



Appeal Decision

Site visit made on 14 January 2020

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 January 2020

Appeal Ref: APP/P3040/W/19/3239412

The Small Barn, Station Road, Plumtree NG12 5NA

- 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 Ms Christine Hames against the decision of Rushcliffe Borough Council.
 - The application Ref 19/01367/FUL, dated 5 June 2019, was refused by notice dated 31 July 2019.
 - The development proposed is construction of new dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - whether the proposed development would amount to inappropriate development in the Green Belt;
 - its effect on the openness of the Green Belt;
 - and if it is inappropriate development, 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.
 - Whether the appeal proposal is consistent with the objectives of local planning policy in rural areas.

Reasons

3. The appeal site is a parcel of land adjacent to The Small Barn, and is a maintained grassed area bounded by vegetation. The site is separated from The Small Barn by a vehicle access serving the host dwelling and Westfield Barn.
4. The National Planning Policy Framework (the Framework) states that inappropriate development is harmful to the Green Belt. All proposals for development in the Green Belt should be treated as inappropriate, and thus should be approved only if very special circumstances exist, unless they come within one of the categories in the closed list of exceptions in either paragraph 145 or 146 of the Framework.

5. Limited infilling in villages is listed as an exception in Paragraph 145 of the Framework and the appellant maintains that the proposed development would meet this exception.
6. The Development Plan includes Policy ENV15 of the Rushcliffe Borough Local Plan (1996), Policy 4 of the Local Plan Part 1 : Rushcliffe Core Strategy (2014) (the CS), Policy EN14 of the Rushcliffe Borough Non Statutory Replacement Local Plan (2006) (the NSLP) and the National Planning Policy Framework (the Framework) which collectively seek to protect the Green Belt from inappropriate development.
7. The appeal site is adjacent to The Small Barn, which is the final property on that side of Station Road. While there is no definition of infilling within the Framework, I find that due to the location and size of the site, as well as being located outside of the key settlements for growth identified in the CS, it does not constitute limited infilling in the terms of the Framework.
8. From the evidence presented to me, I do not consider that it would meet any of the other exception criteria identified in the Framework, and as a result, the proposal would be inappropriate development within the Green Belt. The Framework states that the Government attaches great importance to Green Belts and the resultant harm should be given substantial weight in determining the appeal.

Openness of the Green Belt

9. Paragraph 133 of the Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and advises that one of the essential characteristics of the Green Belt is its openness.
10. Openness has both a visual and a spatial dimension. In visual terms, the new dwelling would be slightly set back from the highway and would be partially screened by the existing vegetation to the edges of the site. However, there would still be some visibility from key vantage points and the proposals would therefore have some visual impact on the openness of the Green Belt. Moreover, as the surrounding land is relatively open and generally free from buildings, the erection of a dwelling would reduce the spatial aspects of the site.
11. On this issue, I conclude that the harm to the openness of the Green Belt adds to the substantial harm by reason of inappropriateness and the proposal would conflict with the Green Belt policies set out in the various iterations of the Local Plan and the Green Belt guidance in the Framework.

Consistency with local planning policy

12. Policy 3 of the CS demonstrates the distribution of development to be carried out within the plan period and promotes urban concentrations by directing development toward the built-up area of Nottingham, and a number of key settlements identified for growth. Outside of this, in other settlements, the policy states that development will be for local needs only. The site is not within any of the key settlements and no robust evidence has been submitted to support the appeal based on local need.

13. Paragraph 3.3.17 of Policy 3 states that small scale infill development can assist in the delivery of housing. However, as assessed above, I do not consider the site to present infill development and as such, is contrary to Policy 3 of the LP, and Policy HOU2 of the NSLP which amongst other matters, states that development should not extend the built up-area of the settlement.

Other Considerations

14. The proposals would offer a new dwelling with the accompanying social and economic benefits of new housing. The dwelling would be accessible to shops and services and would provide an additional housing unit to meet housing need.
15. These factors do favour the proposal, however, given the size of the contribution (one dwelling), the scale of this benefit would be limited. The modest contribution is of limited benefit. It would also add to the character of built development in the area but as the site is not in a derelict state, this would not be significant. When taken together, these benefits would not be significant.

Conclusion

16. The Framework indicates that inappropriate development is, by definition, harmful and should not be approved except in very special circumstances. Although I find that the considerations advanced by the appellant can be given limited weight in favour of the proposal, they do not outweigh the identified harm to the Green Belt and as a result, no very special circumstances exist to justify the development in Green Belt terms.
17. It would conflict with the development plan and the Framework as a whole and there are no other material considerations that warrant determining the appeal otherwise.
18. Therefore, the appeal is dismissed.

Paul Cooper

INSPECTOR