

---

# Appeal Decision

Site visit made on 22 August 2017

**by Stephen Roscoe BEng MSc CEng MICE**

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

**Decision date: 4<sup>th</sup> September 2017**

---

**Appeal Ref: APP/P1805/W/17/3172198**

**Stonehouse Farm, Stonehouse Lane, Hopwood, Alvechurch, Birmingham B48 7BA**

- 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 K Banks against the decision of Bromsgrove District Council.
  - The application Ref 16/0416, dated 3 May 2016, was refused by notice dated 28 September 2016.
  - The development proposed is the conversion of an existing stable to a bungalow, to making it a separate dwelling.
- 

## Procedural Matters

1. Since the Council's refusal notice, the Bromsgrove District Plan<sup>1</sup> (DP) has been adopted. Both main parties have addressed policies in the DP in their submissions in relation to this appeal, and I have considered the appeal on this basis.

## Decision

2. The appeal is dismissed.

## Main Issues

3. The main issues in this case are:
  - i) whether the proposal would represent inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies;
  - ii) whether the proposal would accord with the principles of sustainable development; and
  - iii) whether the harm by reason 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 the development.

## Reasons

### *Inappropriate Development*

4. The appeal site is situated within the West Midlands Green Belt. The building which would be converted is formed of a timber frame with timber clad single

---

<sup>1</sup> Bromsgrove District Council: Bromsgrove District Plan: January 2017

skin walls above a brickwork plinth. It has corrugated roof cladding and a concrete floor. The wall cladding comprises shiplap timber, of a similar style to that used on a nearby garden type storage shed but of a greater thickness. There appears to be some sagging deformation of the roof timbers, and the roof cladding itself is in poor condition in places with sagging between its supports. The building was originally used as a stable and much of it is now used for storage. The proposal seeks to retain the wall and roof construction and add extensions to either end of the building.

5. It is apparent that the building has been constructed purely for its original equine and storage purposes. The Council's building control section has raised concerns that the timber structure may not be capable of carrying the increased roof loads from the proposal. Indeed, the appellant's structural report advises that, with the proposal, the external walls would be vulnerable to wind forces and that a solid inner skin would be needed together with various other improvements.
6. I also consider that to reuse the building for domestic purposes would require some structural intervention to reinforce the lightweight building and to correct and prevent further deformation. This would represent rebuilding work, in the context of the existing building size and type, which would conflict with the Council's SPG4<sup>2</sup>.
7. The fact that these works appear to be required, indicates to me that the construction of the existing building is not sufficiently substantial and suitable for the reuse proposed. The proposal would therefore not represent the reuse exception category in NPPF para 90 and would conflict with DP Policy BDP15. Furthermore, DP Policy BDP15 suggests that timber stables are not suitable for conversion.
8. In appeal Ref APP/P1805/W/15/3003991, the building to be reused was found to be of sufficiently substantial construction for reuse under the NPPF. This appeal, together with the other developments referred to by the appellant which were also of substantial construction, thus does not support the current proposal. As a result of all of the above points, I consider that the proposal to reuse the existing building would represent inappropriate development.
9. In terms of the new build element of the proposal, under DP Policy BDP4 and NPPF para 89, the extensions at either end of the building would be of limited length. They therefore would not represent disproportionate additions to the building. This does not however make the proposed reuse, or indeed replacement, of the building as a new dwelling not inappropriate under DP Policy BDP4 and the NPPF.
10. The majority of the areas that would be occupied by the extensions contain the garden type storage shed, already identified, and partly covered bunker storage. The extensions would however be higher and have a greater floor area than these structures. Following the demolition of these structures to allow the extensions to be built, the proposal would therefore result in a net gain in built volume. Whilst this would have an impact on the openness of the Green Belt, it would be limited, and the proposal as a whole would preserve the openness of the Green Belt.

---

<sup>2</sup> Bromsgrove District Council: Supplementary Planning Guidance Note 4: Conversion of Rural Buildings: January 2004

11. The appeal site could be classed as previously developed land. The proposal would however have a greater impact on the openness of the Green Belt than the existing development, even though this greater impact would be limited. The exception in DP Policy BDP4 and NPPF para 89 for the redevelopment of previously developed sites requires that proposals have no greater impact on the openness of the Green Belt. The proposal therefore would not lie within this exception.
12. To use the building as a new dwelling would not safeguard the countryside from encroachment and would therefore conflict with one of the purposes of the Green Belt. Furthermore, the proposal would not lie within any of the exception categories for development in the Green Belt in the NPPF or the development plan. In coming to this view, I recognise that the appeal site could be said to lie within the residential curtilage of the host dwelling. The site is however some distance from the host dwelling and relatively separate to it, and the proposal would result in a separate dwelling in its own right. I also do not consider the suggested screening to be relevant in terms of protection against encroachment in the Green Belt, as it could not be relied on in the future.
13. I therefore conclude that the proposal would constitute inappropriate development in the Green Belt for the purposes of the NPPF. This harm to the Green Belt attracts substantial weight in the decision. I further conclude that the proposal would conflict with DP Policies BDP4 and BDP15.

#### *Sustainable Development*

14. The proposal would be located in the open countryside, some distance from the nearest settlement, and its occupation would be likely to be dependent on use of the private car. The location of the proposal would therefore not accord with the principles of sustainable development, and it would thus conflict with DP Policy BDP1 and the NPPF.
15. I acknowledge that there are three dwellings in close proximity to the appeal site and a bus route with an hourly service within 1 km of the site. These factors do not however address the incompatibility between the proposed location and the principles of sustainable development that I have identified. I have also not seen any reasoned justification that the proposal would enhance the vitality of any rural community.
16. The yard in which the existing building is situated is similar to many others that are, or have been, used for equine purposes and it is not prominent in the surrounding area. There are therefore no special circumstances relating to the reuse of the building and the enhancement of its immediate setting that would result in the proposal being acceptable under NPPF para 55. In terms of car use related to the proposal, the appeal building appears to be of a type more suited to domestic leisure use in association with the nearby house, which is also in the ownership of the appellant. It would therefore not be likely to be let out commercially for equine use with the associated travel to and from the site.
17. I therefore conclude that the proposal would not accord with the principles of sustainable development, and I give this harm significant weight. I further conclude that the proposal would thus conflict with DP Policy BDP1 and the NPPF.

### *Other Considerations*

18. The proposal would utilise sustainable building methods to provide a highly insulated dwelling utilising renewable sources of energy. This is not however specific to the proposal or its location, and I have therefore given it limited weight in the decision. Various matters have been brought to my attention relating to housing land supply in the Council's area. The Council does however have a 5.5 year supply of deliverable housing sites, and housing need is thus not a matter that adds weight in support of the appeal. DP Policy BDP4 suggests a future review of the Green Belt but, until this takes place, the existing local and national policies remain in relation to the appeal site.
19. I accept that, due to its nature and other nearby dwellings, the proposal would not have a harmful effect on the character and appearance of the open countryside. The absence of harm in this regard would not however provide additional weight in support of the appeal. I understand that the proposal received positive pre-application advice from the Council. This is however non-binding, and I give it little weight in my decision.

### *Conclusion*

20. The proposal would have a harmful effect on the Green Belt in terms of inappropriateness and would not accord with the principles of sustainable development. Having taken into account all other matters raised, I have not found any other considerations that would clearly outweigh this harm, and my conclusion is based on the evidence before me in terms of policy as a whole. For the reasons given above, I therefore conclude that the appeal should be dismissed.

*Stephen Roscoe*

INSPECTOR