



Appeal Decision

Site visit made on 8 May 2019

by Ian McHugh Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 October 2019

Appeal Ref: APP/P4415/W/19/3223259

Aston Springs Farm, Mansfield Road, Aston, Rotherham, S26 5PQ

- 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 Ken Swain against the decision of Rotherham Metropolitan Borough Council.
 - The application Ref RB2018/1815, dated 14 November 2018, was refused by notice dated 31 January 2019.
 - The development proposed is an amended scheme for the construction of a dwelling to accommodate a farm manager.
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Decision

1. The appeal is dismissed.

Main Issues

2. These are:
 - Whether the appeal development would be inappropriate development for the purposes of the National Planning Policy Framework 2019 (the Framework) and Development Plan Policy.
 - The effect of the development on the openness of the Green Belt and the purposes of including land within it.
 - The effect of the proposal on the character and appearance of the area.
 - If found to be inappropriate development, 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

Inappropriate Development

3. Aston Springs Farm is situated within the Green Belt. The site comprises a mixture of agricultural activities, plus leisure uses. These include fishing ponds, restaurant, retail shops, outdoor play areas and animal enclosures. The proposed dwelling would be positioned on a vacant part of the site, to the side of the restaurant building.
4. The new dwelling would be a 3/4 bed property and would be two storeys in height. It would be occupied by a farm manager. The proposal is a revised

scheme following a recent appeal decision on 25 September 2018, which refused planning permission for a dwelling in a similar position to the current appeal proposal (APP/P4415/W/18/3195477). The proposed dwelling has been reduced in size when compared to the previous appeal proposal. The appellant states that the proposed dwelling has been reduced in size by approximately one third.

5. Paragraph 145 of the National Planning Policy Framework (the Framework) states that local planning authorities should regard the construction of new buildings as inappropriate within the Green Belt. In this case, it is agreed between the parties that the proposal does not meet with any of the exceptions listed in paragraphs 145 and 146 of the Framework. This view was also shared by the Inspector at the previous appeal. On the evidence before me, I have no reason to find differently in respect of the current appeal. Therefore, I conclude that the proposal would amount to inappropriate development within the Green Belt.
6. Paragraph 143 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. This is reflected in Policy CS 4 of the adopted Rotherham Core Strategy 2014 (CS). Furthermore, paragraph 144 of the Framework states that any harm to the Green Belt must be given substantial weight by decision makers.

Openness and purposes

7. The Framework (paragraph 133) 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.
8. Openness has both a visual and spatial dimension and it is evident that the proposed dwelling would occupy an area of land that is currently undeveloped and open in appearance, notwithstanding the presence of nearby buildings and car parking. Policy SP 3 of the CS states (amongst other things) that new dwellings in the Green Belt should be well-related to existing buildings. The existence of nearby buildings, together with the proposed changes to ground levels, would reduce the impact of the new dwelling. However, I consider that the dwelling would still be a substantial structure, notwithstanding the fact that it is smaller than the earlier proposal. In my opinion, there would be a significant reduction in the openness (both visually and spatially) of the Green Belt, due to the height and overall mass of the proposed dwelling. This adds to the harm that I have already identified by reason of inappropriateness.

Character and Appearance

9. Although, the proposal would introduce a domestic building into a 'farmyard' setting, the proposed dwelling would be of a design which, in my opinion, would reflect the characteristics of a typical farm dwelling. It's relatively simple, double-fronted appearance, together with the use of natural stone and pantiles in its construction would reflect the external materials used elsewhere within the farm complex and the local vernacular. Consequently, I conclude that the proposal would not have a significant effect on the character and appearance of the area and, as such, it would not conflict with Policy CS 28 of

the CS, which seeks (amongst other things) to ensure that development proposals respond to their context.

Other Considerations

10. Policy SP 3 of the CS states that new houses in the Green Belt require special justification for planning permission to be granted. The need for residential accommodation to house a farm manager is not disputed by the parties. Furthermore, that requirement was accepted by the previous Inspector, although he considered that the size and scale of the previously proposed dwelling was greater than the identified need required. In addition, it was found that the needs of the enterprise could be catered for by way of smaller accommodation; the use of facilities elsewhere on the site; or at a property nearby.
11. In the case of the current appeal, the Council maintains that the proposed dwelling remains overly large for its intended purpose and that accommodation for the farm manager could be provided by way of conversion of an existing building on the site. In response to this, the appellant contends that the conversion of an existing building, which would be part of the roof space above the stone building adjacent to the appeal site, is unsuitable in terms of its size and shape, because of the sloping roof, which would reduce the amount of habitable space. In addition, the appellant considers that a dwelling of the size proposed is necessary to accommodate the manager and her family. It has also been stated that there would be issues relating to privacy, because the converted accommodation would be within part of the public area.
12. During my site visit, I inspected the first floor area of the existing building referred to by the Council. I acknowledge that the shape of the structure and its relationship with the public areas and a service yard at the rear do present constraints in terms of useable space and amenity issues. Nevertheless, the site of the proposed dwelling is close to a car parking area used by the public. Furthermore, it may be possible to alter and adapt the roof space within the existing building to provide reasonable accommodation for the manager and her family. I have not been presented with any substantive evidence to show that this would not be possible.

Green Belt Balance

13. The development amounts to inappropriate development. The Framework advises that inappropriate development, by definition, is harmful to the Green Belt and should not be approved except in very special circumstances. In addition, I have found that the proposed dwelling would lead to a loss of openness in the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal are clearly outweighed by other considerations.
14. In this case, the matter is finely balanced, but after giving careful consideration to the evidence, I find that the other considerations in this case either individually or cumulatively, do not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist.

Other Matters

15. Matters relating to development within the site which does have the benefit of planning permission have been raised in the evidence before me. However, these are not directly related to the appeal proposal and they remain a matter between the appellant and the Council.

16. Conclusion

17. For the reasons given above, it is concluded that the appeal should be dismissed.

Ian McHugh

INSPECTOR