
Appeal Decision

Site visit made on 5 December 2016

by Helen Hockenhull BA(Hons) B.PI MRTPI

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

Decision date: 20 December 2016

Appeal Ref: APP/L5240/W/16/3158050

Coombe Farm, Oaks Road, Croydon CR0 5HL

- 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 Dr Anwar Ansari, AA Homes and Housing against the decision of the Council of the London Borough of Croydon.
 - The application Ref 16/02939/P, dated 6 June 2016, was refused by notice dated 23 August 2016.
 - The development proposed is the retention of storage containers and access roadways for a temporary period of three years.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development makes reference to the retention of storage containers and access roads. However 'retention' does not form an act of development. The proposal has been substantially implemented though some of the containers are proposed to be relocated. The development is therefore part retrospective. I have considered the appeal on this basis.

Main Issues

3. The main issues are:
 - whether or not the development would be inappropriate development in the Green Belt;
 - the effect of the development on the openness of the Green Belt;
 - the effect of the development 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

4. Coombe Farm forms a complex of buildings formerly used as a hostel and before that a residential institution for disabled young people. The site includes
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an attractive brick built main building which has been extended over time. Attached to this is a hall, former classrooms and linking corridors. There are a number of other outbuildings which include a former swimming pool, garages, a coach house and stables. The site is in the process of being converted to residential accommodation for which there are a number of extant planning permissions. Some units were occupied at the time of my site visit. The site is located within the Metropolitan Green Belt.

5. The Council has stated that they consider the proposed grasscrete roadways to be acceptable in the Green Belt. On the basis of the evidence before me I have no reason to disagree. The main focus of this appeal therefore relates to the storage containers.

Inappropriate development

6. The National Planning Policy Framework (the Framework) in paragraph 90 provides guidance on certain forms of development that are not inappropriate in the Green Belt. These include the re-use of buildings provided that the buildings are of permanent and substantial construction.
7. Policy 7.16 of the London Plan 2016 gives the strongest protection to London's Green Belt in accordance with national guidance. Saved Policy R01 of the Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) restricts the construction of new buildings in the Green Belt unless for certain specific purposes and Saved Policy R06 aims to protect the visual amenity of the Green Belt. These policies pre date the Framework and are not entirely consistent with it. I therefore give limited weight to these two policies. Policy SP7.2 of the Croydon Local Plan: Strategic Places 2013 post-dates the Framework and is broadly consistent with it stating that the Council will protect and safeguard the borough's Metropolitan Green Belt.
8. The appellant argues that the storage containers are required in connection with the re-use and conversion of the buildings on the site to residential use. This forms a development which is not inappropriate in the Green Belt.
9. I note from the Council's evidence that the containers may have been used for the storage of materials from other sites where the appellant has been working. However the appellant has confirmed that the containers are for storage from within the appeal site only.
10. I acknowledge that under the provision of Schedule 2 Part 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, buildings temporarily required in connection with and for the duration of operations being carried out on land, for example the conversion works being undertaken, form permitted development. However there are 26 containers currently located on the site. I consider that this number of containers is in excess of that reasonably required to support the conversion works. I note the Council's Enforcement Officer has taken the view that up to 6 containers could be considered to be permitted development. I agree with the Council's view that the siting of this number of containers forms development which requires planning permission.
11. It therefore follows that the containers must be assessed in relation to the types of development that the Framework considers to form exceptions in the Green Belt. As the containers do not form one of these exceptions, I consider

that they form inappropriate development in the Green Belt. The development would therefore conflict with the Green Belt Policies in the Framework as well as Policy 7.16 of the London Plan 2016 and Policy SP7.2 of the Croydon Local Plan: Strategic Policies 2013.

Openness of the Green Belt

12. 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.
13. I acknowledge that some of the containers currently located at the front or side of the farmhouse around the oval roadway are proposed to be relocated to the rear of the site. The appellant argues that this re siting would preserve openness as the main open areas at the front of the site would be cleared. However the containers are located or proposed to be located within areas of the site that are free from development. The siting of the containers would therefore cause harm to the openness of the Green Belt and impact negatively on the Green Belt purpose of safeguarding the countryside from encroachment. I give considerable weight to this harm.
14. I acknowledge that the containers are proposed to be sited temporarily for a period of three years. Nevertheless the development would cause harm to the openness of the Green Belt for this period of time which I consider to be significant.

Character and appearance

15. Coombe Farm lies in the countryside and is well screened from public viewpoints as result of the mature landscaping and woodland on the sites periphery and within neighbouring land. However glimpses of the buildings can be obtained from the access road that runs to the south east of the complex. The character of the site is one of a range of buildings, predominantly set in the southern part of the site, in attractive landscaped grounds.
16. As I have mentioned above it is proposed to relocate a number of containers from the front and side of the farmhouse to the rear of the complex. This would improve the appearance of this part of the site, which is an important area as it forms the main entrance. In this new position the containers would be sited behind an existing boundary hedge. This would provide screening from views within the site. Existing planting to the rear boundary of the site would assist to screen the containers from external viewpoints.
17. A group of double stacked containers are proposed to remain in a position behind the existing buildings close to a line of lime trees. Despite the presence of the trees, I consider these containers have a negative visual impact within the centre of the site. They are however screened from outside views by an existing building and trees on the site boundary.
18. Furthermore an existing group of containers are located to the south east of the site close to the access road. I am advised these have been in place for a long time. I observed on my site visit that whilst there is some screening from boundary fencing, trees and vegetation, this is inadequate to appropriately screen the containers from views from outside the site.

19. In summary the relocation of some of the containers would have visual benefits particularly to the main entrance area of the site. However, in the central part of the site the containers are more visible and adversely affect the setting, character and appearance of the site as a whole. The containers retained to the south east boundary of the site also have a negative impact on the appearance of the site from an external public viewpoint.
20. I therefore consider that the development causes harm to the character and appearance of the site and surrounding area. It would fail to comply with Saved Policies UD2 and UD3 of the Croydon Plan 2006, Policy SP4.1 of the Croydon Local Plan: Strategic Policies 2013 and Policies 7.4 and 7.6 of the London Plan 2016. These policies amongst other things seek to ensure that development respects local character and contributes positively to the public realm and to the landscape.

Other considerations

21. The development is required in association with the conversion of the vacant buildings on the site to residential accommodation. This would contribute to the supply of housing in the Borough.
22. The appellant has explained that the containers are required to store materials which could not be stored in the open air and also to store furniture and other materials required to equip the dwellings once completed. Whilst it is reasonable that a certain amount of storage is required during the development, I have not been provided with detailed evidence of why such a large number of containers are necessary. I acknowledge the planning history of the site and I note that prior approvals for the conversion of certain buildings require that these works be completed by 2019. Whilst this will to an extent dictate the work programme on the site and may create a greater need for storage over this period, I consider that on the basis of the evidence before me, this would not justify a need for 26 containers on the site.
23. The appellant states that some of the containers are empty awaiting the commencement of further building work. Whilst I have not been provided with specific numbers of empty containers, I am not persuaded that they would all be needed. It is unclear from the evidence in this case why some temporary storage could not take place within buildings waiting to be converted or why non-building materials such as furniture and fittings could not be stored off site.
24. The appellant has advised that he is prepared to remove containers on the site throughout the three year period as and when they become empty and are no longer required. This is to be supported. He has also suggested that the use, number and content of the containers as well as the reinstatement of the site could be controlled through the imposition of conditions. I consider this would be appropriate and necessary in the event that the appeal were to be allowed.

Conclusion

25. The Framework indicates that inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances. I have concluded that the development would form inappropriate development in the Green Belt and would not preserve openness. Substantial weight should be given to the harm to the Green Belt. Very special

circumstances will not exist unless the harm to the Green Belt and any other harm are clearly outweighed by other considerations.

26. I acknowledge that the development would support the conversion works on the site and consequently contribute to the supply of housing. It would also result in an improvement to the appearance of the front of the complex and the locations to the rear of the site have been chosen to minimise the visual impact of the development.
27. However, these matters do not outweigh the harm I have identified to the openness of the Green Belt and the character and appearance of the site as a whole and the surrounding area. The substantial weight to be given to Green Belt harm, and any other harm, is therefore not clearly outweighed by other considerations sufficient to demonstrate special circumstances.
28. For the reasons given above and having regard to all other matters raised, I dismiss this appeal.

Helen Hockenhull

INSPECTOR