



Appeal Decision

Site visit made on 14 February 2011

by **D R Cullingford** BA MPhil MRTPI

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

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Decision date:
24 February 2011

Appeal Ref: APP/H0738/A/10/2139352

Land lying to the west of the A177, Durham Road, Thorpe Larches, Stockton-on-Tees

- 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 by Mr Michael Newberry against the decision of the Stockton-on-Tees Borough Council.
- The application (ref: 10/1623/REV and dated 20 June 2010) was refused by notice dated 16 August 2010.
- The development is described as the 'erection of 'U' shaped stables and auxiliary buildings and the demolition of existing 3 horse stable'.

Decision

1. For the reasons given below, and in exercise of the powers transferred to me, I dismiss the appeal.

Reasons

2. The site is a small open paddock (about 0.4ha) in front of trees and bushes beside the A177 and a minor road to Stillington. It lies on the edge of a small plateau amidst open countryside adorned with a timber stable building (about 3m high and covering, with the roof 'overhangs', some 128m²), various caravans and metal storage containers. The proposal is to replace the existing timber structure with a substantially larger brick and timber-clad building about 28m long and with 2 projecting wings; the building would cover about 284m² (with the 'overhangs') and it is described as accommodating 4 stables, a hay barn, a garage and a wash and tack room. The Council are concerned that such a large building would not be commensurate with the size of the land holding, potentially catering for far more animals than could be accommodated on the land or warranted solely for private use. Since the scheme would not entail farm diversification and would intrude into open countryside, it would be contrary to 'saved' policy EN13, the advice in PPS7 and policy CS10 in the Core Strategy. That is the issue on which this appeal turns.
3. It has long been Government policy to prevent unnecessary development in the countryside. It still is. In my view the advice set out in PPS7 is reflected in 'saved' policy EN13 and the Core Strategy. The building proposed here would be longer, larger, taller and more extensive than the existing structure and, in this open and isolated location, it would be seen as more intrusive and more damaging to the landscape. The proposal would serve none of the purposes set out in the Development Plan as sometimes warranting such damage. Moreover, the building would be monstrously excessive in almost every

respect. It would massively exceed the space required to accommodate even 4 horses for, with less than 16m² per 'large' horse required as a stable (according to the British Horse Society), it seems to me that the remaining 200m² or so as space for a hay barn, a garage and a wash and tack room would be well beyond the bounds of any private indulgence. And it would bear no discernable relationship to any reasonable provision for the number of horses that the land might properly accommodate; in this case, (again according to the British Horse Society) just one. I consider, therefore, that this scheme would unnecessarily accentuate the intrusive impact of an isolated building on the open countryside, contrary to policy EN13, the advice in PPS7 and policy CS10.

4. I have considered all the other matters raised. I see no basis for the claim that the land 'cannot be put ... to a reasonable beneficial use' without the proposed building. The land merely amounts to some 0.4ha of fairly ordinary paddock, which has actually been used beneficially (in conjunction with the existing stable building), for some time. I see no compelling reason why that existing structure could not be repaired and adapted to provide stabling and storage for feed, bedding and tack and accommodate washing facilities; it would certainly be extensive enough. But, even if clear evidence were to be adduced to show that some kind of replacement structure might be warranted, that would not justify the current proposal; or, indeed, anything like it. And, of course, the suggestion that the scheme might allow the disfiguring flotsam and jetsam to be removed from the site is far from compelling first because such a reason would form a very damaging precedent (as the reference to other dilapidated structures in the vicinity demonstrates all too clearly) and second because the existing building could well be extensive enough to suffice. The significance of the claimed proximity to Sedgefield race course escapes me (though the site is actually about 6km distant) and the assertion that the paddock is 'next to, brideways and riding paths is, self-evidently, incorrect. I thus find nothing sufficiently compelling to alter my conclusion that this scheme would contravene the planning policies applicable here and that the appeal should be dismissed.



INSPECTOR