
Appeal Decision

Site visit made on 29 November 2016

by David Troy BSc (Hons) MA MRTPI

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

Decision date: 23 January 2017

Appeal Ref: APP/U4610/W/16/3157300

Greyhound Gun Club, Sutton Stop, Coventry CV6 6DF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr David Simpson against the decision of Coventry City Council.
 - The application Ref FUL/2016/0743, dated 2 March 2016, was refused by notice dated 5 May 2016.
 - The development proposed is described as retention of 2 Number Caravans.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I noted on my site visit that only one caravan was present on the site. This appeal, however, has been submitted on the basis of retaining two caravans and as such I shall determine the appeal on the basis of the proposed stationing of two caravans on the land.

Main Issues

3. The main issues are:
 - (i) Whether the stationing of the caravans would constitute inappropriate development in the Green Belt;
 - (ii) The effect of the development on the openness of the Green Belt;
 - (iii) The effect of the development on the character and appearance of the Hawkesbury Junction Conservation Area (CA); and
 - (iv) 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 the caravans constitute inappropriate development in the Green Belt

4. Policy GE6 of the Coventry Development Plan 2001 (CDP) relates to the control over development inside the Green Belt. It states that inappropriate development will not be allowed in the Green Belt unless justified in very special circumstances. The National Planning Policy Framework (the
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Framework) advises that inappropriate development is, by definition, harmful to the Green Belt and should not be permitted except in very special circumstances.

5. Paragraph 89 of the Framework states that the construction of new buildings inside the Green Belt is inappropriate development unless they fall within a list of stated exceptions. One exception is the provision of appropriate facilities for outdoor sports and recreations. I find that the wording of Policy GE6 of the CDP is consistent with the Framework with regard to resisting inappropriate development, but that the supporting text is no longer fully in line with national policy.
6. The appellant argues that the two caravans are needed in association with the Greyhound Gun Club, which the Council's report considers is an outdoor sport and recreation facility. One of the caravans is being used by the appellant and his wife as living accommodation and the other caravan is used as an office. I have also noted the appellant's reference to Policy GE4 and paragraph 9.30 of the CDP in support of his case. This, however, appears to relate to the use and protection of Green Space used for outdoor sports facilities around the City and is not directly relevant to this case.
7. However, a caravan is not a building for planning purposes, but the development involves changing the use of the land on which they are sited. The Framework makes no exceptions for such changes of use within the Green Belt. Thus, irrespective of its association with the Gun Club, the siting of the caravans in this location would amount to inappropriate development within the Green Belt. I attach substantial weight to the harm arising due to the inappropriate nature of the development in this location.

Openness of the Green Belt

8. The appeal site is located in the north-west corner of the Greyhound Gun Club site. To the west and south is the Greyhound Public House and gardens separated from the appeal site by a close boarded fence measuring about 1.8m in height. Further to the south are two container units that provide an office and storage associated with the Gun Club. To the north is a canal towpath and footbridge over the Coventry Canal and to the north-east is a single dwelling. To the east is a large grassed and wooded area of land forming part of the shooting ranges for the Gun Club and then open countryside beyond.
9. The fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open. The Framework advises at Paragraph 79 that their openness and their permanence are essential characteristics of Green Belts. Whilst the overall scale is modest, the siting of the caravans in this location where they did not exist previously reduces the openness but only to a limited degree. Consequently, I conclude that the caravans would have a small degree of harm on the openness of the Green Belt.

Character and appearance of the CA

10. The appeal site is located adjacent to the CA. This part of the CA is dominated by the canal, footbridge and the large verdant mooring area associated with the Sutton Stop/Hawkesbury Junction on the Coventry Canal where the Coventry and Oxford Canals intersect. The caravans would be situated in the open gap between the adjacent properties, canal and the open countryside.

Where buildings and other structures exist in association with the Gun Club site and the adjoining uses next to the Canal, these are very low, small in scale and have little impact upon the sense of space and openness in the area. This gives the area a strong unifying character and appearance, which is further enhanced by the presence of mature landscaping and established trees within the area.

11. The stationing of the caravans including pressure to add other structures and garden paraphernalia linked to the caravans, such as the shed/aviary now present on the site, compromise the sense of space and openness in the area. These shortcomings are exacerbated by the appeal site's prominent position, which is visible from a number of public vantage points from the canal towpath and footbridge over the Canal. As such, I consider the stationing of the caravans in this location would result in incongruous and out-of-keeping additions that would adversely harm the open rural character and appearance and the setting of the CA.
12. Given the modest scale of the development affecting the CA, the harm is less than substantial but in accordance with paragraph 134 of the Framework, that harm should be weighed against any public benefits to the proposal. I note the appellant's comments regarding benefits arising from the presence of the appellant living in the area and increased security for people walking along the adjacent canal towpath. I find though insufficient public benefit to offset the identified harm to which I attach significant weight.
13. Consequently, I conclude that the caravans would not preserve or enhance the character and appearance of the CA. The development would conflict with Policies BE2 and BE9 of the CDP. These policies, amongst other things, seek to ensure that development demonstrates a high quality design that respects the local character of the area and only permit development within or affecting the setting of a Conservation Area that protect or enhance the character or appearance of the Area.
14. In addition, the proposal would not accord with the core principles of the Framework that development should seek to secure a high quality of design and conserve heritage assets in an appropriate manner (paragraph 17) and take into account the desirability of making a positive contribution to local character and distinctiveness in conserving and enhancing the historic environment (paragraph 131).

Other considerations

15. I have considered the appellant's argument that the caravans would do not harm the visual amenity of the open area due to screening provided by the boundary fencing and vegetation, which over time with further planting and continual maintenance would make the site less visible. Whilst these features provide some visual containment and reduce the impact of the development to some degree, the effect would still be harmful to the character and appearance, even when the planting is matured. I therefore afford this limited weight in this case.
16. I considered the appellant's comments that visitors from a wide catchment area use the facility and visit and stay on the site for competitions for short periods. The appellant states that there have been no objections or complaints from local people or businesses, and, indeed, I note some local support. I have

further noted the appellant's arguments regarding the potential loss of the sporting facility to all those that use it without the appellant's presence for security and maintenance of the grounds.

17. I accept that there are security benefits in having a day and night presence at the site and note the past instances of crime referred to by the appellant. However, I have little evidence of other steps such as improved physical security or electronic surveillance to address this. Furthermore, no strong justification has been provided for the need for a second caravan to provide a separate office on the site, when an existing office already exists to serve the Gun Club. Overall, the evidence before me does not show that the Gun Club could not operate without the caravans and the appellant's presence on the site and I attach limited weight to these matters.

Green Belt Balance

18. The development would amount to inappropriate development and the Framework establishes that substantial weight should be given to any harm to the Green Belt. The caravans would result in a small reduction in openness and would not preserve or enhance the character and appearance of the CA.
19. Having considered all of the matters raised in support of the development, I conclude that collectively, they do not outweigh the totality of the harm I have identified in relation to the Green Belt. Accordingly, very special circumstances do not exist and the development would be contrary to Policy GE6 of the CDP and the Framework.

Conclusion

20. In reaching my decision, I have taken into account the concern raised by the appellant about the potential loss of his home in the event of the appeal being dismissed. However, I note that the residential use of the site was commenced without planning permission, and I consider that alternative options should be available. Therefore, I consider that any interference with the appellant's rights in this regard would be proportionate and in the public interest, in accordance with the longstanding national policy on the protection of the Green Belt.
21. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Troy

INSPECTOR