
Appeal Decision

Site visit made on 21 February 2020

by R Cooper BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 May 2020

Appeal Ref: APP/P1805/W/19/3241994

Uplands, Coopers Hill, Alvechurch B48 7BX

- 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 Gordon Griffiths Associates against the decision of Bromsgrove District Council.
 - The application Ref 19/01000/FUL, dated 18 July 2019, was refused by notice dated 31 October 2019.
 - The development proposed is the conversion of a historic stable to a dwellinghouse, and the demolition of buildings and associated works.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the relevant development plan policies and the Framework;
 - Whether the appeal site is a suitable location for the proposed development, having regard to accessibility and the Council's policies for new development;
 - If the proposal would be inappropriate development, would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development

3. The National Planning Policy Framework (the Framework) identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It goes on to state that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances.
 4. Paragraph 146 of the Framework allows for certain other forms of development that are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.
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- These include d) the re-use of buildings provided that the buildings are of permanent and substantial construction; and e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds).
5. There is no dispute between the parties that the building is of permanent and substantial construction. During my site visit I was also able to access the building, and whilst the north eastern corner is in a poor condition, overall the former stable has substantially constructed walls with pitched tiled roofs and concrete floors, and the permanence of the structure is evident. The proposals also include the change of use of land currently identified as a former ménage associated with Uplands Stables, to a garden, access and parking associated with the proposed dwelling.
 6. It is therefore appropriate to consider the proposal under paragraph 146 criteria d) and e). Both parties agree that the removal of some existing, more modern buildings would result in a net increase in openness. Based on the evidence before me I have no reason to conclude otherwise. However, I am also required to assess whether the proposal would conflict with the purposes of including land within the Green Belt.
 7. The ménage is no longer actively used as such, and the appellant considers it to have a nil use. The surface of the former ménage has grown vegetation, and it blends into the landscape and appears to form part of its countryside surroundings. The proposal to formalise this area into a garden and lay down hardcore and gravel for access and parking would inevitably introduce a greater level of residential activity, and the proposed boundary treatments, additional hard surfacing, and the increase in the general domestic paraphernalia, would appear as an intrusion into the countryside. This would be inconsistent with paragraph 134 c) of the framework which seeks to assist in safeguarding the countryside from encroachment.
 8. Whilst existing mature trees screen much of the site from surrounding land and the road, this would not overcome the above harm and the associated conflict with the purposes of including land within the Green Belt. Furthermore, whilst the demolition of the adjacent buildings would return a small area back to countryside, this would not offset the overall significant encroachment into the countryside caused by changing the use of the former ménage.
 9. Therefore, I find that there would be an adverse impact on the related Green Belt purpose of safeguarding the countryside from encroachment, and the proposal would be inappropriate development.

Location of development

10. Policy BDP1 and BDP2 seek to ensure new development is accessible and located in accordance with the district's settlement hierarchy directing new housing to previously developed land or buildings within existing settlement boundaries which are not in the designated Green Belt. This is to ensure development reduces the need to travel and promotes sustainable communities, amongst other things.
11. The appeal site is located within an area of open countryside outside of the settlement boundary identified in The Bromsgrove District Plan 2011-2030 (the Local Plan). The nearest day to day services and facilities would be found

within the settlements of Alvechurch and Barnt Green, whose centres provide a variety of shops and services.

12. To access either centre pedestrians and cyclists traveling from the site would need to use Coopers Hill, which has a narrow carriageway and narrow grass verges either side. It does not benefit from footpaths or street lighting, and as such is unsuitable for walking and cycling in the dark.
13. Taking this into account future occupants would be deterred from walking or cycling and would therefore be reliant upon private motorised transport. This would not assist in mitigating the effects of climate change and encouraging the health benefits of walking and cycling.
14. I have had regard to the travel distances provided, and whilst the sites location is identified as within a 20 minute walk of the village centre in figure 58 of the Alvechurch Parish Neighbourhood Plan, for the reasons given above walking would not be an attractive option due to the lack of footway and street lighting and would not make for a comfortable walk to the village centre. Also, it would not be within the stipulated walking distance to a bus stop. The proposal would be inconsistent with Policies H1 and H4 of the Neighbourhood Plan in this regard.
15. For the foregoing reasons, therefore, the appeal site would not be a suitable location for the proposal, and its development for that purpose would be contrary to Policies BDP1 and BDP2 of the Bromsgrove District Plan 2011-2030, which are consistent with the Framework in respect of rural housing and reducing the reliance on the use of the car. It would also be inconsistent with the Alvechurch Parish Neighbourhood Plan in this regard.

Other considerations

16. Policy HDNE 1 of the neighbourhood plan identifies the area of Coopers Lane, historic farmhouses and outbuildings to be of local heritage value. The appeal building is also identified in the Worcestershire Historic Environment Record, and the Councils Conservation Officer considers it to be a non-designated heritage asset. Therefore, the building is clearly a non-designated heritage asset, and I have considered the effects of the proposal on the asset's significance in accordance with policy BDP20 of the Local Plan and the Framework.
17. The building consists of a mid-late 19th century red brick stable block, and forms part of a small group of outbuildings associated with the Uplands. The significance of the buildings consists of its distinctive L-shape footprint that wraps around a courtyard enclosed on the other two sides by a brick wall and railings. The north east corner appears to be the oldest and most original part of the building, whilst dilapidated the gabled roof form still evident. The proposal would sustain and enhance the building, and demolition of the adjacent buildings would enhance its setting, which I give moderate weight.
18. The proposal would make a very limited contribution to employment during construction and have a limited effect on maintaining and enhancing the vitality of Alvechurch and Barnt Green.
19. The proposal would make a limited contribution to housing and bring a small new homes bonus. The Council accepts that they cannot demonstrate a deliverable five year supply of housing land as required by Paragraph 73 of the

Framework. However, the proposal would not accord with the policies of the framework with regards to land designated as Green Belt, which provides a clear reason for refusing the development proposed. Therefore, paragraph 11 d) ii. of the Framework is irrelevant, and the proposal does not benefit from the presumption in favour of sustainable development.

20. The site is brownfield and the proposal would bring back into use a vacant building. However, I have concluded above that the site is not suitably located, the proposal is inconsistent with the Framework and Policy BDP15 in this regard.
21. The Council granted planning permission for the conversion of the upper stable block (Ref 17/01431/FUL), however from the information provided the appeal site is different in that the building was closer to Coopers Hill, whereas the building subject to this appeal is accessed via a private track, across the former ménage adding an additional land to traverse, and is less accessible in that respect. The previous scheme also utilised an existing area of hardstanding. In any case I am required to determine this proposal on its own merits.

Overall Balance

22. The proposal would be inappropriate development in the Green Belt as it would not safeguard the countryside from encroachment, thereby conflicting with the purposes of including land within it.
23. On the other hand, I have found that the proposal would sustain and enhance a non-designated heritage asset, which I give moderate weight, and would make a small contribution to housing and local employment which I give limited weight.
24. As set out in the Framework substantial weight must be given to the any harm to the Green Belt. This harm would not be clearly outweighed by the other considerations set out above so as to amount to the very special circumstances required to justify the proposal.
25. Therefore, the adverse effects of the proposal would significantly and demonstrably outweigh its benefits. Consequently, the presumption in favour of development does not apply and I have no reason to take a decision other than in accordance with the development plan.

Conclusion

26. For the reasons given above, the appeal is dismissed.

R Cooper

INSPECTOR