



Appeal Decision

Site visit made on 13 May 2020

by R E Walker BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 May 2020

Appeal Ref: APP/R0660/W/20/3244720

Field Opposite The Cottage, Welsh Row, Macclesfield SK10 4TY

- 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 Chris Jamieson against the decision of Cheshire East Council.
 - The application Ref 19/4380M, dated 18 September 2019, was refused by notice dated 12 December 2019.
 - The development proposed is place a storage unit on site to safely and securely hold tools used to maintain the land.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description given in the planning application form, decision notice and appeal form differ. However, in Part E of the appeal form it is stated that the description of the development has not changed. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the Council's decision notice which accurately and succinctly describes the proposal as it omits matters that do not constitute a description of development.
3. The storage unit is in situ therefore, I am considering the appeal on this basis.

Main Issues

4. The main issues are:
 - Whether the development 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;
 - The effect of the development on the character and appearance of the area; and
 - If it 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 the development.

Reasons

Inappropriate Development

5. Paragraph 145 of the Framework states that the construction of new buildings within the Green Belt is inappropriate development. However, it lists certain exceptions which are not regarded as inappropriate. This includes, amongst other things, buildings for agriculture in paragraph 145 a). Policy PG3 of the Cheshire East Local Plan Strategy 2010 - 2030 (CELP) (adopted 2017) and Policy GC1 of the Macclesfield Borough Local Plan (MBLP) (adopted 2004) also list exceptions. In so far as they are relevant to this appeal, these are largely similar to the exceptions set out in the Framework.
6. The storage unit (the unit) is said to be required to safely and securely hold tools used to maintain the field. However, I have no substantive evidence before me that the field is used for agriculture or forestry, or any of the other listed land uses contained in paragraph 145 b) of the Framework. Moreover, I have little information as to how the unit is required to serve any such use. Given this, I am not satisfied that the unit meets any of the exceptions set out in paragraph 145 of the Framework or the relevant policies of the development plan.
7. Accordingly, the unit comprises inappropriate development in the Green Belt. It is therefore in conflict with Policy PG3 of the CELP, Policy GC1 of the MBLP and paragraph 145 of the Framework in this regard.

Openness

8. A fundamental aim of Green Belt policy, as set out in paragraph 133 of the Framework, is to keep land permanently open. Openness is an essential characteristic of the Green Belt.
9. The unit on site has resulted in built development where there was previously none. Even if it were clad and painted green it would be visible from public views along Welsh Road and the nearby footpath. Both visually and spatially, the footprint of the unit and its bulk has resulted in a loss of openness of the Green Belt. Therefore, it is contrary to the relevant Green Belt policy within the Framework.

Character and Appearance

10. The appeal site is a small field bordered by hedgerows and maturing trees and although there is other built form nearby including a small group of houses opposite, the area has a distinctly rural, open and undeveloped character.
11. The unit is visible from the adjacent road in gaps in, and views over, the hedgerow. I also observed that the unit can also be seen to varying degrees from the nearby footpath. The unit appears isolated in the field and adds visual clutter to the rural landscape. Even though it is small in scale its form, material finish and utilitarian appearance appears incongruous in the field.
12. I accept that cladding and a change in colour treatment would help to reduce the unit's visual impact. However, I do not consider that this would be sufficient to overcome the harmful effects of the unit to the open countryside.
13. I therefore find that the unit has a harmful effect on the character and appearance of the area. The development is therefore contrary to the

requirements of Policies SE1, SE4 and SD2 of the CELP and The Cheshire East Borough Design Guide Supplementary Planning Document (adopted 2017). These require, amongst other things, that developments contribute positively to an area's character and identity. The development is also contrary to the requirements of the Framework at paragraph 127, which broadly seeks high quality design.

Other Considerations and the Green Belt Balance

14. Paragraph 144 of the Framework requires decision makers to ensure that substantial weight is given to any harm to the Green Belt. Other considerations in favour of the development must clearly outweigh the harm.
15. It would appear that the appellant did not realise that planning permission was required. However, this does not affect the planning merits or effects of the development before me. I understand that the unit provides secure storage for tools for the appellant to maintain the land. Although I have no substantive evidence of the precise nature or need, personal circumstances will seldom outweigh more general planning concerns and I therefore afford these personal benefits limited weight.
16. The unit is inappropriate development in the Green Belt. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt. In addition, there is a loss of openness of the Green Belt and harm to the character and appearance of the area.
17. As explained above I give limited weight to the benefits of the unit and I find that 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.

Conclusion

18. For the reasons given above the appeal is dismissed.

Robert Walker

INSPECTOR