
Appeal Decision

Site visit made on 10 September 2025

by **P Barton BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 08 October 2025

Appeal Ref: APP/T3725/W/25/3369102

**Lower Norton Farm, 20 Henley Road, Lower Norton, Norton Lindsey,
Warwickshire CV35 8RB**

Grid Ref Easting: 423478, Grid Ref Northing: 263978

- 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 Jake Rose against the decision of Warwick District Council.
 - The application Ref is W/24/0558.
 - The development proposed is change of use from equine yard to commercial use to include retail sale, service, repair, body work and preparation for the sale of motor cars, vans, trailers, lorries and motorcycles and plant together with the retail sale of these vehicles.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the proposal has been amended in the banner heading above to omit the word *retrospective*, as it is not a description of development.
3. I observed that the development has been carried out and appears to accord with the plans before me. I have therefore considered the appeal on the basis that the development has already taken place.
4. A further appeal¹ has been submitted by the appellant but these appeals have not been considered together as they relate to separate sites and are of a different nature.

Main Issues

5. The main issues are:
 - 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 upon the openness of the Green Belt; and
 - if the proposal is found to be inappropriate development, whether other considerations clearly outweigh the harm to the Green Belt and any other harm as to amount to very special circumstances.

¹ Planning appeal Ref: APP/T3725/W/25/3367812

Reasons

Whether inappropriate development in the Green Belt

6. The development has seen the change of use of an equine yard that previously contained a single storey stable building to a commercial use with the erection of a steel portal framed commercial building. An area of hardstanding has also been increased in size, and I observed a significant number of vehicles parked on this area.
7. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
8. Development within the Green Belt is inappropriate with the exceptions of the types of development listed in paragraphs 154 and 155 of the Framework. The appellant has not presented an exception listed under these paragraphs in support of the development.
9. Paragraph 154 d) of the Framework refers to the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. In this instance, the building would not be in the same use. As such this exception is not relevant.
10. Based on the evidence before me and, for the purposes of my assessment, considering the equine yard as previously developed land, paragraph 154 (g) is relevant and relates to limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use, which would not cause substantial harm to the openness of the Green Belt.
11. In considering the concept of openness, the courts have found that it broadly has visual and spatial dimensions. The footprint of the commercial building is noticeably larger than that of the approximate position of the previous stable building shown on the submitted site plan². Furthermore, I observed that the commercial building was of a height far exceeding that of a conventional stable block and contained 4 high roller shutter doors to workshops that could accommodate horseboxes.
12. Whilst there is limited harm to the visual openness of the Green Belt due to the development's screening to Henley Road, the increase in the quantum of development by virtue of the increase in footprint, height and area of hardstanding has resulted in significant harm to the spatial openness of the Green Belt. This has had a significantly greater impact on the openness of the Green Belt than the previous equine yard.
13. In addition, the development is not infilling as it does not fill a gap between buildings and is a distance from other buildings in the locality.
14. Consequently, the development causes substantial harm to the openness of the Green Belt, does not meet paragraphs 154 (d) and (g) of the Framework, and is inappropriate development in the Green Belt, which is, by definition, harmful. Neither does it accord with Policy DS18 of the Warwick District Local Plan, which

² Drawing No. 2508-P2

states that the Council will apply national planning policy to proposals in the Green Belt.

Other considerations

15. The development is described by the appellant as a relocation of an established use that has an existing lawful development certificate (LDC)³ on land around 20 Henley Road, which is a short distance to the west of the appeal site.
16. Whilst the appeal site is smaller in size, I saw that the previous location still contained a building that is now in a different use, and areas of hardstanding, part of which appeared to be used for the parking of vehicles associated with No. 20. Therefore, the effect of this previous location on the openness of the Green Belt, both visually and spatially, has not been completely removed and cannot be fully used to offset the appeal development. Based on the evidence before me and my observations on site, I give this matter moderate weight.
17. I also give moderate weight to the employment opportunities that the development provides in the locality.
18. The siting of the development on land that was neither in a residential nor agricultural use is not determinative in respect of the main issues that I have examined in this case.
19. A lack of harm or policy compliance in terms of flood risk, and the effect of the development on highway safety and living conditions are neutral considerations that weigh neither for nor against the proposal.

Planning Balance

20. Paragraph 153 of the Framework is clear that substantial weight should be given to any harm to the Green Belt, including harm to its openness. I have found that there would be harm to the Green Belt by reason of the development's inappropriateness and its effect on openness. I have found that the degree of harm would be significant.
21. The Framework states that the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the development must be clearly outweighed by other considerations for planning permission to be granted. The other considerations consisting of the relocation of the use and the employment opportunities are not sufficient to comprise the very special circumstances necessary to justify this development.

Conclusion

22. The proposal conflicts with the development plan as a whole and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal is dismissed.

P Barton

INSPECTOR

³ Planning Ref: W/22/0596