



Appeal Decision

Site visit made on 27 August 2019

by S. Rennie BSc (Hons), BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 September 2019

Appeal Ref: APP/Y3940/W/19/3223526

Land North of 146 Upper Westwood (Junction with Iford Road, Northeast to Westwood Park), Wiltshire BA15 2DE

- 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 & Mrs John Blake against the decision of Wiltshire Council.
 - The application Ref 17/08216/FUL, dated 22 August 2017, was refused by notice dated 13 December 2018.
 - The development proposed is described as the "Provision of one self-contained camping pod with parking, change of use of land to leisure / tourism (resubmission of 17/02852/FUL).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies.
 - The effect on the openness of the Green Belt.
 - The effect of the proposal on the character and appearance of the area, which is a designated Area of Outstanding Natural Beauty (AONB).
 - The effect of the development on the living conditions of neighbours to the site.
 - Would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Reasons

Whether the development is inappropriate development in the Green Belt (including an assessment of openness).

3. The site is a field set within the countryside near to Bradford-on-Avon, within the designated Green Belt. There were some small structures, such as shed type buildings, within the field. Otherwise this is an open field. The proposal

- consists of a 'glamping pod' within the field, to be used for leisure/tourism. Initially the proposal was for two pods, but this has been amended to a single pod.
4. Paragraph 145 of the National Planning Policy Framework (the Framework) states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. It goes on to set out a limited number of exceptions. There is an exception which allows for appropriate outdoor recreational facilities, on the basis that it preserves the openness of the Green Belt.
 5. Under policy CP 51 of the Core Strategy the supporting text explains that the extent of the Western Wiltshire Green Belt is to check the expansions of towns and to safeguard the countryside. It also states that applications for development within the Green Belt will be determined in accordance with national planning policy, such as the Framework.
 6. There has been discussion as to whether the proposed glamping pod is a form of 'outdoor recreation'. With regards this point I understand that this structure would likely be accommodation for tourists/visitors to the area who are likely to seek outdoor recreational facilities elsewhere.
 7. However, even if I did regard the glamping pod as a form of outdoor recreation, the Framework is clear that this exemption to being inappropriate development only applies if the openness of the Green Belt is preserved. The access track and parking area would not have a material effect to the openness of the Green Belt. However, the glamping pod would be a new building in an area of the site where there is no building currently. As such, I would regard the pod itself as eroding the openness of the Green Belt.
 8. I recognise that the site is quite well enclosed with hedgerow boundaries for example. However, the development would still be visible from viewpoints within the landscape and also it would be more visible in the winter months when the vegetation is not in leaf. As such, it would be visible to some extent and therefore would not sufficiently mitigate the loss of spatial openness.
 9. Due to this loss of openness, the proposal would not meet with the exemption under the Framework (145b) even if this was a form of outdoor recreational facility being proposed. I do not regard the proposal as meeting with any of the other exemptions under paragraph 145 of the Framework. As such, the proposal would be harmful to the Green Belt, as set out by the Framework, and would also be contrary to policy CP51 of the Wiltshire Core Strategy.
 10. I do not find the proposal contrary to policy CP39 on this particular issue as this policy doesn't specifically relate to Green Belt development.

Character and Appearance

11. The site is set within the countryside which is designated as an AONB. As set out within the Framework, great weight should be given to conserving and enhancing landscape and scenic beauty in the AONB.
12. In considering the impact to the Green Belt I found harm due to the effect of the development as it would diminish the openness of the site, as per the test of whether the proposal would be inappropriate development set out in the

Framework. However, it is a different test when considering the effect on the AONB, which is more of a landscape designation.

13. In this regard, the proposal is for a single pod, which would be a relatively small building in a field. Therefore, it would not be a prominent building. Furthermore, the design and materials proposed is suitable for the rural context of the area.
14. The track and parking area proposed would be visible as a new area of surfacing, although would cover a small area of the field. The track would connect the access to the proposed pod. The track is not particularly long as the pod is proposed to be located near the access. Although this track and parking area would have a visual effect, it would not be extensive and would be similar to other tracks and hardstanding areas I observed in this rural area.
15. There would likely be paraphernalia associated with people staying in the proposed pod, but this is not likely to be extensive given this would be a single unit of accommodation. Likewise, there is no substantive evidence to suggest that the use of this site for tourism/leisure, based on the proposals before me, would result in a significant visual impact within the landscape.
16. Overall, for the reasons outlined above, the proposal would preserve the landscape and particularly the scenic beauty of the AONB. The proposal therefore accords with policies CP39 and CP51 of the Wiltshire Core Strategy on the issue of landscape impact. These policies require tourism development to be compatible with the landscape and conserve the visual amenities of the area, amongst other things.
17. The proposals are also in broad accordance with the Cotswold AONB Management Plan relating to this issue. I note that the site is near a Conservation Area, but the Council has not raised this as a reason for refusal and I have no reason to disagree with this, especially given the scale of the proposed development.

Living Conditions

18. The proposal would introduce holiday accommodation into a field. There are dwellings that are close to this field. However, this is a single pod and therefore, to my mind, the level of noise and disturbance based on these proposals would be limited. There are houses near the access, though the amount of traffic would be minimal for a single pod as proposed and so the level of disturbance would, in my opinion, be limited.
19. Moreover, whilst I acknowledge that there may be some noise and additional traffic, I have no substantive evidence before me that this would likely be at a level which would be considered a harmful level of disturbance to neighbours and their living conditions.
20. As such, in this regard, the proposal is in accordance with policy CP57 of the Wiltshire Core Strategy, which requires development to consider the amenities of neighbours to a site, amongst other things.

Other Considerations

21. I recognise that this is an attractive area of the countryside which would likely draw visitors/tourists. The proposed glamping pod would provide

accommodation which may be more affordable than some of the existing alternatives, which would be of economic benefit for the area, enhancing the tourism industry locally. However, these benefits are limited by the small scale of the proposal.

22. The site is close to the village of Westwood, which could provide some facilities for future occupants of the pod. In this regard the proposal would not be isolated in the countryside and would provide some level of accessibility. I note there is no highways issue raised by the Council.
23. The appellant has provided a list of a number of planning applications where rural accommodation has been approved. However, I have not had full details of these and whether they were all within the Green Belt. I have considered the proposal on its own merits.
24. I note that the proposal was initially recommended as approval but was refused at Planning Committee. There also appeared to be issues with the planning application process. However, this has not affected by consideration of the proposal which is based on its merits and against adopted planning policy.

Conclusion

25. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to the harm to the Green Belt. These very special circumstances will not exist unless the harm to the Green Belt and any other harm are clearly outweighed by other considerations.
26. The appeal proposal would be inappropriate development in the terms set out in the Framework. There are adverse impacts on the Green Belt's fundamental aim of retaining openness.
27. With regards to the matters raised by the appellant, such as the economic benefits of the proposed tourism accommodation, I attach modest weight, given the small scale of the proposal. Overall, I consider that these matters do not clearly outweigh the harm to the Green Belt.
28. For these reasons, 'very special circumstances' do not exist as the harm to the Green Belt by reason of inappropriateness is not clearly outweighed by other considerations. The proposal would conflict with the Framework on the issue of Green Belt development.
29. For the reasons given above, the appeal should be dismissed.

S. Rennie

INSPECTOR