



Appeal Decision

Site visit made on 21 May 2020

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 May 2020

Appeal Ref: APP/P1805/D/20/3245171

**Fox Haven, 248A Old Birmingham Road, Bromsgrove, Worcestershire
B60 1NU**

- 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 Geoffrey Vale against the decision of Bromsgrove District Council.
 - The application Ref 19/01157/FUL, dated 23 August 2019, was refused by notice dated 23 October 2019.
 - The development proposed is detached garage and stable with accommodation over.
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Decision

1. The appeal is dismissed.

Main Issues

2. Despite the appellant's request to have it removed, the appeal site lies within the Green Belt. As such, the main issues are:
 - whether the proposal represents inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and development plan policy; and
 - the effect on the openness of the Green Belt; and
 - the effect on the character and appearance of the area; and
 - if the development would be inappropriate, whether the harm by reason of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons

Whether inappropriate development in the Green Belt

3. Policy BDP4.4 of the Bromsgrove District Plan 2017 (BDP) is largely consistent with paragraph 145 of the Framework in stating that, apart from specified exceptions, the construction of new buildings is inappropriate development in the Green Belt. The BDP and Framework policies indicate that the replacement of a building would not be inappropriate development provided the new building is not materially larger than the one it replaces and is in the same use.

4. The proposal includes the replacement of an existing summerhouse with a garage and stable building. The Council claims the existing building has a footprint of 18 m², which would be significantly smaller than the 60 m² footprint of the proposal. In addition, the proposed building would include accommodation at first floor level and so would be markedly taller and bulkier than the existing single storey summerhouse. For these reasons, the proposal would be materially larger than the building it would replace and so it would not represent an exception allowed under BDLP policy BDP4.4 e) or paragraph 145 d) of the Framework.
5. No case has been made for the proposal complying with any other exception as set out in the BDP or the Framework. As such, I conclude that the proposal would represent inappropriate development in the Green Belt.

Openness

6. The Framework at paragraph 133 states that the essential characteristics of Green Belts are their openness and their permanence. The proposal would be significantly larger than the existing summerhouse in terms of footprint coverage, height and overall mass and so would lead to a loss of the spatial openness of the site. The proposal would only have a localised visual effect as it would be largely screened from the surrounding area by vegetation and existing buildings. Nevertheless, by reason of its size, the proposed building would have a greater impact on the openness of the Green Belt compared to the current situation.

Character and appearance

7. The appeal property is on a drive that serves several dwellings. These houses, the surrounding fields and the traditional agricultural design of several nearby buildings results in a part domestic, part rural character to the area.
8. The proposed building would include typical rural architectural features such as an open frontage, timber cladding to external walls and a stable door. The 2 front dormer windows would hint at a residential use, but these would be relatively minor elements that would not markedly disrupt the building's simple form. As such, the proposal would respect the part rural, part domestic nature and appearance of nearby buildings and so would be compatible with the site and surrounding properties.
9. For these reasons, I conclude the proposal would not harm the character and appearance of the area. Consequently, in this regard, it would comply with policy BDP19 of the BDP, the Council's High Quality Design Supplementary Planning Document 2019 and the Framework. These all aim, amongst other things, to ensure that development reflects and enhances the character and distinctiveness of an area.

Other considerations

10. The proposed development would cause no harm to the living conditions of the occupiers of any property. However, acceptability in this regard is a neutral factor in my assessment. The appellant's comments in respect of the restraining effects of Green Belt policy are noted but paragraph 133 of the Framework states that the Government places great importance to Green Belts. Consequently, I attach negligible weight to these comments.

11. The proposal would be used to house the appellant's vehicles although it is not unusual for vehicles to be kept outside. As only limited explanation of the need for the proposal has been provided, I attach limited weight to this factor.

Green Belt balance

12. The Framework states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. These would only exist where the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations. In carrying out the balancing exercise, substantial weight is to be given to any harm caused to the Green Belt.
13. As well as harm by reason of inappropriateness, the proposal would cause a loss of openness, thereby adversely impacting on one of the essential characteristics of the Green Belt. I attribute modest weight to the harm caused in this respect. The proposal would not harm the character and appearance of the area and this is a neutral factor in my assessment.
14. On considering all the relevant matters, I conclude that the benefits of the proposal and all other considerations would not clearly outweigh the totality of harm the development would cause to the Green Belt and its openness. Consequently, the very special circumstances necessary to justify the development do not exist. As such, the development would conflict with the Framework and BDP policy BDP4.4 which, amongst other things, seek to resist inappropriate development in the Green Belt unless very special circumstances exist and to preserve its openness.

Conclusion

15. For the above reasons, I conclude the appeal should be dismissed.

Jonathan Edwards

INSPECTOR