



Appeal Decision

Site visit made on 25 July 2017

by Susan Ashworth BA (Hons) BPL MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12th September 2017

Appeal Ref: APP/F4410/W/17/3171704

Skelbrooke Stables, Bannister Lane, Skelbrooke DN6 8LU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr George Smith against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref 16/02552/OUT, dated 3 September 2016, was refused by notice dated 15 February 2017.
 - The development proposed is stables, toilets and hay store.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application is made in outline with layout and scale being reserved for subsequent approval. The proposal is accompanied by a detailed layout and plans which are referred to in the appellant's statement of case and taken into account by the Council in the determination of the application. I have dealt with the plans on the basis that they are for illustrative purpose as far as the layout and scale are concerned.
3. The proposal seeks permission for an L shaped stable block, separate hay store and parking space on land immediately adjacent to existing stables. The original proposal to use the facility as a riding school was withdrawn at the application stage and a previously indicated manège has been removed from the plans. I have dealt with the appeal on the basis of the amended proposals.

Main Issues

4. The site lies within the Green Belt. Accordingly, the main issues in this case are:
 1. Whether or not the proposal would be inappropriate development in the Green Belt, for the purposes of the National Planning Policy Framework (the Framework) and development plan policy;
 2. The effect of the proposal on the living conditions of adjoining residents having particular regard to any increase in activity associated with the development;
 3. If the development is inappropriate, whether the harm by reason of inappropriateness, or any other harm is clearly outweighed by other

considerations so as to amount to the very special circumstances necessary to justify it.

Reasons

Whether Inappropriate Development

5. The appeal site lies within the open countryside, outside of any settlement boundary, and is within the Green Belt.
6. The government continues to attach great importance to Green Belts, the fundamental aim of which is to prevent urban sprawl by keeping land permanently open. The construction of new buildings is inappropriate in the Green Belt, although exceptions are set out at paragraph 89. The 'provision of appropriate facilities for outdoor sport and outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it' is one of those exceptions and is relevant to this appeal.
7. Policy CS3 of the Council's Core Strategy 2012 (Core Strategy), which pre-dates the Framework, seeks to retain the extent of the Green Belt and states that within such areas national policy will be applied. Policy ENV3 of the Council's Unitary Development Plan 1998 sets out exceptions for development relating to outdoor sports and recreation provided it complies with Policy ENV7. In turn Policy ENV7 advises that within the Green Belt the development of essential facilities for sports and recreation including small ancillary buildings will be permitted provided that the development is genuinely required and preserves the openness of the Green Belt, subject to certain criteria. The wording of this policy is not entirely consistent with the wording of the appropriate bullet point of paragraph 89 and as such carries reduced weight.
8. There is no dispute between the main parties that the stables constitute a facility for outdoor recreation. I have no reason to disagree. However, the issue of whether they cause harm to the openness of the Green Belt has been raised by the local residents and is a matter I must consider in the determination as to whether the proposal constitutes inappropriate development.
9. Openness, in the context of the Green Belt, can be taken to mean an absence of visible development. The proposed stables and hay store would be seen in the context of the existing development which is screened by a group of trees protected by a Tree Preservation Order and by a wall. Nevertheless, from what I saw on site, the development including the car parking area would extend beyond the confines of the stable yard. Moreover, the new buildings would be sizeable and would approximately double the amount of built form on the site. The buildings would be clearly visible from public vantage points including the lane and from the nearby public footpath. The increase in built form would result in a limited loss of openness to the Green Belt.
10. I note that it is proposed to plant additional trees to screen the development further. However, there is no detailed landscaping scheme before me despite it being a matter for which permission is sought. Moreover, such planting would take time to become established and in itself cannot be a reason to justify the proposal.

11. Such a loss of openness would mean that, in the context of paragraph 89 of the Framework, the proposal would constitute inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and, the Framework states, should not be approved except in very special circumstances. I will turn to those circumstances later.

Living Conditions

12. The proposal seeks to increase the number of loose boxes by three to a total of nine. The stables would be used primarily to accommodate horses belonging to the appellant and I understand some would be rented privately. There is grazing land immediately adjacent to the stables and additional land is also available to the appellant further along Bannister Lane.
13. The proposal would clearly result in an increase in the capacity of the stables. As such there is likely to be an increase in activity in terms of the movement of horses and potentially an increase in the number of vehicles visiting the site. Bannister Lane is a rural lane with a relatively low volume of traffic. Nevertheless, it serves a number of residential properties and in my judgement, on the basis of the evidence before me, the increase in traffic as a result of the proposal would not result in a significant increase in noise or disturbance. The stable buildings themselves would be sited some distance back from the road and I am unconvinced that noise as a result of additional activity around the yard would result in any significant disturbance to residents living nearby.
14. I conclude on this issue therefore that the proposal would not be detrimental to the living conditions of neighbouring residents. As such, the proposal would be consistent with Policy CS14 of the Core Strategy which seeks to ensure that new development has no unacceptable negative effects upon the amenity of neighbouring land uses.
15. I have taken into account the residents' concerns about the impact of the development in terms of surface water and foul water drainage. The site lies in close proximity to a watercourse and I understand the surrounding area has been the subject of flooding in the past, but nevertheless no objections have been raised by the Council or Environment Agency either on the grounds of flood risk or in relation to pollution. Moreover, there is no technical evidence before me to demonstrate that the proposal would increase flood risk or pollution. It is proposed that foul water drainage is dealt with by means of a septic tank and soakaway in the neighbouring field. These are matters that I am satisfied could be dealt with by condition.

Other Considerations

16. Paragraph 88 of the Framework requires decision makers to ensure that substantial weight is given to any harm to the Green Belt. Other considerations weighing in favour of the development must clearly outweigh that harm.
17. The appellant is seeking the additional development solely to support the existing facilities. However, there is very limited information before me as to the precise nature of the existing facilities, whether they are used for business or private recreational purposes. Nor is it entirely clear, now that the proposal to establish a riding school has been abandoned, what the intentions for the

site are. This is the subject of much speculation in third party representations, not least because of the recent construction of a large shed on the neighbouring field, and the disproportionate number of toilets still proposed. It is also unclear how the appellant's donkey business relates to the current proposal.

18. There is a disagreement between the parties about the precise amount of grazing land available. However, I understand that the Council considers there is sufficient land to support nine horses. Be that as it may, without further information regarding the context of the proposal, this is a matter that can carry only limited weight in support of the scheme.
19. On the basis of the limited information available, there is therefore only a very limited range of considerations which can weigh in favour of the proposal and be brought to bear in the balancing exercise. In light of this, I conclude that those considerations put forward in favour of the proposal fail to clearly outweigh the harm which I have identified. The very special circumstances needed to justify it do not therefore arise.
20. Accordingly, taking into account all other matters raised, I conclude that the appeal should be dismissed.

S Ashworth

INSPECTOR