



Appeal Decision

Site visit made on 9 December 2019 by S Watson BA(Hons) MSc

Decision by R C Kirby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 January 2020

Appeal Ref: APP/P1805/W/19/3239725

Meadow Hill Farm, Grimpits Lane, Hawkesley B38 9EY

- 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 Robert Dorrell against the decision of Bromsgrove District Council.
 - The application Ref 19/00039/FUL, dated 13 January 2019, was refused by notice dated 10 May 2019.
 - The development proposed is conversion of existing garage to dwelling.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The appeal property lies within the West Midlands Green Belt. Within its report, the Council concluded that the proposed reuse and extension of the existing building would not conflict with the purposes of the Green Belt. On the basis of the evidence before me, I have no reason to find differently in this regard. Accordingly, the proposal would not amount to inappropriate development in the Green Belt as described in paragraphs 143 to 146 of the National Planning Policy Framework (Framework).
4. Therefore, the main issue in this case is whether the location of the appeal site is suitable for a new dwelling, having regard to its relationship to services and facilities.

Reasons for the Recommendation

5. Policy BDP2 of the Bromsgrove District Plan 2011-2030 (BDP) establishes the settlement hierarchy for the district focusing new development in locations which support sustainable communities such as Bromsgrove town, large settlements and small settlements set out within BDP 2.4 Table 2 of the BDP.
6. Hawkesley is not identified within the above table as being suitable for development. For planning policy purposes, the appeal site is located within the open countryside.

7. Although not remote from nearby buildings, given the appeal site's proximity to two existing dwellings and a commercial equestrian centre, I observed that the surrounding area was rural in character with agricultural fields and a small number of dwellings characterising the area. No local services or facilities were apparent within close proximity of the appeal site, other than the stables use next to the site.
8. Whilst reference is made by the appellant to the nearby urban areas of Birmingham and Wythall, no details of the distances involved or the services and facilities that these settlements offer have been provided.
9. I observed that the road network within the vicinity of the appeal site comprises narrow rural lanes with no pavements or street lighting. These roads would need to be travelled along to reach the settlements referred to. They would be unlikely to be safe or attractive to walk or cycle along particularly if the intended future occupiers of the new dwelling were travelling with young children, in inclement weather or after dark. Given these characteristics there would be a high probability that the intended future occupiers of the new dwelling would drive to the nearest settlements, rather than walk or cycle.
10. The Council has indicated that there is a bus stop nearby at approximately 0.6 miles distant from the appeal site. In order to access this, the intended future occupiers would need to walk within the carriageway of the road. For the reasons set out above and the lack of a safe pedestrian route to the bus stop from the appeal site, there would be a high probability that the intended future occupiers would be deterred from using this service. Moreover, I cannot be satisfied that the bus service that operates would be convenient for the occupiers to use as no timetable details have been provided.
11. Accordingly, I find that the appeal site is remote from a settlement and in order to access even day to day services and facilities including places of employment, shopping and education the intended future occupiers would have a high reliance on a private motor vehicle. For those that did not have access to such a vehicle, the nearest services and facilities would not be accessible.
12. Given my findings, I conclude that the appeal site is not within a suitable location for a new dwelling. The proposal is contrary to the locational strategy of Policies BDP1 and BDP2 of the BDP, which, amongst other matters seek to direct development to settlements, reduce the need to travel and promote sustainable development. There would also be conflict with the Framework, which requires the planning system to contribute to the achievement of sustainable development, with accessible services, and avoiding isolated new homes in the countryside, unless certain circumstances apply, none of which have been advanced in this case.
13. In reaching this conclusion I have been mindful of the two high court decisions¹ referenced by the appellant, however they do not alter the conclusion that I have reached

Other Matters

14. I acknowledge that the existing uses upon the site generate a number of vehicle movements, however this does not justify additional trips that the

¹ *Braintree District Council V SSCLG et al* [2018] EWCA Civ 610 and *Dartford Borough Council V SSCLG & Ors* [2017] EWCA Civ 141

proposal would generate. Nor does it outweigh the harm identified and the conflict with the development plan.

15. The appellant has brought a recent appeal to my attention in Solihull². This case was in a different administrative area and the Inspector found that the proposal satisfied the circumstances necessary to justify an isolated home in the countryside. This is not the case with the proposal before me and this example does not provide justification for harmful development.

Conclusion and Recommendation

16. For the reasons given above, and having regard to all other matters raised, I recommend that the appeal should be dismissed.

S Watson

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and the Appeal Planning Officer's report and concur that the appeal should be dismissed.

RC Kirby

INSPECTOR

² APP/T3725/W/18/3204099