



Appeal Decision

Site visit made on 8 August 2017

by Andrew Owen BA(Hons) MA MRTPI

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

Decision date: 22 August 2017

Appeal Ref: APP/Q4625/W/17/3174617

**Meriden Hall Mobile Home Park, Main Road, Meriden, Warwickshire
CV7 7LA**

- 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 Morrison Mobile Homes against the decision of Solihull Metropolitan Borough Council.
 - The application Ref PL/2016/02622/MINFOT, dated 11 October 2016, was refused by notice dated 5 January 2017.
 - The development proposed is one additional mobile home on an existing car park and to form an additional parking area on land at an existing residential mobile home park.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. The site address given on the application forms was Birmingham Road. However that used on the appeal form and the Council's decision was Main Road. As such I have used this in the banner heading above.

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;
 - 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. Paragraphs 87 and 88 of the Framework say that inappropriate development is, by definition, harmful to the Green Belt and that substantial weight should be given to any harm to the Green Belt. They add that development should not be approved unless the harm to the Green Belt, and any other harm, is clearly outweighed by other considerations. Also

Policy P17 of the Solihull Local Plan states that the Council will not permit inappropriate development in the Green Belt, except in very special circumstances. In this regard the policy is consistent with the Framework and I can give substantial weight to it.

5. 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. Both parties agree that the provision of the mobile home should be judged against this part of paragraph 89.
6. The area of land on which the mobile home would be positioned is currently used as a car park, edged with low level landscaping. Due primarily to its three dimensional nature, the mobile home would have a far greater impact on the openness of this land than compared to the existing car park, even accounting for the presence and movement of vehicles in the car park. My view on this is consistent with that of the Inspector in relation to a previous appeal for a similar proposal at this site¹.
7. I accept the mobile home would be in close proximity to other mobile homes, particularly Nos 53A and 53B. These two homes were granted planning permission in 2013² and officers considered they would not have a greater impact on openness because they were surrounded on three sides by other homes. The proposed mobile home would be bordered on only two sides by existing homes and even then would be separated from these by the access road and by a row of trees. The proposed home would therefore appear to protrude beyond the envelope of existing homes.
8. Turning to the car park, this would be provided on a part of the site which is currently undeveloped, comprising a grassed area. Both parties consider that the provision of the car park would comprise an engineering operation. Whilst Policy P17 is silent with respect to such works, Paragraph 90 of the Framework identifies that engineering operations are not inappropriate if they preserve the openness of the Green Belt and do not conflict with the purposes of including land in it.
9. The car park would facilitate the parking and movement of vehicles which, despite the presence of landscaping, would affect openness. The effect would vary depending on the intensity of the use of the car park, but even if wholly vacant its developed and formalised appearance would have a greater effect on openness than the existing grass. My view on this is again consistent with the Inspector into the aforementioned appeal.
10. Meriden Hall Mobile Home Park (the 'Park') is primarily enclosed by vegetation and the proposal as a whole would not project beyond the boundaries of the Park. I accept the Park does not have the same perception of openness as the fields to the south. Nonetheless, the Park is in the open countryside for purposes of planning policy, and therefore any development which projects further from the existing envelope of development on site would encroach

¹ APP/Q4625/W/15/3134566

² Ref No. 2013/508

further into the countryside. Accordingly the proposal would conflict with one of the purposes of the Green Belt as set out in paragraph 80 of the Framework.

11. Consequently I consider the proposal, as a whole, would have a greater effect on openness than the existing development and would conflict with the purposes of including land within the Green Belt. As such the development is inappropriate development which, I consider, would cause significant harm to the Green Belt.
12. I note that in the previous appeal decision, the Inspector considered that the provision of a mobile home and car park would constitute changes of use. A change of use is not identified in the Framework as a form of development that can be considered not inappropriate. Policy P17 however does identify that the re-use of land should not conflict with, nor have a materially greater impact on, the openness of the Green Belt and the purposes of including land in it. This is addressed by the assessment I have undertaken above. As a result, even if the proposal were considered to constitute a change of use, it would be inappropriate development when considered against national or local policy.
13. It has not been suggested to me that the development would cause any other harm. It is therefore necessary for me to balance any other considerations against the harm identified above.

Other considerations

14. Meriden Hall is a Grade II* listed building located at the other end of the Park from the appeal site. Adjacent to the site is a former walled kitchen garden associated with the Hall. There is an archway opening in the wall close to the proposed position of the mobile home, however access to the kitchen garden through the archway would be retained by a diverted path. The parties agree that the proposal would preserve the setting of the listed building, and I have no reason to come to a different view. This issue carries neutral weight.
15. The Council do not dispute that they do not have a five year supply of housing. Moreover there is a growing population of over 75 year olds in the borough whose residential needs would be well served by dwellings of the nature proposed. The home's good accessibility to the goods and services available in Meriden, including public transport links, adds to its suitability. However the limited scale of the proposal, being for just one unit, leads me to give this matter only little positive weight.
16. I note the construction of a large extension to Meriden Hall³ which is considerably larger than the proposed mobile home. However, volume is not the only consideration in assessing openness. Furthermore, as that extension is a different form of development to the proposal before me and so was assessed against a different part of paragraph 89 of the Framework, it is not irrational for that extension to be considered to not harm openness, whilst the proposed development would.

Planning Balance and Overall Conclusion

17. The development causes significant harm to the Green Belt by way of its inappropriateness and, as advised by the Framework, substantial weight should be given to this harm. Balanced against that are the other considerations

³ Granted by appeal Ref APP/Q4625/W/15/3132274

identified above. I conclude that the weight of the other considerations does not clearly outweigh the harm and therefore there are no very special circumstances to justify the proposal. Consequently, the development conflicts with Policy P17 and the Framework which both aim to protect the Green Belt from inappropriate development.

18. Furthermore, as the Framework suggests the proposal should be restricted, the development fails to accord with the second part of the fourth bullet point of paragraph 14 of the Framework and hence the proposal does not constitute sustainable development.
19. Therefore, for the reasons given above, and taking account of all other considerations, I conclude that the appeal should be dismissed.

Andrew Owen

INSPECTOR