, I have partly dealt with the two schemes together.

Reasons

10. The appeals site benefits from a LDC¹ for an existing use of the land for private equestrian use involving two paddocks for grazing purposes, stables for up to four ponies, storage for equestrian facilities and a training area.
11. There are currently two stable buildings on the land. The largest is positioned to the east of a currently disused and neglected menage. The other building is configured to provide two stables and a store and is located towards the north-west corner of the site, towards Lock Lane. Both appeals propose to remove that building, which is described as a field shelter in much of the related evidence. Although it is more substantial than that term suggests, being a permanent stable block with timber walls, a corrugated cement roof and a paved floor, for consistency purposes and for the avoidance of doubt, I shall also refer to the building hereafter as the field shelter.
12. As explained below, a further barn has been approved between the menage and the larger stable block, but that has yet to be implemented. Most of the remainder of the land is laid to grass but subdivided into smaller horse enclosures. Its appearance is largely consistent with its lawful equestrian use.

¹ Certificate of Lawfulness of Existing Use or Development

Appeal A

Whether inappropriate development in the Green Belt and the effect on openness

13. The aforementioned new barn to house agricultural machinery at the site was allowed on appeal on 1 September 2023², around four months after the Council's decision on the current appeal proposal. The appellant argues that the findings from that decision are directly applicable to the current appeal proposal. She explains that the approval was given for a single plant barn 10.79m long, 6.74m wide and 6.44m high. The appellant highlights that as being a new structure with no other buildings offered to offset it.
14. The current appeal proposes to remove the field shelter and erect a new barn in the configuration described above, positioned close to the boundary to Lock Lane and the site access, facing onto a hardstanding, with the menage beyond.
15. DMP³ Policy DM13 and paragraph 154 of the Framework state that the construction of new buildings should be regarded as inappropriate in the Green Belt. Exceptions are listed in the same paragraph of the Framework and Policy DM13 refers to the same, as well as having its own exceptions.
16. The exception in paragraph 154(b) of the Framework is 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; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. That aim is also reflected in DMP Policy DM3.
17. Whilst part of the barn was proposed to be used for secure storage, the application documents clarify that that was needed for a tractor, menage leveller, grass topper and other agricultural/equestrian equipment to maintain the land. The floorspace given over for such storage is not excessive or disproportionate and the majority of the building would be used as stabling and for a field shelter in connection with the existing use of the land for equestrian purposes. I am therefore satisfied that the proposed building would provide appropriate facilities for an outdoor recreation use.
18. The Court of Appeal has confirmed that Green Belt openness has both a spatial and visual aspect. This means that the absence of visual intrusion does not in itself mean that there is no impact on the openness of the Green Belt as a result. But equally this does not mean that the openness of the Green Belt has no visual dimension.
19. The proposed building would occupy a sizeable footprint, measuring 21.9m wide and 4m deep. It would have a mono-pitched roof with front and rear overhang. The maximum height would be 4.4m. Given that this part of the site is currently devoid of any buildings, a structure of such bulk would clearly have a significant effect on spatial openness.
20. Whilst that would be partly offset by the removal of the field shelter, the Council calculate the proposed replacement building would be 288% greater in volume and 260% greater in footprint. Those figures are not challenged by the

² Appeal Reference: APP/3655/W/22/3313312

³ Woking Local Development Documents Development Management Policies Development Plan Document Oct 2016

appellant. The effect on spatial openness would therefore be significantly greater.

21. Moreover, the proposed barn would present a significantly longer elevation and built form closer to Lock Lane. I appreciate that the plan refers to a planting zone between the fence line and the rear of the building but that would take some time to establish to a point whereby it would add to the level of screening, if that is the intention. Nevertheless, the siting of the barn combined with the viewing angles created by the fence and the elevation above road level would likely materially restrict visibility.
22. However, there would be views of the barn, particularly approaching the entrance to the site from the south. In that view, there is currently a clear termination to the buildings associated with the golf club, which do not carry over into the appeal site.
23. Here part of the side and the rear of the building would be visible and would be perceived as a continuation of the existing built form, whereas presently there appears to be an absence of development above and beyond the fencing line. There would therefore be a public perception to the loss of openness from beyond the boundary of the site.
24. Overall, the proposal would have a greater degree of visibility from Lock Lane than the building to be replaced, and certainly more so than the barn allowed on appeal, which would be located much further into the site and away from the road. Moreover, having regard to the previous Inspector's comments, the barn would not be seen in each direction against a background of built development. Despite being lower, it would in overall terms have a greater visual effect on openness than that approved at appeal, thereby differentiating the two schemes. The impact arising would not be adequately offset by removing the field shelter, for the reasons explained.
25. Whilst the building would extend beyond the golf club buildings, it would broadly fall within the northernmost parameters of the stable block to be retained and the approved agricultural barn. The countryside is also a suitable locational context for stables so the replacement building would not conflict with the relevant purpose of including land within the Green Belt, namely assisting in safeguarding the countryside from encroachment.
26. Nevertheless, for the reasons explained there would be a significant effect on spatial openness and a material effect on visual openness. Combining the two aspects, the openness of this part of the Green Belt would not be preserved. That is contrary to the overall aim of DMP Policy DM3. It follows that the building would not meet the caveats to the exception at paragraph 154(b) of the Framework.
27. Moreover, the proposed building would be materially larger than the one it replaces, so would not meet the exception in paragraph 154(d) of the Framework and DMP Policy DM13, regardless of whether the uses are the same.
28. Accordingly, I find that the proposed building amounts to inappropriate development in the Green Belt for the purposes of the Framework, DMP Policy DM13, and Woking Core Strategy (WCS) Policy CS6. Those policies state,

amongst other things, that strict control will continue to apply over inappropriate development as defined in the Framework.

Appeal A

Character and appearance

29. Despite the urbanising influences of the golf club buildings to the south and nearby pockets of residential development, the overall character of the area is rural, derived from the agricultural (and equestrian) fields and areas of woodland.
30. Nevertheless, the immediate roadside character of this part of Lock Lane is mixed. On the western side of the road, the land is wooded and distinctly rural in character. On the eastern side of the road, the character is significantly influenced by the scale and industrial appearance of the buildings associated with the operation of a nearby golf course. The replacement barn would be viewed from the road largely in that context and that perception is reinforced by the similar timber fencing bounding both sites to Lock Lane.
31. The immediate roadside context is not therefore unduly sensitive to the change in the physical appearance of the land for the purposes of facilitating a countryside use. A material degree of screening would also be provided by the existing fencing which sits above road level.
32. However, the barn would compound the existing degree of development close to the site entrance where it would be seen in conjunction with the urbanising influences of the timber fencing, brick piers and solid electronic gate, as well as the golf club buildings.
33. From within the site, the building would be partly seen within the wider context of the golf club buildings, but peripherally positioned in relation to the other buildings within the site itself.
34. Taken in isolation, its design reflects its function and would not look out of place in a countryside location. Nevertheless, there would be cumulative harm to the intrinsic character of what is a relatively modest area of land arising from the proposed building with associated hardstanding, in combination with the menage, the existing stable building and barn allowed at appeal, as well as the neighbouring golf club related buildings.
35. I appreciate that from a functional perspective it would face onto the menage and its location would enable easy access from Lock Lane. Nevertheless, it would appear visually divorced from the existing stable block and approved barn. That lack of integration would add to the harms identified.
36. There would be some mitigation from the loss of the existing stables but that is significantly smaller and does not have any associated hardstanding and is generally more recessive in its appearance.
37. Part of the Council's corresponding reason for refusal is that the proposed building is of an inappropriate and unjustified scale relative to its intended use and the surrounding area. Having regard to the recently approved barn to house agricultural machinery, it is unclear to the Council why the appellant requires a further building for agricultural storage on a site of its size which does not have any active agricultural use.

38. Moreover, it is highlighted that the Inspector for the appeal noted that whilst the agricultural machinery could reasonably be used for the maintenance of the surrounding land, the appellant confirmed that the building would also be used to store feed, hay and equipment associated with the equestrian use. The Council therefore asserts that there isn't justification for a further building for hay storage and equestrian equipment either.
39. The appellant explains that the intended use of the land is for private equestrian purposes. She seeks to bring two elderly horses for retirement and companions for a continual cycle of rehoming ex-polo ponies (4 at a time), using the menage for exercise purposes. It is explained that the existing stables are for ponies so there is a need for larger stabling for the horses.
40. The appellant confirms that because of the approval for the new barn to house agricultural machinery, the currently proposed space for the storage of plant is not required. Nevertheless, she also confirms that the space would be used for additional hay and feed for the six horses, for drying two rugs each, tack, and a composting WC. To that end, reference has been made to a revised internal layout plan but that has not been provided.
41. In support of the appeal, the appellant has submitted an 'Additional Equine Justification Statement' prepared by Reading Agricultural Consultants for a separate application. That explains that the approved barn would provide safe and secure storage for machinery associated with the equine use of the land. The Statement goes on to find that the individual equine facilities within the proposed building are of an acceptable size for their intended use and would meet the necessary requirements for up to six horses on site. Whilst that finding is in relation to a different application, I see no reason why the same should not be applicable to this appeal proposal, not least because the requirements relate to the same six horses.
42. I do not therefore find conflict with the relevant criteria of DMP Policy DM3 which requires facilities for outdoor recreation to be of an appropriate scale relative to its intended use. Nevertheless, because of that scale the proposal does conflict with the overall aim of Policy DM3 for such facilities to demonstrate that they will preserve the openness of the Green Belt.
43. I also find, for the reasons explained, a limited and localised degree of harm to the character and appearance of the area, contrary to WCS Policy CS21, Pyrford Neighbourhood Plan (PNP) Policies BE 1 and BE 3 and paragraph 135 of the Framework. Those policies state, amongst other things, that proposals for new development should respect and make a positive contribution to the character of the area in which it is situated.

Appeal B

Whether inappropriate development in the Green Belt and the effect on openness

44. The Appeal B proposal is for the erection of a stable block and equestrian store following demolition of the field shelter in the north-west of the site. The application sought to overcome the reasons for refusing the application subject to Appeal A.
45. The 'L' shaped building would be configured to provide two stables, a secure tack room, rug drying area and feed store for up to six horses. I am therefore satisfied that the proposed building would provide appropriate facilities for an

outdoor recreation use, so should be considered against the corresponding exception to being inappropriate development set out in paragraph 154(b) of the Framework, which is subject to the caveat that the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

46. The stable block would be positioned in the same location as the existing field shelter but would be a significantly bigger building both in footprint and volume. The Council calculates an increase of 295% for the former and 182% for the latter. The appellant calculates a 28% increase in the footprint but having regard to the dimensions shown on the existing and proposed plans, that is plainly wrong, and the figure is likely to be in the region stated by the Council. Such an increase in bulk and coverage would clearly result in a loss of spatial openness in this part of the site.
47. Within the site there would also be a clear loss of visual openness given the more obvious and divorced siting from the existing (and approved) group of buildings and its greater visual presence compared to the relatively recessive size and appearance of the existing building. Moreover, having regard to the previous Inspector's comments, the barn would not be seen in each direction against a background of built development.
48. I appreciate that the roadside trees and the boundary fence above road level would limit public views of the building, nevertheless, because of its increase in height and bulk and its siting closer to the bend on Lock Lane, it is likely that parts of the building would be visible where presently there appears to be an absence of development.
49. Overall, the proposal would likely have a greater degree of visibility from Lock Lane than the field shelter, and certainly more so than the barn allowed on appeal, which is located much further into the site and away from the road. There would therefore be a public perception of loss of openness from beyond the boundary of the site, albeit relatively limited.
50. Whilst significantly greater in footprint than the field shelter it is proposed to replace, the general siting would be the same. In addition, the countryside is a suitable locational context for stables so the development would not materially conflict with the relevant purpose of including land within the Green Belt, namely assisting in safeguarding the countryside from encroachment.
51. Nevertheless, for the reasons explained, there would be a material effect on visual and spatial openness such that the openness of this part of the Green Belt would not be preserved, contrary to the overall aim of DMP Policy DM3. It follows that the building would not fall within the exception at paragraph 154(b) of the Framework.
52. Moreover, the proposed building would be materially larger than the one it replaces, so would not meet the exception in paragraph 154(d) of the Framework and DMP Policy DM13.
53. Accordingly, I find that the proposed building would amount to inappropriate development in the Green Belt for the purposes of DMP Policy DM13, WCS Policy CS6, and the Framework.

Appeal B

Character and appearance

54. Taken in isolation, the design and appearance of the building reflects that of its function as a stable block and is acceptable.
55. However, although views of it from Lock Lane would be relatively limited, within the site it would appear visually divorced from the existing and approved buildings and the neighbouring buildings associated with the golf club. Whilst that is similarly so for the existing field shelter, its replacement would have a significantly greater visual presence such that its lack of integration and sporadic approach to development would be much more obvious, and harmful as a result.
56. I therefore find a limited and localised degree of harm to the character and appearance of the area, contrary to WCS Policy CS21, PNP Policies BE 1 and BE 3, and paragraph 135 of the Framework.
57. As per Appeal A, the Council's corresponding reason for refusal also states that the proposed building would be of an inappropriate and unjustified scale relative to its intended use and the surrounding area. However, the reasons why I have taken a contrary view for Appeal A, are also applicable to Appeal B. I do not therefore find conflict with the relevant criteria of DMP Policy DM3 in that regard.

Appeals A and B

Biodiversity

58. Bats are a protected species under the Wildlife and Countryside Act 1981, and a European Protected Species under the Conservation of Habitats and Species Regulations 2017. Circular 06/2005: Biodiversity and Geological Conservation (the Circular) states that it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.
59. The Council's concern in relation to Appeal A was that the application was not supported by any ecological information which establishes the likely presence of protected species or the likely impact of the proposed development on biodiversity.
60. That reflects the response of Surrey Wildlife Trust (SWT) that it did not have a suitable evidence-base to advise that the field shelter to be removed has negligible ecological value and that it does not have the suitability to support roosting bats or nesting/roosting birds. To provide an evidence-based consultation, SWT advised that a bat and barn owl preliminary assessment should be submitted prior to determination.
61. The appellant seeks to highlight that the Council did not request that information for the Appeal A application. Nevertheless, as noted, whilst each of the appeals should be considered as separate entities, most of the evidence for Appeal B has been cross referenced to Appeal A, and vice versa. I am therefore able to consider the later evidence submitted for the Appeal B

application, in my consideration of Appeal A, dealing with both appeals together for this main issue.

62. The application subject to Appeal B was supported by a Preliminary Ecological Appraisal and Bat Scoping Report dated 3 October 2022 (PEA), which had been submitted for a different application that also proposed to remove the same field shelter. That notes that the *"fields within the surrounding local landscape around Pryford [sic] and Pryford Green are of characteristically high value to bats when foraging and commuting between roosts and feeding areas, particularly due to the presence of wetland habitats in the locality"*.
63. The appellant argues that the single skinned field shelter offers no suitable roosting places for bats, being low, open and generally vulnerable for bat use. That is partly consistent with the PEA insofar as it states that the external ship lap material on all elevations is intact and does not contain any features suitable for utilisation by roosting bats. However, the PEA goes on to state that the internal areas hold potential to be utilised as a night-time feeding perch by bats, but do not provide suitable areas for any other roost type. The assessment found a low bat roost suitability.
64. Nevertheless, as highlighted by SWT, the PEA summary states that *"Further surveys are required for bats on the stable block and the field shelter"*⁴. It also states that *"A repeat inspection of both buildings and one further bat emergence survey is required on the stable block"* but that *"No further emergence or re-entry surveys are required for the field shelter"*.
65. The response from SWT goes on to state that:

"It should be noted that if a feeding perch/roost was recorded as being present within the Field Shelter, then mitigation and compensation and a mitigation licence from Natural England may be required prior to works commencing. The planning portal does not provide evidence of the repeat inspection of the Field Shelter by The Ecology Co-Op, or another suitably qualified ecologist and this is a clear recommendation."

It has not yet been determined that a feeding roost, or another type of bat roost is likely absent from the Field Shelter to a minimum confidence level because there is a recommendation for a repeat inspection. Section 6 of the report states for the further survey work, which includes the Field Shelter, that "This is in order to understand whether bat roosts are present, or likely absent. If any roosts are identified, roost characterisation surveys will be required".
66. Whilst acknowledging that the author of the PEA did not recommend a bat presence/likely absence survey for the field shelter, SWT's advice to the Council was that it requests the applicant to submit an update inspection of it by a suitably qualified and experienced ecologist, prior to determination.
67. That advice from SWT is clear and the appellant's reference to the demolition not leading to a harmful effect on biodiversity is to quote her own planning statement, rather than the views of SWT.

⁴ The stable block is a separate building, unaffected by the appeals proposals

68. I understand that the appellant considers that the Council acted in an unreasonable manner by not requesting an update inspection, nevertheless she will have been aware of the recommendations of her own PEA.
69. The appellant explains that an update inspection for a new application is being prepared but reference is made to an email from the author of the PEA, dated 8 December 2023. The email states that the field shelter was inspected on that day and confirms that the comments within the previous report [the PEA] remained applicable, in that it has low bat roost suitability and no potential crevice roost features.
70. SWT has considered the email in response to the most recent planning application (reference PLAN/2024/0016⁵). In that response, which has also been provided in support of Appeals A and B, SWT highlight that the email does not provide recommendations or a conclusion on how to proceed but that it is understood that the recommendations detailed in the PEA are maintained.
71. Although in that regard, a repeat inspection was carried out, SWT highlight the limitations of doing so in December (2023) within the bat hibernation season when there is a low likelihood of recording feeding evidence. In that context SWT refer to the PEA stating that *'All further surveys must be conducted during the peak activity period between May and August'*. SWT interpret that this includes the update inspection of the field shelter. On that basis the recommendations of the PEA have not been met.
72. Moreover, I am mindful that the PEA itself was carried out towards the beginning of April (2022), outside the optimal period of May-August, and after the winter when any feeding remains from the year before may have been long gone. Even so, its conclusions are clear insofar as a further internal inspection is necessary, and that should take place during the main bat active season, to establish whether or not bat roosts are present. Carrying out an inspection in the month of December does not answer that question.
73. The appellant advises that since December 2023 the field shelter has been totally enclosed in bird and bat proof meshing. On that basis it is argued that there is zero access potential for birds and bats.
74. The Council refer to its site visit when it observed that the meshing did not go all the way down to the base of the field shelter and that there were other gaps. SWT similarly note that the mesh does not provide full coverage so it is feasible that bats (and/or birds) could enter the structure.
75. Nevertheless, although there is potential for bats to become meshed in, the meshing does significantly reduce the likelihood of bats accessing the field shelter and the appellant has evidenced the use of debris netting which is fit for the intended purpose of obstructing birds and bats.
76. However, meshing the field shelter does not address the question of whether or not it is (or would be, if bats were not excluded) used as a bat roost. If a feeding perch/roost was recorded as being present within the field shelter, then, as noted, mitigation and compensation and a mitigation licence may be required prior to works commencing.

⁵ Which is subject to a separate appeal that I have also been appointed to determine - Appeal Ref: APP/A3655/W/24/3347090

77. SWT further state that there is insufficient information to determine that the building has negligible suitability to support a bat roost (or nesting birds) and that the Council should note the limitations highlighted. However, SWT also state that the Council may review that sufficient information is available to determine the presence/likely absence of bats using the field shelter.
78. The Circular states that bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development. In this case, it has not yet been determined that a feeding roost, or another type of bat roost is likely absent from the field shelter to a sufficient confidence level because there is that recommendation for a repeat inspection.
79. As per the Circular, the presence or absence of protected species and the extent to which they may be affected should be established in advance of determination, and any mitigation understood/secured as part of any permission granted. In this case, as the potential is for a roost of lower conservation status, there could be flexibility about mitigation, but I am unable to rule anything in or out in the absence of a robust survey/inspection. In the circumstances, it would not be appropriate to leave a survey at the correct time of year to be secured by condition.
80. I appreciate that if the field shelter is inspected during the forthcoming main bat active season it is very unlikely that it will be found to have been used as a feeding roost, having been meshed since December 2023 when it would not have been used due to its unsuitability as a hibernation roost. Therefore, to properly answer the question of whether it is used as a feeding roost, the mesh will need to be removed prior to the optimal period.
81. I understand that the appellant considers it unreasonable and unnecessary to incur the costs of additional surveys but that is the clear recommendation from her own PEA of how to move matters forward.
82. Even though the building may be used for the storage of fencing materials and other kit, activity associated with the same, which may ward off bats, is unlikely to occur in the nighttime when there is greatest potential for its use as a feeding perch.
83. The appellant refers to the supporting 'Additional Equine Justification Statement' which states that at the time of the author's site visit, there was no daytime visual evidence of any bat activity or any visual evidence of any night-time feeding activity in or within the field shelter. However, those observations are unsurprising given that the site visit took place in February 2024, again outside the peak activity period when bats are in hibernation. Moreover, as it is unclear whether the author of that report is a suitably qualified ecologist, I attach only limited weight to those observations.
84. To offset the impact of the proposed development and other site developments the appellant has installed two bat boxes, six small bird boxes, one large bird/small owl box and planted ten fruit trees, so there is no longer a grass monoculture. On that basis she asserts an obvious nett bio-diversity gain.
85. Nevertheless, for the reasons explained, I conclude that it has not been demonstrated that the scheme would avoid or adequately mitigate

unacceptable harm to bats, which are a protected species. That is contrary to WCS Policy CS7 and the Framework, which state, amongst other things, that any development that will be anticipated to have a potentially harmful effect or lead to a loss of features of interest for biodiversity will be refused.

Appeals A and B

Other Matters

86. The appellant raises concerns over how the Council dealt with the appeal applications. She sets out her frustrations with the Council and the delay in getting the facilities necessary to enjoy beneficial use of the land and explains that she has commenced formal complaints and ex-gratia claims against the Council.
87. Nevertheless, for the avoidance of doubt, I have considered both appeals afresh, having regard to all of the evidence before me and my own site visit, and my conclusions are similar to that of the Council.
88. The appellant has drawn my attention to the details of two planning applications, one for a barn for storing agricultural equipment and another for an American barn style stable block⁶. Her contention is that had the case officer dealing with those applications dealt with the appeal applications, they would have been approved. In that regard, the appellant questions the equestrian related experience of the officer who dealt with her applications and seeks to highlight the expertise of her consultants and planning barrister.
89. However, as pointed out by the Council, its Committee Report for the agricultural barn application explains that it was not inappropriate development within the Green Belt, falling within the agricultural and forestry exception, which is not subject to the openness and Green Belt purposes caveats relevant to the appeals before me.
90. For the American style stable block, the Council highlights that the application site comprised approximately 8 hectares (20 acres) of land, so is not comparable to the current appeals.
91. I appreciate the appellant's explanation that whichever of the three stable/barn appeals is allowed will determine the size and shape of the menage. However, the final form of the menage has limited relevance to how I arrive at my decisions for those appeals.

Appeals A and B

Other Considerations and Green Belt Balance

92. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations⁷.

⁶ References PLAN/2019/1239 and PLAN/2021/1102

⁷ Paragraphs 152 and 153

93. For the reasons explained, I have found that the proposed buildings amount to inappropriate development within the Green Belt, and do not preserve its openness. The Framework requires that I apply substantial weight to those Green Belt harms⁸.
94. For both appeals I have also found limited and localised harm to the character and appearance of the area, and that it has not been demonstrated that the schemes would avoid or adequately mitigate unacceptable harm to bats, which are a protected species.
95. Against those harms, I accept that to use the land for six horses in the manner sought, additional stabling and associated storage/facilities would be necessary, not least for welfare and security reasons. Nevertheless, whilst I note the previous incidents of theft, it has been confirmed that the secure storage of plant would be addressed by the recently approved barn to house agricultural machinery. For Appeal A in particular, I also recognise that the barn's location would enable easy access from Lock Lane.
96. However, the totality of those other considerations do not clearly outweigh the harm to the Green Belt and the other harms identified. I therefore find that the very special circumstances necessary to justify allowing the appeals do not exist.

Appeals A and B

Conclusions

97. For the reasons given above, and having considered all other matters raised, I conclude that the proposals would be contrary to the development plan as a whole and material considerations do not indicate that the appeals should be determined otherwise than in accordance with the development plan. The appeals should be dismissed.

Richard S Jones

INSPECTOR

⁸ Paragraph 153