



## Appeal Decision

Site visit made on 23 November 2021

**by Samuel Watson BA (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: Tuesday 11 January 2022**

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**Appeal Ref: APP/C3430/W/21/3281030**

**Shore Croft, West Wing, Sandy Lane, Hatherton WS11 1RF**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Ms E Wray against the decision of South Staffordshire District Council.
  - The application Ref 21/00396/FUL, dated 14 April 2021, was refused by notice dated 4 August 2021.
  - The development proposed is for an extension to an existing stable block to include further stables, hay store, grooming, feed, tack and rugs room together with construction of a manège.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The appeal site is within 15km of the Cannock Chase Special Area of Conservation (SAC), which is a European Designated Site. The Conservation of Species and Habitats Regulations 2017 (as amended) (the Habitats Regulations) requires the decision maker to consider whether or not the proposal could adversely affect the integrity of the site.

### Main Issues

3. It is clear from the evidence before me that the main issues in this case are:
  - Whether the proposal would be inappropriate development in the Green Belt,
  - The effect of the proposal on the character and appearance of its surroundings; and,
  - Whether the 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 the proposal would be inappropriate development*

4. Paragraph 147 of the Framework establishes that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 states that substantial weight should be given to any harm to the Green Belt and very special circumstances will not exist unless the potential harm to the Green Belt by reason of

inappropriateness, and any other harm, is clearly outweighed by other considerations.

5. Subject to a number of exceptions, as listed in Paragraphs 149 and 150, the Framework makes it clear that the construction of new buildings should be regarded as inappropriate in the Green Belt. The list of exceptions includes the provision of appropriate facilities for outdoor recreation and engineering operations, as long as they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. Policy GB1 of the Core Strategy Development Plan document (2012, the CS) is, insofar as it is relevant to this appeal, consistent with the Framework and supports development within the Green Belt where it is considered acceptable by the Framework.
6. From the evidence before me it is clear that the resulting building would be for the stabling of horses, as such the building would be connected with an existing outdoor recreation use. The extension to the existing stable would contain a further 6 stalls for the stabling of horses (resulting in a total of 12), rooms for grooming and associated storage, all surrounding a courtyard laid out in concrete.
7. The proposed extension would build over part of the existing manège and a new manège is proposed. I find that this would be used for the exercising of horses and therefore connected to the outdoor recreation use. Moreover, by way of its size and scale, I find that it would provide facilities appropriate to the existing use. Whilst the proposal may result in the provision of two manèges, as the submitted evidence is silent on whether the existing will be returned to a field, I find that the cumulative size of both would not be excessive for the existing use.
8. Paragraph 137 of the Framework identifies that openness is one of the essential characteristics of Green Belts, along with permanence. Openness has both a spatial and visual aspect and intrusion on either can, individually or collectively, impact the openness of the Green Belt.
9. The proposed extension would be in a relatively prominent position surrounded by open fields with low boundary treatments. While it is set back from the road and partially screened by vegetation in some views, it would still be visible in public views within the surrounding area. Moreover, when vegetation dies back during the colder months the visibility of the building would be increased. Therefore, given the significant size of the extension and its prominent location, it would be visually intrusive within the landscape. In terms of the spatial aspect of openness, due to this increase, the extension would result in a building of significantly greater bulk than the existing. The overall size of the building would therefore in itself result in an erosion of openness.
10. However, the proposed manège, which would primarily be characterised by the change in surfacing material, would be set on a lower piece of land where it would be screened in many views by the topography of its surroundings and hedgerows. Although the manège would also include post and rail fencing this would be relatively lightweight in distant views and again would be screened by its surroundings and existing boundary treatments. I therefore find that the proposed manège would not adversely affect the openness of the Green Belt either in a spatial or visual sense.

11. Nevertheless, I have still found that the extension to the stable block would, by way of its nature and scale, be harmful to the openness of the Green Belt and conflict with the five purposes of including land within it as they are set out within Paragraph 138 of the Framework. Therefore, with this and the above in mind, the appeal scheme as a whole would be inappropriate development in the Green Belt in conflict with the Green Belt aims of Policy GB1 and section 13 of the Framework as I have referred to them above.

#### *Character and appearance*

12. The appeal site lies within the Cannock Chase Area of Outstanding Natural Beauty (the AONB) the character of which, from the evidence before me and my observations on site, stems from irregular patterns of fields bounded by hedgerows, areas of woodland and an overall sense of open countryside. Within this landscape I noted a very limited number of buildings which appeared to be related to other equestrian sites. Sandy Lane forms a physical and visual boundary between this rural character and the built-up area of Cannock. Given its siting and relationship to Sandy Lane, the stable extension and manège would be read in relation to the rural area.
13. The extension to the existing linear stable block would be significant and would result in a grand formal building. Whilst it may be of an attractive design, I find the resulting building to be out of keeping with the much smaller and more sporadic equestrian development within its surroundings. Therefore, whilst the resultant building would be for equestrian purposes, which is in keeping with the character of the surrounding uses, its appearance would erode the largely undeveloped nature of the surrounding area.
14. The proposed manège however would, as outlined above, be in a relatively screened position and much less prominent. I find that as a result it would have a relatively retiring appearance akin to the adjoining varied fields and in keeping with the wider surrounding character.
15. Nevertheless, I conclude that the resultant stable block by way of its scale and appearance would be harmful to the character and appearance of its surroundings, including failing to preserve and enhance the natural beauty of the AONB. The development would therefore conflict with Policies EQ4, EQ11, EQ12 and EV7 of the CS which collectively, and amongst other matters, require that developments, including equestrian facilities, take account of, and are sympathetic to, the local character and distinctiveness and that they pay particular attention to the special qualities of the AONB.

#### *Other Considerations*

16. I note the appellant's desire to provide improved facilities for their horses. Whilst I have no doubt that this would be of benefit to the appellant, it is likely that the development is permanent and would remain long after the current circumstances cease to exist. Therefore, I am only able to attach moderate weight to this matter.

#### *Green Belt Conclusion*

17. The proposal would amount to inappropriate development in the Green Belt, and further harm to the Green Belt would be caused as a result of the loss of openness. Harm would also be caused to the character and appearance of its surroundings, including the AONB. These matters carry substantial weight.

Moderate weight has been given to the considerations cited in support of the proposal. I conclude therefore, that this consideration does not clearly outweigh the harm to the Green Belt.

18. Consequently, the very special circumstances necessary to justify inappropriate development in the Green Belt do not exist. The proposal conflicts with the Green Belt aims of Policy GB1 of the CS. It would also conflict with the Green Belt aims of the Framework.

### **Other Matters**

19. I have found harm to the Green Belt and to character and appearance resulting from the proposed development. As such the appeal must fail and any potential harm to the SAC would not occur and thus there does not need to be any means of mitigation in place. I therefore do not need to consider the matter further.

### **Conclusion**

20. The improvements to the quality of the stabling provision would be outweighed by the harm to the Green Belt and character and appearance of the surrounding area. Therefore, the proposal would conflict with the development plan. There are no other considerations, including the Framework, that outweigh this conflict. As such, for the reasons given above I conclude that the appeal should be dismissed.

*Samuel Watson*

INSPECTOR