
Appeal Decision

Site visit made on 28 February 2017

by Andrew Owen BA(Hons) MA MRTPI

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

Decision date: 13 March 2017

Appeal Ref: APP/P1805/W/16/3160665

20 Redditch Road, Stoke Prior, Bromsgrove, Worcestershire B60 4JN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr D Morgan against the decision of Bromsgrove District Council.
 - The application Ref 16/0063, dated 19 January 2016, was refused by notice dated 29 April 2016.
 - The development proposed is demolition and removal of existing dwelling and outbuildings to permit development of 5 new dwellings.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. During the determination of this appeal, the Council advised that the Bromsgrove District Plan (BDP) had been adopted. Therefore Policies DS2 and S9 of the Bromsgrove District Local Plan, referred to in their decision, had been superseded. The Council subsequently provided a copy of Policy BDP4 of the BDP which they consider is relevant to the appeal. The appellant has been provided with a copy of this policy and has commented on it and I have taken these comments into account in my decision.
3. The application was made in outline form with matters of access to be considered at this stage, and all other matters reserved for later consideration. I have determined the appeal on the same basis.

Main Issue

4. 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;
 - 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.
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Reasons

Inappropriate development

5. 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, it adds that an exception to this is the partial or complete redevelopment of previously developed sites which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. Policy BDP4 of the BDP largely repeats the contents of paragraph 89 and as such it is consistent with the Framework and I can give considerable weight to it.
6. Previously development land is defined in Annexe 2 of the Framework. The definition specifically excludes land that is or has been occupied by agricultural buildings.
7. The front part of the site is occupied by a dwelling and its garden. The rear, and significantly larger, part of the site is taken up by a number of agricultural storage buildings and a grassed area which leads into a field behind the site. Consequently, the majority of the site would not meet the definition of previously developed land. Therefore, the proposal as a whole would not constitute the redevelopment of a previously developed site and as such the development would be inappropriate development which, I consider, would cause significant harm to the Green Belt. It has not been suggested to me that the proposal would fall within any of the other types of development listed in paragraph 89 which can be considered not inappropriate.
8. 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 is caused by the proposal and then balance the other considerations against the totality of that harm.

Openness

9. An indicative plan has been submitted showing the layout of the five units. However this is for illustrative purposes as the proposal is in outline form with matters of layout and scale reserved. As such, although I note the appellant contends there would be a reduction in footprint, I am unable to fully consider the effect of the proposal on openness. I can therefore give only neutral weight to this matter.

Other considerations

10. The agricultural buildings on site are in a poor state of repair and their appearance, particularly when viewed from the public footpath that runs alongside the western boundary of the site, is unattractive. However agricultural buildings are common features in the Green Belt and they are seen in the context of the open fields to the south and west. The proposed dwellings would be likely to introduce a more urban feature which would contrast with the rural setting of the site. As such any benefits of removing the unattractive structures would be countered by the urbanising effect of the proposal on the rural character of the locality. As such I give minimal weight to this matter.

11. The appellant suggests the brick store on site is capable of conversion to a dwelling and so, in addition to the main house on site, the proposal would only provide a net increase of three houses. However even if I were to perceive the proposal as being for just three additional units, it would still constitute inappropriate development in the Green Belt.
12. I accept the site is opposite the settlement boundary of Bromsgrove and has reasonable access to bus stops and some local facilities such as a public house, a sandwich shop and employment opportunities. However such access to services and facilities would be expected of any new housing scheme and I can give this little positive weight.
13. I also recognise the development would provide employment opportunities during its construction, and a contribution of five houses to the Council's supply of housing. Accordingly the development would have some significant economic and social benefits. However such benefits would be tempered by the small scale of the development, and hence I give them only limited weight.
14. Both parties refer to an approved scheme for 24 units at Buntsford Hill. However from the very limited details I have been provided with, I cannot attest to its comparability with the scheme before me. I therefore cannot give it any substantial weight.
15. The explanatory text to Policy BDP4 acknowledges that a proportion of the Council's housing need cannot be delivered without altering the Green Belt boundary, and that a review will be undertaken to identify sufficient land to be removed from the Green Belt to deliver this housing. It also recognises Bromsgrove town as having potential for the largest proportion of growth. Nonetheless at the current time, the appeal site is in the Green Belt. Therefore Policy BDP4 applies and I can give no weight to any future Green Belt boundary review.

Planning Balance and Overall Conclusion

16. 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 causes significant harm to the Green Belt by way of its inappropriateness, and substantial weight should be given to this harm. Balanced against that are the other considerations identified above. I conclude that the combined weight of the other considerations does not clearly outweigh the harm to the Green Belt and therefore there are no very special circumstances to justify the proposal.
17. Consequently, the development conflicts with Policy BDP4 of the BDP and the Framework which both aim to protect the Green Belt from inappropriate development.
18. Therefore, for the reasons given above, and taking account of all other considerations, I conclude that the appeal should be dismissed.

Andrew Owen

INSPECTOR