

Appeal Decision

Site visit made on 7 February 2019

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 18th September 2019

Appeal Reference: APP/V1505/W/18/3211995

Castledon School Academy Trust, Bromfords Drive, Wickford SS12 0PW

- 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 S Holliday, of Castledon School, against the decision of Basildon Borough Council.
 - The application (reference 17/01720/FULL, dated 30 August 2017) was refused by notice dated 23 March 2018.
 - The development proposed is described in the application form as "erection of 16 outbuildings".
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues to be determined in this appeal are:
 - whether the proposal is inappropriate development in the Green Belt;
 - the effect of the development on the openness of the Green Belt;
 - the effect of the development on the character and appearance of the area; and,
 - 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 that are required to justify the development.

Reasons

3. The appeal site lies at the edge of the built up area of Wickford, to the west of an area of residential development. The school stands on a large site, at the end of Bromfords Drive, which is primarily residential in character. A few houses are located along a lane to the west of the site but the land opposite and to the south is agricultural in character.
4. Castledon School occupies an extensive complex of buildings, mainly on the south side of Bromfords Drive but with part of the building group on the opposite side of the road. The school has the benefit of extensive grounds, including playing fields and an orchard with small fruit trees. The buildings are mixed in character but are evidently functional. Indeed, the school caters for

children with special needs and has accommodation that is suited to their particular requirements.

5. It is now proposed that the building complex should be extended in the orchard area, by the erection of a number of detached outbuildings, to serve various functions.

Inappropriate development

6. As stated in 'Basildon District: Local Plan Saved Policies' (dated September 2007), "saved" Policy BAS GB1 applies to this appeal and provides the "Definition of the Green Belt". The appeal site clearly does lie within the Green Belt.
7. In the Council's refusal notice, reference is made to Green Belt policies that are contained in the 'National Planning Policy Framework' (which was most recently revised in February 2019 and which also applies in this case).
8. Paragraph 133 of the 2019 Framework states the fundamental aim of Green Belt policy, which is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. Paragraphs 144-145 make it plain that the construction of new buildings is not normally acceptable in the Green Belt and that they should only be permitted in "very special circumstances", other than in the case of certain specified types of development that are considered to be "not inappropriate" in the Green Belt. None of those exceptions applies to the appeal proposals as a whole, however.
9. In considering planning applications for development in the Green Belt paragraph 144 makes it clear that planning permission should not be granted *"unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations"*.
10. With respect to this appeal, it is plain that the proposed development is to be classified as "inappropriate" in the Green Belt and, in planning policy terms, would be harmful by definition.

The effect on openness

11. The construction of buildings in the Green Belt inevitably compromises its openness. In this case, the proposed new buildings would evidently be located in an open part of the school grounds and the new buildings would have a clear impact on the openness of the Green Belt, underpinning the harm by reason of inappropriateness.

Character and appearance

12. On the other hand, the buildings would have a less significant effect on the character and appearance of the surroundings. The existing orchard is set with small fruit trees but this part of the school grounds is poorly used. It is visible from a small number of properties that lie to the west of the school but is screened from public views, with mature vegetation on the boundaries.

13. The proposed new buildings would be simple in construction and mainly single storey buildings, with a two-storey Sixth Form Building. In particular, the proposed development would not have a material impact on views from Bromfords Drive itself. The harm to the character and appearance of the surroundings would be more limited, therefore.

Very special circumstances

14. In support of the appeal, it is argued that positive benefits exist in this case. Castledon School is a special school for children with moderate learning difficulties and additional complex needs and it caters for children from Year 1 to Year 11 and the Sixth Form. Pupils are drawn from a wide surrounding area and the proximity of the site to Wickford town centre is important in providing good accessibility by public transport.
15. The proposed development is intended to enable the school to cater for pupils with Severe Learning Difficulties to Mild Learning Difficulties. The proposed buildings would provide accommodation for specific courses and related purposes. The scheme would focus on technical education and practical skills, with a vocational curriculum. It includes changing rooms to serve the school's playing fields but these are clearly ancillary to the school use.
16. During the course of this appeal process, planning permission has been granted for an alternative scheme under reference 18/00826/FUL, dated 26 September 2018. The alternative scheme would provide a reduced amount of development in the Green Belt, with new buildings located closer to the existing complex. By grouping the buildings, the revised scheme would have a markedly reduced impact on the openness of the Green Belt.
17. The approved scheme (which is realistic in itself) omits some of the proposed accommodation but it would provide the school with necessary and important facilities, as explained in extracts from a supporting statement. From the evidence that has been provided, it appears that the critical current needs of the school can be met by the modified scheme.
18. The additional elements that would be included in the appeal scheme would be less important to the school but would intrude more strongly into the open part of the school grounds and would thus exacerbate the harm to the Green Belt (including the harm by reason of inappropriateness).
19. The service provided by Castleford School is undoubtedly of great importance and the new buildings would provide useful additional facilities, beyond those that have already been permitted. Nevertheless, in this situation the need for the additional buildings for which permission is, in effect, being sought cannot be said to amount to "very special circumstances" that clearly outweigh the harm to the Green Belt, in view of the existence of a realistic alternative project.

Conclusions

20. The proposal would be inappropriate development in the Green Belt, while paragraph 144 of the 2019 Framework establishes that substantial weight should be given to any harm to the Green Belt. In the current circumstances, the remaining unresolved needs of the school do not clearly outweigh the

totality of the harm and, consequently, very special circumstances do not exist. The proposal would not comply with the 2019 Framework. Accordingly, I conclude that the appeal should be dismissed.

Roger C Shrimplin

INSPECTOR