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## Appeal Decision

Site visit made on 22 March 2011

by **C J Checkley BA(Hons) MRTPI**

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

Decision date: 30 April 2012

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### Appeal Ref: APP/H0738/A/11/2166111

### Springfield Stables, Wynyard Road, Thorpe Thewles, TS21 3JQ

- 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 Mr David Broadbent against the decision of Stockton-on-Tees Borough Council.
  - The application Ref. 11/1734/COU, dated 7 July 2011, was refused by notice dated 26 October 2011.
  - The development proposed is construction of riding arena, lunging ring and car park area.
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### Decision

1. The appeal is allowed and planning permission is granted for construction of riding arena, lunging ring and car park area at Springfield Stables, Wynyard Road, Thorpe Thewles, TS21 3JQ, in accordance with the terms of the application, Ref 11/1734/COU, dated 7 July 2011 subject to the conditions set out in the attached Schedule.

### Main Issue

2. The main issue is the effect of the development upon the appearance and character of the rural area.

### Reasons

3. The appeal site is an area of predominantly open land that lies within the open countryside. Agriculture, both arable and livestock farming, is the predominant land use. The rural area has a varied geography, with significant mature deciduous vegetation in the form of tree belts, areas of woodland and boundary hedges. The area has an attractive rural appearance and character.
  4. The site itself is an area of sloping open pastureland bounded by the elevated Castle Eden Walkway to the west, Wynyard Road to the south-east, a minor access road to the east, and Wynyard Woodland Park to the north. The landform rises generally northwards away from Wynyard Road and also slopes to the southwest. Equine-related use of the land is well-established, the site now including a long rectangular block of 5 stables and an attached barn along
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with an area of hardstanding, all set close to the south-east edge of the site. There is significant mature deciduous vegetation along each of the site boundaries which helps to screen and soften the impact of the existing buildings.

5. Saved Policy EN 13 of the Stockton-on-Tees Local Plan (LP) is particularly relevant. It indicates that outside the development limits of settlements development for sport or recreation may be permitted where it does not harm the character or appearance of the countryside. The Council's Core Strategy Policy 3 (CS3) seeks to reduce the impact of development on the environment, responding positively to features of local character including trees and hedges. National policy in Planning Policy Statements 4 and 7 has recently been replaced by the National Planning Policy Framework (NPPF) which includes support for sustainable rural leisure development that benefits communities and respects the character of the countryside.
6. The proposed riding arena and lunging ring would largely be constructed on the existing hardstanding area. The new structures would not be unduly large, the arena being some 40m x 20m and the lunging ring some 16m in diameter. I have no convincing evidence that their scale would not be commensurate with the keeping and exercising of the 5 horses stabled on the site for personal leisure use.
7. The Council are particularly concerned that the Walkway, which leads to the Country Park, would afford elevated views of the new structures with their sand/fibre-covered surfaces and that they would appear as intrusive features. However, I saw such views would be significantly screened much of the year by the belt of tall mature trees and dense vegetation adjoining the walkway, with the visual impact of any possible views and glimpses being much reduced by the separation distances involved. Also, any such views would be in the context of the new structures forming a single group with the existing buildings being seen against the backdrop provided by the landform and boundary planting. The car park would be modest in size and would employ meshing seeded over with grass to help it blend into the surrounding land. I consider that new landscaping in the vicinity of the arena and ring could further reduce any visual intrusion so that it would not be harmful to the rural area.
8. Wynyard Road is well used and offers the closest potential views of the proposed new structures which would generally be from a slightly lower level. The structures would be screened in part behind the rectangular building block from the adjacent section of Wynyard Road where the existing mature boundary hedge would augment the softening effect. The submitted layout also proposes a section of new hedging within the site just north of the curving entrance road, to increase the screening of the proposed lunging ring from this part of Wynyard Road. The small proposed car parking area to the west of the entrance would be screened from Wynyard Road by existing strong mature boundary hedging.
9. Since the hedges are deciduous the screening effect would be reduced in winter, but even then any views from Wynyard Road would be in the context of the existing buildings nearer the road and against the backdrop of the rising land and woodland and boundary vegetation in the background. Strengthening

of the existing boundary planting could be required as part of a landscaping scheme.

10. The access road to the east appears less well used than Wynyard Road and the boundary vegetation alongside it provides a dense visual barrier, even during winter months. The woodland to the north prevents against any significant overlooking of the structures down the slope from the country park, which views would in any case be across a considerable distance.
11. I conclude that with appropriate landscaping the development proposed would represent a sustainable form of development that would not harm the attractive rural appearance or character of the countryside. It would accord with the provisions of saved LP Policy EN13 and the NPPF and not conflict materially with Policy CS3. Therefore, I am allowing the appeal.
12. I consider several conditions are necessary. In the interests of the appearance of the area an agreed landscaping scheme needs to be implemented and full details of the external materials intended need to be approved as these are not sufficiently described in the drawings. No external lighting is to be installed without prior approval, to safeguard the night-time appearance of the area and highway safety. The development is to be used only for personal leisure use to control the level of use in the interests of the rural character and amenity of the area and highway safety. I have taken account of all other matters raised, including the previous appeal which was for a different proposal and not directly comparable to the appeal scheme, but none are sufficient to alter my conclusions.

*C J Checkley*

INSPECTOR

**Schedule of conditions to which the permission is subject**

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) No development shall take place until full details of soft landscaping works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include: detailed planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities and locations; the locations of all existing or proposed utility services that may influence tree planting; an implementation programme.
- 3) The approved soft landscaping works shall be carried out in the first planting and seeding season following the completion of the development. Any plants which within a period of five years from the date of planting die, are removed, or become seriously damaged or diseased,

shall be replaced in the next planting season with others of the same size and species unless the local planning authority gives written consent to any variation.

- 4) No development shall take place until details of the materials to be used in the construction of the external surfaces of the riding arena, lunging ring and car park area hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 5) No external lighting shall be installed, unless full details have previously been submitted to and approved in writing by the local planning authority. Any lighting that is approved shall be installed and operated in accordance with the approved details.
- 6) The development hereby permitted shall be used for personal and private leisure use only, and shall not be used for any commercial question activities including delivery, horse breeding, riding stables, or any other commercial question enterprise.
- 7) The development hereby permitted shall be carried out in accordance with the following approved plans: location plan, Figure 1 showing the site layout, Figure 2 showing cross-sections and construction details.