
Appeal Decision

Site visit made on 18 July 2017

by Andrew McCormack BSc (Hons) MRTPI

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

Decision date: 10th August 2017

Appeal Ref: APP/N4205/W/17/3172694

Land adjacent to 475 Manchester Road, Blackrod, Bolton, Lancashire BL6 5RZ

- 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 G Brooks against the decision of Bolton Metropolitan Borough Council.
 - The application Ref 00076/17, dated 3 January 2017, was refused by notice dated 13 March 2017.
 - The development proposed is for 1 detached dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The original application sought outline planning permission with all matters reserved. Accordingly, I have assessed the appeal on that basis.

Main Issues

3. The appeal site lies within the Green Belt. Therefore, the main issues are:
 - whether or not the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and relevant development plan policies;
 - the effect of the proposal on the openness of the Green Belt;
 - 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

Inappropriate development in the Green Belt

4. Paragraph 87 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Furthermore, Paragraphs 89 and 90 of the Framework set out the categories of development which may be regarded as not inappropriate in the Green Belt, subject to certain conditions.
5. From the evidence before me, I note that the appeal site is not previously developed land. Therefore, the sixth bullet point of Paragraph 89 of the

Framework, relating to limited infilling or partial redevelopment, does not apply in this case. Furthermore, Annex 2 of the Framework states that previously developed land excludes land that is, or has been, occupied by agricultural or forestry buildings. I note that the site has been in relatively recent use as a timber yard. However, there is no planning history before me to suggest that the site has had approval for a previous change of use.

6. Having taken the above and all other relevant matters into account, I find that the proposed development does not fall within the categories of buildings or structures allowed for in the Framework. Therefore, I conclude that the proposal would be inappropriate development in the Green Belt, contrary to the advice in the Framework and Policy CG7AP of the Bolton Core Strategy Allocations Plan (CSAP). Furthermore, I must give the resultant harm to the Green Belt substantial weight in determining this appeal.

Effect on openness of the Green Belt

7. The appeal site is situated on Manchester Road and is screened from the highway by mature trees and hedging. To the south east there is a small terrace of houses and to the south west, on the opposite site of Manchester Road, there are dormer bungalows and a children's nursery. To the north west of the site there is a converted barn and a farm track and to the north east there is an open view across fields to the open countryside beyond.
8. I appreciate that the original application sought outline planning permission and that the details of the proposed dwelling have not been provided in terms of scale, height and mass. Notwithstanding this, I find that the construction of the proposed dwelling would likely have a greater visual impact on the area than the existing temporary buildings on the site. Inevitably, this would have an adverse impact on the openness of the site. As a result, I find that the proposed dwelling would significantly visibly encroach into the openness of the appeal site and surrounding area, including the Green Belt. Therefore, it would result in a loss of openness and permanence to the Green Belt.
9. Consequently, I conclude that the proposal would lead to a significant loss of Green Belt openness and would impact on the Green Belt purpose of safeguarding the countryside from encroachment. Therefore, it would be contrary to Policy CG7AP of the CSAP and the relevant Green Belt guidance within the Framework. This policy and guidance seeks to strictly control development in the Green Belt and keep land permanently open.

Other considerations

10. I have seen no evidence to indicate any other considerations which would outweigh the Green Belt harm due to inappropriateness and the impact on openness and permanence. As a result, I find that there are no very special circumstances to support residential development on the appeal site. Consequently, the harm I have identified

Other Matters

11. I have had due regard to the appellant's comments regarding various matters submitted in relation to the appeal. Whilst I appreciate the importance of these matters to the appellant, I find that such comments are not material considerations to which I attach significant weight in determining the substantive issues in this case.

Conclusion

12. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. In addition, where there would be adverse effects on openness and the Green Belt purpose of safeguarding the countryside from encroachment, substantial weight should be given to the harm caused. Very special circumstances will not exist unless the harm to the Green Belt and any other harm are clearly outweighed by other considerations.
13. Having had regard to the above and all other matters raised, I conclude that the substantial weight to be given to Green Belt harm would not be outweighed by any other considerations. As a result, the very special circumstances necessary to justify the proposal do not exist. Therefore, for the above reasons, and in accordance with national and local policy, I conclude that the appeal should be dismissed.

Andrew McCormack

INSPECTOR