
Appeal Decision

Site visit made on 14 January 2020

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 February 2020

Appeal Ref: APP/J3720/W/19/3238602
Holly Bush Inn, Gorcott Hill, Beoley B98 9EN

- 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 Cotton against the decision of Stratford on Avon District Council.
 - The application Ref 19/01620/FUL, dated 10 June 2019, was refused by notice dated 23 August 2019.
 - The development proposed is a single storey extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues in this appeal are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - The effect on the openness of the Green Belt; and
 - 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.

Reasons

Whether the proposal would be inappropriate development

3. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new buildings is regarded as inappropriate in the Green Belt save for a number of specified exceptions. One such exception is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. The Framework does not set out the definition of 'disproportionate additions'.
4. Policy CS.10 of the Stratford-on-Avon District Core Strategy (2016) (CS) states that in the Green Belt small-scale extensions or alterations of a building are not

inappropriate in principle but echoes the Framework in terms of the approach towards assessing development in the Green Belt.

5. According to the Council the public house has previously been extended a number of times with the last planning application granted in 1998. With the exception of one planning application the appellant does not dispute this. Furthermore, I noted from my observations on site the public house has been substantially extended in the form of extensions to the side and rear.
6. The proposal would further increase the size of the public house and cumulatively these extensions result in disproportionate additions over and above the size of the original building. I therefore conclude that the proposal would represent inappropriate development as set out in paragraphs 145 and 146 of the Framework and would be contrary to Policy CS.10 of the CS.
7. I acknowledge that the public house was last extended just under 22 years ago. However, in terms of Green Belt impact the length of time between extensions does not alter the harm that would arise or act as justification for a scheme that I have found harmful. I have given this matter limited weight in coming to my decision.

The effect on openness

8. The Framework states that one of the essential characteristics of the Green Belt is its openness. Openness is the absence of development notwithstanding the degree of visibility of the land in question from the public realm. Openness has both spatial and visual aspects.
9. I acknowledge that the proposal would not be readily visible from within the surrounding area, limited to localised views from within the car park, and it would not significantly increase activity or traffic generation. However, in terms of Green Belt impact the proposal would further introduce built form at the site and extend the footprint of the already substantially extended public house.
10. The proposed extension would have a permanent appearance and would have a far greater impact on openness compared to the existing seating area. I am not persuaded that the proposed extension would be removed when no longer required nor am I satisfied its removal could be secured by condition.
11. As such, I find that there would be a loss of openness of the Green Belt and would be contrary to the aims and objectives of the Framework.

Other considerations

12. The appellant contends that the proposal would support the continued operation of the public house and associated restaurant, generate employment, support the local community, would be of a sympathetic design, would not impact on the living conditions of nearby occupiers or the natural environment. Whilst these would be benefits of the scheme, I find that they would not amount to very special circumstances to justify the proposed development.
13. I note the representations made by local residents to the planning application in respect of drainage, noise and the lawfulness of an extension on site but they have not led me to a different conclusion.

Conclusion

14. In line with the Framework the proposal would be inappropriate development in the Green Belt. It would also result in a loss of openness. I attach substantial weight to this harm, as required by paragraph 144 of the Framework.
15. The other considerations in this case do not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist.
16. For the reasons set out above the appeal is dismissed.

B Thandi

INSPECTOR