
Appeal Decision

Site visit made on 9 September 2019

by Alexander Walker MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd October 2019

Appeal Ref: APP/C4235/W/19/3230344

Land adjacent to 200 Woodford Road, Woodford, SK7 1QF

- 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 P Fury on behalf of Fury Developments against the decision of Stockport Metropolitan Borough Council.
 - The application Ref DC/071255, dated 13 September 2018, was refused by notice dated 7 December 2018.
 - The development proposed is the siting of two residential plots with individual access points off Woodford Road.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have used the site description as set out in the appeal form. This is more accurate than that set out in the application form.
3. The application was submitted in outline with details regarding appearance, landscaping, layout and scale reserved for future consideration. I have determined the appeal on that basis. Drawings have been submitted that indicate the siting of the proposed dwellings. However, I have considered these elements of the drawings as illustrative only.

Main Issues

4. The appeal submission includes an Agricultural Land Classification (ALC), which was not provided at the time the Council determined the planning application. The Council confirms that it will not be contesting or offering any evidence in relation to the first reason for refusal as the ALC overcomes this reason for refusal. I find no reason to consider otherwise.
5. In light of the above, the main issues are as follows:
 - Whether the development would be 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 necessary to justify the development.

Reasons

Inappropriateness

6. The National Planning Policy Framework (the Framework) states that inappropriate development in the Green Belt is by definition harmful and should not be approved except in very special circumstances. Paragraph 145 of the Framework states that the construction of new buildings in the Green Belt shall be regarded as inappropriate development. One exception to this is limited infilling in villages.
7. Saved Policies GBA1.2 and GBA1.5 of the Stockport Unitary Development Plan Review (UDP) 2006 also sets out exceptions to the general presumption against new buildings in the Green Belt. However, these exceptions do not include limited infilling in villages and therefore conflict with the Framework. Accordingly, I attribute greater weight to the Framework.
8. The appeal site comprises an overgrown parcel of land that is bounded by high hedging and trees. There is an existing vehicular access off Woodford Road. To the south east is a continuous line of development. Running parallel to the north west boundary of the site is a lane that links Woodford Road with Moor Lane.
9. Despite it not having a defined settlement boundary in the development plan, there is no dispute between the parties that the site falls within the village of Woodford. Furthermore, the Council accept that the proposal for two dwellings is limited. Therefore, the nub of the argument is whether the proposal represents infill development for the purposes of paragraph 145 of the Framework.
10. There is no definition of infilling in the Framework. Furthermore, there is no evidence to indicate that there is such a definition in the development plan. The appellant suggests that one such definition is *'the development of a small gap in an otherwise continuous built-up frontage, or the small-scale redevelopment of existing properties within such a frontage'*, which I consider is a reasonable approach to adopt in considering infill development.
11. The appellant contends that the site forms part of a continuous built-up frontage, taking into consideration the linear residential development along Woodford Road to the south east and the lane to the north west. The linear development to the south east could be reasonably considered to form part of a continuous built-up frontage. However, I do not accept that the lane to the north west does. Whilst the lane does intersect the appeal site and the open fields on the opposite side of it, I do not consider that it forms part of a continuous built-up frontage. On the ground, the appeal site is read as forming the wider gap, in conjunction with the neighbouring fields, between 200 Woodford Road and the linear development further along Woodford Road to the north.
12. Taking the above into consideration, the proposed dwellings would be read as an extension of the development to the south east, rather than a form of infill development.

13. I acknowledge that the site has well-defined boundaries. However, these are not uncharacteristic of edge of settlement sites. As a result of the natural boundaries and lack of built development on the site I consider that it is more closely related to the open fields to the north west rather than the built form to the east and south east.
14. I find therefore that the proposal would not be limited infill in a village or satisfy any other exceptions set out in paragraph 145 of the Framework. Accordingly, it would be inappropriate development, which, by its very definition, is harmful to the Green Belt and should not be approved except in very special circumstances. I find therefore that the proposal would be contrary to saved Policies GBA1.2 and GBA1.5 of the UDP and the Framework. In accordance with the Framework, substantial weight must be given to this harm.

Openness

15. Paragraph 133 of the Framework advises that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Openness has both a visual and spatial dimension and the absence of visual intrusion does not, in itself, mean that there is no impact on the openness of the Green Belt.
16. I have had regard to the historic development of the site. I observed during my site visit the remnants of a concrete base and foundations. However, this covers only a very small portion of the site and any remnants of a previous building have now blended into the landscape. Moreover, there is no evidence as to what the previous development was. It may have been a form of development that does not fall within the definition of previously developed land as set out in the Framework's Glossary, eg agricultural buildings. Therefore, in the absence of any substantive evidence to the contrary, I do not consider that it can be considered previously developed land.
17. Whilst the site has high hedges and trees forming its boundaries, the lack of any built form, with the exception of a small open fronted shed to the rear, results in the site making a positive contribution to the openness of the area and the Green Belt as a whole. Furthermore, in conjunction with the open fields to the north west, it creates a wide area of open space between the development to the north and that to the south east. Whilst the appearance and scale of the dwellings have been reserved for future consideration, it is likely that they would be visible from Woodford Road and would diminish this openness. Accordingly, I consider that the proposal would represent an intrusive form of development.
18. Furthermore, the introduction of two dwellings on a site that is largely free from built form would result in the erosion of three-dimensional space arising from the overall size of the building which itself would result in an erosion of openness, which would conflict with paragraph 134 of the Framework, which identifies openness as an essential characteristic of Green Belts.
19. Therefore, the proposal would fail to preserve the openness of the Green Belt. I find therefore that the proposal is inappropriate development, which, by its very definition, is harmful to the Green Belt and should not be approved except

in very special circumstances. As such, it would be contrary to saved Policies GBA1.2 and GBA1.5 of the UDP and the Framework.

Character and appearance

20. The site lies adjacent to the built form of Woodford and the Council confirms that it forms part of the village. Through appropriate landscaping, the site could be screened to an extent from neighbouring public vantage points. Furthermore, the design of the dwellings could be sympathetic to the local vernacular and established building lines could be followed.
21. The site is located within the Woodford Landscape Character Area (WLCA). As a result, the appellant has submitted a Landscape and Visual Appraisal (LVA). The LVA, concludes that the landscape sensitivity to the development of up to two dwellings within the site would be low and the effect on the WLCA would be slight. However, that is not to say there would be no harm.
22. As I have referred to above, the site has an open characteristic, which makes an important contribution to the character and appearance of the area and provides a transition between the built form of the village and the adjacent open countryside. The proposed dwellings would diminish this openness and extend the built form further towards the open countryside. Whilst this harm would only be moderate, it nevertheless weighs against the proposal.
23. I find therefore that the proposal would harm the character and appearance of the area, contrary to saved Policy LCR1.1 of the UDP, which seeks to protect landscape character areas.

Other considerations

24. I turn now to address other considerations that, potentially, might clearly outweigh harm arising from inappropriate development in the Green Belt, the erosion of openness and the impact on the character and appearance of the area so as to provide the very special circumstances required to justify a grant of planning permission.
25. There is no dispute that the Council cannot demonstrate a five year supply of deliverable housing land. The appellant suggests that they can only demonstrate a 2.8 year supply. The Council has not presented me with an alternative figure. Therefore, the shortfall is substantial. Paragraph 11 of the Framework states that where policies which are the most important for determining the application are considered out of date, which includes where a five year supply of deliverable housing land cannot be demonstrated, planning permission should be granted unless the application of the policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. Footnote 6 of the Framework includes policies regarding land designated as Green Belt. Therefore, the presumption in favour of sustainable development is not engaged.
26. Notwithstanding the above, the proposal would make a positive contribution to the shortfall in the supply of housing in the area which could be delivered within a relatively short period of time. Furthermore, there is no dispute that utilising the Council's own scoring system the site constitutes a highly sustainable location. Nevertheless, the contribution would only be two

dwellings and therefore I attribute these matters only moderate weight in favour of the proposal.

Other Matters

27. I have been referred to numerous appeal decisions by both parties, which I have considered in my assessment of the proposal. Whilst there are some similarities with the proposal before me and the decisions referred to, the fact that some of the appeals were allowed and others were dismissed only highlights that each case must be determined on its own merits.

Planning balance and summary

28. The proposal has harmful implications for the Green Belt in terms of inappropriate development and the erosion of the openness of the Green Belt. In accordance with national policy, such harm carries substantial weight. Furthermore, it would harm the character and appearance of the area, albeit only moderately. Having regard to the benefits of the proposal advanced by the appellant, including the contribution it would make to the housing supply in the area and the accessibility of the site, I am not satisfied that, individually or cumulatively, these amount to the very special circumstances necessary to justify the development.

Conclusion

29. For the reasons given above, having regard to all matters raised, the appeal is dismissed.

Alexander Walker

INSPECTOR