
Appeal Decision

Site visit made on 8 November 2016

by Andrew Owen BA(Hons) MA MRTPI

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

Decision date: 16 November 2016

Appeal Ref: APP/X3405/W/16/3157314

The Buds, Buds Road, Cannock Wood, Staffordshire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Andrew Billingham against the decision of Cannock Chase District Council.
 - The application Ref CH/15/0466, dated 16 November 2015, was refused by notice dated 18 March 2016.
 - The development proposed is the conversion of an existing barn on the land known as The Buds, Cannock Wood into a single family dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. An amended landscaping plan was submitted with the appeal. I have determined the appeal on the basis of this amended plan as this proposes only minor alterations to the landscaping scheme submitted with the application and so my consideration of this plan would not prejudice any party.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the 'Framework') and development plan policy;
 - the effect of the proposal on the openness of the Green Belt;
 - the effect of the proposal on the character and appearance of the area which lies within the Cannock Chase Area of Outstanding Natural Beauty (AONB);
 - if the development would be inappropriate, whether the harm to the Green Belt by way of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons

Inappropriate development

4. The site is within the Green Belt. Paragraph 89 of the Framework is clear that the construction of new buildings in the Green Belt is inappropriate. However,
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it adds that an exception to this is 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. Paragraph 90 of the Framework sets out that the re-use of buildings are also not inappropriate providing they maintain openness and do not conflict with the purposes of including land within the Green Belt.

5. The existing building is a breezeblock stable. It is agreed between the parties that although the foundations would need improvement and the asbestos roof would need removal, the walls are structurally sound. Nonetheless, due to the degree of alteration and extension necessary to make the building suitable for residential use, I do not consider the proposal would constitute re-use and instead the development would comprise an extension to the existing building.
6. Policy CP14 of the Cannock Chase Local Plan (the 'Local Plan') states that the ground floor of any extension or replacement building should not normally exceed that of the original building by more than 50% in order to ensure development is sympathetic to its Green Belt location. This is consistent with the Framework and can be considered up to date. Therefore I give significant weight to it.
7. The proposal would not result in any increase in the footprint of the building. Therefore in this respect, the development accords with Policy CP14. However footprint is just one method to assess whether an extension or alteration is disproportionate, as is required by the Framework, and takes no account for any increase in height. The proposal would increase the height of the existing building by approximately 1.4 metres. Although this is not a great amount in itself, due to the low height of the existing building, the development would increase its height by around a third. I consider this increase in height would represent a disproportionate addition. As such the proposal would be inappropriate development.
8. Additionally the development would involve a change in the use of the remainder of the site from a paddock to land which would be used for residential purposes. Paragraph 90 of the Framework does not identify a material change of use as a form of development which can be considered not inappropriate. Therefore in this regard too, the development would be inappropriate.
9. Paragraph 87 of the Framework says inappropriate development is, by definition, harmful to the Green Belt and shall not be approved except in very special circumstances. It is therefore necessary for me to consider whether any other harm would be caused by the proposal and then balance the other considerations against the totality of that harm.

Openness

10. Openness is an essential characteristic of the Green Belt as set out in paragraph 79 of the Framework. Although the use of the land for domestic purposes would not necessarily impact on openness and the footprint of the proposal would be no greater than the existing building, the increase in the height of the building on site would have a material visual effect on openness. The landscaping proposals suggest additional hedgerows and trees would be planted to help screen the development from views from Buds Road. However views from other directions would still be possible, primarily from along the

public footpath outside the site, and the visual impact on openness would be evident from these positions. This weighs against the development, and is in addition to the inappropriateness of the proposal in principle.

Character and appearance

11. Paragraph 115 of the Framework sets out that great weight should be given to conserving landscape and scenic beauty in AONBs. This reflected in Policy CP14 of the Local Plan.
12. The site is slightly detached from the contiguous built up area of Cannock Wood. It is surrounded on all sides by undeveloped land, though the Cannock Wood and Gentleshaw Village Hall is just to the west. The public footpath in front of the site provides vehicular access to a single dwelling to the north.
13. The existing building is modestly scaled and has a functional and agricultural appearance common to a rural setting. In addition to the increase in the height of the stable, the development would necessarily involve alterations to the external finish of the building and the introduction of windows in order to make it suitable for habitation. Aside from works to the building, the development would provide additional hardstanding for car parking, a patio and pedestrian paths.
14. All these works would have the effect of changing the nature of the site and the form and appearance of the building from that of an equine use reflective of its rural surroundings to a domesticated use which would contrast with its context.
15. Despite the few other isolated buildings locally, the rural openness of the immediate area is a key part of the character of the landscape of the AONB and the domestication of this site would contribute to the erosion of the landscape character of the AONB.
16. As such it is considered the proposal would harm the character and appearance of the area and the wider AONB. Therefore the proposal would fail to accord with Policies CP1 and CP14 of the Local Plan which aims to ensure development conserves and enhances the AONB, and Policy CP3 of the Local Plan which requires all development to be well related to its surroundings.

Other considerations

17. I note there is a small wooden shed on site and that this would be removed as part of the development. It is not considered that the loss of this small structure would mitigate for the substantial increase in the height of the building and the overall impact on openness. As such I give this consideration minimal weight.
18. Similarly I consider the contemporary design of the dwelling does little to mitigate the impact of the proposal on openness, despite the attempts to minimise the increase in the height of the building. Also although the existing building is not attractive, it is commensurate with its rural setting and its replacement, albeit with a building of a better design quality, is not a matter I give significant weight to.
19. I acknowledge the appellant's willingness to have residential permitted development rights withdrawn to minimise any future development at the site.

However this does not affect my view of the development as currently proposed. As such I give very little weight to this consideration.

20. Whilst the site may be sustainably located with respect to accessibility to shops, facilities and public transport services, its failure to maintain the openness of the Green Belt and the harm it would cause to the landscape character of the AONB means it would not represent sustainable development.
21. The development would provide an additional residential unit to contribute to the Council's housing target. However I give limited weight to the contribution of one unit to the supply of housing.
22. The landscaping scheme would introduce native hedgerows, bird boxes and other aspects which would enhance the biodiversity of the landscape. I give this moderate weight.

Other matters

23. The Council have advised that due to the site's proximity to the Cannock Chase Special Area of Conservation (SAC) the development may result in adverse effects on the integrity of the SAC which could be mitigated by the provision of a financial contribution. Whilst the development could lead to additional pressure on the SAC, in light of my conclusions on the main issues, I need not give further consideration to this matter.

Planning Balance and Overall Conclusion

24. The Framework advises that the Government attaches great importance to Green Belts and that substantial weight should be given to any harm to the Green Belt. I consider that the development would cause harm to the Green Belt by way of inappropriateness, to its openness, and to the character and appearance of the AONB. Balanced against that are the other considerations identified above. For the reasons given, I conclude that they do not clearly outweigh the harm to the Green Belt and therefore there are no very special circumstances to justify the proposal.
25. As such, the development would conflict with Policies CP1 and CP14 of the Local Plan and the Framework which aim to protect the Green Belt from inappropriate development.
26. For the reasons given above, and taking account of all other considerations, I conclude that the appeal should be dismissed.

Andrew Owen

INSPECTOR