



Appeal Decision

Site visit made on 15 April 2025

by L C Hughes BA (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 May 2025

Appeal Ref: APP/V4250/W/24/3356599

498 Preston Road, Standish, Wigan WN6 0QA

- 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 Rebecca Shepherd against the decision of Wigan Metropolitan Borough Council.
 - The application Ref is A/22/93525/FULL
 - The development proposed is replacement equestrian stabling and menage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has submitted amended plans with the appeal documentation. I have considered the implications of accepting these amendments in the light of the Procedural Guide: Planning Appeals - England¹.
3. Although not before the Council at the time of their decision, the amended plans were provided at the outset of the appeal. The amended plans reduce the number of proposed parking spaces and remove a proposed fence.
4. The amended plans would not involve a substantial difference or fundamental change to the application. The Council and interested parties have had the opportunity to submit comments on the amended plans at the appeal stage. In these circumstances, I am satisfied that my consideration of the proposed amendments would cause no injustice to any party were I to consider them as part of the appeal documentation.
5. The description of development on the decision notice was for 'Equestrian development comprising new replacement stable block, menage, paddock and area of hardstanding for equestrian vehicles, with access thereto.' This differs from the description on the application form, which I have used on the banner heading above. The appellant does not agree with the Council's description, as it refers to a paddock which is already in situ. I have determined the appeal on this basis but have taken into consideration the proposed access and hardstanding, which are shown as part of the proposal on the submitted plans.

Main Issues

6. The main issues are:

¹ Procedural Guide: Planning Appeals – England (updated April 2025)

- whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies, including the effect of the proposal on the openness and purposes of the Green Belt;
- the effect of the proposal on the setting of Old Seven Stars Farmhouse, a Grade II Listed Building;
- whether sufficient evidence has been provided to demonstrate an acceptable net gain in biodiversity; 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

7. The appeal site lies within the Green Belt. The Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open.
8. Paragraph 154 of the Framework sets out that the construction of new development in the Green Belt should be regarded as inappropriate, other than in a few exceptions. One such exception, at Paragraph 154b, is the provision of appropriate facilities, including buildings, for outdoor sport and outdoor recreation, as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. Paragraph 154h allows for engineering works which likewise preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
9. A menage and stable block would meet the exception detailed at Paragraph 154b, and the associated access and hardstanding would fall within the description of engineering works detailed in Paragraph 154h. The effect of the development on the openness and purposes of the Green Belt will therefore determine whether the proposal is inappropriate development.
10. The proposed menage would be a typical feature associated with equine land uses. Aside from the fencing, the menage would be devoid of built form or volume. The enclosure fencing would be limited in height and the post and rail construction would mean that the solid to void ratio of the structure would heavily favour the void. Accordingly, the menage would have no significant effect on the spatial aspect of openness of the Green Belt.
11. The proposed menage would be at a slightly raised level. The proposed surface would be formed of rubber and bark, and its earthy colour would assist in assimilating the training area into the rural surroundings. Whilst views of the unlit menage and fencing would be possible from surrounding fields, it would be consistent in appearance with an outdoor recreational rural facility. Overall, the menage would not have a significant visual effect on the openness of the Green Belt.
12. As part of the scheme, the appellant has highlighted that an existing caravan would be removed, and the proposed stable block would replace an existing stable

block with a similar orientation. However, the proposed stable building would be sited within an open field south of the farmhouse and would be more visually separate from surrounding built form than the existing stables, introducing built form in an area of the field where none previously existed. Its footprint, bulk and massing would reduce the openness of the Green Belt in both visual and spatial terms. Whilst the proposed stables would be well screened from the road by mature trees and vegetation, they would be visible from the surrounding countryside. Its impact would not be adequately offset by the removal of the existing structures which are not of the scale associated with the proposed building.

13. The proposal would also see the introduction of an area of hardstanding for parking and manoeuvring equestrian vehicles, which would be located between the proposed stables and the farmhouse. From observations on my site visit, and from the submitted plans which indicate that a large part of the proposed hardstanding would be on an area which is currently pasture, I do not consider that the proposed hardstanding in its entirety already exists. Whilst some room for parking, turning and manoeuvring vehicles would be necessary, the area of hardstanding proposed is sizeable. As the proposal would be at ground level, its impact on spatial openness would be very limited. However, the introduction of parked vehicles which could be viewed from the surrounding countryside would have a visual impact on the openness of the Green Belt.
14. Whilst the proposed menage would preserve the openness of the Green Belt, the proposed stables and hardstanding would not preserve the openness of the Green Belt. The loss of openness would be modest and localised. This would, however, be contrary to the Framework. Furthermore, by introducing development into an area where previously there was none, the development also fails to assist in safeguarding the countryside from encroachment, one of the five purposes of the Green Belt.
15. The proposal would therefore not meet the exceptions of Paragraph 154b and 154h of the Framework. As such, it would be inappropriate development which is by definition harmful to Green Belt.
16. The updated Framework has introduced the concept of grey belt land. The proposal would largely not be on previously developed land. Even if I were to accept that the appeal site does not strongly contribute to the purposes of the Green Belt relating to unrestricted sprawl, the merging of towns or the setting of historic towns, in order for development not to be regarded as inappropriate Paragraph 155 of the Framework refers to the use of grey belt land satisfying a demonstrable unmet need for the type of development proposed. No evidence has been submitted to indicate that this is applicable in this appeal. Consequently, this paragraph does not render the development not inappropriate.
17. The proposal would be contrary to the Framework and to Policy JP-G9 of the Places for Everyone Joint Development Plan (2024) (PfE) which seeks to enhance the beneficial use of the Green Belt without harm to its openness, permanence or ability to serve its five purposes. Policy CP10 of the Wigan Local Plan Core Strategy (2013) (CS) does not relate to Green Belt, and so I have not assessed this main issue against this policy.

Listed building

18. The appeal proposal is located within the setting of Old Seven Stars Farmhouse, a Grade II Listed Building dating from the seventeenth century. I consider that the significance of Old Seven Stars Farmhouse, as it relates to this appeal, lies in the preservation of its historic fabric and its relationship between the buildings within the farmstead complex.
19. Farmsteads are typified by buildings sharing an enclosed space, with shared surfacing and permeability between the buildings. In recent years the immediate setting of the listed building has been subject to change through the construction of various buildings and equestrian uses. Despite these changes, the current setting provides an attractive agricultural feel to the farmhouse. Old Seven Stars Farmhouse's historic spatial relationship within its setting remains legible, and the setting therefore contributes to the ability to appreciate the listed building's significance and special interest.
20. The setting of the front of Old Seven Stars Farmhouse would be unaffected by the proposed development. The proposed menage would be separated from the listed building by intervening structures and would not affect its setting. The proposed stable block would not be an incongruous addition to the farmstead complex. Setting is not fixed and may change as the asset and its surroundings evolve. Indeed, permission has been granted for three residential dwellings within the setting of the farmhouse. However, from the evidence before me, the residential scheme was designed to maintain the agricultural character of the farmstead, and as such would not prevent the ability to read the site as a coherent farmstead complex with buildings and yard.
21. In contrast, the appeal scheme would include the formation of an access to the proposed stables and hardstanding area with landscaping along the boundary. This would serve to split the site. Rather than visually benefitting the listed building, it would erode the historic shared space and inter-permeability between buildings on the farmstead. Although the proposed scheme is not for commercial development, the separation would nonetheless contribute to a weakening of the ability to appreciate the historic coherent farmstead setting of the listed building, harming its significance. The harm, given the limited nature and extent of the development, would be less than substantial.
22. The proposal would fail to preserve the setting of the listed building and thus harm its significance. I have found the harm to be less than substantial. The Framework states that great weight should be given to the conservation of designated heritage assets irrespective of whether that harm would be substantial or less than substantial. Under such circumstances, the Framework advises that this harm should be weighed against the public benefits of the proposal.
23. The proposal would be for the private benefit of the appellant and no public benefits have been put before me for consideration. As such, on the evidence before me, in this instance the public benefits would not outweigh the identified material harm to the designated heritage asset.
24. The appellant indicates that parking and access arrangements could be controlled by condition. However, I consider that appropriate access is fundamental to the scheme. In the absence of detailed information setting out how access would be achieved without fundamentally altering the scheme, I am not satisfied that there

would be a suitable alternative that would effectively mitigate the harm I have identified. Consequently, a condition in these circumstances would not be appropriate.

25. The proposal would not preserve the setting of the listed building, and would thus fail to satisfy the requirements of the Planning (Listed Building and Conservation Areas) Act 1990. It would conflict with Policies CP10 and CP11 of the CS and Policy JP-P2 of PfE, which seek to conserve, sustain and enhance heritage assets and their settings and ensure that development respects the character of the area. Furthermore, it would conflict with the Framework, which seeks to conserve and enhance the historic environment.

Biodiversity

26. Although the proposal was submitted prior to the statutory requirements of the Environment Act 2021 which requires developments submitted after a certain date to secure biodiversity net gain, Policy JP-G8 of the PfE highlights that development is expected to adequately mitigate any harm to biodiversity, and adequately compensate for any remaining harm to biodiversity. The policy notes that development will be expected to achieve a measurable net gain in biodiversity of no less than 10%, with proposals informed by the findings and recommendations of an appropriate biodiversity or ecological assessment.
27. There is no evidence of great crested newts on site. A bat survey report (2022) indicated that the buildings to be demolished have negligible bat roost potential, and a condition could restrict works to trees and hedges to protect the habitats of nesting birds. The bat survey report indicated that biodiversity could be increased at the site through the introduction of at least two crevice-roost sites for roosting bats to be attached to or integrated into the newly constructed stable block.
28. However, as the baseline biodiversity value of the site has not been established, subsequently I cannot be satisfied that a measurable net gain in biodiversity of no less than 10% in line with Policy JP-G8 of the PfE would be achieved. Rather, due to the loss of pasture through the introduction of further hardstanding and the siting of the proposed stables and menage it is likely that the scheme would result in an overall net loss of biodiversity. No compensation scheme has been provided.
29. Without evidence to the contrary, it cannot be certain that an acceptable biodiversity net gain could be fully accommodated on the appeal site, and that financial contributions for biodiversity offsetting would not be necessary. As such, a condition would not be appropriate in this instance, nor would a condition allow for financial contributions towards managing and monitoring of any on-site gains.
30. In the absence of substantive evidence that the proposed development would result in biodiversity net gain, the proposal would be contrary to PfE Policy JP-G8 which expects development to achieve a measurable net gain in biodiversity of no less than 10% and the Framework which seeks to ensure that developments provide net gains for biodiversity.

Other considerations

31. My attention has been drawn to similar proposals nearby which have been permitted in the Green Belt, including a larger menage and new detached dwellings. However, as I do not have the details of those schemes, or the

conclusions which led to their permission, I am unable to draw any parallels to the proposal on this site, which I have considered in its own particular circumstances and on its own merits. I therefore afford this consideration limited weight.

32. The proposal would not result in harm to the living conditions of neighbouring occupiers with regard to outlook, privacy, noise or odour, or to highway safety. There would also be no flood, drainage or contamination issues. However, the absence of harm is a neutral matter.

Green Belt Balance and Conclusion

33. The Framework requires that substantial weight is given to any harm to the Green Belt, including harm to its openness, and states that very special circumstances will not exist unless harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
34. I have found harm to the Green Belt by reason of the proposed development's inappropriateness and harm to the openness of the Green Belt. I have found that the proposal would not preserve the setting of a listed building and that there are no public benefits that would outweigh the identified material harm to the designated heritage asset. I have also found that the proposal would not result in an appropriate net gain for biodiversity.
35. Weighed against that are the other considerations set out above. However, for the reasons given I afford limited weight to the examples of other developments which have been permitted in the Green Belt.
36. Consequently, those other considerations would not clearly outweigh the harm that I have identified. Therefore, the very special circumstances necessary to justify inappropriate development in the Green Belt do not exist. The development would thus conflict with the Green Belt protection aims of the Framework.
37. The development would conflict with the development plan taken as a whole and material considerations do not indicate that the decision should be made other than in accordance with the development plan.
38. Consequently, the appeal should be dismissed.

L C Hughes

INSPECTOR