

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Date
<b>MS. L. ROBERTSON 'A'</b>	Stable block and indoor ménage: outline - Land at Bell Green Lane, Kings Norton (as augmented by plans received 05.12.2006)	GB	<b>B/2006/1070</b> 05.12.2006

**RECOMMENDATION** that outline permission be **REFUSED**

### Consultations

WCC (HP)	Consulted - views received 15.12.2006: <ul style="list-style-type: none"> <li>• No objection</li> </ul>
ENG	Consulted - views received 29.11.2006: <ul style="list-style-type: none"> <li>• No objection subject to Conditions</li> </ul>
Wythall PC	Consulted - views received 22.11.2006: Objection for the following reasons <ul style="list-style-type: none"> <li>• Green Belt</li> <li>• Proposed buildings would be detrimental to the openness of the Green Belt</li> <li>• Concerned regarding the proposed 5 metre road going across the land leading to the proposed buildings</li> <li>• Concerned that the proposal could be related to a proposed commercial enterprise</li> <li>• Concerned that, if granted, additional traffic would be using this already busy and narrow lane due to tenants using this livery yard</li> <li>• Concerned on the affect the proposed development would have on the adjacent bridleway</li> </ul>
Publicity	2 site notices posted 09.11.2006 (expire 30.11.2006) 2 press notices published 10.11.2006 (expire 01.12.2006)  1 letter received: <ul style="list-style-type: none"> <li>• A building of this size would be a dominant feature and would be detrimental to the openness of the Green Belt</li> <li>• Proximity to residential dwelling</li> <li>• Question the need for this development given the applicant already has stabling for 5 horses and an outdoor ménage at Oak Tree Cottage in Bell Green Lane</li> <li>• Increase in traffic in a rural lane and adjoining area</li> </ul>

### The site and its surroundings

This application relates to an area of land measuring some 0.4 hectares located on the east side of Bell Green Lane. The land is currently open and laid to pasture with post and rail fencing and mature hedgerow running along the roadside boundary to Bell Green Lane and the bridleway to the southern boundary. A gated vehicular access leads into the site from Bell Green Lane. A track consisting of loose chippings leads

from the gated entrance to a small area of hardstanding. The site contains baled silage and a horse box trailer. The land slopes away from Bell Green Lane to the southern boundary and contains a number of mature trees. The site adjoins an open field already used for the grazing and exercising of horses, including a horse shelter. The site is located in recognised Green Belt.

### Proposal

This is an outline application for the erection of equestrian-related development consisting of:

- (a) Stable building
- (b) Indoor ménage
- (c) Associated access track

However, under Article 3 of the Town and Country Planning Act 1990, details of appearance and landscaping were requested to be determined at this stage. The application is therefore determined on this basis.

(a) Stable building

This building is linear in appearance. The building has dimensions 22 metres by 13.5 metres (thus creating a floor area of 297 square metres) with a height to ridge of 6 metres. The building contains 8 no. stables with 1 no. wet room and 1 no. tack room. The stable is of blockwork construction with stained timber cladding. The stable building is attached to the indoor ménage with an internal corridor.

(b) Indoor Menage

The indoor ménage consists of a steel portal framed building and has dimensions 22 metres by 42 metres (thus creating a floor area of 934 square metres) with a height to ridge of 7 metres. The structure will have buff coloured fair-face brickwork up to 2 metres in height. Above this will be dark brown profile roof cladding. The roof consists of dark brown profile roof cladding with nine no. transparent panels. In addition to the internal access leading from the stable building, the structure has double doors to the east and west elevation.

(c) Access, parking and circulation space

The existing gate on Bell Green Lane is proposed to be moved back into the site and a new visibility splay created using timber fencing posts and stockwired. The threshold to the access is to be finished in hot rolled tarmac. The new access drive and turning apron adjacent the building is to be finished in compressed tarmac chippings. The drive is five metres in width and has a length of approximately 315 metres. No edgings are proposed. The hardstanding apron to the north and east of the two structures has an area of approximately 1500 square metres.

Additional landscaping will consist of native species to the northern and western elevations of the building adjacent the hardstanding apron.

A Planning Statement and Design and Access Statement have accompanied the application and is available in the relevant planning file should Members wish to view it.

#### Relevant policies

WMSS QE1, QE2, QE3, QE4, QE6  
WCSP D.38, D.39, CTC.1, CTC.7, SD.2, T.1  
BDLP C4, DS2, DS13, RAT2, RAT16, RAT17, TR11  
Others PPS1, PPG2, PPS7, PPG17, SPG5

#### Relevant planning history

B/2004/0788 Change of use from agricultural to equestrian and construction of ménage: approved 11.08.1904

#### Notes

The main issues with this application are considered to be:

- (a) Whether the proposal represents appropriate development in the Green Belt, taking into account the relevant Policies DS2, RAT2, RAT16 and RAT17 of the Bromsgrove District Local Plan, the guidance in SPG5 and Government advice contained within PPG2; and
- (b) Impact on traffic and highway safety.

#### Green Belt Issues

Policy DS2 of the Bromsgrove District Local Plan and Policy D.39 of the Worcestershire County Structure Plan, as stemming from PPG2, notes that permission for development in the Green Belt will not be given, except in very special circumstances, unless the development relates to, among other criteria, proposals for essential facilities for outdoor sport and outdoor recreation which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it. Paragraph 3.5 of PPG2 is specific in stating that essential facilities should be genuinely required for uses which preserve the openness of the Green Belt and cites a possible example as **small scale stables** (my emphasis) for outdoor sport and outdoor recreation. PPG2 does not provide a definition of small scale. However, for reference paragraph 33 of PPS7 defines small-scale horse enterprises as those enterprises involving up to ten horses.

Neither the BDLP or the WCSP provides policies that refer specifically to the provision of the change of use of land within the Green Belt. Paragraph 3.12 of PPG2 states that engineering operations and the making of material changes in the use of land are inappropriate development unless that maintain openness and do not conflict with the

purposes of including land in the Green Belt. Paragraph 3.15 of PPG2 states that the visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt which, although they would not prejudice the purposes of including land in Green Belts, might be visually detrimental by reason of their siting, materials or design.

Policy DS13 of the BDLP requires development to protect the Plan area's essential character and main environmental assets, including the open and undeveloped nature of the countryside and the Green Belt. Policy C4 states that development will not be permitted where it would have a materially detrimental effect on the landscape, especially within LPAs. Policy CTC.1 of the WCSP sets out a general requirement that the Local Planning Authority in considering development proposals should take every opportunity to safeguard, restore or enhance, as appropriate, the landscape character of the area in which they are proposed. Proposals for development and associated land use change or land management must demonstrate that they are informed by, and sympathetic to, the landscape character of the area in which they are proposed to take place. Policy C16 of the BDLP states that schemes involving transport and related infrastructure should be planned to minimise the impact on the landscape and wildlife, in particular avoiding the fragmentation of wildlife sites and the destruction or diminution of important elements in the landscape.

### Design and Siting

Policy RAT16 of the Bromsgrove District Local Plan states that proposals involving the use of agricultural land for equestrian pursuits in the Green Belt will be favourably considered in so far as the siting, materials or design of any new stabling and other associated development does not conflict with the visual amenities of the Green Belt and the criteria expressed in Policy RAT17 of the Bromsgrove District Local Plan. This advice is reflected in Policy DS2 and RAT2 of the Bromsgrove District Local Plan.

Criteria (a) of Policy RAT17 states that new buildings should be kept to a minimum necessary and consist of only **essential facilities** genuinely required on a parcel of land which preserves the openness of the Green Belt. This criteria also states that proposals should be closely related to existing farm buildings or other groups of buildings where possible. Criteria (c) of Policy RAT17 states that the design and materials must be of a high standard and sensitive to its surroundings of the rural area in order to protect the visual amenity of the Green Belt and to ensure integration of any buildings into the rural setting. SPG5 states that stables should be of a size that is comfortable for their purposes but not large enough to enable easy conversion to other uses.

Paragraph 22.6 of the BDLP states that in general, stabling for horses on a limited scale (horses owned for recreational/personal use) where carefully integrated with existing farm or other groups of buildings, will be acceptable. Conflict with Green Belt policy is most likely to arise when the development of isolated stabling and ancillary buildings associated with horses is proposed. Paragraph 22.6 goes on to state that stabling for commercial equestrian uses such as riding schools and arenas, trekking centres, livery

yards, stud farms and racing stables will be judged on their merits but are likely to conflict with the main purpose of Green Belt policy where associated buildings are of a scale which is detrimental to the visual amenity of the Green Belt.

Although I note the siting of the stable block and the ménage has been sited away from Bell Green Lane and utilises the fall of the land in this location, I consider the cumulative impact of the resultant block to not denote essential facilities. The scheme in my view cannot be viewed as small scale (the cumulative floor area of the stable and indoor ménage is 1231 square metres). The combination of the large stable block housing 8 stable units and associated ancillary rooms and large indoor ménage structure would have a highly noticeable effect on the openness of the Green Belt in this location. Paragraph 1.4 of PPG2 clearly maintains that the most important attribute of Green Belts is their openness. It is therefore considered that the proposal would go against the fundamental aim of Green Belt policy by impinging on the openness of the Green Belt. Although the site of the structures is set in the land that falls away from Bell Green Lane, I am of the view that the scale of the buildings would afford public views from this position. In addition the public footpath that runs to the south of the site does provide vantage points to which the application site would be visible. Members will now be aware, however, that although development cannot be seen does not make it appropriate and this argument could be used time and time again. Lack of harm, in itself, does not amount to very special circumstances.

Furthermore, whilst I am of the view that the proposed access track and associated parking and circulation area would not, in itself, damage the openness of the Green Belt, it is considered that the parking area to accommodate parked vehicles (including horse boxes/trailers/lorries) of unrestricted sizes and colours would harm the openness of the Green Belt and detract from the rural character of the site in this location. Members will note the track has a length of approximately 315 metres and the hardstanding area a site area of approximately 1500 square metres. I am also of the view that these aspects of the scheme would conflict with the purposes of including land within the Green belt due to encroachment, contrary to the advice in paragraph 1.5 of PPG2 and would cause harm to the visual amenities of the Green Belt.

In considering proposals for inappropriate development in the Green Belt, paragraph 3.2 of PPG2 is relevant:

**"Inappropriate development is, by definition, harmful to the Green Belt. *It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt when considering any planning application or appeal concerning such development"* (my emphasis).**

The applicant's Agent has submitted a design and access statement that also contains planning considerations to accompany the application. Having considered the points raised, it is my view that the applicant has not conclusively demonstrated that there are very special circumstances to clearly outweigh the harm to the Green Belt in this location. As such I remain of the view that the proposals represent inappropriate development in the Green Belt contrary to Policy DS2, RAT2, RAT16 and RAT17 of the BDLP, Policy D.39 of the WCSP and the provisions of PPG2. Members should also note that the applicant is in control of five existing stables and an outdoor ménage located at Oaktree Cottage opposite the application site on Bell Green Lane.

#### Amenity Issues

The site is set in an isolated position. As such I am of the view that there will no adverse impacts on residential amenity given the location of the structure.

#### Highway Issues

The WCC(HP) has raised no objection to the scheme.

#### Conclusions

Given all material considerations I am of the opinion that the scheme is unacceptable.

**RECOMMENDATION** that outline permission be **REFUSED**

Due to the scale and cumulative impact of the proposals it is considered that the development does not denote essential facilities or the provision of small-scale stabling and thus constitutes inappropriate development in the Green Belt. The proposal and associated access track and hardstanding area would unacceptably harm the visual amenities and openness of the Green Belt and be detrimental to the purposes of including land within the Green Belt, contrary to Policy QE6 of the West Midlands Spatial Strategy, Policy SD.2, CTC.1 and D.39 of the Worcestershire County Structure Plan, Policy DS13, C4, RAT2, RAT16 and RAT17 of the Bromsgrove District Local Plan, and the provisions of PPG2 and SPG5. No arguments have been put forward to support the development that amount to very special circumstances that would outweigh the harm that would be caused to the Green Belt.