



Appeal Decision

Site visit made on 14 January 2020

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 4th February 2020

Appeal Ref: APP/M0655/W/19/3239880

**Cleavelands Farm, Moss Side Lane, Rixton-With-Glazebrook, Warrington
WA3 6HQ**

- 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 J Love against the decision of Warrington Borough Council.
 - The application Ref 2019/35324, dated 01 July 2019, was refused by notice dated 30 September 2019.
 - The development proposed is demolition of existing agricultural buildings to form a site area for caravan storage, including works to form an earth bund to the east of the site.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site is within 500m of Rixton Clay Pits Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC). Consequently, I have a statutory duty under the Conservation of Habitats and Species Regulations 2017 (as amended) to consider the potential impacts on the European site. This is a matter that I will return to later in my decision.

Main Issues

3. The main issues are:
 - i) Whether or not the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (the Framework) and relevant development plan policies;
 - ii) The effect of the proposal on the openness of the Green Belt;
 - iii) The effect of the proposal on the character and appearance of the countryside; and
 - iv) If the proposal is 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 it.

Reasons

Whether the proposal is inappropriate development in the Green Belt

4. The appeal site is part of a cluster of former poultry sheds at Cleavelands Farm. It includes the vacant site of a previously demolished shed, the blockwork and

- metal frame of a partly dismantled shed and a further intact albeit dilapidated shed. It is in the Green Belt.
5. 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.
 6. Policy CC2 of Warrington Borough Council's Local Plan Core Strategy Adopted July 2014 (the CS) sets out that development proposals in the countryside should accord with Green Belt policies set out in national planning policy. In this respect, Paragraph 145 of the Framework states that the construction of new buildings is inappropriate in the Green Belt, subject to certain exceptions. Paragraph 146 sets out that certain other forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. Of relevance to this appeal is Paragraph 146 e) material changes of use of land (such as changes for outdoor sport or recreation, or for cemeteries and burial grounds).
 7. The proposal is the demolition of 2 agricultural buildings and the change of use of the land for the storage of up to 50 caravans. A linear earth bund nearly 50m long and 2m high would be constructed along one edge of the site, perpendicular to the buildings that flank the appeal site. An existing access from Moss Side Lane would be improved in accordance with an earlier permission (ref 2015/26393). There would also be security fencing and gates.
 8. Paragraph 133 of the Framework advises that openness and permanence are the essential characteristics of the Green Belt. Openness is the absence of development and it includes both spatial and visual dimensions.
 9. The area proposed for caravan storage is already hard surfaced and therefore the proposed change of use would not result in a spatial loss of openness.
 10. The poultry sheds are substantially bulky buildings, the demolition of which would result in a reduction in the quantum of built development at this site. However, the effect on openness does not relate only to the size and scale of built development but also to its appearance and use. In this respect, the large number of caravans, the majority of which would be white in stark contrast with their surroundings, would be conspicuous and visually obtrusive.
 11. The bund and the fencing and gates would contribute to cumulative visual impacts in this location. There would also be a significant increase in activity at the site as a result of the comings and goings of people and domestic vehicles. Consequently, the proposal would be an overtly urban and commercial form of development that would not be characteristic of the countryside.
 12. Irrespective that there would be no significant spatial loss of openness, the significant visual impact of the proposal would result in a moderate loss of openness of the Green Belt in this locality. Furthermore, the proposal would have an urbanising effect in this location. In this respect, it would conflict with the purposes of including land within the Green Belt set out in Paragraph 134 of the Framework, specifically safeguarding the countryside from encroachment.
 13. Therefore, the proposal would not be a change of use of the land that would preserve the openness of the Green Belt and it would conflict with the purposes of including land within it. It would be inappropriate development in the Green

Belt. It would conflict with Policy CC2 of the CS and the policies in the Framework that protect the Green Belt.

Character and appearance

14. The appeal site is in a prominent roadside location in the countryside beyond the settlement of Rixton. It is in a relatively flat and open agricultural landscape with fields separated by hedgerows and ditches, with scattered trees, tree lines and patches of woodland. Built development typically comprises widely spaced scattered dwellings, groups of properties and farmsteads of various ages and styles. The scheme would be seen in the immediate context of the complex of agricultural buildings at Cleveland Farm, including the poultry sheds, barns, farmhouse and yard area.
15. By virtue of their number, large size and relative isolation in the landscape, the poultry sheds are a dominant feature. However, they are of a similar scale and design, constructed in matching materials, and they form a coherent group. Moreover, they are characteristic of agricultural buildings in the countryside.
16. The caravans would be considerably less bulky than the surrounding buildings. However, their large number, regular arrangement and discordant appearance would nevertheless be conspicuous and visually obtrusive. The security fencing and gates would further contribute to the appearance of commercial development more typical of urban areas than the countryside. Consequently, the scheme would not relate well to the surrounding agricultural buildings, the adjacent farmhouse and barns, nearby traditional rural dwellings or to Rixton.
17. The earth bund with its associated planting would partly screen and soften the appearance of the proposal when viewed from the direction of Rixton, although less so during the winter months when vegetation is dormant and not in leaf. However, the bund would be a long, linear and isolated feature that would be noticeably unnatural and engineered and it would not relate well to the surrounding landscape.
18. Travelling towards the site along Moss Side Lane in the direction of Rixton, the proposal would be initially screened from view by the agricultural buildings. However, on closer approach, it would be readily visible to passing traffic and pedestrians. The roadside hedgerow is not tall or dense and it would not obscure views of the scheme from locations in the surrounding area. The proposal would not be adequately assimilated into the surrounding built environment or into the rural landscape.
19. Therefore, the proposal would result in significant harm to the rural character and appearance of the countryside in this location. It would conflict with Policies QE6, QE7 and CC2 of the CS. These require, among other things, that development avoids unacceptable impacts on the surrounding area, maintaining and respecting the local landscape character and relating to its rural setting. It would also conflict with policies in the Framework that require development to add to the quality of the area and to be sympathetic to local character and landscape setting.

Other considerations

20. My attention has been drawn to an earlier planning permission (ref 2015/26020) for the change of use of former poultry buildings to workshops/storage buildings, with demolition of a further building to provide vehicular

access and parking areas. The building has been demolished and the shed that would be retained has been stripped of its cladding. While the approved scheme has not been implemented in full, there is nothing before me to indicate that it is not a valid fallback position at this site.

21. The appeal proposal would result in the demolition of a greater number of poultry sheds than the earlier permission, with a consequent reduction in the bulk of built development at this site. However, there would be a significantly greater visual impact as a result of the large number of caravans, security fencing, bund, and increase in private cars and commercial activity. In contrast, the fallback position, which re-uses an existing agricultural building, would be markedly dissimilar and therefore not directly comparable to the appeal scheme. It therefore carries neutral weight in my assessment.
22. The parties agree that there is a requirement for caravan storage facilities in the area. However, it has not been demonstrated that there is a demand for large-scale caravan storage in this particular location or that there are no alternative sites in more suitable locations elsewhere. Accordingly, this factor does not weigh in favour of the scheme.
23. There are no significant concerns relating to highway safety. Concerns relating to land contamination could be addressed by planning condition. The proposal would not result in adverse effects on the living conditions of nearby residential occupiers. However, these are requirements of the development plan and they therefore carry neutral weight in my assessment.
24. Paragraph 83 b) of the Framework relates to the development and diversification of agricultural and other land-based rural businesses. In this case, the proposal would re-use part of the site of the former poultry buildings and it would provide a means of diversification for the farming business. However, while the appellant's desire to diversify the business is understandable, there is nothing before me to indicate that the business is not currently viable. On the basis of the evidence before me, including the earlier permission, I am not persuaded that similar benefits could not be delivered by alternative schemes that would avoid the harm that I have found. Therefore, this is a matter that carries limited weight in my assessment.

Green Belt Balance

25. The proposal is inappropriate development in the Green Belt. It would fail to preserve the openness of the Green Belt and it would conflict with its purposes. The Framework advises that substantial weight must be given to any harm to the Green Belt. In addition, there would be moderate harm to the rural character and appearance of the countryside.
26. There are no other considerations that clearly outweigh the harm to the Green Belt by reason of inappropriateness, loss of openness and other harm. Consequently, the very special circumstances necessary to justify the proposal do not exist.

Rixton Clay Pits SAC

27. The Council's ecological advisor has stated that the interest of the SAC relates to its population of great crested newt, and he considers that the appeal site does not support habitats of value to amphibians. However, no comprehensive ecological assessment has been provided and there is no evidence before me

that the proposal has been formally screened for Likely Significant Effects on the designated site. Although I have a statutory duty in this regard, I have concluded that there are no very special circumstances to justify the proposal in the Green Belt. Therefore, it is not necessary for me to further consider the impacts of the scheme on the designated site.

Conclusion

28. For the reasons set out above, the appeal should therefore be dismissed.

Sarah Manchester

INSPECTOR