



Appeal Decision

Site visit made on 20 January 2020 by S Watson BA(Hons) MSc

Decision by Sarah Housden BA(Hons) BPI MRTPI

An Inspector appointed by the Secretary of State

Decision date: 14 April 2020

Appeal Ref: APP/P1805/D/19/3239162

Sycamore Lodge, Money Lane, Chadwich B61 0QY

- 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 H Singh Mann against the decision of Bromsgrove District Council.
 - The application Ref 19/00693/FUL, dated 24 May 2019, was refused by notice dated 22 July 2019.
 - The development proposed is Extension and alterations, access gates.
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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.

Background and Main Issues

3. The appeal site is located within the West Midlands Green Belt. The main parties have agreed that the proposal would represent inappropriate development in the Green Belt as defined in Policy BDP4 of the Bromsgrove District Plan (2017) (BDP) and the Framework. I concur with that position and accordingly, the main issues in this case are:
 - The effect on the openness of the Green Belt;
 - The effect of the proposal on the character and appearance of the host dwelling and surrounding area on Money Lane; and,
 - Whether the harm by reason of its inappropriateness, and any other harm is clearly outweighed by other considerations and if so whether this would amount to the very special circumstances required to justify the proposal.

Reasons for the Recommendation

Openness

4. Paragraph 143 of the Framework establishes that inappropriate development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 states that substantial weight

should be given to any harm to the Green Belt and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Paragraph 133 states that the essential characteristics of Green Belts are their openness and their permanence.

5. The proposed boundary wall and gate would replace an existing fence and gate providing access to the site. Given its relatively small scale, and that it would be replacing an existing boundary, I find it would cause a minimal reduction in the openness of the Green Belt.
6. However, the proposed first floor would add significant height, approximately 2.62m, and bulk to the existing bungalow. The proposed extensions would also increase the footprint of the dwelling on the site. The combination of the increase in the footprint and mass of the host dwelling would increase the amount of built development on the site and reduce the openness of the Green Belt. In my view, this would result in moderate harm to the openness of the Green Belt.

Character and Appearance

7. The appeal site is situated between Money Lane to the west and the M5 motorway to the east. The site slopes down towards the south, with mature trees and a hedgerow forming a boundary around the site. The appeal dwelling is single storey, but as it is set within a slope the southern end is raised from the natural ground level. Given the boundary screening and land levels, the dwelling is not readily legible from public views. The dwelling is of a simple, linear design creating a modest character and appearance. In the vicinity of the appeal site, Money Lane is characterised by sporadic development interspersed with open countryside and has a rural character and appearance.
8. The addition of a first floor, and associated alterations, would result in the design, scale and form of the host dwelling appearing significantly different to the existing. However, I find that the proposed development would result in a coherent and high-quality design which would not harm the character and appearance of the host dwelling.
9. I consider that the proposed alterations include a suitable balance of contemporary and traditional design cues and the dwelling would not be a discordant feature within the rural context of Money Lane. Moreover, because of the boundary screening, the proposal would not be unduly conspicuous or intrusive in the wider area, and as such the rural character of the surrounding area on Money Lane would not be adversely affected.
10. In conclusion, the proposal would not be harmful to the character and appearance of the host dwelling nor the surrounding area on Money Lane. It would therefore comply with the character and appearance aims of Policies BDP1 and BDP19 of the BDP. As the proposal would not be harmful in this regard, this matter has a neutral weighting in the overall planning balance.

Other Considerations

11. The approved plans for a prior notification, Certificate of Lawful Proposed Development and planning permission for extensions to the dwelling¹ have been put forward by the appellant as a fallback position. From the information available to me it appears likely that the appellant would be able to implement only one of these schemes.
12. While the schemes would be sizeable in their own right, I find that the combination of the additional height and mass of the appeal proposal would result in a much greater reduction in the openness of the Green Belt compared with each of the fallback schemes. In particular, none of the three schemes would result in an additional floor and the prior notification and Lawful Proposed Development schemes would be set below the ridge line of the existing bungalow.
13. Whilst the appellant would be willing to accept a condition restricting further permitted development, this would not overcome the harm to openness identified above. In light of this I consider that the appeal scheme would have a greater impact on openness over and above the fallback position. Furthermore, any fallback position does not remove the harm by reason of inappropriate development in the Green Belt and the harm to the openness of the Green Belt that would arise from the proposal. As such the fallback position carries limited weight in my overall consideration.

Green Belt Balance

14. The proposal would amount to inappropriate development in the Green Belt, and in addition, moderate harm to the openness of the Green Belt would be caused as a result of the proposal. The Framework is clear that substantial weight should be given to any harm to the Green Belt. For the reasons outlined above I attach limited weight to the considerations cited in support of the proposal. I conclude that taken together, they do not clearly outweigh the harm arising from inappropriateness and the conflict with BDP Policy BDP4. Consequently, the very special circumstances necessary to justify inappropriate development in the Green Belt do not exist.

Recommendation

15. 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

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

Sarah Housden

INSPECTOR

¹ Application reference 19/00239/FUL