

**DATE: August 2023**

**TOWN AND COUNTRY PLANNING ACT 1990**

**ENFORCEMENT APPEAL RELATING TO  
THE ENFORCEMENT NOTICE ISSUED BY SOUTH STAFFORDSHIRE DISTRICT  
COUNCIL IN RELATION TO STABLE BLOCK**

**AT**

**UPPER HATTONS STABLES, UPPER HATTONS FARM, PENDEFORD HALL LANE,  
COVEN STAFFORDSHIRE WV9 5BD**

**APPELLANT: JAYNE GOODWIN**

**APPEAL REF: APP/C3430/C/23/3322739**

---

**STATEMENT OF CASE FOR THE APPELLANT**

---

FBC MANBY BOWDLER LLP  
JUNEAU HOUSE  
SITKA DRIVE  
SHREWSBURY BUSINESS PARK  
SHREWSBURY  
SY2 6LG  
REF: SRT/GOO841/1

1. This Statement is made on behalf of Jayne Goodwin (“the **Appellant**”) in respect of the Enforcement Notice issued by South Staffordshire District Council (“the **Council**”) dated 20 April 2023 (no reference) (“the **Notice**”) relating to Land at Upper Hattons Stables, Upper Hattons Farm, Pendeford Hall Lane, Coven, Staffordshire WV9 5BD (“the **Site**”), in particular, the area shown approximately shaded blue on the plan annexed to the Notice (“the **Stables Land**”).
2. The Appellant repeats her Grounds for Appeal, which are supplemented with the additional detail set out herein; defined terms used herein are as defined in the Appellant’s Grounds.
3. To supplement the detail provided in the Appellant’s Grounds, the Appellant has prepared a statement which is annexed hereto as **Appendix 1**.

**Ground (d). The Appellant submits that at the date when the Notice was issued, no enforcement action could be taken in respect of any breach of planning control comprised in the hardstanding on the Stables Land.**

4. The Appellant in her Statement at **Appendix 1** hereto has provided evidence, by way of photographs that she is able to reliably date, that the **Concrete Pad** was already present on the Stables Land when the Appellant first purchased and occupied the Site in 2000, which has remained in situ since that time.
5. Notwithstanding that it is not considered to do so, to the extent that any part of the Concrete Pad is considered to form part of the alleged breach, it is plain that the Concrete Pad has been in situ for in excess of 4 years (and indeed in excess of 10 years), such that it is immune from enforcement action.

**Ground (f). The Appellant submits that the steps required to comply with the requirements of the Notice in respect of the alleged breach are excessive and lesser steps would overcome the breach and any harm to amenity.**

**The Concrete Pad.**

6. The requirement at section 5(ii) of the Notice to ‘*permanently remove all hardstanding and materials used to form hardstanding bases for the development from the Land;* and at 5(iii) to ‘*Remove all materials refuse and demolition material resulting from the removal of the partially constructed stable block building as required by (i) and (ii) above.*’ is plainly excessive in light of the fact that the Concrete Pad is longstanding and pre-existed the Appellant’s occupation of the Site in 2000, the requirement for its



removal (or the removal of any part of it) is excessive and should be excluded from the steps required of the Appellant.

#### The 'Alternative' Scheme.

7. The requirement to demolish the Stables is also considered excessive to remedy the harm to amenity and the completion of the finishing works to the Stables, allowing the continued use of the Concrete Pad for stabling of horses and for the equine therapy, is considered a more appropriate requirement. The finishes and materials and any landscaping that may be deemed necessary can be regulated by condition.
8. The Notice complains of the 'partial' construction of a stable block. It is submitted that the works required to complete the Stables are minimal, and can be authorised pursuant to s177(1)(a), being part of the matters stated in the enforcement notice as constituting a breach of planning control.
9. Nonetheless, to the extent that it may be necessary to do so, the wording of the Notice can be varied pursuant to s176(1) to facilitate that, without causing injustice to the appellant or the local planning authority, such that through the combined effect of Grounds (f) and (a), the Inspector is able to grant planning permission for an 'alternative scheme', comprising the retention of the Stables to the extent that they currently exist on the Site and their completion (simply requiring the addition of the roof covering, doors and paintwork, plus internal fit-out) in accordance with the plans submitted with the Application and/or such other details that may be reserved for approval by condition.

#### Relevant Law - Enforcement and alternative schemes

10. By section 171A(1)(a) of the 1990 Act, carrying out development without the required planning permission constitutes a breach of planning control.
11. Section 172 empowers the local planning authority to issue an enforcement notice where it appears to them that there has been a breach of planning control and that it is expedient to issue the notice. Section 173 is concerned with the contents and effect of a notice and provides in particular:

*"173 ...*

*(3) An enforcement notice shall specify the steps which the authority require to be taken, or the activities which the authority require to cease, in order to achieve, wholly or partly, any of the following purposes.*

(4) *Those purposes are:*

(a) *remedying the breach by making any development comply with the terms (including conditions and limitations) of any planning permission which has been granted in respect of the land, by discontinuing any use of the land or by restoring the land to its condition before the breach took place; or*

(b) *remedying any injury to amenity which has been caused by the breach.*

(5) *An enforcement notice may, for example, require— (a) **the alteration or removal of any buildings or works**; (b) **the carrying out of any building or other operations**; (c) any activity on the land not to be carried on except to the extent specified in the notice; or (d) the contour of a deposit of refuse or waste materials on land to be modified by altering the gradient or gradients of its sides.”*

*[our emphasis]*

12. Section 174(1) provides that a person having an interest in the land to which the enforcement notice relates may appeal to the Secretary of State. The grounds on which an appeal may be brought are set out in section 174(2) and include:

*“(a) that, in respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted ...;*

*...*

*(f) that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach.”*

13. Section 176 contains general provisions relating to the determination of appeals and includes the following:

*“(1) On an appeal under section 174 the Secretary of State may –*

*(a) correct any defect, error or misdescription in the enforcement notice; or*

*(b) vary the terms of the enforcement notice,*

*if he is satisfied that the correction or variation will not cause injustice to the appellant or the local planning authority.*

*(2) Where the Secretary of State determines to allow the appeal, he may quash the notice.*

*(2A) The Secretary of State shall give any directions necessary to give effect to his determination on the appeal.”*

14. In considering an appeal under section 174 the Secretary of State has power, under section 176(1)(b), to vary the terms of an enforcement notice if he is satisfied that the variation will not cause injustice to the appellant or the local planning authority.

15. Section 177 relates to the grant or modification of planning permission on appeals against enforcement notices:

*“(1) On the determination of an appeal under section 174 , the Secretary of State may –*

*(a) grant planning permission in respect of the matters stated in the enforcement notice as constituting a breach of planning control, whether in relation to the whole or any part of those matters or in relation to the whole or any part of the land to which the notice relates ...*

*...*

*(2) In considering whether to grant planning permission under subsection (1), the Secretary of State shall have regard to the provisions of the development plan, so far as material to the subject matter of the enforcement notice, and to any other material considerations.*

*...*

*(5) Where an appeal against an enforcement notice is brought under section 174 and*

*...*

*(b) that land is in England and the statement under section 174(4) specifies the ground mentioned in section 174(2)(a), the appellant shall be deemed to have made an application for planning permission in respect of the matters stated in the enforcement notice as constituting a breach of planning control.”*

16. The purpose of the statutory scheme was explored in Mahfooz Ahmed v The Secretary of State for Communities and Local Government, London Borough of Hackney [2013] EWHC 2084 (Admin), and [2014] EWCA Civ 566. That case was very important in the consideration of the later case of Bhandal v Secretary of State for Housing, Communities and Local Government and Bromsgrove District Council [2020] EWHC 2724 (Admin), on which the Appellant relies, and accordingly, it is relevant to recount the facts, in brief, in particular:

16.1. In Ahmed Permission was granted in 2005 for the demolition of an existing building, and the erection of a three-storey building with a butterfly roof, comprising a retail unit on the ground floor and six flats on the two upper floors;

- 16.2. The consent expired on 7 June 2010, and was no longer extant at the time of the appeal.
- 16.3. What was built on site, was a four-storey building with a flat roof. An enforcement notice was served and Mr Ahmed appealed. The appeal was dismissed.
17. As part of his appeal, Mr Ahmed proposed modifying the building as built to bring it into conformity with the lapsed 2005 planning permission.
18. Mr Ahmed contended that the requirement in the enforcement notice for the complete demolition of the building amounted to over-enforcement for the purposes of section 174(2)(f), and that the Inspector erred in law by failing to consider whether the breach of planning control could be rectified by amending the enforcement notice so as to require the partial demolition of the building and its remodelling so as to make it conform to the terms of the 2005 consent.
19. It was argued that the Inspector had power under 176(1)(b) to vary the terms of the enforcement notice to remedy the breach of planning control, as well as having power under section 177(1) to grant retrospective consent for that part of the structure that was authorised by the 2005 consent.
20. The question in the main appeal was whether the Inspector erred in law on the enforcement notice appeal by failing to consider an “obvious alternative” in accordance with the principles discussed in Tapecrow Ltd v First Secretary of State [2006] EWCA Civ 1744, [2007] 2 P&CR 7 and Moore v Secretary of State for Communities and Local Government [2013] JPL 192
21. The Judgment records the Defendant Secretary of State’s argument at paragraph 19(4)] that:
- “On an enforcement notice appeal the Secretary of State is confined to giving planning permission for the development of which the notice complained: Richmond upon Thames Borough Council v Secretary of State for the Environment [1972] EGD 948, as applied in Runnymede Borough Council v Secretary of State for the Environment, Transport and the Regions [2001] PLCR 24. Section 177(1)(a) is not wide enough to empower a grant of planning permission for the 2005 scheme....”*
22. That argument and others were rejected, and the Court held that in principle, planning permission could have been granted for the 2005 scheme providing that such that a development in accordance with the 2005 scheme could be regarded as a “part” of the

development as built. The fact that the unlawful building would need to be modified to achieve the 2005 scheme was not fatal to the argument:

*“26. That brings me to the deputy judge’s finding that the inspector erred in law by overlooking an obvious alternative by way of granting planning permission for the 2005 scheme and varying the enforcement notice accordingly. It is clear that the inspector did not consider the possibility of that alternative. I do not accept Mr Whale’s submission that even if the inspector had considered it he would have had no power to grant permission for the 2005 scheme. Whether it would have been open to him to grant such permission depended, as explained below, on an exercise of planning judgment which he did not undertake. **It cannot be said, either as a matter of law or on the basis that the facts were capable of leading to only one reasonable answer, that it would have been outside his powers to grant permission for the 2005 scheme.**”*

*27. I agree with Mr Whale that the power under section 177(1) to grant planning permission in respect of the matters stated in the enforcement notice as constituting a breach of planning control is linked to an appeal under ground (a) rather than under ground (f). But Mr Ahmed’s appeal included express reliance on ground (a) and he would have been deemed in any event to have made an application for planning permission by virtue of section 177(5) as it existed at the material time. Although his ground (a) appeal sought planning permission only in respect of the development as built, which constituted the whole of the matters stated in the notice as constituting a breach of planning control, the power under section 177(1) was to grant planning permission “in relation to the whole or any part of those matters”. **In principle, therefore, planning permission could have been granted for the 2005 scheme if the differences between it and the development as built (i.e. the differences identified in the notice as “unauthorised additions, alterations and variations to the approved scheme”) were such that a development in accordance with the 2005 scheme could be regarded as a “part” of the development as built. This was a matter of planning judgment for the inspector. It was a judgment he did not make because of his failure to give any consideration to the possibility of granting planning permission for the 2005 scheme. This court is not in a position to decide what conclusion he would have reached if he had considered that possibility. In particular, we cannot exclude the possibility that he might reasonably have concluded that the 2005 scheme was to be regarded as “part” of the development as built, on which basis he***

**would have had power under section 177(1) to grant planning permission in relation to it.**

....

**33. For those reasons I am satisfied that the inspector would have had power to grant planning permission for the 2005 scheme and to vary the enforcement notice accordingly if, having considered the possibility, he had judged the 2005 scheme to be a “part” of the development as built.”**

*[our emphasis]*

23. In Tapecrown, Carnwath LJ explained, (not for the first time) that the enforcement procedure is intended to be remedial rather than punitive. It was observed at para 33 of his judgment that an Inspector has wide powers to decide whether there is any solution, short of a complete remedy of the breach, which is acceptable in planning terms and amenity terms. If there is, an Inspector should be prepared to modify the requirements of the notice and grant permission subject to conditions:

*“46. As I have said, I would not wish to lay down any general rules. I would accept that as a general proposition, given the limitations of the written representations procedure, an appellant would be well advised to put forward any possible fall-back position as part of his substantive case. It is not the duty of the inspector to make his case for him. On the other hand the inspector should bear in mind that the enforcement procedure is intended to be **remedial rather than punitive**. **If on his consideration of the submissions and in the light of the site view, it appears to him that there is an obvious alternative which would overcome the planning difficulties, at less cost and disruption than total removal, he should feel free to consider it.** In such circumstances fairness may require him to give notice to the parties to enable them to comment on it”* *[our emphasis]*

24. These obiter comments in Tapecrown were subsequently applied by the Court of Appeal in Moore, in which Sullivan LJ observed that where there was an “obvious alternative which would overcome the planning difficulties at less cost and disruption than the inspector was under a duty to consider it”.
25. Tapecrown was a case in which the Inspector had failed to consider whether, as an alternative to demolition, if appropriate modifications were made to an unlawful building, and if all or part of the hardstanding associated with it were removed, the

building could be made acceptable in planning terms; see para 35. The case was remitted for redetermination.

26. In Bhandal Mr Justice Pepperall held that the Inspector, in determining the enforcement appeal, had erred in his approach to s 177(1)(a). The Inspector took a narrow view of his power to grant planning permission and consequently failed to exercise his judgment as to the planning merits of the alternative options proposed by the Appellants. In that case, the enforcement notice related to a sun room constructed as a replacement for a previous structure; planning permission had been granted for a replacement, but the design of the roof and upper section of the sun room as constructed deferred from that approved scheme. The enforcement notice required the demolition of the sun room in its entirety. The Appellants put forward a series of schemes as alternatives to complete demolition, including alternative Option B, comprising the removal of the unauthorised roof and its replacement with a flat glazed roof; and Option C, comprising again the replacement of the roof, but with a design which complied with the earlier planning permission. The Inspector rejected the appeal under ground (a) in the context of these two alternative schemes, on the basis that, regardless of the merits of the alternatives, it was outwith his powers to grant planning permission due to their necessitating *new works*– as cited in the Judgement (para 11) as to Option B, the Inspector in the decision letter stated:

*“24 However, to carry out such an alteration, the canopy would be removed as well as the sloping roof, together with the upper glazed panels on the front and side elevation. The roof would be replaced with a new flat, glazed roof. Given that, as the appellant accepts, the alternative would require the addition of a flat roof, it seems to me that it **cannot, by definition of the fact that they are new works, form part of the sun room as enforced against.** Consequently, I find that the alternative development would not form part of the matters enforced against in the notice.*

*25. Regardless of the merits of the alternative, it is not, therefore, open to me to grant planning permission for it under the appeal on ground (a)”* [our emphasis]

27. The Inspector reached the same conclusion for the same reasons in relation to proposed alternative Option C, which would require the removal of the sloping roof and its replacement with a flat roof in line with the planning permission previously granted, and as such would also require new works in the formation of a roof which would not form part of the sun room as enforced against.

28. Pepperall J sets out at paragraphs 17.1 and 17.2 of the judgment in Bhandal the approach to the assessment of an alternative scheme, requiring first the exercise of planning judgment to determine whether planning permission for the proposed development would be in relation to the whole or part of the sun room that had been erected in breach of planning control; and second, if the answer to that was in the affirmative, the inspector would then have to exercise his planning judgment with regard to the applicable development plan and all other material considerations to consider whether planning permission should be granted for the proposed alternative scheme.
29. As highlighted by Pepperall J at paragraph 22, to conclude as the Inspector did in the Bhandals' appeal, would have run counter to the principles under consideration in Ahmed and Tapecrown: and if correct would mean that any alternative scheme that did not simply involve partial demolition would be precluded, and thus would have prevented any consideration of the alternative schemes in Ahmed and Tapecrown. It was found in the alternative that it is the extent of the work required by an alternative development which might, as a matter of planning judgment, render it outwith the scope of s177(1)(a).
30. The interrelationship between s177(1)(a) and s70C was found to be significant in Bhandal and is significant in this case also. At paragraph 19 it is emphasised that it is *"unnecessary for the court to adopt a strained interpretation of the power to grant planning permission under s177(1)(a). Indeed, in such a case the appellant should seek planning permission through an appeal since otherwise the planning authority will be entitled to decline to determine a fresh application for such alternative development pursuant to s70C"*. Section 70C provides the local authority with a discretionary power to decline to determine a planning application where *'if granting planning permission for the whole or any part of the land would involve granting, whether in relation to the whole or part of the land to which a pre-existing enforcement notice relates, planning permission in respect of the whole or any part of the matters specified in the enforcement as constituting a breach of planning control.'*
31. At paragraph 25, Pepperall J considers the wider statutory context in this regard and highlights that:
- 'while [s177(1)(a)] allows the inspector upon an appeal under s174(2)(a) to grant planning permission in relation to the whole or part of the matters specified in the enforcement notice, conversely s70C allows a planning authority to decline to determine a separate application in respect of such matters. The scheme of the*



*Act is therefore that the applicant should only get one bite of the cherry to have the planning merits of any alternative scheme considered, whether upon:*

*25.1 an appeal against an enforcement notice under s174;*

*25.2 a planning application that was extant at the time of the issue of the enforcement notice pursuant to s174(2A); or*

*25.3 in other cases a fresh planning application.*

*...*

*27. If the inspector was right in this case to take a very narrow view of the power under s177(1)(a) to grant planning permission, then equally the planning authority's own discretion pursuant to s70C to refuse to entertain a like planning application would be narrow. While applicants should not get two bites of the cherry, as Natalie Lieven QC (as she was then) demonstrated in Banghard, they must get one. The Bhandals are therefore entitled to have the planning merits of their alternative scheme considered either as part of the appeal process pursuant to s177(1)(a) or as a freestanding application for planning permission without the restriction imposed by s70C."*

32. In this case, the 'alternative scheme' (insofar as the outstanding works are considered to constitute such an alternative scheme) relates to the completion of the existing Stables through the addition of the roofing sheets onto the existing timber roofing structure and attaching doors to the stable- and room-openings to complete the structure and make it weather-tight. Beyond that there will be minimal internal fitting out required, being limited to the installation of sanitary ware in the wash room. The exterior blockwork comprised in the Stables building will be painted. The interior will remain basic and functional, even the rooms to be used for tuition will require minimal fitting out, as the intention is for them not to appear as a traditional classroom, as that would not be conducive to the teaching approach commanded by the students of this enterprise.

33. Whilst the Notice complains only of the '*partial construction of a stable block to accommodate tack rooms, wash room and storage rooms situated around a central courtyard*'; and as such the *completion* of the Stables building would necessitate 'new work' it is submitted that such new work, can reasonably be construed as forming part of the Stables building complained of, and does not extend to the degree of new work which prevented the authorisation of the schemes in Arnold and Iannou.

34. Notwithstanding that this is the Appellant's primary case, the Appellant has sought to address any shortfall that may be found to exist in terms of the scope of the power to grant planning permission under s177(1)(a) and whether it extends to enable the authorisation of the works required to complete the Stables, by i) submitting an appeal against the Local Authority's refusal to grant permission pursuant to the Application; and ii) submitting a fresh planning application.

35. As to the appeal submitted in respect of the Local Authority's refusal to grant planning permission pursuant to the Application:

35.1. The Planning Inspectorate declined to accept the Appellant's appeal against the refusal to grant planning permission pursuant to the Application, on the basis that it was out of time (copy correspondence annexed at **Appendix 3**). The basis for such, being that *'Where a relevant enforcement notice has been served on the site, appeals must reach us within 28 days of either:...iii. the date the enforcement notice is served, where the enforcement notice is served after the decision or expiry of the period which the local planning authority has to reach a decision on the application, unless the effect would be to extend the period beyond the usual time limit for cases not involving an enforcement notice.'*

35.2. The statutory basis for such a decision is set out in art. 37 to the Town and Country Planning (Development Management Procedure) (England) Order 2015/595:

**37.— Appeals**

*(1) An applicant who wishes to appeal to the Secretary of State under section 78 of the 1990 Act must give notice of appeal to the Secretary of State by—*

*(a) serving on the Secretary of State within—*

*(i) the time limit specified in paragraph (2); or*

*(ii) such longer period as the Secretary of State may, at any time, allow,*

*a completed appeal form, obtained from the Secretary of State, together with such of the documents specified in paragraph (3) as are relevant to the appeal; and*

*(b) serving on the local planning authority a copy of the completed appeal form mentioned in sub-paragraph (a), as soon as reasonably practicable, together with a copy of the documents mentioned in paragraph (3)(b)(viii) to (x) (where those paragraphs apply), and any relevant documents mentioned in paragraph (3)(a)(ii) or paragraph (3)(b)(v), as the case may be.*

*(2) The time limit mentioned in paragraph (1) is—*

*(a) in the case of a householder or minor commercial appeal, other than a type A or a type B appeal, 12 weeks from the date of the notice of the decision or determination giving rise to the appeal;*

*(b) in the case of a type A appeal, 28 days from—*

*(i) the date of the notice of the decision or determination giving rise to the appeal; or*

*(ii) the expiry of the specified period;*

***(c) in the case of a type B appeal, 28 days from the date on which the enforcement notice is served;***

*(d) in all other cases, 6 months from—*

*(i) the date of the notice of the decision or determination giving rise to the appeal;*

*(ii) in a case in which the authority have served a notice on the applicant in accordance with article 5(2) that they require further information, and the applicant has not provided the information, the date of service of that notice; or*

*(iii) in any other case, the expiry of the specified period.*

***“type B appeal” means an appeal under section 78(1) or 78(2) of the 1990 Act in respect of an application relating to land and development which are the same or substantially the same as the land and development in respect of which an enforcement notice—***

***(a) is served on or after—***

***(i) the date of the notice of the decision or determination giving rise to the appeal, or***

***(ii) the expiry of the specified period (8 wks);***

***(b) is served earlier than 28 days before the expiry of the time limit specified—***

***(i) in the case of a householder or minor commercial appeal, in paragraph (2)(a); or***

***(ii) in any other case, in paragraph (2)(d); and***

***(c) is not withdrawn before the expiry of the period of 28 days from the date on which the enforcement notice is served.***

35.3. In this case the Local Authority’s decision refusing to grant planning permission pursuant to the Application was dated 6 January 2023 and the Enforcement Notice was dated 20 April 2023.

35.4. Plainly therefore the Planning Inspectorate construes the Application (as re-submitted) as relating to **land and development which are the same or substantially the same as the land and development in respect of which the enforcement notice relates**. Accordingly therefore, whilst it is

acknowledged that this phraseology is not in complete alignment with the terminology in s177(1)(a) as to the extent of the inspector's powers to grant planning permission (which refers to the whole or any part of the matters stated in the enforcement notice as constituting a breach of planning control being in relation to those matters or in relation to the whole or part of the land to which the notice relates), it is nonetheless submitted that the assessment of the refusal appeal being in relation to the same or substantially the same land and development as the enforcement scheme, is a strong indicator that the 'alternative scheme' for the completion of the Stables sits within the scope of the inspector's powers to grant planning permission for the whole or any part of the matters comprised in the Notice.

36. As to the re-submission of the Application:

36.1. The Local Authority declined to accept the application; a copy of their comments in that regard is annexed at **Appendix 4**.

36.2. The Local Authority invoked the discretionary power pursuant to s70C(1), which provides that:

*"A local planning authority may decline to determine an application for planning permission [or permission in principle] for the development of any land if granting planning permission for the development would involve granting, whether in relation to the whole or any part of the land to which a pre-existing enforcement notice relates, planning permission in respect of **the whole or any part of the matters specified in the enforcement notice** as constituting a breach of planning control."*

36.3. Again, therefore, the Local Authority plainly consider that authorising the completed Stables would involve granting permission for the whole or part of the matters specified in the Notice. In fact, they observe at para 3.3 that the application scheme is *'identical to the ...current enforcement appeal'*; and, at para 3.4, that the *'partly retrospective application is for the **same development** where an enforcement notice has been served and appealed to the planning inspectorate'*. At para 4.1, they state that *'the proposed development and the land to which the application relates is **substantially the same** as that which is the subject of an Enforcement Notice served by the Council and is the subject of a current appeal, where Ground A, retrospective permission is also sought.'* It can only be assumed therefore that the Local

Authority are in agreement that the inspector's powers under s177(1)(a) to grant planning permission in respect of the matters stated in the Notice as constituting a breach of planning control extend to the completion of the Stables scheme.

36.4. The purpose of s.70C is to ensure that the applicant cannot insist on two separate considerations of the planning merits, by having a right to appeal the refusal of planning permission and an appeal against an enforcement notice effectively on the same grounds: O'Brien v South Cambridgeshire District Council [2016] JPL 656, per Lewis J.

36.5. The local planning authority has a wide discretion as to whether to use s.70C or not. In Wingrove v Stratford-on-Avon DC [2015] PTSR 708, Cranston J held that:

*The legislative history of section 70C demonstrates that Parliament's intention was to provide a tool to local planning authorities to prevent retrospective planning applications being used to delay enforcement action being taken against a development. It seems to me that there is a legislative steer in favour of exercising the discretion, especially since an enforcement notice can be appealed and the planning merits thereby canvassed. Since delay is the bugbear against which the section is directed, a claimant's actual motives to use a retrospective planning application to delay matters is clearly a consideration in favour of a decision to invoke section 70C.*

36.6. The purpose of the application in this case was neither to invoke delay (the enforcement notice already having been issued and an appeal submitted in respect of it which includes an appeal under Ground (a)), nor to seek to secure a 'second bite of the cherry', but rather to ensure that the full scheme for the retention and completion of the Stables could be properly assessed in the event that the Appellant's submissions as to the scope of the inspector's powers to grant planning permission were not accepted (the intention being to combine an appeal against a further refusal with the current enforcement appeal).

37. It is submitted therefore that in order for the Appellant to have at least one bite of the cherry, the Stables building as a whole, to include the works required to complete them, should form part of the scheme under consideration pursuant to Ground (a) and

to the extent that it may be necessary to do so, the wording of the Notice may be varied pursuant to Ground (f) to facilitate that:

- 37.1. the steps required to be taken by the Appellant may be replaced with a requirement to undertake the works to complete the Stables in accordance with the relevant plans being those submitted with the Application subject to the minor variations described herein, or such other plans which may be required (by condition attached to any planning consent granted pursuant to Ground (a)) to be submitted and approved, within a specified timescale; and/or
  - 37.2. the term 'partial' may be deleted from the description of the breach.
38. To the extent that that is not accepted, it is submitted that additional time be allowed to the Appellant to pursue a planning application for the additional work required to complete the scheme, pursuant to a variation to the notice under Ground (g) allowing sufficient time for such, an approach acknowledged in Bhandal, at paragraph 19.3: *'if the alternative development is outwith the scope of ss70C and 177(1)(a) then it can be pursued by a freestanding application for permission. In such a case the inspector may, if he considers the alternative development might be acceptable in planning terms, allow an appeal under ground (g) and extend the time in order to provide a window during which the planning merits can be explored.'*
39. **Ground (a). The Appellant submits that planning permission should be granted for any breach of planning control which may be constituted by the matters stated in the Notice.**
40. The Appellant's Grounds for Appeal cite the relevant Development Plan policies and NPPF provisions applicable to this scheme, which are not repeated here. The Grounds also identify the key reasons why planning permission should be granted for the Stables.
41. The Site is located within designated Green Belt outside of any development boundary. As described by the Appellant in her Statement (**Appendix 1**), the Site forms part of what was formerly a larger farmholding, many of the buildings formerly comprised in were then converted to commercial use, some of which have been further converted to residential use. Immediately adjacent to the Site are a number of commercial enterprises (unrelated to the Appellant or her business) including for example a music studio and taxi rank.

## Design Principles – Layout, Landscaping & Appearance

42. Materials. The Stables are of breeze block construction, and the roof shall be constructed with timber rafters (in situ) to be covered with corrugated sheeting; rather than the 'green powder coated profiled roofing sheets' described on the proposed elevation drawings submitted with the application, the Appellant instead proposes to use grey profiled roofing sheets, a sample of which is shown below.



43. The proposed materials are in keeping with those used on the Site already (for example, in the Additional Stables and the Courtyard Stabling (as identified on the plan at **Appendix 1**), photographs of which can be seen at Fig. 2 to **Appendix 6**; they are also in keeping with the standard construction approach used for stabling in the locality (and indeed across the countryside nationally)).
44. Scale. The stalls are of standard size and the number of stalls required in the Stables reflects the pre-existing provision within the Previous Stables; the additional 'rooms' are to accommodate the separate storage and therapy/tuition spaces and wash room, required to support the education activity; and the enclosed courtyard area is to enable the provision of a safe space within which to conduct outside demonstrations in a safe enclosed space which is separate to the other activities continued on the wider Site.
45. The reason for the layout of the additional rooms to form the enclosed courtyard was to create an enclosed area where the students could be 'contained' in a safe space, for their own safety, security and comfort and to provide for proper safeguarding. The Stables is of similar scale to the Courtyard Stabling and is no larger than required for the proposed purpose.

46. The Floor Plan submitted with the Application gives an indicative indication of the proposed use of the 'rooms' in the northern and southern sections of the Stables; the Appellant plans to revise that layout slightly as shown in **Appendix 5**.
47. All spaces will be used as learning opportunities: the students learn about tack, grooming and nutrition as well as animal care, 'in situ', within the relevant areas.
48. Accordingly, the scale of the Stables is appropriate to its proposed use, and is also appropriate in its context within the wider Site (e.g. by comparison with the Courtyard Stabling).
49. Access and Parking. There shall be no change required to the existing access and parking provision; the number of students on the Site will not change in light of the provision of the Stables, which will simply provide a more suitable space within which to provide and deliver the therapy and training sessions than the current ad hoc arrangements. There is ample space for parking within the wider Site, sufficient to accommodate the additional staff numbers anticipated going forward (3 full-time and one part-time position are expected to be generated).
50. Drainage and Waste Disposal. There shall be no change required to the existing provision for drainage or waste disposal.

Business need.

51. The business need for the Stables is significant; as described by the Appellant in her Statement (**Appendix 1**):
  - 51.1. The Stables are required to facilitate the ongoing use of the Site for the Appellant's business; the Stables are a replacement of the Previous Stables, which provided **14** stables within the Stables Land for the Appellant's horses.
  - 51.2. The use of the Stables Land has been for purposes associated with the business since the Appellant first occupied the Site in 2000. The Stables were intended not only as a more appropriate replacement facility for the Previous Stables, but also to accommodate areas for practical tuition and 'classroom' learning within a single safe area within the wider Site.
  - 51.3. The term 'classroom' does not give a strictly accurate impression of the proposed accommodation, which will not be a traditional or formal classroom arrangement, it will be a relaxed area where tuition can be given in a covered area away from the livery clients and riding lessons in the Barn.



- 51.4. The nature of the children that take the courses provided at the Site are such that they have specific behavioural requirements, which would be much more readily and safely accommodated within the single compound that the Stables were proposed to provide. Separate areas for tuition on practical skills would also be accommodated, including practical demonstrations for veterinary, dental and farrier skills as well as general animal care and nutrition etc. The storage areas would not solely be used for storage of feed and equipment but would be utilised to facilitate tuition in those areas (e.g. nutrition, tack and grooming etc.).
- 51.5. The educational element of the Appellant's business is funded, in large part, by a number of Local Education Authorities placing students, including Wolverhampton, Walsall and Staffordshire, as well as other bodies working with children and young people.
- 51.6. Whilst the equine courses have been provided within the existing accommodation to date, this has necessitated the use of the Previous Stables, as well as the livery space and small mess room for tuition (as are seen in the images at Fig. 5a, 5c, 5d and 5e to **Appendix 6**), presenting a pressure for space with livery clients, and with practical aspects either having to be taught in the Barn (as seen in Fig. 5b to **Appendix 6**), presenting a conflict with other tuition, or outside, which is often unsuitable due to the weather, such that the students often miss out on valuable learning opportunities. The Stables will provide a separate and enhanced dedicated space for learning which would be more appropriate for the needs of the cohort of children involved, whose needs and behaviour are challenging and thus are better-served in a separate area.
- 51.7. The formalisation of the tuition and courses that the business will be able to offer within the new Stables will require an increased number of qualified teachers, and so it is expected to generate a further 3 full-time and 1 part-time positions. Whilst the Stables will facilitate more formalised tuition however, there would be no change to the intensity of the activity arising from the equine courses: the number of learners is expected to remain consistent, there would be no requirement for any more horses, and the number of movements to and from the Site would remain consistent with the current activity.
- 51.8. The Appellant's business gives rise to significant community benefits, in particular to the students referred to it for alternative education provision, who gain life skills from the education and behavioural therapy they receive and

many of whom are reliant on the business for their basic education. The business takes on students whom the Local Education Authorities are unable to otherwise accommodate; thus relieving the Education Authorities of a strain on resource thereby providing an invaluable service, and also providing the students concerned with support, education and life skills that otherwise would not be accessible to them. There will therefore be significant community benefits arising from the enhanced training on offer and from the support for looked after children and those with additional educational needs that the business will be able to provide.

- 51.9. Referral of students to the Appellant by the various Local Authorities is due to her particular individual skills and experience working with young people with such behavioural issues and needs. The service could not be offered elsewhere outside of the Appellant's business.
- 51.10. Whilst the intention is to expand on the ancillary tuition, and to offer the opportunity for students to attain more recognised qualifications including Maths and English etc., these are not, and could not be, delivered in a usual standard manner, nor in a standard classroom environment; they are delivered as part of the wider therapy which the Appellant offers to all those placed with her. The areas within the Stables dedicated for 'classroom' learning will not be fitted out as ordinary 'classrooms' but will be much less formal, without a standard layout of chairs, tables and whiteboards, but much more relaxed; the intention being to simply provide a separate space away from the livery area in the Barn. The students nonetheless need to be on site, and close to the horses and the wider Site, so that if and when an individual becomes distressed, they can quickly return to the therapy style care offered on the site. The nature of the therapy and tuition offered simply could not be provided in premises already established for education, as it is the nature of those educational environments which causes particular distress to the students attending the Site for therapy and tuition.
52. Reference is made to **Appendix 2**, being a Planning Submission prepared by Ian Kilby, Berrys; which examines the planning merits of the scheme, and finds that the Stables are compliant with the Development Plan and the NPPF, in particular Policies GB1, EV7 and NPPF 147(b):

52.1. the Stables are largely complete;

- 52.2. there is no encroachment into open countryside and the Stables are not prominent such that the landscape impact is limited (such that Policy EQ4 is complied with);
- 52.3. the job creation and other economic benefits illustrate compliance with CP7;
- 52.4. the Stables will be neutral in terms of any impact on residential amenity so that there is no conflict with Policy EQ9;
- 52.5. the design and materials are functional and the finish can be regulated by condition, as can any landscaping scheme that may be considered to be required, such that policies CP4 and EQ11 are complied with. (In this context, contrary to the assertions of the Council as to the materials used not being sympathetic to the rural character of the area or wholly appropriate for its intended use it is submitted that the Stables are, in form, construction, materials, design appearance and scale, in alignment with the other development within the Site, (as seen at **Fig 2 to Appendix 6**), and are wholly appropriate for their intended use; they are of a standard construction and materials common across many equine businesses).
- 52.6. the scheme is fully compliant with all relevant criteria of Policy EV7, which is therefore supportive of the scheme, being equine related development in the Green Belt;
- 52.7. given there is no intensification of the business use arising from the proposed development, the parking provision remains adequate and the scheme represents sustainable development such that Policies EV11 and EV12 are complied with;
- 52.8. the Stables constitute a recreational use appropriate to a countryside location and constitute appropriate facilities for outdoor sport and outdoor recreation which do not conflict with the purposes of including land in the Green Belt, and as such are capable of falling within the exception to the general assumption of inappropriateness of new buildings set out at NFFF para 149(b);
- 52.9. the degree to which the Stables give rise to an impact on openness is a matter of planning judgement, but it is noted in this context that the visual impact is limited, the Stables do not encroach into the countryside, being located on previously developed land already in use for the Appellant's business, and on which Concrete Pad has existed for many years, and on which structures of

varying sizes have been in place and in use since 2000 (the Appellant's Statement refers (**Appendix 1** hereto)); there is also a natural enclosure created by the topography such that the Stables Land is enclosed with the rest of the built up part of the Site. Whilst any new structure will have some impact on openness, the concept of the exceptions to the general assumption of inappropriateness of new buildings in the NPPF plainly envisages that new structures are nonetheless capable of being 'not inappropriate' in this context. (Reference is made in this context to **Appendix 6** hereto: the timber roof structure of the Stables is only just visible from the paddock to the north of the Stables land (Fig. 3a and 3b) and the Stables are not visible at all from other vantage points within the Site as seen at images Fig.3c-3f.)

- 52.10. Accordingly, it is considered that the Stables are not inappropriate development for the purposes of the NPPF, and are thus compliant with the NPPF provisions relating to Green Belt development and consequently are also compliant with Core Strategy Policy GB1.
- 53.
54. Whilst the Appellant's overall business might be construed as a larger-scale equine enterprise, it is a longstanding existing business which is being enhanced, but not expanded or intensified, such that it is not accepted that the requirement, at EV7, for proposals for larger scale equine enterprises to demonstrate that they will be beneficial to the local rural economy through sound financial planning, applies. Nonetheless, the Appellant's business is sustainable and will continue to be beneficial to the rural economy, and the Stables will generate additional employment. Reference is made to Appeal ref 2207380 in this context , as highlighted in Berry's Planning Statement (**Appendix 2** hereto) at paragraph 4.12.The nature and scale of the overall business operating from the Site has already been accepted, as evidenced by the grant of permission for the manège authorised under Planning Permission reference 15/00396/FUL ("the **Manège**"). The Manège measures 60m x 40m, which the Council identified as part of a pre-application consultation (Ref 14/00195/PREAPP) as being *significantly larger than the standard sizes* (20m x 40m and 20m x 60m) and as such required justification notwithstanding that the principle of a manège in this location was accepted. The Manège is now in situ and has been in use for many years for tuition, exercise of livery horses and for the therapy sessions.
55. To the extent that it may be construed that the Stables do not preserve the openness of the Green Belt, they are nonetheless considered to give rise to minimal harm

thereto: they are located within the built up compound within the Site, on land which has had structures within it for many years; they are hidden from view by the existing topography, and they are located on previously developed land and the proposed use is a continuation of the existing use. Accordingly, any harm to openness is limited and the benefits of the scheme are significant in terms of:

- 55.1.1. facilitating and enhancing the provision of education for children and young people who are otherwise not accommodated for by mainstream, or often even special education providers;
- 55.1.2. providing a community benefit in giving children and young people enhanced life skills, enhancing their employability and enabling them to be more active and engaged participants in the local community and local economy;
- 55.1.3. supporting the local Education Authorities in providing suitable education for such students;
- 55.1.4. fulfilling a functional business need by providing separate accommodation for the equine therapy and tuition and therefore removing the existing conflict with the other (profit generating) facets of the business;
- 55.1.5. generating employment for local people; and
- 55.1.6. supporting and enhancing a longstanding rural enterprise

such that **very special circumstances** are considered to exist such that the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

- 56. No other harms were identified by the Council in the Refusal, or in the Notice, and accordingly it is submitted that the degree of harm to the Green Belt, and any other harm is minimal.
- 57. The majority of the District is designated as Green Belt, and there are no appropriate alternative options for the Appellant's particular business.
- 58. Interpretation of policy is a matter of law. Caselaw pertaining to the interpretation of Green Belt policy includes the line of cases from R (Timmins) v Gedling Borough Council [2014] EWHC 654 (Admin), Turner v SSLCLG [2016] EWCA Civ 466 and

Samuel Smith v North Yorkshire County Council [2018] EWCA Civ 489 which make it clear that visual effects of development within the green belt may be taken into account in an assessment of the effects on openness.

59. In *Turner*, Lord Justice Sales held: *'The question of visual impact is implicitly part of the concept of "openness of the Green Belt" as a matter of the natural meaning of the language used in para. 89 of the NPPF [that being an earlier version]. I consider that this interpretation is also reinforced by the general guidance in paras 79–81 of the NPPF, which introduce section 9 on the protection of Green Belt Land. There is an important visual dimension to checking "the unrestricted sprawl of large built-up area" and the merging of neighbouring towns, as indeed the name "Green Belt" itself implies. Greenness is a visual quality: part of the idea of the Green Belt is that the eye and the spirit should be relieved from the prospect of unrelenting urban sprawl. Openness of aspect is a characteristic quality of the countryside, and "safeguarding the countryside from encroachment" includes preservation of that quality of openness. The preservation of "the setting ... of historic towns" obviously refers in a material way to their visual setting, for instance when seen from a distance across open fields. Again, the reference in para. 81 to planning positively "to retain and enhance landscapes, visual amenity and biodiversity" in the Green Belt makes it clear that the visual dimension of the Green Belt is an important part of the point of designating land as Green Belt.'*
60. The recent case of Link Park Heathrow LLP v Secretary of State for Levelling Up, Housing and Communities and others [2023] EWHC 1356 (Admin) addressed the concept of encroachment and how it should be assessed, finding that encroachment required physical incursion; and visual impacts, whilst relevant to openness, were not relevant to encroachment. This case has some parallels with the *Link Park* case, in that whilst in green belt, it was previously developed land (albeit that in *Link Park* the site was not itself within the 'countryside', the majority of the site being within an area designated as 'settlement').

### **Summary**

61. It is submitted that the facilities proposed are an eminently acceptable form of development in this location and are fully compliant with the relevant development plan policies; they are not inappropriate development in the green belt, on the basis that the facilities are for outdoor sport and recreation.

62. The proposal further encompasses social and community benefits to children and young people with learning, physical and/or behavioural difficulties for whom the environment and mode of learning provided by the Appellant offers life skills and opportunities to achieve qualifications that would not otherwise be available to them. The therapy and learning provided is an integral part of the existing equine business; the Stables are required in order to facilitate the ongoing provision of that therapy and learning and will improve the learning experience and the tuition that can be provided.
63. Other benefits include support to the local Education Authorities, employment generation and support to a longstanding rural enterprise which generates significant local employment and social and community benefit.
64. As noted above, it is proposed that planning permission be granted for the retention and completion of the Stables pursuant to the combined operation of Grounds (a) and (f), by reference to the drawings submitted with the Application and supplemented herewith.
65. To the extent that it is considered to be necessary, the proposed use of grey profiled roofing sheets rather than the 'green powder coated profiled roofing sheets' described on the proposed elevation drawings submitted with the Application, and the proposed changes to the internal layout of the 'rooms' within the Stables can be regulated by condition, requiring the submission of details for approval by the Local Authority, as can any landscaping scheme that might be deemed to be required.
66. Similarly, to the extent that it is deemed necessary to require a scheme of landscape screening and/or alterations to the finish/design/materials, the submission and approval of such supplemental details can be regulated by condition.

**Ground (g). The Appellant submits that the time given to comply with the requirements relating to the breach is too short.**

67. The Appellant's business operates Tuesdays-Thursdays and Saturdays-Sundays (inclusive), and involves the movement of horses, children and adults across the Site for schooling, exercise and livery purposes as well as general equine care. It is not practicable or suitable for animal welfare for demolition and the movements of construction traffic to be occurring during those times. Any such works that are undertaken by the Appellant could only be undertaken during those times when those other business activities within the Site are at a minimum, in order to minimise the

disturbance to the horses kept on the Site, who are sensitive to unusual noise and movements.

68. Accordingly, it will take longer to comply with the requirements of the Notice that might ordinarily be expected, and a longer period of 9 months is considered to be more appropriate and practicable than the 4 month period stipulated in the Notice at section 6.
69. In the event that the Inspector accepts the Appellant's case as to the planning merits of the Stables, but does not consider that the powers to grant planning permission pursuant to Ground (a) in combination with Ground (f), extend to authorising the completion of the Stables pursuant to the application plans and drawings, it is open to the Inspector to allow the appeal, such that the Stables as constructed are authorised, allowing the Appellant then to submit a further planning application to seek permission from the Local Authority for the works required to complete the Stables.
70. However, in the event that the Inspector accepts the Appellant's case as to the planning merits of the Stables, but does not consider it possible to allow the Ground (a) appeal to permit the *partially* constructed Stables, further time should be allowed for the submission of a planning application to regularise the same together with the balance of the works required to complete the Stables. Whilst the period for determining such applications is 8 weeks, it is acknowledged to often take longer, and realistically therefore, a variation to the timescales allowed by the Notice to facilitate this approach would need to be extended, to allow such an application to be processed; a period of 9 months is proposed, and the timescale for the requirement in the Notice requiring the demolition of the Stables would consequently need to be extended further, to 12 months, to cover the eventuality that such planning permission could not be secured.

**Dated 9 August 2023**  
**Suzanne Tucker**  
**FBC Manby Bowdler LLP**

**Appendices:**

- Appendix 1** Appellant's Statement (plus Exhibits JG1-JG10)
- Appendix 2** Planning Submission, Berrys
- Appendix 3** Planning Inspectorate Letter dated 11 July 2023
- Appendix 4** Local Authority Statement pertaining to Application ref 23/00369/FUL
- Appendix 5** Revised internal layout
- Appendix 6** Photographs of the Stables in context



STATEMENT OF JAYNE GOODWIN

---

FBC Manby Bowdler LLP  
Juneau House, Sitka Drive  
Shrewsbury Business Park  
Shrewsbury  
SY2 6LG  
Reference: FBCMB/SRT/GOO841/1

I, **Jayne Goodwin of Upper Hattons Stables, Pendeford Lane, Coven, WV9 5DB** confirm as follows:

1. I am a qualified trainer of horses and riders, and established my business at Upper Hattons Stables, Pendeford Lane, Coven, WV9 5DB (which I shall refer to as the 'Site'), which is approved by the Association of British Riding Schools, which includes livery, riding lessons, and equine-based therapy and tuition.

### **The Site**

2. I purchased the Site in March 2000 with the intention to build a home and an equine business.
3. At that time, the Site was part of a derelict farm, some of the former farm buildings on the wider landholding had already been converted to commercial units occupied by businesses including:
  - a. a well-established taxi company - Codsall Cars, which grew to a significant enterprise, with around 40 vehicles that would come and go along the shared accessway throughout the day;
  - b. a large film and recording studio – which was frequently attended by clients in large groups, arriving by coach and minibus; and
  - c. a music recording studio attended by groups of bands etc. also often arriving in minibuses.
4. The music recording studio continues in operation, and there is now a smaller taxi firm operating from a different unit within the wider site.
5. The land that I purchased was in existing use for a small livery and the rest of the fields were farmed by local farmers. The barns within the Site were being used by numerous private individuals to store cars, many of which I had to clear myself when I took the Site on.
6. I established my livery business from the outset, and secured planning permission for change of use of the agricultural barns within the Site to horsiculture. I also applied for, and secured, planning permission for the conversion of two of the barns on the Site to dwellings, and occupied a mobile home on the site until the conversion work on what is now my current home was completed, which I moved into in around 2007. I sold the other barn with the benefit of planning permission, and it is now occupied as a separate residential dwelling.
7. It was also around 2006/2007 when I began providing formal equine tuition, including British Horse Society exams and instructor training; and in around 2008/2009 I started to take on disabled children referred by Wolverhampton City Council, working with the

horses as a form of therapy. In around 2007 I registered with an education provider 'Total People' who referred students to me and who provided Maths and English tuition to the students whilst they were on site.

8. I expanded my work with children with physical and learning disabilities as a form of equine therapy in 2009 after my divorce, taking children primarily from junior schools catering for special educational needs, in morning and afternoon sessions, 9 groups per week, (Mondays to Thursdays).
9. The riding school, which provides more standard private tuition quickly developed out of my work with disabled children, as siblings of the children that were coming for those specialist sessions also wanted to have riding lessons.
10. In 2015 I secured planning consent for, and constructed a large manège, which is used for riding lessons, exercising the livery horses and for the therapy sessions. The manège is larger than the standard size, and can be sectioned off to allow various activities to be ongoing at the same time.
11. The wider Site is comprised of c.38 acres and it is at capacity – I cannot take on any more horses save for replacements if a horse dies or a livery horse is moved away. Some of the livery clients are short-term, for example, I often have members of the armed forces from Cosford, who might be placed there on deployment and who bring their horses to the local area, and also some who are deployed abroad who place their horses with me to care for whilst they are away. Consequently, the total number of horses on the Site fluctuate from time to time, but generally the overall number remains consistent.
12. I commissioned the construction of some permanent stable units on the Site (which I shall refer to as the '**Stables**') to replace other timber structures that had stationed in various locations within the Site over the years and which had become dilapidated; latterly these comprised two large partitioned blocks each providing seven individual stables (14 in total), (I shall refer to these as the '**Previous Stables**'). As the Stables were replacing the Previous Stables I wasn't aware that I needed planning permission for the Stables, but I sought retrospective planning permission for them when invited to do so by the Local Authority.
13. The need for the Stables is not driven by expansion of any part of the business, but it is simply a consolidation and enhancement to the equine therapy sessions that I run, to enable a better quality experience for the young people that I support.

### **Concrete Pad, use, structures and Previous Stables**

14. I refer to **Exhibit JG1**, which is an annotated site plan. When I first took occupation of the Site, the area where the Stables are under construction (as is shown edged and shaded red on Exhibit JG1, to include the courtyard area enclosed by them, and which I shall refer to as the '**Stables Land**') was a pre-existing concreted area which formed part of the original farmyard (I shall refer to this as the '**Concrete Pad**').
15. I refer to **Exhibit JG2**, which is a series of photographs showing the Concrete Pad in 2000 shortly after I purchased the Site. The whole area comprised in the Stables Land was concreted and has been so since that date.
16. Over the years I have stationed a number of structures and mobile stable units on the Stables Land. **Exhibit JG3** is a series of images taken from Google Earth set against a series of indicative drawings I have prepared myself which show the general arrangement of the structures on the Stables Land since I first took over the Site.
17. When I first moved to the Site in 2000, there was an old static caravan stationed on the Concrete Pad, left by the previous owners, there were also some wooden shed-type structures which I understand had previously been used to house pigs; I re-purposed these to use for my horses, and for a small office but the structures required ongoing maintenance and repair. I sited my own static caravan and a touring caravan on the Concrete Pad. This layout is evidenced in the Google Earth images up to 2003, however, whilst later Google earth images (e.g. the one dated 12 05 2006) appears to show fewer structures on the Concrete Pad, this is because I relocated some of the structures elsewhere within the Site sometimes, as the business required, but generally speaking, between 2005 and 2010, the layout was as approximately shown on site layout no. 2. Between the period 2011 – 2015 (approximately), one single large wooden structure was stationed on the Concrete Pad which we used for stabling; we used the livery and riding school areas alongside this and planned to replace the wooden structure with a more permanent solution; however, in 2015, I was diagnosed with Cancer and to the plans to upgrade the stabling were put on hold, although I continued to work and provide tuition and therapy whilst I was receiving treatment. This wooden structure remained on the Concrete Pad and in use for stabling and storage until approximately late 2019- early 2020 when I began to clear the Stables Land with a view to replacing the old wooden structures. I relocated the Previous Stables onto the track that run adjacent to the stables marked on the Plan at Exhibit JG1 as the 'Sick Bay Stables' and used them in that location whilst clearing the Stables Land.
18. Having cleared the Stables Land, I stationed the Previous Stables back on the Concrete Pad, in a parallel configuration, in a similar alignment to the Stables; it is much better to

have them located on the concrete as it is far less muddy and dirty than when used on bare ground. I refer to **Exhibit JG4**, which is a series of photographs of the Previous Stables when stationed on the Stables Land in 2020. The Previous Stables remained on the Concrete Pad in this configuration, until construction work commenced on the Stables, in May 2022.

19. Since ceasing work on the construction of the Stables I have had to station part of the Previous Stables on the Stables Land as I need the units for those, but some of the units were completely dilapidated and unusable and have been dismantled, leaving only 6 that are usable.
20. Since I first took on the Site in 2000, I have always used the Stables Land in connection with the business, for stabling and storage, and for therapy and training. The courtyard area is used for the therapy sessions, allowing the students to have hands-on experience with the horses; it is also used for practical demonstrations of animal care and grooming, as well as when professionals visit the site such as the equine Dentist, the Farrier and the Vet, who talk the students through what they are doing.

#### **Equine Therapy & Tuition**

21. Assisting young people was not something that I have intended to pursue when I first occupied the Site but in 2003-4 I was approached by Rodbaston College equine department and asked if I would provide work experience one day a week for a young person (who I shall not name but shall refer to as 'CP'). That was the catalyst for the equine therapy side of the business.
22. I discovered that being on the Site and helping out with the horses facilitated a way of breaking through to young people with personal emotional and behavioural challenges. Giving them skills to be around and to care for animals in an appropriate way presented a building block to help them learn how to engage with and communicate with people and gain valuable life skills, enhancing their skills and in some cases their employability.
23. CP was part of a programme provided by Wolverhampton Local Education Authority (LEA), for young people who were not in mainstream education and who were needing alternative provision; they were looking to offer an alternative approach which provided education and skills delivered in a more practical way, to include focussing on a subject that the young people were interested in i.e. horses. Rodbaston College, Walsall College, and Wulfrun College were all working with Wolverhampton LEA to engage with what we now refer to as 'alternative providers'.
24. Rodbaston College contacted me as they found CP to be too disruptive and challenging for them to continue with her; at the age of 14, CP had already exhausted all the possible schools available to her and this programme was last opportunity to be educated. I

remember being very intrigued as to what it was that could possibly make a young person of 14 years of age so difficult that a College could no longer accommodate her. CP started with me just one day a week; after a short time and getting to know CP a little better, I asked her why she had had such problems at school, given that when she was with me, she was a lovely respectable young girl. Her answer will stay with me forever, she said, “you hear me, and you always say please and thank you” and that was it, so simple. After a few weeks I was asked by Rodbaston Collage if CP could be with me 5 days a week, which I agreed to. CP learned equine skills and I also helped her with her English. That arrangement continued for two years, and when CP was 16, I employed her as a full-time yard person, and she remained employed for a further six years in the same role until she started her own family.

25. Not long after CP had joined us, I was approached by not just Rodbaston College again, but also Walsall College and Wulfrun College, in respect of other young people that they had on the programme but who were struggling. I accepted these other young people as well (I shall refer to them as SR, JP and EW). I worked with these young people and with their respective Colleges, on an informal, ad hoc basis, until about **2006**, by which time I had several young people join me for work experience placements, not all of whom settled successfully, but I realised it was something I not only really enjoyed doing but something I was good at, and I decided it was time to formalise the arrangement.
26. I found through this experience that I could encourage the students in learning Maths and English simply whilst spending time with them with the horses, for example by encouraging them to work out the nutrition quantities, and asking them to write down what they had done that day. When they were relaxed and focussing on an activity they enjoyed, outside of a classroom environment they were more receptive to being encouraged to think about Maths and English, and I found that they learned well this way.
27. More formal tuition initially took the form of the BHS equine qualifications which I ran for anyone wanting to learn and take qualifications, in particular those wanting to get into the equine industry – they start with simple yard duties, grooming, leading a horse, but also included riding lessons and instructor training.
28. In around 2006, I registered with a company which subsequently became ‘Total People’, a training provider for young people, under which arrangement, the young people that were signed up to an official pre-employment and educational course. The course involved me teaching the students equine skills and British Horse Society (BHS) qualifications, alongside which Total People provided Maths and English, in the tack room, whilst the young people were here on site. The course that I provided in collaboration with Total People was, in effect, a combination of a college course and an

apprenticeship. I continued with this work until approximately 2008 when I stopped only due to my personal circumstances – I was going through a divorce.

29. In 2009 once my divorce was finalised, I decided that I wanted to make the assistance that I could provide for young people, alongside the other elements of my equine business, more structured. I therefore approached Wolverhampton City Council who contracted with Upper Hattons Stables to provide Equine Therapy to local schools for children with physical, emotional, and learning disabilities. I contacted local Schools (including -Penn Hall School, West Croft School, Green Park School, Wightwick Hall School, all of which largely cater particularly for children with physical disabilities or learning). I had anticipated several groups a week, but there was a great deal of interest, and I took 9 groups a week, holding separate morning and afternoon sessions Monday – Thursday.
30. In 2009 I became a foster carer alongside everything else, and I continue that today; becoming a foster carer really highlighted the need for alternative provision for local young people. During the last 14 years I have fostered many children for South Staffordshire, Staffordshire, and Wolverhampton Councils; most of the young people in my care have not been able to attend mainstream school and have attended alternative providers instead. Over the last 14 years I have provided many opportunities through therapy and training at the Site for young people to learn skills such as equine skills, social skills, self-confidence, self-worth and employability at the Site.
31. Over the years I have worked with young people referred to me by South Staffordshire, Wolverhampton, Staffordshire, Black Country, Walsall, Sport England, Sportivate, and West Midlands Police; and also Social Services from Wolverhampton, South Staffordshire, and Staffordshire. All the young people come for different things as they are all individual in their needs, some for equine therapy, riding lessons for fun, balance, confidence, employability, or motor skills. Some young people, through the equine courses, move towards employability; for some, our small animal courses and equine therapy helps with trauma and to help them learn how to deal with their emotions.
32. In 2015 we gained planning approval for an outdoor manège which has been a great addition as it gives us more space to offer tuition and for exercising the horses. We also began obtaining horses that no longer had a use to others, but which have many years of therapy work to offer.
33. In 2016 I was diagnosed with Cancer and although I had to slow down, I did not stop providing therapy and courses to young people throughout my treatment and recovery.
34. I began collaborating with Graham Coffey of Bespoke Education, to provide the alternative education courses, as we found that we could support the young people in a more comprehensive way, and help more young people, if we worked together. I have

always helped the young people that I work with in learning core skills such as Maths and English as part and parcel of the therapy and tuition that I provide, by using the practical , but it is not delivered in a formal way which gives the students the opportunity to gain qualifications in that context, but rather it was a more integrated and intuitive approach to incorporating those skills alongside the equine therapy and courses. Bespoke are registered to work with Local Education Authorities as a preferred alternative provider, supporting them to ensure that children with particular needs are catered for in the local area. Bespoke provide the Maths and English tuition as an accredited course.

35. When I first started out, there was no specific expectation from the Local Authorities or Government that the Maths and English offered would be formal or lead to qualifications; I therefore incorporated it into the daily activities. The system now requires alternative providers to provide more structured Maths and English. The children that we deal with cannot cope in a classroom scenario, and so the qualifications are delivered on Site, but Bespoke can provide those formal qualifications that are now required.
36. If a child becomes stressed or distressed at any point during the learning, being on Site allows us to take them outside and spend some time with the horses before returning to the more formal leaning. The LEAs that we work with place students with us that cannot cope in a normal learning environment, but which are able to thrive with our style of teaching. Our approach allows children not in mainstream education to gain the level of learning that is required. Bespoke also facilitate the small animal courses which we provide on Site, which help the young people learn life skills an allow some students to build up to the equine courses, some of whom are initially daunted by the larger animals. **Exhibit JG5** is a letter from Graham Coffey detailing his involvement, and that of his Company, in the tuition and therapy provided at the Site, including NVQs and EQUs.
37. The courses offered vary in terms of their content, focus and duration depending on the individual students and their needs as well as on the referring body's requirements and the degree of funding available for each placement. They can range from a 5-week course up to 28 weeks (i.e. a full school year), and students may enrol again upon completing one course.
38. It is very rewarding to be able to share my passion with the young people who, through learning about the animals and how to work with them, learn life skills, social skills, self-confidence and much more, alongside the additional Maths and English skills.
39. **Exhibit JG6** is a series of photographs of some of our students taking part in courses on the Site. **Exhibit JG7** comprises two letters written by previous students and one by a team mentor. The two students (Fig. 1 and Fig.2) were referred to me via the Black Country Impact scheme which supported unemployed people up to 25 years of age who



suffer with long term mental health issues. The Team Mentor (Fig.3) was a signer who assisted me when I had a deaf student referred to me; again this was part of the Black Country Impact scheme.

40. I also refer to **Exhibit JG8**, which is a letter from Lisa Hannon, a Registered Manager at Horizon Care and Education, who themselves deliver personalised learning programmes but who also refer particular students to us.

### **Facilities for providing therapy and tuition – the need for the Stables**

41. All of the courses described above have been given on Site within the existing buildings, including in the Barn, and in the livery mess and tack rooms. We also deliver tuition and therapy sessions outside in the manège and work with the horses on the concreted area where the Previous Stables were located and where the Stables are now constructed. We use the outside spaces to demonstrate and engage the young people in equine skills such as grooming and equine care, including observing the vet and farrier and equine dentist when they are on Site.
42. Whilst we have managed over the years with the facilities that we have, delivering tuition in an ad hoc way wherever there is space within the barn and livery areas, as well as using various structures on the Stables Land, including the Previous Stables. The Previous Stables, have been relocated within the Site as required, and been used, repaired and rebuilt many times, and have now eventually, for the most part, have become unusable and unsafe. It was at this point that I started to replace them with the Stables, which will comprise stables, tack rooms, storerooms, feed rooms and internal teaching spaces.
43. Whilst the use of the existing facilities has been adequate, over time I found some of the livery clients were becoming upset with having to share facilities, that they were paying for, with the young people, however we have continued as best as we could.
44. The Stables will provide a separate area where the young people can spend time with the horses, learn about animal care, nutrition (in the feed store) and tack and grooming (in the tack store) and have hands-on experience with the animals in the courtyard, whilst being safely contained away for the rest of the yard. This will help us provide a safer and more secure environment for the therapy students. There would also be a separate space where Maths and English etc can be taught, whilst still within the relaxed environment of the wider Site, but separated from the livery and other clients. The young people we work with do not learn well, or at all, in a classroom environment, for many of them it triggers their anxiety or other issues. This will enable us to provide Maths and English with Bespoke Education from entry level to Level 3 alongside the small animal,

- equine courses and therapy. The learning spaces within the Stables will be relaxed rooms, not set up to look like class rooms at all, so as to encourage the young people to engage with the learning in an informal and relaxed way.
45. We also offer equine industry recognised qualifications from the British Horse Society, and The Association of British Riding Schools. We hope to expand the choices of programs we offer into land-based learning, which includes practical countryside skills, for example, fencing, weeding, fertilizing and farm work generally. This will enhance the options available to the students and will help further support the Local Education Authorities in finding appropriate course for the students that they are looking to place with us, but the number of placements will remain consistent.
  46. Such courses are available elsewhere – for example, Rodbaston College offer this sort of course offering practical skills to students with learning disabilities, they also offer the small animal course that we provide on site; but the difference between the work that we do, is that we can cater for the students who present particular behavioural challenges: Rodbaston College refer such students to us. We also support young adults as well as school age children in such learning, some of whom are self-funded, others who are funded by grant schemes such as National Lottery, Sport England, and the Olympics.
  47. I refer also to **Appendix JG9**, which is a letter from MP Gavin Williamson, who has supported my work with young people over the years. I know him well, as his daughters had riding lessons at the Site for several years, at which time he would attend on a weekly basis and would chat to me about the equine therapy; he is passionate about education and was very supportive of what I do here, and he highlights the need for the equine therapy and the benefits of it to local Authorities.
  48. The Stables will only house horses used for the therapy and tuition work with young people and my own personal horses, it will not be used to expand the Riding School or Livery businesses. The Stables are located on an area within the Site which has been used for many years in association with the business, the only distinction and the key benefit is that the equine therapy can be contained in one place rather than encroaching into the livery and riding school areas.
  49. Currently I have to use the space within the Barn and livery areas, the mess room etc for internal tuition, including for teaching Maths and English to the students, which presents a conflict with paying clients, especially the livery clients.
  50. Use of the Stables will not increase the number of young people that come to us but we will be able to provide a better experience to those that do attend, which will improve their learning and lead to even greater success for them.

51. If I cannot use the Stables, I will need to reduce the number of therapy students that I can take on, as I cannot continue with the ad hoc use of the barn and other spaces for the tuition due to the conflict with my livery clients who pay for the use of the facilities and internal space. The livery and riding school are the income-generating parts of the business; the equine therapy is funded through the various referring bodies, but it is not profit-making – I do it because I enjoy helping the young people enhance their capabilities.

### **The Business**


52. My mindset and incentive when working with young people has always been to offer something back never for profit; the construction of the Stables has been and shall continue to be funded by the livery and riding school elements of the business. The entities referring young people to me pay a fee per student but that is needed to cover the overheads including staff, horses, and general running costs. Whilst it forms part of The Upper Hattons stables business, it does not generate profit, but is rather supported by the other aspects of the business.
53. At present we have c. 85 horses on the property (the exact number can fluctuate as horses come and go): 17 riding school horses which are used for the riding section, 13 retired or no longer fit to ride horses which we use for the therapy and care sessions, 21 livery horses, 7 staff horses, 25 breeding and young stock and 2 personal horses. The wider Site extends across c.38 acres, and I currently have horses being kept across the full extent of that; the Site is at capacity currently and it cannot accommodate any further expansion, nor do I intend to expand the business further in the future.
54. I employ 7 full time and 3 part time staff across the business currently. My employees are generally local to the area: Wednesfield, Bushbury, Penn, and some have come from Telford in the past. Some drive to the Site, some cycle and some use public transport – there is a bus service to Pendeford Business Park which is only a 15-minute walk to the Site, either via quiet country lanes or along the canal and footpath.
55. We also take on numerous students on work experience placements, and are a preferred provider for work experience for the equine students attending Rodbaston College. Other local schools also send people to us for their compulsory end of year work experience placements; they generally attend in the Summer months, and sometimes I will have 2-3 at a time; they help with mucking out and other basic yard work.
56. It is no longer viable for us to use the livery and riding school yards, feed rooms and tack rooms for learning and breaks associated with the therapy side of the business, as a

number of the livery and riding school clients have expressed a dislike of having to share when they pay and several have moved elsewhere due to the young people using their facilities, which I cannot sustain long term.

57. The separation of the tuition associated with the equine therapy activity from the other business aspects, as is the intention behind constructing the additional rooms alongside the stable unit within the Stables, will mean that additional staff are required i.e. 3 full-time and 1 part-time role will be generated, as the present staff will stay working within the existing yards and buildings.
58. My business has been running for over 20 years from this Site, and it is therefore shown to be viable and sustainable; I have no intentions to expand it further but rather to enhance the facilities to better service the existing clients and students.
59. I refer to **Exhibit JG10**, which is a letter from my Accountant to this effect.

#### **Design and materials & visual impact**

60. In my experience in the equine business, the design and materials of the Proposed Stables, being of breeze block construction, with timber rafters and profiled sheeted roofing, are one of the most common design and materials for stabling units; the other design that is also common is the American-style barn.
61. As far as I am aware, due to the location of the Stables within the Site, none of my neighbours can see the Stables from their residential properties.



**Jayne Goodwin**  
**9 August 2023**

#### **Exhibits:**

<b>Exhibit JG1</b>	Annotated Site Plan
<b>Exhibit JG2</b>	Photographs of Concrete Pad in 2000
<b>Exhibit JG3</b>	Google Earth images with site layouts
<b>Exhibit JG4</b>	Photographs of Previous Stables in the Stables Land
<b>Exhibit JG5</b>	Letter from Bespcke
<b>Exhibit JG6</b>	Photographs of training courses at the Site
<b>Exhibit JG7</b>	Letters from students and Team Mentor
<b>Exhibit JG8</b>	Letter from Horizon Care and Education
<b>Exhibit JG9</b>	Letter from Rt. Hon. Sir Gavin Williamson CBE MP
<b>Exhibit JG10</b>	Letter from K A Thompson (Accounting) Limited



# Appeal Against Enforcement Notice – Planning Statement

---

Appeal Against Enforcement Notice Issued by South  
Staffordshire District Council in Relation to a Stable  
Block at

Upper Hattons Stables, Upper Hattons Farm, Pendeford Hall Lane,  
Coven, Staffordshire, WV9 5BD

Appellant: Jayne Goodwin



**BERRYS**

T: 01743 271697 | E: [shrewsbury@berrys.uk.com](mailto:shrewsbury@berrys.uk.com) | [berrys.uk.com](http://berrys.uk.com)

---

APPELLANTS DETAILS

Jayne Goodwin

ISSUED BY

Ian Kilby

Development Manager

MA MRTPI IHBC

APPROVED BY

Stuart Thomas

BA (Hons) MA MRTPI

Partner and Head of Planning

PROJECT

Appeal against the Enforcement Notice Issued by South Staffordshire District Council

**BERRYS**

[berrys.uk.com](http://berrys.uk.com)

**BERRYS**

T: 01743 271697 | E: [shrewsbury@berrys.uk.com](mailto:shrewsbury@berrys.uk.com) | [berrys.uk.com](http://berrys.uk.com)

## Contents

---

1.0	Introduction.....	1
2.0	Planning Statement.....	3
3.0	Planning Policy.....	4
4.0	Precedents for Equine Uses in the Green Belt.....	12
5.0	Precedents for Educational Uses in the Green Belt.....	15
6.0	Intensification of Use?.....	16
7.0	Conclusion.....	16
8.0	Appendices.....	17

## 1.0 Introduction

---

- 1.1 This planning statement is in support of the appeal against the Enforcement Notice issued by South Staffordshire District Council which took effect on 24<sup>th</sup> May 2023. The appeal has been made by made on behalf of Jayne Goodwin (the Appellant) by FBC Manby Bowdler Solicitors and this statement should be read in conjunction with other documents submitted in support of this appeal.
- 1.2 The Enforcement Notice was issued in respect of a stable block constructed, and largely complete, on land which forms part of an established equine business established in 2000 and providing livery, riding school and education facilities for a number of local authorities.
- 1.3 The Notice requires the appellant to:
- *Demolish and remove the partially constructed stable block building located in the approximate position shaded blue on the plan*
  - *Permanently remove all hardstanding and materials used to form hardstanding bases for the development from the land.*
  - *Remove all materials , refuse and demolition material resulting from the removal of the partially constructed stable block.*

### Background to the Enforcement Notice

- 1.4 The Planning Enforcement Notice was issued following the refusal of planning permission Ref 22/00713/FUL for a retrospective planning application to retain the stable block which is at an advanced stage of construction.
- 1.5 The Council has not issued an expediency report in support of its decision to issue the Enforcement Notice, but has completed the relevant section of Enforcement Appeal Questionnaire which provides a brief summary as to its reasons for issuing the Enforcement Notice, these being:-

*“Planning Enforcement action is a discretionary power which may be exercised where there has been a breach of planning control which affects public amenity or otherwise affects land or buildings meriting protection*



*in the public interest. This case relates to inappropriate development within the Green Belt consisting of a partially completed, large stable block building to accommodate 14 stables, 3 storerooms, 2 tack rooms and a wash room occupying an extensive footprint of some 300sqm (650sqm including courtyard area) as built.*

*A retrospective planning application was submitted, (application reference 22/00713/FUL) and subsequently refused. The landowners through their planning agent have informed the Council that it is intended to appeal the decision to refuse the retrospective planning application, however any further delays would lead to ongoing harm within the Green Belt and a delay in the removal of the sizeable inappropriate development. It is therefore considered expedient to pursue formal enforcement action to conjoin any appeals together to secure the removal of the unauthorised development in a timely manner.”*

- 1.6 The Council has not published or adopted a planning enforcement protocol. It provides brief information on its website as to when enforcement action will be taken but there is little about expediency beyond a statement referencing the fact the enforcement action is discretionary and it must be in the public interest to take formal action.
- 1.7 In this case it considers that the largely complete stables are inappropriate development in the green belt and that following the refusal of planning permission for their retention considers continuing delays to lead to ongoing harm to the green belt. These points are considered in detail below.

## 2.0 Planning Statement

---

### Planning Policy and whether the proposal is “Inappropriate Development” in the Green Belt

- 2.1 The proposed development site is located within an area of Green Belt land in the District of South Staffordshire close to the village of Coven to the west of the A449.
- 2.2 The site consists of a former farmhouse and outbuildings illustrated by the area tinted red on the satellite image below and indicated in blue on the adjacent Council plan. This illustrates the significantly larger area of land and buildings owned by the appellant which is all used in support of the established equine business. Other land and buildings are in separate commercial uses, these include a taxi business and a media business. Other buildings and the original farmhouse are in residential use. The appellant lives in one of the traditional agricultural buildings that has been converted to residential use.



- 2.3 The first question is whether the development is inappropriate development in the greenbelt as the Local Planning Authority claims. To assess this the relevant planning policy should be applied.
- 2.4 The Council as Local Planning Authority has to take decisions in accordance with its development plan unless material considerations indicate otherwise, Section 38(6) of the Planning and Compulsory Purchase Act 2004 refers. Material considerations will include matters relevant to planning and the application under consideration such as the relevant National Policy or planning appeal decisions where these are relevant to the case.

## 3.0 Planning Policy

### The Development Plan

3.1 The starting point for consideration of this application is Section 38 (6) of the Planning and Compulsory Purchase Act 2004, insofar as the determination must be in accordance with the Development Plan, unless material considerations indicate otherwise. In this case the Development Plan consists of the South Staffordshire Core Strategy (adopted 2012) and the Site Allocations Document (SAD) adopted in 2018 which together provide the basis for decision taking for planning applications across South Staffordshire Council. Although the Local Plan is under review, and at an advanced stage of preparation it has yet to be submitted to the Planning Inspectorate for examination and accordingly would attract very limited weight in decision taking.

3.2 In the draft Statement of Common Ground accompanying this appeal the Council cites relevant development plan policies which are considered further below:-

CP1: The Spatial Strategy

GB1: Development in the Green Belt

CP2: Protecting and Enhancing the Natural and Historic Environment

EQ4: Protecting and Enhancing the Character and Appearance of the Landscape

CP7: Employment and Economic Development

EQ9: Protecting Residential Amenity

EQ11: Wider Design Considerations

CP4: Promoting High Quality Design

EV7: Equine Related Development

EV11: Sustainable Travel

EV12: Parking Provision.

CP9: Rural Diversification

## CP1: The Spatial Strategy for South Staffordshire

- 3.3 This core policy outlines the strategic objective of protecting and maintaining the Green Belt. The policy implications for the Green Belt are considered further in this statement.

### GB1: Development in the Green Belt

- 3.4 This is a key policy and is reproduced below. The green belt is considered further in this statement, the key point being whether this amounts to appropriate development in the Green Belt and if it is not then whether the benefits arising from the development outweigh any identified harm. Further to this the Core Strategy Policy OC 1 – Development in the Open Countryside Beyond the West Midlands Greenbelt confirms where planning permission will be granted in the open countryside, specifically in respect of new buildings under A.b) (above) for sport or recreation which preserve the openness of the Green Belt and not conflict with its purposes.

The Council has also adopted a Supplementary Planning Document in 2014, which provides further guidance for development in the Green Belt and Open Countryside. Upper Hatton Stables lies to the northern part of the Council's administrative area in an area of open countryside subject to Green Belt designation.

**Core Strategy Policy GB1: Development in the Green Belt**

Within the South Staffordshire portion of the West Midlands Green Belt as defined on the Policies Map, development acceptable within the terms of national planning policy set out in the NPPF will normally be permitted where the development is for either:

A. A new or extended building, provided it is for:

- a) purposes directly related to agriculture or forestry; or
- b) appropriate small-scale facilities for outdoor sport or recreation, nature conservation, cemeteries and for other uses of land which preserve the openness of the Green Belt and which do not conflict with its purposes; or
- c) affordable housing where there is a proven local need in accordance with Policy H2; or
- d) limited infilling\* and limited extension(s), alteration or replacement of an existing building where the extension(s) or alterations are not disproportionate to the size of the original building, and in the case of a replacement building the new building is not materially larger than the building it replaces. Guidance in these matters will be contained in the Green Belt and Open Countryside Supplementary Planning Document (SPD).

B. The re-use of a building provided that:

- e) the proposed use of any building (taking into account the size of any extensions, rebuilding or required alterations), would not harm the openness of the Green Belt land or the fulfilment of its purposes.

C. Changes of Use of Land:

- f) the carrying out of engineering or other operations, or the making of a material change of use of land, where the works or use proposed would have no material effect on the openness of the Green Belt, or the fulfilment of its purposes.

D. Development brought forward under a Community Right to Build Order.

Development proposals should be consistent with other local planning policies.

*\*Footnote: Limited infilling is defined as the filling of small gaps (1 or 2 buildings) within a built up frontage of development which would not exceed the height of the existing buildings, not lead to a major increase in the developed proportion of the site, or have a greater impact on the openness of the Green Belt and the purpose of including land within it.*

## CP2: Protecting and Enhancing the Natural and Historic Environment

3.5 This core policy provides a framework for protecting the natural and heritage assets within South Staffordshire. It is an over-arching objective and not one that the development proposal is in conflict with.

## EQ4: Protecting and Enhancing the Character and Appearance of the Landscape.

3.6 The stable block the subject of this appeal has been constructed on an area of concrete hardstanding that was in place at the time the appellant acquired the site in 2000. This element of the proposal is previously developed land. It was used in the applicant's ownership to provide a hard standing for timber stables that have been moved around the hardstanding over the years to meet changes in the business and to meet the requirements of horses on the land. The photographs below (taken August 2023) confirm that the hardstanding pre-dates the stable blocks the subject of the appeal. It is clear that the concrete base is weathered, cracked with vegetation growth, it is not a recently constructed yard. These photographs also illustrate an example of the timber stables that were previously erected across the site.



The whole site occupies a hollow surrounded by vegetation (see images below taken from north side (field) and from west illustrating existing barn and appeal site to left of image by parked car. It does not encroach into open countryside and is not prominent. Consequently, there is very little landscape impact and it is not considered that there is a conflict with this policy.





## CP7: Employment and Economic Development

- 3.7 This core policy objective seeks to facilitate economic development. Upper Hattons stables is a business providing employment and training opportunities for its staff. The riding school, education offer and livery all contribute to economic development and support to the local economy. Letters of support are attached to the appeal documents illustrating the benefits the education facilities bring.

## EQ9: Protecting Residential Amenity

- 3.8 This policy requires all development proposals should take into account the amenity of any nearby residents, particularly with regard to privacy, security, noise and disturbance, pollution (including light pollution), odours and daylight. It is not considered that there is any conflict with Policy EQ9 arising from the proposal. This an established equine use and the proposals will not intensify the existing use in any way. This issue is considered in further detail below. The nearest dwelling is occupied by the appellant – a barn conversion forming part of the original farm group. The next nearest dwelling, also a barn conversion has a single rooflight facing the appeal site and existing equine buildings and is not considered to be impacted adversely by the proposal. The image below depicts the appellants two storey dwelling and the neighbouring single storey dwelling (a barn conversion) which has a primary aspect facing away from the appeal site.



#### **CP4: Promoting High Quality Design and EQ11: Wider Design Considerations**

3.9 Taking these two policies together as they are related, the design for the stable block is driven primarily by function although aesthetic considerations are clearly relevant. Although substantially complete, the stable block buildings have not been finished. The appellant's intention was to paint these to match the existing stables, see image below. However, the final finish and colour scheme is something the appellant would be prepared to agree through an appropriately worded planning condition. The design of the stable block matches the functional design of existing stables on the site, consistent with EQ11 (j) and as stated the whole stable block occupies a hollow screened from most vantage points such that its impact beyond the immediate environs would be minimal consistent with EQ11(i). Notwithstanding this the appellant would also be prepared to accept a condition requiring a landscaping scheme to be submitted and agreed should this be considered necessary.



#### **EV7: Equine Related Development**

3.10 Clearly a policy directly related to the development EV7 confirms that the Council will support Equine Related development in the Green Belt subject to a series of criteria. The proposed development is considered to be entirely compliant with EV7.

The first criterion is that the new buildings are sited close to existing buildings and do not impact on the amenity of nearby residents. A site visit will confirm that the siting of the building meets this requirement and would not impact on the amenity of local residents any more than the existing business does.

The second criterion deals with design, see para 3.9 above.

The third criterion concerns impact on the natural environment - see commentary to EQ4 at para 3.6 above.

The fourth criterion requires the design of any related development such as a manege, to be sympathetic to the character of the area. This is not relevant to the current proposal.

The final criterion requires development to be closely sited to bridleways to avoid the need for horses to use roads. Here the facility provides for use of horses on land on site abut it is closely located also to the bridleway network.

### EV11: Sustainable Travel

3.11 This policy requires all proposals for development must include provision for sustainable forms of transport to access the site, and within the development. Importantly, there is no intensification of use or changes to travel patterns arising from the proposal. The development is an enhancement of existing facilities on site and not intended to provide for additional horses as the number on site (86) will remain the same. Visitors can walk or cycle to the site, although most will arrive by private car. Children and young people who visit the site for educational purposes travel together by minibus. There is adequate parking for all users on site illustrated in the photographs below which show the primary parking area and overflow parking.



### EV12: Parking Provision

3.12 This policy requires development proposals to provide adequate off street parking. EV12(a) considers the anticipated demand for parking arising from the proposed development. This is an important point because the proposed stables do not represent an intensification of use but an enhancement of facilities on site for existing horses and for those visiting the site for education purposes. All parking is provided within the site.

### Core Policy 9: Rural Diversification

3.13 This policy supports economic development in rural locations and confirms that the council will support the retention of appropriate businesses on rural sites. Read in conjunction with EV7 it is considered that the proposal is fully compliant with these policies supporting this established equine business in



a rural location which utilises in the main former agricultural land and buildings.

### **National Planning Policy Framework (NPPF) 2021**

3.14 The NPPF provides the Governments policy for planning, it is a significant material consideration in planning decisions and provides clear guidance with regard to Green Belt

At Paragraph 137 it states:-

*“The government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.”*

And at paragraph 138 it set out the purposes of the Green Belt

*Green Belt serves 5 purposes:*

*(a) to check the unrestricted sprawl of large built-up areas*

*(b) to prevent neighbouring towns merging into one another;*

*(c) to assist in safeguarding the countryside from encroachment;*

*(d) to preserve the setting and special character of historic towns; and*

*(e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land“*

At paragraphs 147 to 149 the NPPF provides a framework for decision taking for planning applications in the Green Belt

*“147. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.*

*148. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.*

*149. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*

*(a) buildings for agriculture and forestry;*

*(b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*

*(c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*

*(d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*

*(e) limited infilling in villages;*

*(f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*

*(g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*

*not have a greater impact on the openness of the Green Belt than the existing development; or*

*not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.”*

3.15 Examining this point the further the appellants position is that the use is one of recreation and education as part of a business established in 2000. the concrete hardstanding where the stables have been built was in place when the land was purchased by the appellant in 2000. It had been used as part of the wider farm and in the ownership of the appellant was used to accommodate timber demountable stables across the hard standing area. These structures are designed in a way that facilitates relocation, they are lightweight structures and have been moved around the yard area within the 23 years the appellant has owned the land. The structures vary in number depending on the type of horses on site as some live outside on the land, hardier breeds like Cobbs, other horses require stabling overnight, so this has been a position that changes depending on what horses are currently on the land. It is for this reason there have been periods when the number and location of these stables on the yard has fluctuated.

3.16 Turning to the question of preserving the openness of the Green Belt, the land in question was always developed in the appellant's ownership, it was a concrete hardstanding at the point the land was acquired. Photographs submitted with this and other statements in support of the appeal confirm

that the concrete hardstanding is weathered and was in place prior to the construction of the current stable block. Prior to this it provided a hardstanding for the demountable timber stabling illustrated in the appeal submissions. In this respect the land has been developed previously and occupied with buildings and structures for many years prior to the appeal development taking place and consequently the principle of the impact on “openness” is a matter of judgement.

- 3.17 Considering the site in context, the visual impact on the Green Belt in this location is limited as a site inspection will confirm. As stated this is previously developed land within an established former farm yard complex used now for equestrian purposes. It occupies a hollow and the stables are surrounded on the three sides away from the existing farm buildings by higher land and vegetation at a level coincident with the eaves of the stable block. The buildings are not visible immediately outside the site and do not conflict with the purposes of the Green Belt.
- 3.18 Having regard to the operational aspects of the development there are three elements to the equestrian business. There is a livery where owners are offered a fully serviced stabling service for their horses, currently there are 21 horses in livery. Then there is the riding school business available on a chargeable basis for those wishing to learn to ride. Lessons are offered on evenings Wednesday to Friday and through the day at the weekends. The third element of the business provides educational support to a number of local authorities including Wolverhampton Borough Council, Dudley, Walsall and Staffordshire County Council. This is a key aspect of the business and provides dedicated specialist support to children and young adults with Special Educational Needs or behavioural issues. This aspect of the business is particularly beneficial in meeting a community need, it provides an environment for young people to develop life and learning outside a traditional classroom environment and it could not be offered in that way. It needs to be delivered in a rural location where young people and the horses can interact.
- 3.19 To conclude the proposed development is considered to be compliant with relevant policy in the adopted development plan and NPPF, in particular Policies GB1, EV7, and NPPF 149(b).

## 4.0 Precedents for Equine Uses in the Green Belt

- 4.1 The Council’s objections rest on the development being inappropriate development in the Green Belt and an intensification of use. As stated the appellants contention is that the development is not inappropriate development in the Green Belt and benefits from support under Paragraph 149 (b) of the NPPF. This is an established equine business in a rural location providing recreation and education facilities.

4.2 Appended to this statement are several appeal cases I consider relevant to the consideration of this appeal.

4.3 **Appeal Ref: APP/R1038/W/19/3229777 – Eckington, Sheffield - change of use to equestrian with hay barn and field shelters. (Appendix 1)**

4.4 In this case the Inspector found the field shelters and change of use to equestrian use to constitute appropriate facilities for outdoor sport and recreation and in accordance with Paragraph 145(b) of the Framework which has strong parallels with this appeal. In the Inspectors view the development would not be inappropriate provided that the stables would preserve the openness of the Green Belt and not conflict with the purposes of including land within it.

4.5 The decision considered openness was, in effect, the absence of development and it has both a spatial and visual aspect. Whilst the proposal would introduce new structures within the Green Belt, the field shelters would be single storey and sited in a ‘c’ shape.

*“This would provide a compact form. Due to the topography and size of the field, they would not be visible in long views from Westfield Lane and would only just be seen from the upper floors of dwellings in Middle Handley. The mature hedgerow planting to field boundaries would screen them from Bramblemoor Lane. Whilst they would be apparent from the access track, given their height and construction in timber cladding, which would have a natural appearance, they would not be particularly prominent.”*

4.6 This is entirely consistent with the position at Upper Hattons where the stable block occupies a hollow adjacent to existing farm buildings and surrounded by raised ground and vegetation on other sides. Consequently, the stable block is largely screened from any vantage point as the photographs below indicate and a site visit will confirm.



4.7 **Appeal Ref: APP/X0415/W/18/3197409 – Chiltern District Council - erection of a stable building adjacent to northern entrance and change of use of land for equestrian purposes (Appendix 2)**

- 4.8 In this case the Inspector found the proposed stable building would involve the provision of an appropriate facility associated with the equestrian use of the land as an outdoor recreation use. The Inspector notes:-

*“The equestrian use of the land, in my view, would have no greater impact on the openness of the Green Belt than the current agricultural use of the land in this case. Consequently, I conclude that the proposal would not constitute inappropriate development in the Green Belt and would be consistent with LP Policy GB2 and the aims of the revised Framework.”*

- 4.9 **Appeal Ref: APP/C3430/A/13/2207380 – South Staffordshire – The erection of 12 stables with ancillary accommodation, horse walker, fence and gates to highway and stone track from site access to stables. (Appendix 3)**

- 4.10 This case concerns an application in South Staffordshire, the same Local Authority as the appeal site. The inspector found it to be inappropriate development in the Green Belt due to the physical presence of 12 stables and horse walker, however, drew upon EV7 of the Core Strategy recognises that equine related development is an acceptable form of development in the Green Belt and open countryside, recognising the contribution equine enterprises can make to the rural economy.

- 4.11 The Inspector in this case concluded that the proposal would support the growth and expansion of the equestrian enterprise within this rural area, consistent with the aims of Policy EV7.

*“I attach significant weight to this matter. This represents very special circumstances which outweighs the harm to the Green Belt through inappropriate development and the loss of openness.”*

There are clear similarities between this and the Upper Hattons stables business. It provides a significant economic and educational benefit to the local area and to a number of Local Authorities.

- 4.12 Policy EV7 of the development plan states:-

*‘Proposals for larger scale enterprises will be considered on whether they will be beneficial to the local rural economy through sound financial planning and should be consistent with other local planning policies.’*

The Inspector deals with this point specifically at paragraphs 15 to 17 where they say:-

*“15. The Council considers that Policy EV7 supports small scale horse related facilities and equine enterprises, and only supports larger scale equine enterprises where it would be beneficial to the local rural economy. It considers that the proposed stable block and horse walker do not represent small scale facilities.”*

*16. However, there is no explicit reference within either the policy or 'explanation' to confirm the Council's view. I have concluded that the new stable building and horse walker would represent appropriate facilities for outdoor sport and recreation. They would relate to a small scale equine enterprise. The stables and horse walker would be of a design and constructed of materials that would be sympathetic to the rural character of the area, they would be sited close to the existing indoor riding school, a suitable distance away from residential properties, and in close proximity to the bridleway network. I have not been provided with substantive evidence that the siting of the development would have an adverse impact on the natural environment or the integrity of designated protected sites. I therefore conclude that there would be no conflict with the objectives of Policy EV7."*

- 4.12 In summary it is the appellants contention that the development supports the enhancement of an established rural business. It derives policy support from EV7 and Core Policy 9 of the Development Plan. The NPPF also reaffirms support for the rural economy at paragraphs 84 and 85. Paragraph 84 (a) and (b) are relevant to the development and state:-

*"Planning policies and decisions should enable:*

*a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*

*b) the development and diversification of agricultural and other land-based rural businesses;"*

- 4.13 Furthermore the development does constitute appropriate development in the Green Belt. It benefits from the NPPF policy support under paragraph 149(b) and Paragraph 150(e) which supports the change of use of land for uses including sport and recreation.

- 4.14 In any event there are significant benefits that arise from the development in the provision of education and training facilities for children and young adults, providing a valued service to several local authorities as paragraph 3.18 refers, evidenced with documents in support of this appeal.

## 5.0 Precedents for Educational Uses in the Green Belt

- 5.1 The value of educational uses within the Green Belt has been highlighted in several planning decisions including an application in Shropshire, approved under delegated powers. This was on land at Beamish Lane, Albrighton – 21/03379/FUL -Redevelopment of Poole Meadow smallholding to provide a residential special educational needs (SEN) school, to include: change of use and extension to existing dwelling to provide a learning centre; demolition of outbuildings; erection of residential accommodation buildings; installation of MUGA; installation of staff and visitor parking.



## 5.2 Appeal Ref: APP/M3645/W/20/3254198 (Appendix 4)

The development proposed was for the demolition of existing teaching building and replacement by new classroom and services building together with additional parking.

Here, although the Inspector found the application to be inappropriate development in the Green Belt that the significant benefits that would arise from the improvements to the educational facilities for children with special needs clearly outweighs the limited harm to the Green Belt. Consequently, the very special circumstances necessary to justify the development exist, and the appeal should succeed.

## 6.0 Intensification of Use?

6.1 The Council considers that the construction of the stable block will amount to an intensification of use. It will not intensify the use but enhance the existing offer without generating further planning impacts. This is not a proposal to expand the business but to improve the existing facilities for customers and the horses kept at the site.

6.2 There are currently 86 horses on the land owned by the appellant and it is not proposed to increase this as a result of the development. A number of the horses are stabled and others live out on the land, these generally being hardier species such as Cobbs. The proposed stables would allow more of the existing horses to be stabled overnight.

6.3 In addition the stable block would provide an environment that supports the existing educational aspect of the Upper Hattons business. Here children and young people, either with Special Educational Needs or behavioural issues derive benefit through working with horses. It is a key part of the existing offer where young people arrive by minibus and are then offered a range of educational and equine related activities. The stable block would provide 14 stables and allow 1 to 1 training to be offered for visiting students, a facility that is more difficult to provide with the existing buildings.

## 7.0 Conclusion

---

7.1 Upper Hattons Stables is a long established (23 years) equine business occupying land and buildings that form a significant part of a former farmstead now in mixed use. The whole site lies within the within the Green Belt and the proposal seeks to enhance the existing business without intensification. The stable block building is considered to be policy compliant, in particular with GB1 and EV7 of the Development Plan and with Paragraph 149 (b) of the NPPF.

- 7.2 Notwithstanding this there are also significant benefits that the proposal would provide in supporting the education of children and young people with special educational needs and behavioural issues.
- 7.3 The appellant would be prepared to accept appropriately worded conditions to agree any materials or finishes to complete the buildings should this be considered necessary.
- 7.4 The Inspector is respectfully requested to allow this appeal for the reasons given in this and other documents in support of the appeal.

## 8.0 Appendices

---

### Appendix 1

Appeal Ref: APP/R1038/W/19/3229777 – Eckington, Sheffield - change of use to equestrian with hay barn and field shelters.

### Appendix 2

Appeal Ref: APP/X0415/W/18/3197409 – Chiltern District Council - erection of a stable building adjacent to northern entrance and change of use of land for equestrian purposes (Appendix 2)

### Appendix 3

Appeal Ref: APP/C3430/A/13/2207380 – South Staffordshire – The erection of 12 stables with ancillary accommodation, horse walker, fence and gates to highway and stone track from site access to stables.

### Appendix 4

Appeal Ref: APP/M3645/W/20/3254198 (Appendix 4)





## Appeal Decision

Site visit made on 3 September 2019

by Kate Mansell BA (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 October 2019

---

Appeal Ref: APP/R1038/W/19/3229777

Blueberry Farm, Westfield Lane, Middle Handley, Nr Eckington, Sheffield S21 5RY

- 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 Joy Harrison-Roycroft against the decision of North East Derbyshire District Council.
  - The application Ref 18/00963/FL, dated 23 September 2018, was refused by notice dated 29 November 2018.
  - The development proposed is a change of use to equestrian with hay barn and field shelters.
- 

### Decision

1. The appeal is allowed and planning permission is granted for a change of use to equestrian with hay barn and field shelters at Blueberry Farm, Westfield Lane, Middle Handley, Nr Eckington, Sheffield S21 5RY, in accordance with application Ref 18/00963/FL, dated 23 September 2018, subject to the following conditions:
  - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan (TQRQM18278071557581), Field Shelters, Tack and Feed Room Elevations Plan and Proposed Hay Barn Plan.
  - 2) The materials to be used in the construction of the hay barn, field shelters and tack and feed room structures hereby permitted shall be constructed in the materials set out on the application form.

### Procedural Matters

2. The description of development given on the application form is lengthy. It is set out in sections to include a site description, the proposal, the policy context, a justification and details of the field shelters. A full but different description was included on the appeal form. This also provided both a background to the proposal and a justification for it. However, it is clear that permission is being sought for a change to equestrian use along with a hay barn and field shelters. For clarity, I have therefore used the description on the **Council's decision notice in the header and in my formal decision.**
3. The application form refers to the use of the site for grazing and keeping horses and sheep. The Council dealt with the proposal on this basis, as a mixed agricultural and equestrian use, and so shall I.
4. On my site visit I saw that there were both horses and sheep on the site and the equestrian change of use had commenced. I also observed that the

---

<https://www.gov.uk/planning-inspectorate>

construction of both the hay barn and field shelters had started. However, the application form confirms that the works have not been completed. Accordingly, whilst taking note of what I observed on site and what has been built, in respect of the hay barn and field shelters, I have determined this appeal on the basis of the submitted plans.

5. On 19 February 2019 the Government published an updated revised National Planning Policy Framework (the Framework). The revisions do not materially alter the national policy approach in respect of the issue raised in this appeal. Therefore, no party has been prejudiced by my having regard to this updated document.
6. **The Council's Officer Report refers to a new Local Plan (2014-2034), which was submitted for examination in May 2018. It identifies four emerging policies to be most applicable to the proposal, although none are cited in the Council's reasons for refusal.** These include emerging policy SS10 relating to the Green Belt and the circumstances in which development would be permitted. Having regard to Paragraph 48 of the Framework and the weight to be attached to relevant policies in emerging plans, I acknowledge that the plan is at an advanced stage in the adoption process and the emerging policies would appear to be broadly consistent with the Framework. However, it does not form part of the adopted development plan and in the absence of any detailed evidence to confirm that there are no unresolved objections to these policies, I afford them limited weight at this time.

#### Main Issue

7. The main issue is the effect of the proposal on the Green Belt as follows:
  - Whether the proposal is inappropriate development within the Green Belt having regard to the National Planning Policy Framework (the Framework) and development plan policy;
  - Its effect on the character and appearance of the area;
  - If the development is inappropriate, whether the harm, by reason of inappropriateness and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

#### Reasons

8. The appeal site is a long rectangular field within the Green Belt to the west of Middle Handley, bounded by a combination of fencing/planting/hedgerows. To each side there is a similarly linear open plot. Along its southern boundary, the site adjoins Westfield Lane from which it slopes up towards its northern boundary and an access track that extends from Bramley Moor Lane. This top part of the site occupies an elevated position with views to the wider countryside. The surrounding area is rural in nature, typically comprising small settlements bordered by a network of large open fields.
9. The appeal proposal would introduce 4 single storey timber buildings in the north-east corner of the site. They would comprise two open field shelters, each with two openings and two buildings that would each accommodate a stable/feed room in one and a stable/tack room in the other. A hay barn with an open fronted access would be positioned in the south-western corner. A

previous scheme for a mixed agricultural/equestrian use on the site, with buildings located towards the southern end, was refused in 2018<sup>1</sup>.

*Whether inappropriate development*

10. The Framework confirms that the essential characteristics of Green Belts are their openness and their permanence. In this context, Paragraph 145 of the Framework states that the construction of new buildings in the Green Belt is inappropriate, unless one of the stated exceptions apply. The exceptions include, as relevant to this appeal, Paragraph 145(a) buildings for agriculture and forestry and at Paragraph 145(b) the provision of appropriate facilities in connection with the existing use of land or a change of use for outdoor sport and outdoor recreation. The latter is subject to a test of the preservation of the openness of the Green Belt and not conflicting with the purposes of including land within it.
11. This broad approach is reflected in Policy GS2 of the North East Derbyshire Local Plan (Adopted November 2005) (NEDLP), with one relevant exception. Policy GS2 also identifies exclusions to inappropriate development in the Green Belt. As relevant to this appeal, in addition to agriculture and forestry, it includes essential facilities for outdoor sport and recreation. However, paragraph 145(b) of the Framework cited above **refers to 'appropriate' facilities** rather than essential. I consider the latter to imply that a new building would be necessary to the functioning of the specific outdoor sport or outdoor recreation facility. **Whereas 'appropriate' implies that the development should be suitably linked.** In my view, this is not as rigorous a requirement as that set out in the local plan policy. For this reason, I give significant weight to the Framework.
12. The appeal scheme is a mix of equestrian and agricultural uses. On my site visit, I observed a small flock of sheep penned within the lower part of the field towards Westfield Lane with horses kept at the top. From the evidence before me and my observations on site, the hay barn to the lower part of the field would therefore primarily be for the keeping of sheep pertaining to the agricultural part of the proposal with the remaining structures for equestrian use.
13. The Council contend that the proposal has not been reasonably justified for the purposes of agriculture. However, Section 336 of the Town and Country Planning Act provides a definition of agriculture, which includes the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land) as well as the use of land as grazing land. It does not introduce a size threshold.
14. Within this context, whilst it would be small scale, I am satisfied that the keeping of sheep, which would be grazing on the land, would constitute an agricultural use. Consequently, the hay barn, which would be modestly sized at approximately 7m in width and 5.5m in depth and proportionate as a means to provide shelter as well as some hay storage, would reasonably be required as a building for agriculture. It would therefore fall within one of the specific exceptions at Paragraph 145(a) of the Framework. Consequently, it would not be inappropriate development in the Green Belt and could not be regarded as

---

<sup>1</sup> Council Ref: 18/00155/FL

- harmful either to the openness of the Green Belt or to the purposes of including land within it.
15. Turning to the equestrian element and the field shelters, the Council do not appear to dispute that the use would relate to outdoor sport and recreation but contend that, in addition to the preservation of openness test, the proposal would not amount to the provision of appropriate facilities and would, consequently, be inappropriate.
  16. The field shelters would provide six enclosures overall as well as a small feed and tack room. In the absence of any evidence, such as guidance to specifically restrict the size of equestrian buildings or number of horses to be kept per hectare, I find that they would be proportionate to the extent of the plot overall. From my observations on site, I also consider that they would be functionally appropriate to be used in conjunction with equestrianism, and therefore, for outdoor sport and recreation.
  17. Consequently, the proposal would constitute appropriate facilities for outdoor sport and recreation and in accordance with Paragraph 145(b) of the Framework, they would not be inappropriate provided that they would preserve the openness of the Green Belt and not conflict with the purposes of including land within it.
  18. Openness is, in effect, the absence of development and it has both a spatial and visual aspect to it. Whilst the proposal would introduce new structures within the Green Belt, the field shelters would be single storey and sited in a 'c' shape. This would provide a compact form. Due to the topography and size of the field, they would not be visible in long views from Westfield Lane and would only just be seen from the upper floors of dwellings in Middle Handley. The mature hedgerow planting to field boundaries would screen them from Bramblemoor Lane. Whilst they would be apparent from the access track, given their height and construction in timber cladding, which would have a natural appearance, they would not be particularly prominent.
  19. Moreover, keeping horses would also preserve the openness of the Green Belt and I do not doubt that the structures would be genuinely required to provide shelter for them, as well as the ancillary facilities for tack and feed. I have no evidence before me and, therefore, **no reason to dispute the appellant's** assertion that the plot is large enough to sustain the animals. Consequently, the proposal would be commensurate with and proportionate to the keeping of horses on the scale proposed and I find that the development would not harm the overriding sense of openness as a result.
  20. Taken together, the proposal would not have an adverse effect on the openness of the Green Belt. Nor, given their scale and location at the top of a field used to keep the horses, would the field shelters represent encroachment into the countryside, or conflict with the other purposes of including land within the Green Belt established at Paragraph 134 of the Framework.
  21. For these reasons, I find that the proposal overall would satisfy the exceptions set out at Paragraph 145(a) and (b) of the Framework. Therefore, it would not represent inappropriate development in the Green Belt. Consequently, it would not be at odds with the objective of protecting the Green Belt set out within the Framework.

*Character and appearance of the area*

22. Both the hay barn and the field shelters are relatively well screened from much of the surrounding area by existing mature hedgerows and planting. The hay barn, which lies to the west of Middle Handley, would be visible from the settlement. Nevertheless, its scale is such that it would not be dominant in views from it and it would be set against a well-established hedgerow.
23. The field shelters would be visible from windows within the rear upper floors of properties on Westfield Lane but given the modest scale of these structures and the distance to them, they would not appear incongruous within the wider landscape, aided further by their construction largely in timber cladding.
24. I recognise that there are other stable structures that are visible from the access road within the vicinity of the appeal site. However, they are not so close to result in a cumulatively harmful effect on the open character of the area. The slope of the field would also ensure that they would be visually distinct from the hay barn to the south-east corner. In any event, neither stables/equestrian uses, nor barns, are uncommon within the countryside.
25. For these reasons, I conclude that the proposal would not harm the intrinsically rural character and appearance of the area. I therefore find no conflict with policies GS6 and R9 of the NEDLP (2005). These policies broadly seek to protect the open character of the countryside and ensure that development is appropriate to such a location. They are largely consistent with the Framework in seeking to protect the open character of the countryside and can be afforded significant weight accordingly.

*Whether very special circumstances*

26. I have found that the appeal **proposal would not amount to 'inappropriate development' in the Green Belt. As** it would not harm the Green Belt nor **constitute 'inappropriate development'**, I do not need to consider whether very special circumstances exist. Furthermore, I do not find that the proposal would be harmful to the character and appearance of the area. Its overall accord with both the development plan and national policy is not outweighed by any other consideration. I will therefore allow the appeal.

Conditions

27. A condition relating to the standard time limit for commencement of development is not relevant as it has started. However, in the interests of certainty, I have imposed a condition requiring that the development be carried out in accordance with the approved plans. In order to protect the character of the area, I have also imposed a condition requiring the external materials used in the construction of the buildings to match those set out on the application form, where they are detailed.

Conclusion

28. For the reasons given above, I conclude that the appeal should be allowed.

*Kate Mansell*

INSPECTOR



---

## Appeal Decision

Site visit made on 21 August 2018

**by David Troy BSc (Hons) MA MRTPI**

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

**Decision date: 31<sup>st</sup> August 2018**

---

**Appeal Ref: APP/X0415/W/18/3197409**

**Great Green Street Farm, Green Street, Chorleywood WD3 6EA**

- 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 The Air Group Ltd against the decision of Chiltern District Council.
  - The application Ref CH/2017/1804/FA, dated 26 September 2017, was refused by notice dated 22 December 2017.
  - The development proposed is erection of a stable building adjacent to northern entrance and change of use of land for equestrian purposes.
- 

### Decision

1. The appeal is allowed and planning permission is granted for erection of a stable building adjacent to northern entrance and change of use of land for equestrian purposes at Great Green Street Farm, Green Street, Chorleywood WD3 6EA in accordance with the terms of the application, CH/2017/1804/FA, dated 26 September 2017, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the approved plans: Site Location Plan and Composite Location Plan, Block Plan, Floors Plans and Elevations: Drawing no. 1501-138.
  - 3) Notwithstanding the approved details, no development shall take place until details of the surface materials for the hardstanding area around the proposed stable building and the proposed boundary treatment have been submitted to and approved in writing by the Local Planning Authority. The details shall include a written specification of the surface materials and the type and height of fences, hedges/shrubbery, gates and other means of enclosure. The development shall be completed in accordance with the approved details.

### Procedural matters

2. Since the determination of the application the revised National Planning Policy Framework (the revised Framework) was published on 24 July 2018. The main parties have been consulted on the revised Framework and provided comments in relation to this appeal. I have therefore considered the development against the relevant aims and objectives of the revised Framework.



3. **The Council's appeal statement outlines that** the sole reason for refusal on the **Council's Decision notice** relating to the material change of use of the land in the Green Belt, is now no longer relevant in this case, as the revised Framework now allows for this type of development to take place. The Council has confirmed that based on this material change in national planning policy, the Council no longer regards the proposal as an inappropriate development in the Green Belt and does not wish to defend the reason for refusal. I will address this matter below.

### **Main Issue**

4. The main issue is whether the proposal would be inappropriate development in the Green Belt.

### **Reasons**

5. The appeal site forms part of an agricultural parcel of land situated in an open Green Belt location and the Chilterns Area of Outstanding Natural Beauty (the AONB). It is located on the western side of Green Street close to its junction with A404 Amersham Road and immediately to the north of Great Green Street Farm, a former farmhouse and range of barns converted into residential use. Aside from the residential uses at Great Green Street Farm, the appeal site is surrounded by open countryside and the AONB, which gives the area an open and rural character and appearance.
6. The proposal would involve the change of the use of the land for equestrian purposes and the erection of a small stable building on the eastern side of the site. The proposed building, measuring about 14.7m (length) by 5.45m (width), would be of a timber-framed construction with horizontal timber cladding and a low pitched profiled sheet roof with a ridge height of about 3.2m.
7. Policy GB2 of the Chiltern District Local Plan (LP)<sup>1</sup> states that there is a general presumption against inappropriate development in the Green Belt. It does however specify certain categories of development that are not considered inappropriate, which includes, at criterion (a) new buildings to provide essential facilities for outdoor recreation; and (f) the making of material changes in the use of land; subject to both preserving the openness of the Green Belt and not conflicting with the purposes of including land within it. Policy R13 of the LP supports proposals for new equestrian facilities where they would be well screened and have no detrimental impact on the character or appearance of the locality and the AONB.
8. Paragraph 145 of the revised Framework states that the construction of new buildings should be regarded as inappropriate development in the Green Belt, unless, amongst other things, it would involve the provision of appropriate facilities for outdoor recreation, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. Paragraph 146 of the revised Framework states that certain other forms of development, such as material changes of use of land (such as change of use for outdoor recreation), are also not inappropriate in the Green Belt provided they would preserve its openness and not conflict with the purposes of including land within it.

---

<sup>1</sup> Chiltern District Local Plan 1997 (including the alterations adopted 29 May 2001) Consolidated September 2007 and November 2011

9. The proposed stable building would be set back from the road behind an electricity sub-station, grass verge and mature landscaping and established trees running along the eastern boundary of the site. As such, there would be limited public views of the proposed building in the wider area, due to the intervening sub-station and mature vegetation. Against this backdrop, by virtue of its limited scale, form and traditional design, the proposed stable building would have a limited impact on the openness of the Green Belt and no detrimental impact on the character or appearance of the locality and the overall special qualities of the AONB.
10. The proposed stable building would involve the provision of an appropriate facility associated with the equestrian use of the land as an outdoor recreation use. The equestrian use of the land, in my view, would have no greater impact on the openness of the Green Belt than the current agricultural use of the land in this case. Consequently, I conclude that the proposal would not constitute inappropriate development in the Green Belt and would be consistent with LP Policy GB2 and the aims of the revised Framework.

### **Conditions**

11. Having regard to the revised Framework, and in particular paragraph 55, I have considered the conditions suggested by the Council. In addition to the standard time limit condition, I have specified the approved plans as this provides certainty. I have also imposed a condition requiring that surface materials for the hardstanding area around the proposed stable building and the proposed boundary treatment shall be submitted, in order to protect the character and appearance of the area and to preserve the openness of the Green Belt.

### **Conclusion**

12. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be allowed.

*David Troy*

INSPECTOR



---

## Appeal Decision

Hearing held on 28 January 2014 and adjourned until 11 March 2014

Site visit made on 11 March 2014

**by R C Kirby BA (Hons) DipTP MRTPI**

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

**Decision date: 16 April 2014**

---

**Appeal Ref: APP/C3430/A/13/2207380**

**Forrester's Lodge Stables, Bridgnorth Road, Stourton, Stourbridge, West Midlands DY7 5BQ**

- 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 Miss Elizabeth Forrester against the decision of South Staffordshire Council.
  - The application Ref 13/00376/FUL, dated 3 May 2013, was refused by notice dated 16 August 2013.
  - The development proposed is the erection of 12 stables with ancillary accommodation, horsewalker, fence and gates to highway and stone track from site access to stables.
- 

### Decision

1. The appeal is allowed and planning permission is granted for the erection of 12 stables with ancillary accommodation, horsewalker, fence and gates to highway and stone track from site access to stables, at Forrester's Lodge Stables, Bridgnorth Road, Stourton, Stourbridge, West Midlands DY7 5BQ, in accordance with the terms of application Ref 13/00376/FUL, dated 3 May 2013 and subject to the conditions in the attached Schedule of 7 conditions.

### Procedural Matter

2. The Planning Practice Guidance (PPG) came into force on 6 March 2013. I have had regard to the guidance contained therein in the consideration of this appeal.
3. The Hearing was opened on 28 January 2014 and adjourned because all interested parties had not been notified of the event. The Hearing resumed on 11 March 2014.

### Background and Main Issues

4. The appellant purchased the appeal site in 2012. A major factor in her decision to purchase was the indoor riding arena on the site, within which the appellant could train her horses and develop a commercial equine business to breed, train and sell her own competition and riding horses, and provide livery for a small number of clients with high value competition horses. In order for the appellant to develop herself and her business further, additional facilities are required. These include the appeal proposal which comprises:
  - a new stable block containing ten stables, a foaling box, stallion box, tack room, hay and feed storage area and wash down area;

- a horsewalker;
  - a stone track from the entrance of the site to the new stables and horsewalker, and
  - 1.8 metre high fencing along the boundary with Bridgnorth Road and relocation of the entrance gates.
5. The appeal site is located within the West Midlands Green Belt. Accordingly the main issues are:
- whether the proposal would be inappropriate development within the Green Belt for the purposes of the National Planning Policy Framework, having regard to its effect upon the openness of the Green Belt,
  - the effect upon the character and appearance of the area, and
  - if the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

## **Reasons**

### *Whether inappropriate development and the effect upon openness*

6. The National Planning Policy Framework (the Framework), establishes that the construction of new buildings within the Green Belt is inappropriate, subject to a number of exceptions. The provision of appropriate facilities for outdoor sport and outdoor recreation is listed as an exception, providing the openness of the Green Belt is preserved and the development does not conflict with the purposes of including land within it. Furthermore, the extension or alteration of a building is not inappropriate development provided that it does not result in disproportionate additions over and above the size of the original building. The term 'building' refers to any structure or erection, thus fencing and gates fall under this definition. The Framework also establishes that engineering operations are not inappropriate development provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
7. There is no definition of what constitutes 'appropriate facilities' within the Framework. However Policy GB1 of the Core Strategy Development Plan Document (Core Strategy) states that new buildings will be permitted in the Green Belt provided they are for appropriate small-scale facilities for outdoor sport or recreation. The policy also states that the carrying out of engineering or other operations will normally be permitted. In both cases, development should preserve the openness of the Green Belt and not conflict with its purpose. Policy EV7 provides further guidance on equine related development in the Green Belt.
8. The proposed stable building would provide stabling for 12 horses. The appellant's outdoor sport-related business plan indicates that six horses will be owned. A full livery service would be provided which would increase from one client horse in year 1 to four client horses in year 3. Stabling would also be required for young horses following successful breeding. The horses would be trained within the indoor riding school and exercised on the bridledways close to

the appeal site. A horsewalker is required to allow the horses to cool down after exercise to prevent them from sustaining injuries. I have no reason to doubt that the stables and horsewalker proposed are appropriate facilities for the appellant's aspirations for her business and for her own development as a show jumper.

9. I consider that the width, surfacing and design of the stone track would preserve the openness of the Green Belt. I understand that the new fencing/entrance gates that have been erected replaced other fencing and gates along the boundary of the site. Whilst I have not been provided with evidence as to the height and design of the earlier development, both parties agreed at the Hearing that the design of the fencing/gates could be the subject of an appropriately worded planning condition in the event that the appeal was allowed. I consider that this approach would be acceptable, and subject to a suitable design being agreed the openness of the Green Belt would be preserved. In light of the foregoing, I therefore conclude that these aspects of the proposal would preserve the openness of the Green Belt. They do not therefore represent inappropriate development.
10. However, the stable building and horse walker would be sited on an area of open land. Their physical presence would inevitably result in a loss of openness to the Green Belt. I therefore conclude that they would represent inappropriate development in the Green Belt. Taking into account that openness is an essential factor of Green Belts, the harm that would be caused carries significant weight. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
11. The appellant considers that account should be taken of the neighbouring site where barns and stables have been, and are to be demolished in assessing whether there would be a loss of openness. Given that these buildings are on a different site and in different ownership, I am unable to attach significant weight to this matter.

#### *Character and appearance*

12. Concerns have been raised that the close boarded fencing that has been erected is harmful to the character and appearance of the area. Bridgnorth Road has a sylvan character, and whilst there are a range of boundary treatments within the vicinity of the site, I share the concern that the boarded gate and fencing appears stark, and visually intrusive in the street scene. However, given that the submitted drawings do not include elevations of either the fence or the gates, and that the parties are in agreement, this matter could be appropriately controlled through the submission of further details as set out above.
13. The new stable building and horsewalker would be sited at a much lower level than the Bridgnorth Road. They would be visible from the highway and the pavement. However they would be read in conjunction with the existing indoor riding school. Equine facilities are a characteristic of the countryside. Their siting adjacent an existing building with a woodland as a backdrop would result in them not being overly prominent in the street scene or harmful to the character or appearance of the area. There would therefore be no conflict with Strategic Objectives 1 of the Core Strategy in that the distinctive character of South Staffordshire would be sustained. Furthermore, there would be no

conflict with the design objectives of Policies EQ11 and EV7 of the Core Strategy.

*Other considerations*

14. Paragraph 88 of the Framework states that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. '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. At paragraph 81, the Framework states that local planning authorities should plan positively to enhance the beneficial use of the Green Belt such as looking to provide opportunities for outdoor sport and recreation. Indeed, policy EV7 of the Core Strategy recognises that equine related development is an acceptable form of development in the Green Belt and open countryside, recognising the contribution equine enterprises can make to the rural economy.
15. The Council considers that Policy EV7 supports small scale horse related facilities and equine enterprises, and only supports larger scale equine enterprises where it would be beneficial to the local rural economy. It considers that the proposed stable block and horsewalker do not represent small scale facilities.
16. However, there is no explicit reference within either the policy or 'explanation' to confirm the Council's view. I have concluded that the new stable building and horsewalker would represent appropriate facilities for outdoor sport and recreation. They would relate to a small scale equine enterprise. The stables and horsewalker would be of a design and constructed of materials that would be sympathetic to the rural character of the area, they would be sited close to the existing indoor riding school, a suitable distance away from residential properties, and in close proximity to the bridleway network. I have not been provided with substantive evidence that the siting of the development would have an adverse impact on the natural environment or the integrity of designated protected sites. I therefore conclude that there would be no conflict with the objectives of Policy EV7.
17. The submitted accounts further confirm that the equine enterprise would be of a modest scale. The projected income and expenditure indicate that the profit for year 2 would be approximately £5,700 increasing to approximately £26,500 by year 3. The Framework attaches great importance to sustainable development in rural areas. The submitted information demonstrates that the enterprise is based upon sound financial planning, and would create employment opportunities for at least two people in this rural area. There would also be work experience opportunities for other people and apprenticeships would be provided. Local riding clubs have in the past used the facilities upon the site and the appellant told me at the Hearing that the improved facilities on the site would be attractive to other clubs and individuals within the area.
18. I therefore conclude that the proposal would support the growth and expansion of the equestrian enterprise within this rural area, consistent with the aims of Policy EV7. I attach significant weight to this matter. This represents very special circumstances which outweighs the harm to the Green Belt through inappropriate development and the loss of openness.

19. Given this conclusion, I consider that the appeal proposal differs from that considered by a previous Inspector<sup>1</sup> in a neighbouring district. Whilst I reached a similar conclusion to the Inspector in respect of openness, in this case I have concluded that the harm is clearly outweighed by other considerations as detailed above.

### **Other Matters**

#### *Highway Safety*

20. Concerns have been raised by interested parties that the Bridgnorth Road is heavily used and that the use of the entrance would be harmful to highway safety. I observed on my site visit that the road was busy and vehicles were travelling at speed. However, I note that subject to the relocation of the entrance gates that the Highway Authority consider that the proposal is acceptable. I have no reason to reach a different conclusion in this respect.

#### *Size of holding/alternative facilities*

21. The Parish Council is concerned that there is insufficient grazing land to serve the number of horses that are proposed to be kept on the site. This would be in conflict with the local planning authority's Policy Advice Note on Equestrian Related Development in the Green Belt and Open Countryside. At the Hearing I was told that the horses have a special diet and do not rely on the paddocks for exercise. I note that the Council did not raise this matter within their refusal reasons, and I have no reason to reach a different view.
22. The provision of stables and the horse walker within the existing indoor riding arena is not a matter before me. I have determined the appeal on the basis of the submitted drawings, the evidence before me and on the planning merits of the case.

### **Conditions**

23. The Council has suggested a number of conditions both in writing and at the Hearing which it considers would be appropriate were I minded to allow the appeal. I have considered these below in the light of the advice on conditions in the PPG.
24. A condition is necessary to ensure that the development is carried out in accordance with the approved plans. In the interests of the character and appearance of the area, conditions would be needed to control the external appearance of the stables and horsewalker, and the detail of the fencing and gates. In the interests of openness, the removal of the existing stables on the site should be required. To prevent damage to trees, a condition preventing burning of materials would be necessary, given the proximity of the site to Chance Wood. In the interests of highway safety, a condition requiring the relocation of the access gates is necessary. However, for clarity, some of the Council's suggested wording has been amended.
25. A condition that is personal to the appellant would not be reasonable, given the permanent nature of the proposal.

---

<sup>1</sup> Ref APP/B3438/A/12/2180020

## **Conclusion**

26. For the above reasons, and having regard to all other matters raised, the appeal should succeed.

*RC Kirby*

INSPECTOR

## **Schedule of 7 Conditions**

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 11054/000/A Site location and block plan; 11054/001/A existing site plan; 11054/002/D Proposed site plan; 11054/003/C Stables Proposed Plans and Elevations and 11054/005 Horse Walker Proposed Plans and Elevations.
- 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the stable block and horsewalker 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.
- 4) No development shall take place until details of the fencing to be used along the boundary of the site and the entrance gates have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and shall be erected before the first occupation of the stables hereby permitted.
- 5) The stables and horsewalker hereby permitted shall not be used unless the site access gates have been repositioned a minimum of 10 metres away from the highway boundary and operate such that they open away from the highway.
- 6) No materials shall be burned within 6 metres of the canopy spread of any trees or hedges upon or bordering the application site.
- 7) Within three months of the first occupation of the new stables, the existing stables on the site shall be permanently removed, along with all associated materials.

## **APPEARANCES**

### FOR THE APPELLANT

Miss Elizabeth Forrester	Appellant
Mrs Annette Forrester	Appellant's mother
Mr John Thorne	Thorne Architecture Limited
Mr Alastair Field	Reading Agricultural Consultants

### FOR THE COUNCIL

Mr Rob Duncan	Rob Duncan Planning
---------------	---------------------

### INTERESTED PARTIES

Councillor Rachel Davis	Kinver Parish Council
Councillor Lin Hingley	District and Parish Councillor

## **DOCUMENTS**

1. Hearing Notification Letter
2. Copy of Policy Advice Note 'Equestrian Related Development in the Green Belt and Open Countryside'
3. Copy of Policy EV5: Rural Employment
4. Copy of letter from South Staffs Riding Club



## Appeal Decision

Site Visit made on 20 October 2020

by Martin Small BA(Hons) BPI DipCM MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9<sup>th</sup> December 2020

---

Appeal Ref: APP/M3645/W/20/3254198

Redehall Preparatory School, Redehall Road, Smallfield, RH6 9QA

- 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 Aurora Redehall School against the decision of Tandridge District Council.
  - The application Ref TA/2019/2056, dated 21 November 2019, was refused by notice dated 24 January 2020.
  - The development proposed is demolition of existing teaching building and replacement by new classroom and services building. Additional parking.
- 

### Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing teaching building and replacement by new classroom and services building and additional parking at Redehall Preparatory School, Redehall Road, Smallfield, RH6 9QA in accordance with the terms of the application, Ref TA/2019/2056, dated 21 November 2019, subject to the conditions set out in the attached schedule:

### Procedural Matter

2. Aurora Redehall School provides specialist education for children and young people with communication difficulties. Mindful of the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010, I sought further information from the appellant on this matter and provided the Council with an opportunity to comment on it. I have taken the information into account in reaching my decision.

### Main Issues

3. The main issues are:
  - i) whether the proposal would be inappropriate development within the Green Belt;
  - ii) the effect of the proposal on the character and appearance of the site and area;
  - iii) the effect of the proposal on the safe and convenient use of the highway; and
  - iv) would the harm, by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.



## Reasons

### *Inappropriate development*

4. Policy DP10 of the Tandridge Local Plan Part 2: Detailed Policies (2014) (the Local Plan) states that inappropriate development is, by definition, harmful to the Green Belt and will normally be refused. Proposals involving inappropriate development will only be permitted where very special circumstances exist. This approach reflects paragraph 143 of the National Planning Policy Framework (the Framework).
5. **Policy DP13 of the Local Plan sets out the Council's approach to the assessment of buildings in the Green Belt.** This approach is consistent with paragraph 145 of the Framework which states that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a list of specific exceptions.
6. The proposal is to replace rather than extend the existing building and would represent the partial redevelopment of previously developed land. As such, the relevant considerations for the proposal are those set out in Sections F and G of Policy DP13 and clauses d) and g) of paragraph 145 of the Framework.

### *i) Replacement buildings*

7. Section F of Policy DP13 sets out that the replacement of buildings within the Green Belt (outside the Defined Villages) is one of the exceptions to the general presumption against new buildings in the Green Belt. This is consistent with the exception listed in paragraph 145 d) of the Framework which sets out that the replacement of a building is acceptable, provided the new building is in the same use and not materially larger than the one it replaces. These requirements are reflected in criteria 1 and 2 of Policy DP13.
8. The proposed building would be the same general use as the existing building. As regards size, neither the Framework nor Policy DP13 set out a threshold for **'materially larger'**; **this is a matter of planning judgement**. From the evidence before me, the existing teaching building has an internal floorspace of approximately 148 m<sup>2</sup> and the toilet block 13 m<sup>2</sup>. The appellant gives the floorspace of the proposed building as approximately 222 m<sup>2</sup> or 226 m<sup>2</sup> and estimates the increase in floorspace over the existing buildings to be approximately 25%. The Council does not dispute this.
9. The Council estimates the volume of the existing buildings to be approximately 531 m<sup>3</sup> and that of the proposed building, including ramps and access paths covered by an overhanging roof, to be approximately 1,150 m<sup>3</sup>. This would represent an increase in volume over the existing building of 116%. Excluding the volume under the overhang, the volume of the proposed building would be approximately 765 m<sup>3</sup>. Even so, the appellant estimates that this would represent an increase in volume of approximately 50% over the existing.
10. In my view, therefore, the proposed building would be materially larger than the existing buildings to be replaced both in terms of its floorspace and volume. It therefore fails to meet the exception relating to a replacement building.

*ii) Previously developed land*

11. Section G of Policy DP13 sets out that the partial or complete redevelopment of previously developed sites is another of the exceptions to the general presumption against new buildings in the Green Belt. This is consistent with the exception listed in paragraph 145 g) of the Framework that sets out that the partial or complete redevelopment of previously developed land is acceptable provided that it would not have a greater impact on the openness of the Green Belt than the existing development.
12. Openness has both spatial and visual aspects. The existing teaching building and toilet block limit the contribution of the site to the openness of the Green Belt. The proposal would not extend built development beyond the confines of the existing school buildings or grounds. Nevertheless, the proposed building would result in the loss of the currently open area between these existing buildings and so partially consolidate the built development on the site. I have found above that the proposed building would be materially larger than the buildings it would replace. It would therefore, spatially, result in the loss of openness.
13. The site is visible from Redehall Road. This view is partially restricted when cars are parked in the school car park and views beyond the site are restricted by a solid fence with a higher hedge behind forming the eastern boundary of the site. However, although the proposed building would have a maximum height of only 3.9 m, it would be 34 m long and would result, visually, in a limited loss of openness. It therefore fails to meet the exception relating to the redevelopment of previously developed land.

*iii) Findings*

14. For these reasons, I find that the proposal would not satisfy either of the exceptions that are relevant to this case. I therefore conclude that the proposal would be inappropriate development in the Green Belt. It would conflict with Policies DP10 and DP13 of the Local Plan and national policy to protect the Green Belt unless very special circumstances exist, a matter to which I return below.

*Character and appearance*

15. The existing buildings to be replaced are plain, single-storey and set back from Redehall Road. Neither they nor the gap between them contribute significantly to the street scene or to the character or appearance of the area. Their loss would therefore not be harmful in these respects. The proposed building would also be single-storey and set back from the road and would be seen in the context of other buildings, car parking and fencing. The design of the proposed building is acceptable and the timber cladding to the walls would be appropriate in this semi-rural area. Although visible from Redehall Road, the proposed building would not be prominent in the street scene or in views to or from the wider countryside.
16. The proposal would result in a limited consolidation of built development on the school premises. However, even with the proposed additional four parking spaces, with the car park retained to the front of the proposed building, sufficient space would remain on the school premises for the proposal not to result in a significantly cramped or constrained appearance.

17. I therefore conclude that the proposal would not be significantly harmful to the character or appearance of the site or area. Accordingly, the proposal would comply with Policy CSP 18 of the Tandridge District Core Strategy (2008) (the Core Strategy) and Policy DP7 of the Local Plan which require, amongst other things, development to reflect and respect character and local context and not to result in overdevelopment. Nevertheless, this lack of harm is not a factor in **the proposal's favour and I therefore give it neutral weight in my decision.**

### *Highways*

18. **The School's operations** affect the use of the local highway network in two ways. Firstly, as the School serves children with special needs, many travel some distance to attend it and opportunities to use public transport are limited due to the service available and the special needs of the pupils. Accordingly, all but 2 existing pupils arrive and are collected by car or taxi. Although the School advises that very precise instructions are given to all taxi drivers and parents for drop off and pick up times, these times are not staggered. The representations of Burstow Parish Council and local residents indicate that the operation of the School currently causes congestion at drop off and pick up times. Secondly, parking for staff on site is restricted and overspill parking on nearby streets causes inconvenience for local residents.
19. The proposal, combined with the relocation of the older students to another site, would allow an additional 10 pupils to attend the School. This would be likely to lead to an increase in congestion at drop off and pick up times. The proposal would also result in 2 additional permanent staff on the site. Notwithstanding the proposed additional 4 parking spaces, it is not clear to me that there would be adequate parking on-site for all staff, including any part-time staff, visitors and those dropping off or picking up pupils. I therefore consider it likely that overspill parking will remain a problem.
20. Paragraph 5.9 of the Tandridge Parking Standards Supplementary Planning Document (SPD) sets out that where schools are proposing to expand, they will be expected to develop, update and monitor School Travel Plans. No Travel Plan currently exists for the School, without which the proposal would conflict with Policy CSP 12 of the Core Strategy and Policies DP5 and DP7 of the Local Plan. In combination, these policies require proposals to not cause congestion or harm to highway safety and to have regard to the Parking Standards SPD.
21. The highway authority objected to the proposal due to insufficient information being provided in respect of the additional staff and pupil numbers and trip generation that would result from the proposal to enable it to make a full assessment of the effects on the public highway. Since the determination of the application, this information has been provided, and the highway authority has confirmed that it would be prepared to reconsider its objection should the proposal be resubmitted.
22. It is clear that the School has some ideas which would address parking issues, including an arrangement with local residents for the use of their driveways for parking during the school day. These need to be developed and secured if they are to be effective. A School Travel Plan could also address the arrangements for the drop off and pick up of pupils and for part-time staff and visitor parking and set explicit outcomes / targets, such as for the proportion of staff travelling to the School by car. It should also include appropriate monitoring measures. I am satisfied that such arrangements and measures, which should be

developed in consultation with local residents and approved by the highway authority, could be formalised within a School Travel Plan and would mitigate the harm I have identified.

23. I therefore conclude that, subject to a condition requiring agreement to a Travel Plan, potentially harmful effects of the proposal on the safe and convenient use of the highway could be adequately mitigated. With an agreed Travel Plan, the proposal would conform with Policy CSP 12 of the Core Strategy and Policies DP5 and DP7 of the Local Plan. Furthermore, the proposal would accord with the objectives of the Framework and the Surrey Local Transport Plan relating to highway safety.

#### *Other considerations*

24. The PSED requires me to have due regard to the need to, amongst other things, advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. Disability, including mental impairment, which in turn encompasses developmental conditions such as autism, is a 'relevant protected characteristic'.
25. The School is meeting the needs of children with special education needs (SEN). Evidence provided by the appellant is that the capacity for SEN in East Surrey is extremely limited with the mainstream school SEN provision in East Surrey and the neighbouring Local Education Authority of West Sussex at full capacity. As a consequence, young people with SEN are spending periods of time out of school. There are very limited options for providing suitable education for these children in East Surrey and there is a demand for places at the School. An additional 10 pupils with SEN would be able to attend the School as a result of the development and the relocation of the older students to another site. This is a significant benefit of the scheme.
26. Furthermore, the proposal would make effective use of the land at the School and provide improved accommodation, including classroom space, staff rooms, a first aid room and improved toilet facilities, including a disabled toilet. These improved facilities for staff and pupils would also be a significant benefit for all users of the school.
27. Overall, I give very considerable weight to the opportunities that the proposal gives both to provide suitable education for more children with SEN and to improve the facilities for existing staff and pupils at the School.

#### *Green Belt Balance*

28. I have found that the proposal would be harmful to the Green Belt by reason of inappropriateness and loss of openness. The Framework requires me to give this harm substantial weight. However, I have found that it would not be harmful to the character and appearance of the area and I am satisfied that, subject to a condition to secure an effective Travel Plan, there would be no undue harm to highway safety or inconvenience for other road users.
29. In this case I find that the significant benefits that would arise from the improvements to the educational facilities for children with special needs clearly outweighs the limited harm to the Green Belt. Consequently, the very special circumstances necessary to justify the development exist, and the appeal should succeed.

## Conditions

30. In addition to the standard time limit for commencement, the Council has suggested conditions were planning permission to be granted. I have considered these in light of the tests set out in paragraph 55 of the Framework and the Planning Practice Guidance and the comments of the appellant on the suggested conditions. I have made minor alterations accordingly.
31. It is necessary to specify the approved plans in the interests of certainty. In doing so I have not listed the photographs of existing similar buildings submitted with the application as these are not necessary to ensure certainty. A landscaping scheme and details of any external lighting are necessary in the interests of the character and appearance of the area. The landscaping scheme needs to be a pre-commencement condition to ensure the protection of any trees and hedgerows to be retained during the course of the development. I consulted the appellant on this condition and their agreement has been confirmed<sup>1</sup>.
32. I have sufficient information to be confident that a means of overcoming the **highway authority's objection** would be to impose a condition requiring a Travel Plan. I have therefore done so, having consulted both main parties on this condition and taken their comments into account. Given the importance of such a Plan to make the scheme acceptable in highway terms, it should be in place before any works begin on site. The appellant has confirmed their agreement to this<sup>1</sup>.
33. Details of the proposed materials were submitted with the application and the appellant consequently queries the need for a condition regarding materials. However, I consider such a condition necessary to afford the local planning authority control over the materials to be used in the interests of the character and appearance of the area.

## Conclusion

34. The proposal complies with the development plan as very special circumstances have been demonstrated in this case. For this reason, the appeal is allowed and planning permission is granted subject to conditions.

*Martin Small*

INSPECTOR

---

<sup>1</sup> Email dated 4 December 2020

## Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 200 (including the red-edged site location plan), 201, 202A, 203, 204, 205, 206, 207, 208, 216, 217, 2003/01 and J740/001.
- 3) No development shall take place until there shall have been submitted to and approved in writing by the local planning authority details of hard and soft landscape works. The scheme shall include indications of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants (including those to be retained as part of the development) which within a period of 5 years from the completion of the development die, are removed or, in the opinion of the local planning authority, become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. The hard landscape works shall be carried out in accordance with the approved details prior to the occupation of the building.

- 4) No development shall take place until a Travel Plan has been submitted to and agreed in writing by the local planning authority. The Travel Plan shall be implemented prior to the first occupation of the development hereby permitted and monitored thereafter in accordance with the approved details.
- 5) Notwithstanding condition 2), no development above slab level shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

End of Schedule



# The Planning Inspectorate

Direct Line:  
Customer Services:  
0303 444 5000

Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Email: [CAT@planninginspectorate.gov.uk](mailto:CAT@planninginspectorate.gov.uk)  
[www.gov.uk/planning-inspectorate](http://www.gov.uk/planning-inspectorate)

Your Ref: FBCMB/SRT/GOO841/1  
Our Ref: APP/C3430/W/23/3325402

Miss Suzanne Tucker  
FBC Manby Bowdler LLP  
F B C Manby Bowdler Llp, Juneau House,  
Sitka Drive  
Shrewsbury Business Park  
Shrewsbury  
Shropshire  
SY2 6LG

11 July 2023

Dear Miss Tucker,

Town and Country Planning Act 1990  
Appeal by Ms Jayne Goodwin  
Site Address: Upper Hattons Stables Pendeford Hall Lane, Coven,  
WOLVERHAMPTON, WV9 5BD

Thank you for your Planning Appeal received on 05 July 2023.

Where a relevant enforcement notice has been served on the site, appeals must reach us within 28 days of either:

- i. the date of the local planning authority's notice of the decision or the expiry of the period which the local planning authority had to determine the application, where the enforcement notice is served before the application is submitted;
- ii. the date of the local planning authority's notice of the decision or the expiry of the period which the local planning authority had to determine the application, where the enforcement notice is served before the decision on the application is reached or the determination period has expired; or
- iii. the date the enforcement notice is served, where the enforcement notice is served after the decision or expiry of the period which the local planning authority has to reach a decision on the application, unless the effect would be to extend the period beyond the usual time limit for cases not involving an enforcement notice.

As we received this appeal(s) after the time limit, we are unable to take any action on it.

I am sending a copy of this letter to the local planning authority.

Yours sincerely,

*Validation Officer 4*

Validation Officer 4

<https://www.gov.uk/government/publications/planning-inspectorate-privacy-notice>

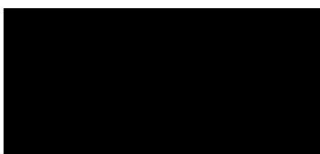


**BREWOD & COVEN**

**Application Ref: 23/00639/FUL**

**Applicant: Ms J Goodwin**

**Address: Upper Hattons Farm, Pendeford Hall Lane, Coven, WV9 5BD**



January 2022, the Council received a complaint in relation to the construction of a stable block within the Green Belt at Upper Hatton Stables, Upper Hatton Farm, Pendeford Lane, Coven. Council officers attended on 23<sup>rd</sup> February 2022 and found the construction of a large-scale stable block under way (“the Stables”). Photographs were taken and these are produced at Appendix 3.

- 1.2 On 11th July 2022, the landowner submitted a partial retrospective planning application (application reference 22/00713/FUL), for the retention of the stable block, consisting of 14 stables, 3 storerooms, 2 tack rooms and a wash room. The partial built stable block and associated rooms occupy an extensive footprint of some 300sqm (650sqm including the courtyard area).
- 1.3 On 9th December 2022, the Appellant’s agent was advised that the scale of development would cause significant harm to the openness of the Green Belt and questioned whether the applicant wished for the Council to determine the application in its current form, or whether amended plans which significantly reduced the scale of the proposal would be submitted.
- 1.4 On 13th December 2022, the agent responded with a proposal to overclad the stark blockwork with timber to make it ‘blend in’ to its surroundings. However, a significant change to the scale of the proposal was required to remedy the harm caused by the scale of the development and no proposals were put forward to address this.
- 1.5 On 6th January 2023, planning application reference 22/00713/FUL was refused for the development subject of the Notice, as inappropriate development within the Green Belt.
- 1.6 On 20<sup>th</sup> April 2023 an enforcement notice was served upon the owner of Upper Hattons Farm, Coven, in respect of a breach of a planning control relating to the ‘*Without planning permission, the partial construction of a stable block to accommodate tack rooms, washrooms and storage rooms situated around a central courtyard on the Land and in the approximate position marked blue on the Plan*’
- 1.7 The enforcement notice required the following steps to be taken:



i) Demolish and remove the partially constructed stable block building located in the approximate position shaded blue on the Plan.

ii) Permanently remove all hardstanding and materials used to form hardstanding bases for the development from the Land.

iii) Remove all materials, refuse and demolition material resulting from the removal of the partially constructed stable block building as required by (i) and (ii) above.

[REDACTED] Enforcement Notice has been subsequently appealed to the Planning Inspectorate and [REDACTED] (retrospective planning permission) is also sought.

## 2. ARE THERE GROUNDS FOR THE COUNCIL TO DECLINE TO DETERMINE THE LATEST APPLICATION?

2.1 Section 70C of the Town and Country Planning Act 1990 (hereafter referred to as the T&CP Act) confirms that local planning authorities have the power to decline an application for planning permission if granting planning permission for the development would involve granting, whether in relation to the whole or any part of the land to which a pre-existing enforcement notice relates, planning permission in respect of the whole or any part of the matters specified in the enforcement notice as constituting a breach of planning control. A “pre-existing enforcement notice” is an enforcement notice issued before the application was received by the local planning authority.

3.2 In declining to determine a local planning authority must be of the view that there has been no significant change in the development plan (so far as relevant to the application) and any other material considerations since the Enforcement Notice was served.

3.3 The application seeks permission for the erection of ‘horse stables with tack room/wash room and storage’ which is identical to the previous refused application and the current enforcement appeal, where retrospective planning permission is sought for the proposal under Ground A.

3.4 There has been no significant change in circumstances, and it is the case that there has been no significant change in the development plan, nor have there been any significant changes in national planning policy and guidance. This is a partly retrospective application for the same development where an enforcement notice has been served and appealed to the planning inspectorate.

3.6 Referring back to the Enforcement Notice the reasons for service of the Notice were as follows:

- It appears to the Council that the breach of planning control on the Land has occurred within the last four years, and therefore is not immune from enforcement action.



- The unauthorised partially built stable block building located around a central courtyard represents a significant increase in the amount of built development on a site which already contains a substantial amount of development. The building extends the built form of the site further north, resulting in encroachment into the Green Belt and occupies an extensive footprint of some 300sqm (650sqm including courtyard area). The scale of the development causes significant harm to the openness of the Green Belt and significantly encroaches into the countryside. No very special circumstances have therefore been clearly advanced to outweigh the harm identified

Green Belt.

Policy EV7 of the Core Strategy supports horse related facilities and equine enterprises within the Green Belt, but makes it clear that "proposals for larger scale equine enterprises should be considered on whether they will be beneficial to the local economy through sound financial planning and should be consistent with other local planning policies." No information has been submitted to demonstrate that the unauthorised development would be beneficial to the local economy; or that the benefits arise would be so beneficial to the local economy that this would override the significant harm to the openness of the Green Belt.

- Policy EV7 also requires the design, materials and siting are sympathetic to the rural character of the area in which the building(s) is situated. The proposed design, given its scale and materials consisting is not sympathetic to the rural character of the area or wholly appropriate for its intended purpose.
- The development is therefore contrary to paragraphs 137, 138, 147, 148 and 149 of the NPPF and policies GB1, EQ4 and EQ11 of the South Staffordshire Core Strategy Development Plan adopted 2012.
- On 6th January 2023, planning application reference 22/00713/FUL was refused for the development subject of this notice, consisting of the construction of a horse stables with tack room / washing room and storage forming a central court yard, as inappropriate development within the Green Belt for the reasons advanced in this notice. The Council consider that planning permission should not be given, because planning conditions could not overcome these objections to the development.

## 4. CONCLUSIONS

4.1 For the reasons set out above, the proposed development and the land to which the application relates is substantially the same as that which is the subject to an Enforcement Notice served by the Council and is the subject of a current appeal., where Ground A, retrospective planning permission is also sought.

4.2 Section 70C (1) of the T&CP Act stipulates that a local planning authority may decline to determine an application for planning permission for the development of any land if granting planning permission for the development would involve granting, whether in relation to the whole or any part of the land to which a pre-existing enforcement notice relates, planning permission in respect of the whole or any part of the matters specified in the enforcement notice as constituting a breach of planning control.

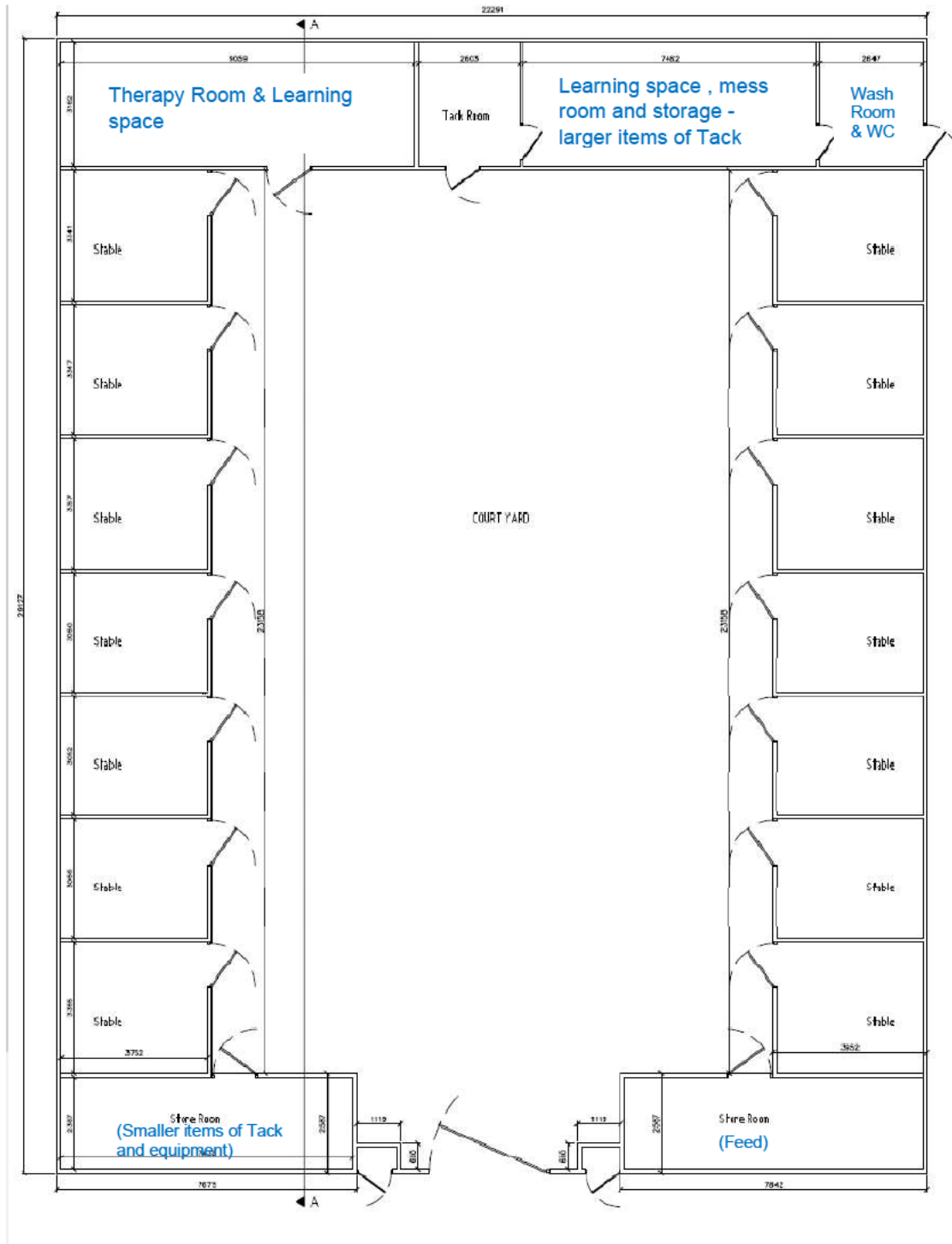


4.3 Furthermore, there appears to have been no material change in circumstances since the consideration of the previous application. There has been no relevant change in national or local planning policy since the consideration of the earlier application. On this basis the Council is exercising its right under Section 70C of the T&CP and will not be determining the application.

Yours sincerely

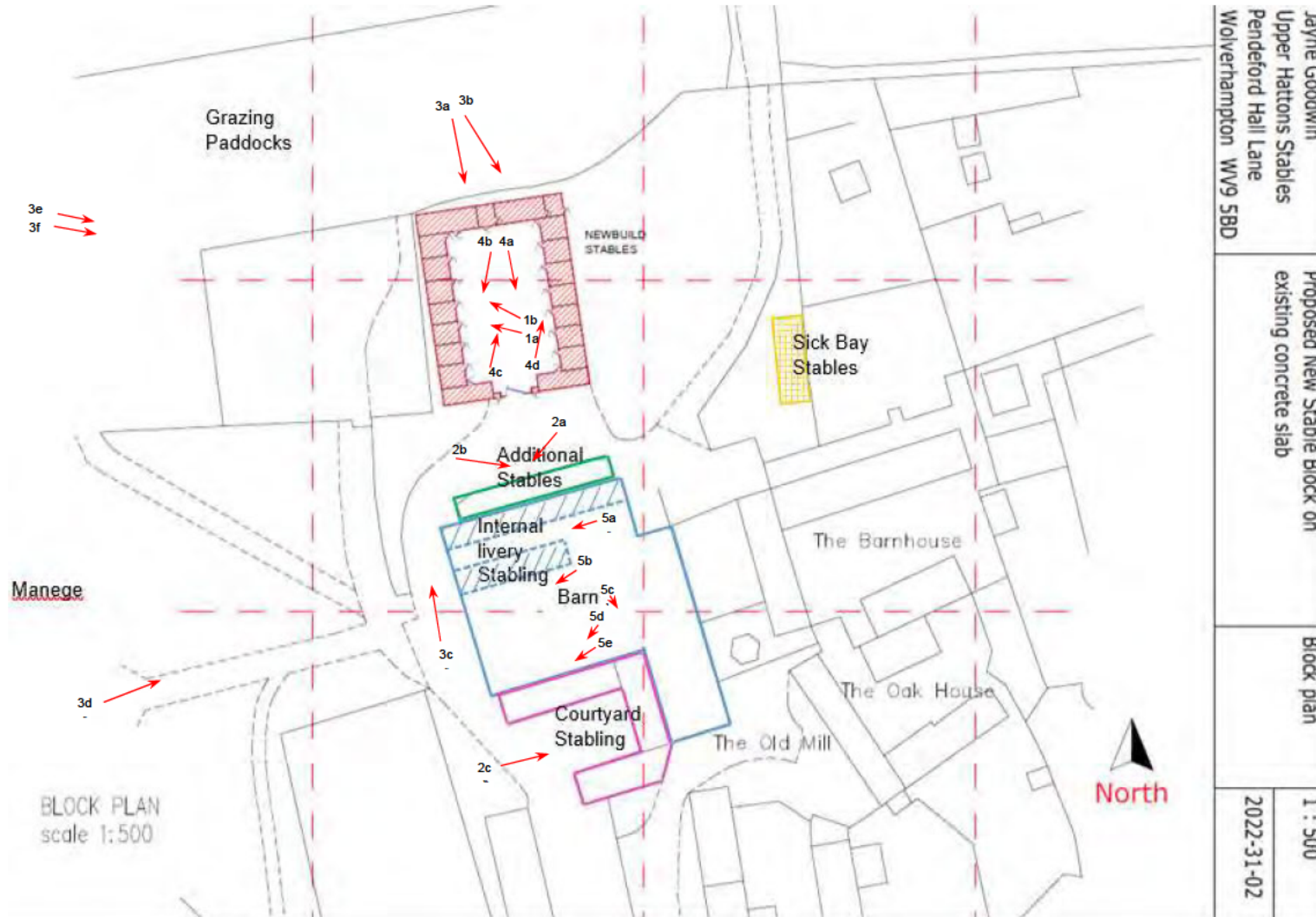


**Laura Moon**  
Senior Planning Officer  
Development Management Team



Not to scale

Appendix 6 - Photographs of the Stables in Site context



Jayne Goodwin Upper Hattons Stables Penderford Hall Lane Wolverhampton WV9 5BD	Proposed New Stable Block on existing concrete slab	Block plan	1 : 500
			2022-31-02

Approximate locations and directions of photographs



**Fig. 1 – Existing movable stabling units sited on the Concrete Pad (part of Previous Stables)**



**Fig. 1a – currently stationed on the Concrete Pad within the courtyard area**



**Fig. 1b - currently stationed on the Concrete Pad within the courtyard area**



**Fig. 1c – remaining sections of Previous Stables – dilapidated and unfit for re-use**

**Fig. 2 – Other structures within the Site of similar materials and construction**



**Fig. 2a - Additional Stables – breeze block construction with corrugated roofing**



**Fig. 2b - Additional Stables – breeze block construction with corrugated roofing**



**Fig. 2c - Courtyard Stabling – breeze block construction with corrugated roofing**



**Fig. 3 – Stables viewed from other vantage points within the Site**



Barn

Additional Stables

Timber structure of roof supports for Proposed Stables

Roof covering to Previous Stables

**Fig. 3a – Stables viewed from the paddock to the north**



**Fig. 3b - Stables viewed from the paddock to the north**



**Fig. 3c – accessway to Stables past the Barn**



**Fig. 3d – Stables located to the left hand side of the Barn, viewed from the manège**



**Fig. 3e – view towards the Stables from the paddock to the North-West**



**Fig. 3f – view towards the Stables from the paddock to the North-West**

**Fig. 4 – Stables**



**Fig. 4a – View southwards, taken within the courtyard**



**Fig. 4b – view to the southwest, taken within the courtyard**



**Fig. 4c – view northwards, taken within the courtyard**



**Fig. 4d – view north-eastwards, taken courtyard**



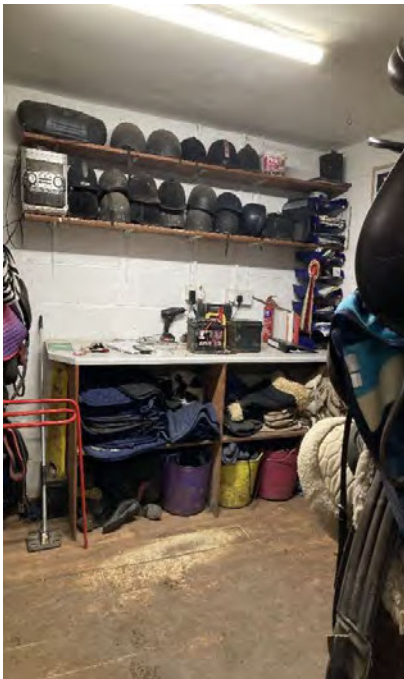
**Fig. 5 - Internal spaces used on an ad hoc basis**



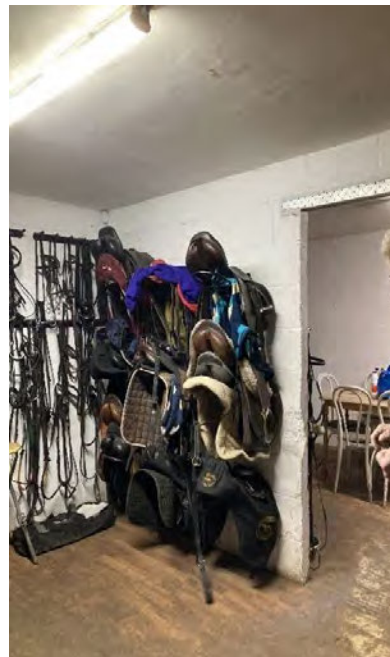
**Fig. 5a – Livery Stabling (within the Barn)**



**Fig. 5b – Horses being kept within the Barn**



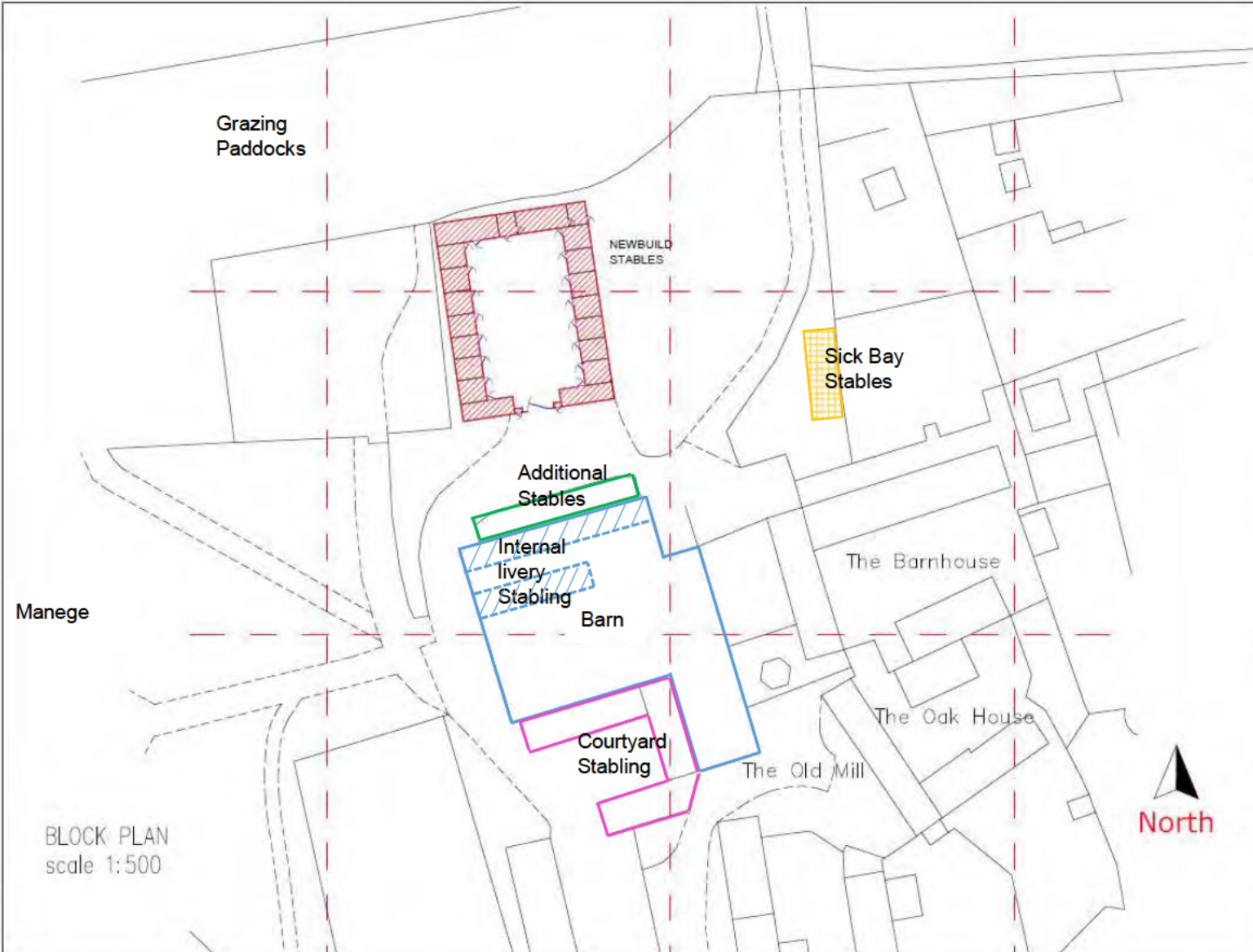
**Fig. 5c – Livery and Riding School storage area (within the Barn)**



**Fig. 5d – Livery tack store and mess room beyond**



**Fig. 5e – Livery mess room**



BLOCK PLAN  
scale 1:500

Jayne Goodwin Upper Hattons Stables Penderford Hall Lane Wolverhampton WV9 5BD	Proposed New Stable Block on existing concrete slab	Block plan	1 : 500 2022-31-02
---	--	------------	-----------------------

Photographs of the Stables Land taken in 2000 showing the Concrete Pad











26 08 2021



28 / 05 / 2020



5

Approximatley 2019 to 2020 we began clearing the old structers from the site to replace them with new ones

and extended the stables opposite to relieve some of the livery / riding school stables

Wooden Structure

Stables

Wooden Structure Feed and store room



14 / 05 / 2019





05 / 04 / 2018





26 03 2017





20 04 2016





14 04 2015



4

2015

I was diagnosed with cancer  
plans to replace structures were put on hold

however I continued  
to provide courses  
& therapy whilst  
I was receiving  
treatment.

Wooden  
Structure

Stables

Wooden Structure Feed and store room

Approximatley 2011 to 2015 we managed the one structure and had to use the livery and riding school stables inside the barn and on the court yard.

During this time we were accruing funds to replace the previous structers

Wooden  
Structure

Stables

Wooden Structure Feed and store room



29 09 2011





01 01 2010





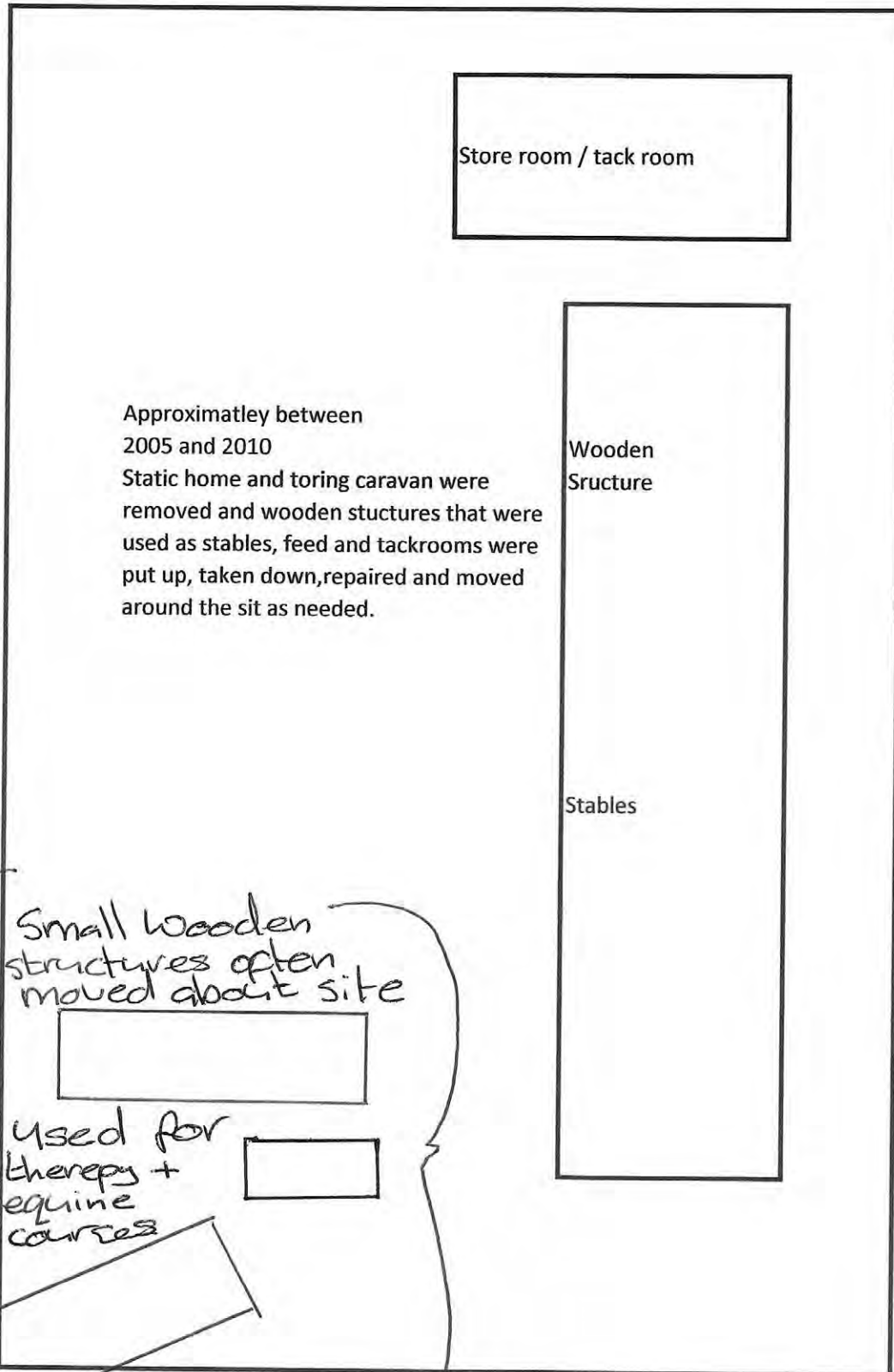
14 04 2007





12 05 2006

②



Store room / tack room

Approximatley between 2005 and 2010 Static home and toring caravan were removed and wooden stuctures that were used as stables, feed and tackrooms were put up, taken down, repaired and moved around the sit as needed.

Wooden Structure  
Stables

Small wooden structures often moved about site

Used for therapy + equine courses

Wooden Structure Feed and store room

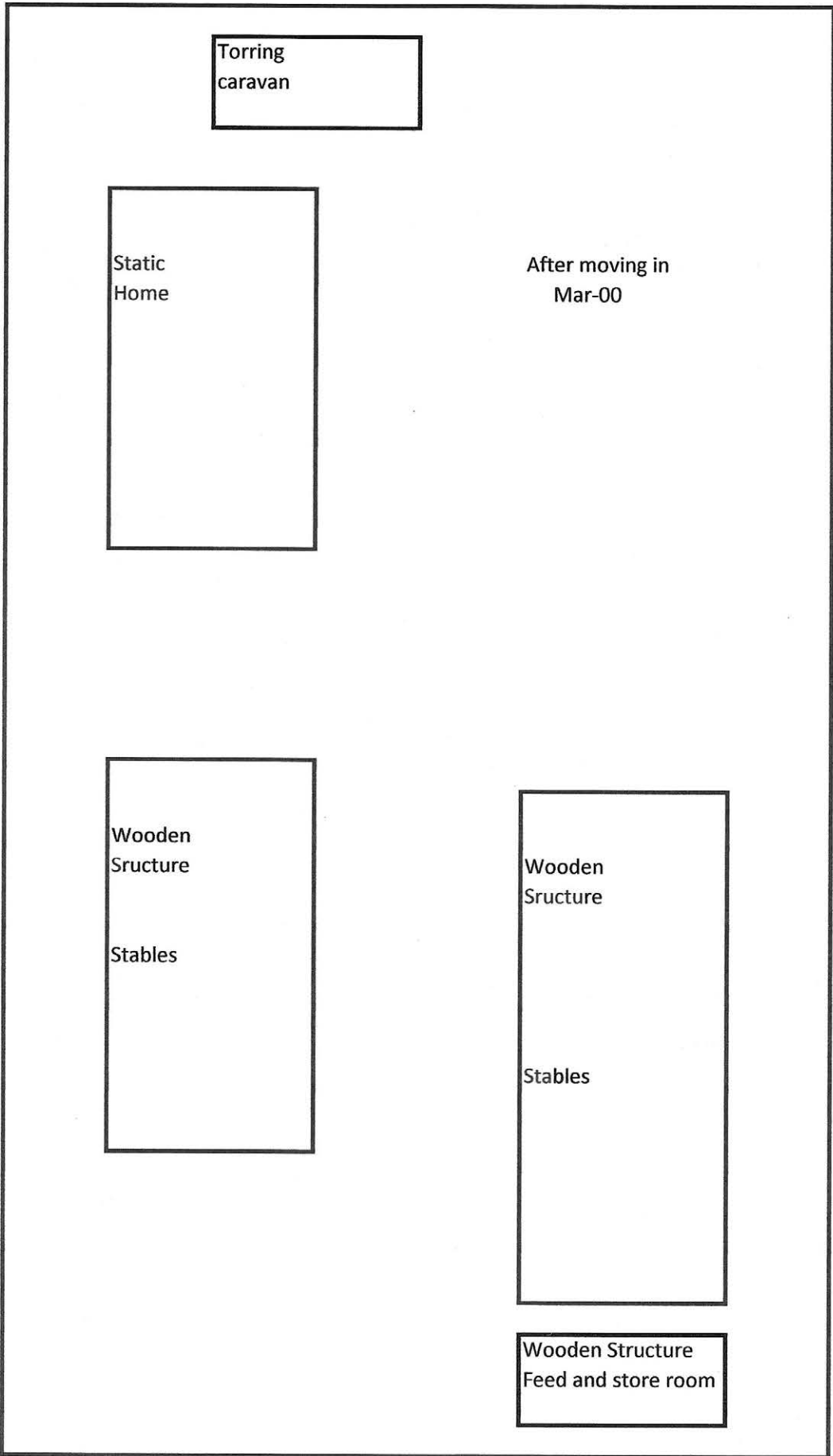




01 01 2003



①



Torring caravan

Static Home

After moving in Mar-00

Wooden Sructure  
Stables

Wooden Sructure  
Stables

Wooden Structure  
Feed and store room



01 01 1999

The Previous Stables on the Stables Land





< October 13, 2020



Edit



Delete



Share





  
Edit

  
Delete

  
Share



North







North





7:13



40%

< December 17, 2020



Edit



Delete

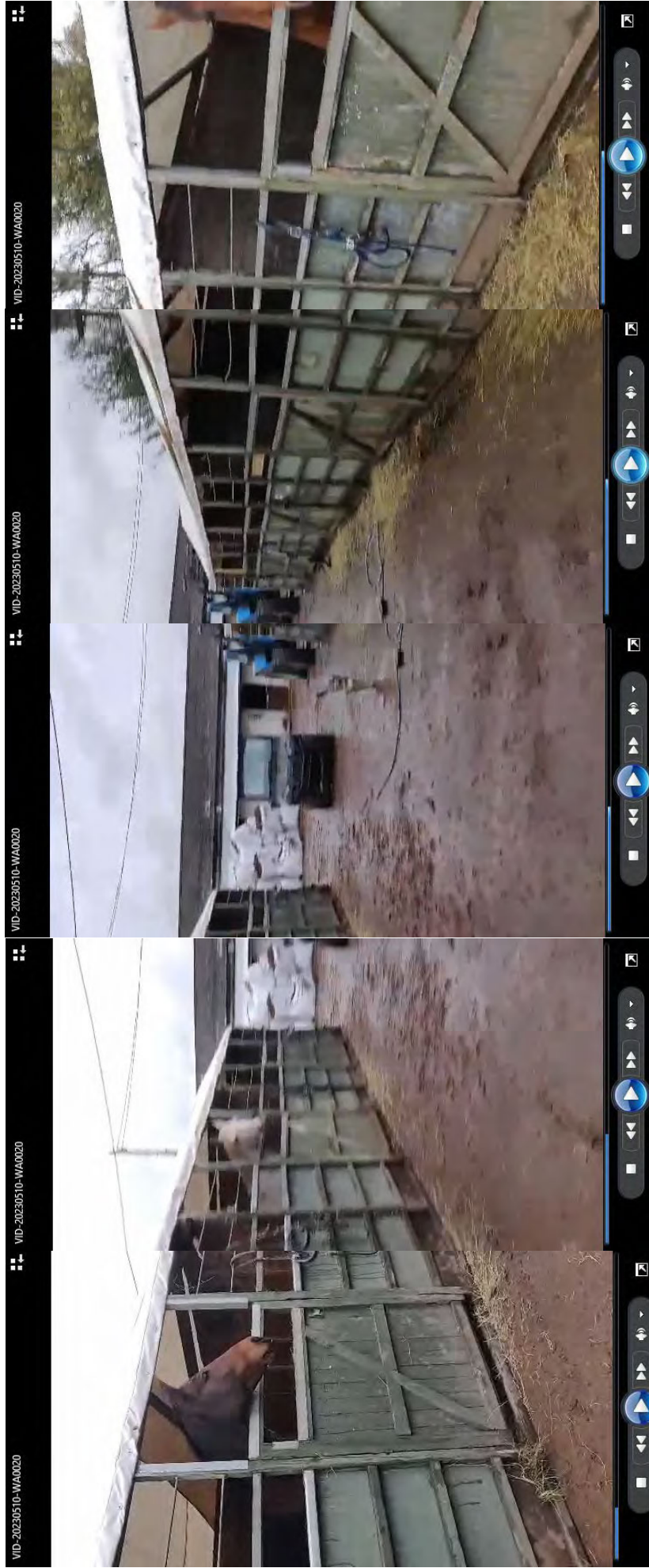


Share





**Series of stills taken from a video of the Previous Stables:**







Thankyou so much for the  
experience I've learned alot  
and I couldnt of done it  
without all the help.

I've met some fantastic people  
through this course, and I couldn't  
be happier.

I'm going to miss you all.

Love from Charlotte A.  
(Duck Charmer)



It is down to you to  
I have to go to  
I have to go to  
I have to go to

Friendly and welcoming. Had a great  
time. Really enjoyed it. Looking forward  
to more.

Given [redacted]



A wonderful course run by  
wonderful people. The facilities  
are first rate and the staff  
interaction is ~~the~~ top notch  
Well worth experience

Joe Martin Walsall Hub

Absolutely fantastic.  
To see how the young people have grown has  
been overwhelming.

Person centred, meet everyone's needs and worked  
within their abilities, but encouraged them to  
push them to work outside their comfort zone  
Would highly recommend.

Confidence  
Building


Motivational  
Teamwork.

Self belief.



Wed Thursday 30th November

I really liked Level 2 the best  
working with horses and  
riding the horse and feeding  
them and mucking the  
stables out

Rosie 



Animal Care June 2017.

I've ENJOYED IT all of it :) )

Alex [REDACTED]

I've had a great time. Very enjoyable 😊

Andy [REDACTED]

I feel more confident since starting the course.  
I can now do animal health checks which  
I couldn't before. Brandon [REDACTED]

I have really enjoyed this course. Jake. [REDACTED]

I feel this course was so well adapted to meet  
the deaf person's needs and staff were very  
deaf aware & encouraged the pupils to take an  
interest too. I've also learnt a lot myself & enjoyed  
it. Rosie BSL interpreter.



admire

Great fun really enjoyed the course.  
Fun as well as learning  
✓ Tammy [redacted]

Great Learning had fun at the same time  
the staff always have time to help.  
Shane.

It was very good, but the coffee  
was very strong, but over all I  
have a fantastic experience thanks  
to everyone. Sound music  
Tubz



I've really enjoyed  
it every Tuesday/  
Wednesday's  
loved cleaning out  
animals  
loved Feeding  
Pigs

Rosie  
want to  
come  
back

Thankyou<sup>all</sup> for having me for the Level 1 and  
Work Experience. I have really enjoyed my time  
here, and I really feel that I have developed  
my confidence and as a person.

Good Luck for all future courses

From Charlotte x

(Duck Charmer)

Been a very good course and experience!  
wanted to work with animals for a  
while and the same with being  
After a qualification very much enjoyed  
Jey



The Scheme run by Graham and his team has provided a positive experience for rachael lee who has a learning disability.

Due to cuts in funding by local authorities opportunities are limited for lots of people.

She has been able to engage with different people and make new friends and feels very comfortable with them. She has learned new skills and taken part in activities she would not have the opportunity to try if it had not been for her days at the farm.

We would welcome the chance for rachael lee to continue her visits and to keep learning new skills and gain confidence.

Kerry [redacted]  
Support Worker of  
rachael [redacted]



I absolutely enjoyed the course. I loved working with all the different animals. Morris and Bernard were my favorite. Graham is an amazing teacher.  
Lucy [redacted]

I really enjoyed the time I had here  
I loved checking on the new animals  
- Nathaniel [redacted]

Course Feedback



Nathaniel: I really enjoyed the course  
dealing with the animals and how to take  
them of them.

Ryan [redacted]: The course was really  
fun, learning about and  
interacting with the animals is  
enjoyable. The written work is clear  
and easy to understand, but not too  
simple. Overall a fun and interesting  
week.

Course Fall



Morning Graham

Thank you for getting T through the course. We are all more than happy with the work you did with T.

We found it a friendly, caring and safe environment in which T really enjoyed, it helped build his confidence and social skills as well developing his knowledge.

CH – Unity Residential Care

Staff

# WORK EXPERIENCE

MARCH 2021

Course Feedback

Adam

I found the very interesting and very informative in the sense of how to run a business and all the costs involved.

It was also very informative when it came to things like what can cause set backs within a business or industry.

Overall I was extremely happy with this course and would recommend anyone to do it as there is a lot of information that could help first time business owners.



March 2nd - 19th 2020

This course was amazing Graham & Tom  
was amazing to learn from taught you  
at a pace that was comfortable and  
gave you lots of info about the species  
of animals you was handling, loved working  
here can't wait to start but 2 animal  
management. This course was where i wanted  
to be to start a career in animal management.

'R' really enjoys attending the  
'You Matter' sessions at  
The Hollies.

She has learned new skills  
whilst having fun and  
meeting new people, in a relaxing  
environment.

R enjoys learning about  
wildlife such as how to care  
for geese, chickens, ducks  
and other animals. She has  
also had lots of fun making  
crafts from natural materials  
such as corks, willow and  
wood.



I found the paper work in level 2 slightly harder due to having to go into more detail, and some of the questions were harder too, but I still enjoyed my level 2 and all the practical side of interacting with animals

Matthew [REDACTED]

# Bespoke

## Training & Education

DESIGNED FOR YOU



**Date: 8 August 2023**

### **To Whom it may concern:**

1. Bespoke Training and Education Ltd is an alternative provider of education for young people who are not in mainstream education, or who are long-term unemployed, or who have a Local Education Authority Education, Health and Care Plan (ECHP) in place.
2. We deliver wellbeing and nationally accredited training courses to children and young adults who have issues relating to anxiety, behaviour and mental health. Our courses range from Entry Level to Level 2, which is equivalent to GCSE; these courses include Equine Management, Animal Care, Land Management and Employability Skills, all of which are Ofqual registered through AIM, a nationally recognised awarding body.
3. We are preferred suppliers of alternative Education to a number of local authorities in the locality, including Stafford Borough Council, Walsall MBC, City of Wolverhampton Council, Dudley MBC and Telford & Wrekin Council. We also work in partnership with Black Country Impact, the DWP and Sector-Based Work Academy Programme (SWAPs).
4. The referring entity pays a fee for the education provided; we also secure grants from bodies such as the National Lottery or other charitable organisations.
5. The young people referred to us are not suited to mainstream education and we could not deliver the training and tuition that we provide within an ordinary classroom environment. The students generally have additional education needs and/or are unsuited to a mainstream educational environment due to behavioural issues; some are looked after children or are children in the care system.
6. The students are local to the site, travelling from adjacent Local Authority areas.
7. Typically, the courses are delivered for between 2 and 5 hours each day, across 1-5 days per week. The courses vary in length depending on the students' requirements and that of their referring body, as well as the level of funding available in each case. For example, the Level 1 Equine Care course can vary between 4 and 28 weeks in duration, Level 1 Employability Skills can extend from 1 to 39 weeks. The Entry Level up to Level 2 Maths and English is delivered alongside these courses.
8. The staff to student ratio is typically 2 staff to every 3 students, and we use more staff where the learning needs of the particular students call for it. The number of students per cohort also varies, from one up to a maximum of 12.
9. The need for the service that we provide is significant and increasing, particularly so following the COVID lock-down periods. Prior to COVID, the local authorities were struggling to accommodate their requirement for alternative education, which was then around 5 placements per week for each LEA; they are now each having to identify around 12 alternative education placements per week for children and young people in their areas. Our service is therefore meeting a significant need locally.

The Hollies Smallholding – Hollies Common - Gnosall – Staffordshire - ST20 0JD

Graham – 07966436671

[www.bespoketrainingandeducation.co.uk](http://www.bespoketrainingandeducation.co.uk)

[bespoke.te@gmail.com](mailto:bespoke.te@gmail.com)

# Bespoke

## Training & Education

DESIGNED FOR YOU



10. We have been working with Jayne Goodwin and Upper Hattons Stables for a number of years to deliver courses focussing around equine and small animal care, enabling us to offer a wider curriculum. We combine our expertise in facilitating accredited courses, and in providing the tuition for the English and Maths as well as small animal care, and Jayne Goodwin hosts the students at Upper Hattons Stables, and provides the expertise in equine care and behavioural therapy. Together we deliver courses to young people with very varied and specific learning needs, enabling them to overcome social, emotional and educational issues.
11. Jayne's organisation brings a number of positive impacts to the young people that we have. Firstly, we are able to offer additional subject specific qualifications through her being accredited by the Association of British Horse Riding Schools. Jayne is also qualified and very experienced in equine therapy, which is a unique skill not offered by many organisations. We have had her working with a number of young people helping them build confidence and resilience through working and understanding animal behaviour and traits, relating them to human behaviours and giving the young people a better understanding of their emotions and others' reactions.
12. The ability to deliver the courses from the Upper Hattons site is a crucial factor in the delivery of courses to meet the specific needs of the students with whom we work.
13. I attach a series of feedback notes written by some of our students, commenting on their experience with us at Upper Hattons, they include:
  - a. Charlotte and Gurieven who were students on our 'You Matter' course based around Animal Care, held in 2017, and Joe, a Student mentor. Twelve students took part, in this course which was for Talent Match, an organisation working with long-term unemployed young people who have social or learning difficulties; it was funded by Awards 4 all (National Lottery);
  - b. Alex, Andy, Brandon and Jake took part in another Animal Care course held in 2017, attended by 10 students; Rosie was an interpreter for a young participant with hearing difficulties;
  - c. Tammy, Shane and Tubz were all students who attended a 6-day Talent Match Equine course which was part-funded by the National Lottery and DWP. Five students attended this course, which then ran for an additional 8 months. Tubz, Shane and Tammy started on the entry level 2 course, and progressed to a Level 2 award through OCN awarding body and the Association of British Horse Riding Schools qualifications;
  - d. Rosie, Charlotte and Joey were students on an Animal Management course funded with contributions from National Lottery and DWP attended by eleven students; Kerry was a support worker for one of the other students on that course;
  - e. Nathaniel and Ryan were two of twelve students who attended an Animal Management course in 20128; and
  - f. Unity Residential Care are an organisation supporting a looked after child based in Staffordshire who did a Level 1 Animal Care course with us; he was

The Hollies Smallholding – Hollies Common - Gnosall – Staffordshire - ST20 0JD

Graham – 07966436671

[www.bespoketrainingandeducation.co.uk](http://www.bespoketrainingandeducation.co.uk)

[bespoke.te@gmail.com](mailto:bespoke.te@gmail.com)

# Bespoke

## Training & Education

DESIGNED FOR YOU



not in mainstream education at the time. Due to his behaviour he was the only student on this course and his behaviour improved significantly as a result of his attendance and he was able then to return to mainstream education the following Term.

14. Going forward, we hope to be able to offer apprenticeships, and to introduce a wider curriculum, to include land-based courses, environmental studies, landscape gardening, dog-grooming and farm skills, with a view to expanding the scope for offering opportunities to young people, by enhancing their life skills and employability. The Upper Hattons site is ideal for this sort of practical training, and Jayne Goodwin's experience in working with young people with particular behavioural needs and demands is a critical part of the service we offer. This will not alter the number of students that we work with overall, but will enable us to cater for a wider cohort.
15. We have been helping young people to improve their health, wellbeing and education for over 10 years, much of that time we have been working with Jayne and her team.
16. From an educational, emotional health and well-being perspective, working with Jayne has enabled us to offer young people more opportunity not just qualifications, but through the empathy and motivation Jayne enables these people to have during the time they are at the stables.
17. It is proven fact that working outside, with animals helps people relax, develop confidence, mix with others and empowers individuals to want to strive for more. Jayne allows this to happen at the stables, as these young people feel as though they are part of a unit, which is able to achieve anything. They have opportunities to experience learning to ride, work alongside Jayne's team and learn fine skills, relating to communication in small groups different age ranges, social backgrounds. They are given the opportunity to experience a realistic working environment, and I am not aware of any other enterprise where they would invite students to attend competitions and allow them to work with clients' horses.
18. There are other organisations doing similar qualifications, but they do not give the young people the experience, support and understanding that they receive at Jayne's place. We know this as we have worked with students who have been there, I have children who have done qualifications at other places, who have been totally underwhelmed when being told 'although you are doing an equine course, you can't actually ride the horse as insurance doesn't cover it'!
19. Jayne allows them to experience anything they want to do, which then creates an interest to want to learn more. Hence the new land management and environmental qualifications we want to open out to them. By them working with other staff who tell them about everything horsey and that creates the desire to gain more knowledge.
20. This great opportunity to enhance an existing establishment, to give young people more opportunity is brilliant. Learning Maths and English, personal development in such a great setting is what all young people should have the opportunity to try.

The Hollies Smallholding – Hollies Common - Gnosall – Staffordshire - ST20 0JD

Graham – 07966436671

[www.bespoketrainingandeducation.co.uk](http://www.bespoketrainingandeducation.co.uk)

[bespoke.te@gmail.com](mailto:bespoke.te@gmail.com)



# Bespoke

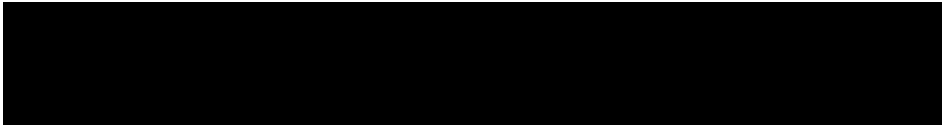
## Training & Education

DESIGNED FOR YOU



21. Whilst we have succeeded in supporting many students in their learning over many years working in collaboration with Upper Hattons Stables, the accommodation that the new Stables building will provide, by way of separate rooms away from the Upper Hattons business clients, within an enclosed courtyard, will help us and our students greatly. It will enable us to offer the more formal aspects of the education within a relaxed and informal environment which the young people can cope with far more easily than a normal education set-up, and the ability to do that in a separate and bespoke area within the Upper Hattons site will help immensely, by allowing the students their own space to learn, away from the business aspects of the Upper Hattons operation. They will have their own space, with dedicated stabling, tack and feed stores for the horses used for the equine therapy sessions, where they can feel comfortable, and learn about nutrition, grooming and animal care without having to share the mess room and barn with the other clients.

Yours faithfully



Graham Coffey  
**Director**

The Hollies Smallholding – Hollies Common - Gnosall – Staffordshire - ST20 0JD

Graham – 07966436671

[www.bespoketrainingandeducation.co.uk](http://www.bespoketrainingandeducation.co.uk)

[bespoke.te@gmail.com](mailto:bespoke.te@gmail.com)

# Bespoke

**Training & Education**

DESIGNED FOR YOU



The Hollies Smallholding – Hollies Common - Gnosall – Staffordshire - ST20 0JD

Graham – 07966436671

[www.bespoketrainingandeducation.co.uk](http://www.bespoketrainingandeducation.co.uk)

[bespoke.te@gmail.com](mailto:bespoke.te@gmail.com)

**Training Courses 2016-2018**



**Fig. 1 - Equine course – run jointly by Jane Goodwin and Bespoke Training & Education Ltd in collaboration**



**Fig.2 - Horticulture course – run jointly by Jane Goodwin and Bespoke Training & Education Ltd in collaboration**



**Fig. 3 - Horticulture course – run jointly by Jane Goodwin and Bespoke Training & Education Ltd in collaboration**

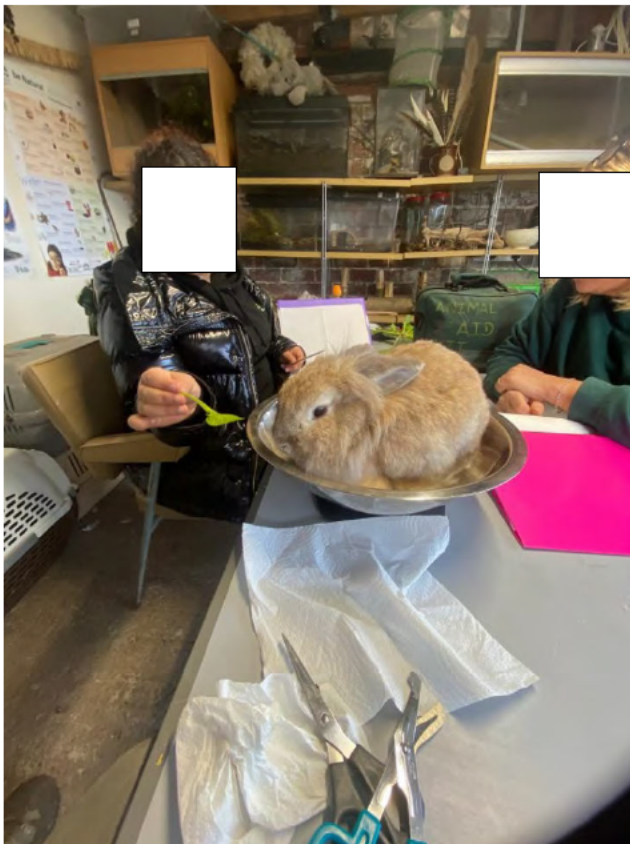


**Fig. 4 - Black Country Impact – confidence building course for unemployed young people – run by Jayne Goodwin**





**Fig. 5** - Therapy course for students with learning difficulties – run by Jayne Goodwin - held in the Livery mess room in the Barn



**Fig. 6** - Therapy course for students with learning difficulties – run by Jayne Goodwin - held in the old store room

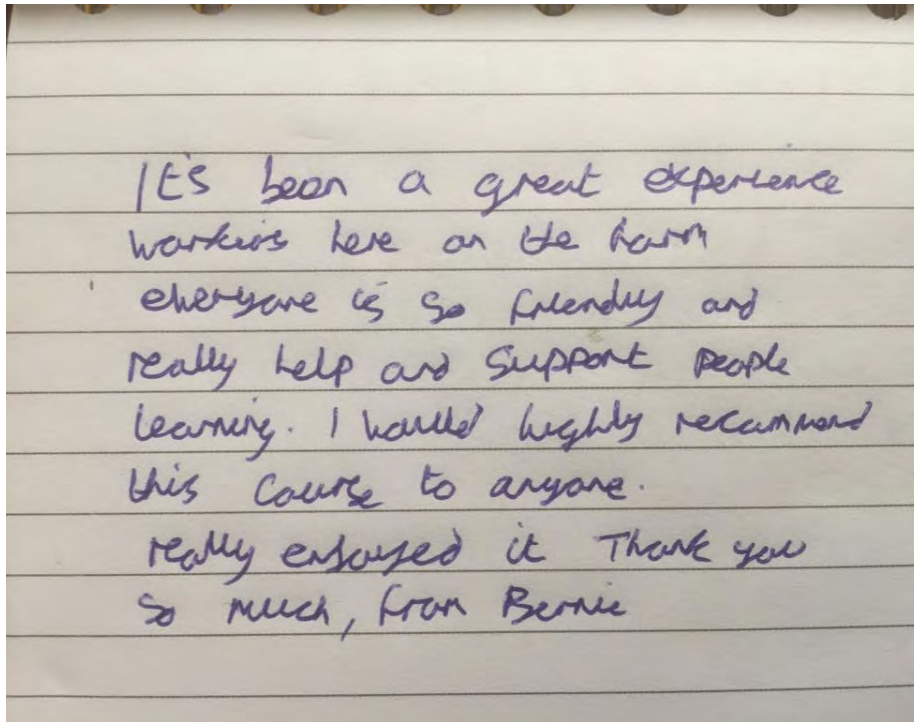


**Fig. 7** - 12 June 2018 - Black Country Impact – confidence building equine course for unemployed young people – run by Jayne Goodwin



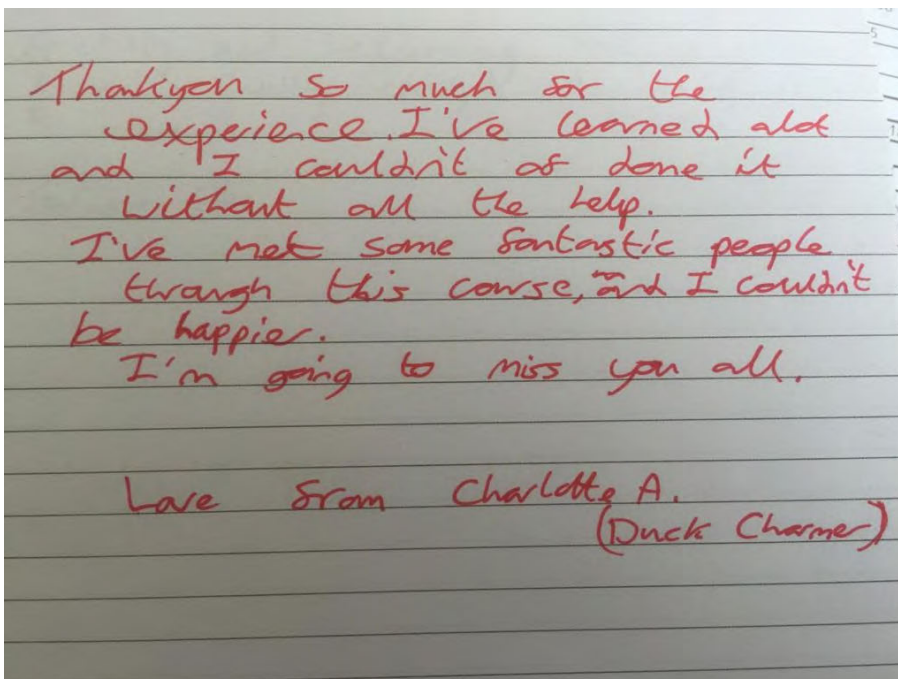
**Fig. 8** - 12 June 2018 - - Black Country Impact – confidence building equine course for unemployed young people – run by Jayne Goodwin

## Letters from students and Team Mentor



It's been a great experience  
working here on the farm  
everyone is so friendly and  
really help and support people  
learning. I would highly recommend  
this course to anyone.  
Really enjoyed it Thank you  
so much, from Bernie

**Fig.1** – Student attended in 2018; he suffered from anxiety but achieved Level 2 Animal Care. He progressed from the small animal course to the equine but after having taken the course, grew in confidence and was able to secure paid employment.



Thankyou so much for the  
experience. I've learned alot  
and I couldn't of done it  
without all the help.  
I've met some fantastic people  
through this course, and I couldn't  
be happier.  
I'm going to miss you all.  
  
Love from Charlotte A.  
(Duck Charmer)

**Fig. 2** - Student attended in 2018; she suffered from anxiety and wanted to focus on employability.



Leek

The yaw Matter course has been a fantastic opportunity for the young people from Talent Match to develop and work through many different and personal issues. They have met hand full new people across 10 weeks and we really hope to do it again!

Libby (TM mentor)

Fig. 3 – Team mentor, and signer for deaf student



From: Jayne Goodwin [REDACTED]  
Sent: 05 August 2023 19:10  
To: Suzanne Tucker  
Subject: Fwd: letter  
Attachments: stables letter.docx

---

 External email >

Sent from [Outlook for Android](#)

**From:** Lisa Hannon  
**Sent:** Saturday, August 5, 2023 6:17:27 pm  
[REDACTED]

**Subject:** letter

Hi Jayne  
please see attached the letter re the stables as discussed  
I would also like to thank you for the opportunities you have given to K

kind regards

Lisa



**Lisa Hannon**  
**Registered Manager** - Mill Cottage

**Office:** 01543 570304  
[REDACTED]

**Web:** [www.horizoncare.co.uk](http://www.horizoncare.co.uk)



---

*I may sometimes send emails outside of usual working hours as part of my work/life balance.*

*There is no expectation for the recipient to respond outside of theirs.*

Horizon Care and Education Ltd is a company registered in England and Wales under number 6454959. The company's registered office is Venture House, 12 Prospect Park, Longford Road, Cannock, WS11 0LG.

This message contains confidential information and is intended only for the intended recipients. If you are not an intended recipient you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does not accept liability for any errors or omissions in the contents of this message, which arise as a result of e-mail transmission. If verification is required please request a hard-copy version.

Lisa Hannon



To whom this may concern.

I am the registered manager of an emotional behavioral disorder home for children who spend time at Upper Hatton's Riding School not only using their riding school but helping in the yard and my young people enjoy the time spent their incredibly fun and enjoyable so much so one of my young people has requested to complete her work experience there which has been very kindly agree to.

My young people find this environment therapeutic and this supports them to regulate their behaviour , it is also an environment where due to how relaxed they are enables my team to be able to complete work with them around their emotional needs as they are at their most receptive when happy.

I feel that increasing the capacity of the stables can only be beneficial to the community as it will enable Jayne to support other young people in care the way she supports mine.

Kind regards

Lisa Hannon RM – Mill Cottage



**RT. HON. SIR GAVIN WILLIAMSON CBE MP**

*Please reply to:* Jubilee House  
59 Wolverhampton Road  
Codsall  
South Staffordshire  
WV8 1PL

Telephone: 01902 846 616

TO WHOM IT MAY CONCERN

7<sup>th</sup> August 2023

**Jayne Goodwin – Upper Hatton Stables, Pendeford Hall Lane, Coven, South Staffordshire, WV9 5BD**

I met Ms Goodwin at Codsall Fair in 2009 when she was working with Young People from Wolverhampton and she then started working with youngsters from Staffordshire and the surrounding areas from the wooden stables and structures at the back of her main barn.

I have been aware of and have always supported the work they have been doing at the barn since 2010 for young people from Wolverhampton, Staffordshire and surrounding areas. I feel that what they are doing is a local asset and needed in Staffordshire.

There are many benefits to these minors being able to use the site for education, alongside animal care and therapy, as they struggle to cope with a classroom environment, often needing to take breaks, see the horses to re-regulate their emotions and allowing them to return and learn in a calm way.

The work that Ms Goodwin does with young people is something she loves and is passionate about, rather than for monetary gain.



Rt. Hon. Sir Gavin Williamson CBE MP

**MEMBER OF PARLIAMENT FOR SOUTH STAFFORDSHIRE**

To whom it may concern

8<sup>th</sup> August 2023

Miss J Goodwin trading as Upper Hattons Riding School

14 block-built stables are being constructed at Upper Hattons Stables where the above business is undertaken. These are to replace the existing 14 wooden stables that have now deteriorated and are no longer fit for purpose.

The business offers horse riding school tuition, especially to children. Due to a high proportion of the users being children, the business must provide a high standard of facilities to satisfy the engaging customers. Miss Goodwin is currently covering the costs of running the business and has no plans to expand the business, as this would compromise the high standard of service currently offered.

The replacement stable block will reduce the previous continued costly amounts expended on the maintenance of the old wooden stable block. This will ensure the sustainability of the business in the future by reducing expenditure and using vastly improved facilities to operate in.

Keith Thompson

K A Thompson (Accounting) Limited