



Appeal Decision

Site visit made on 12 November 2020

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 November 2020

Appeal Ref: APP/Q4625/W/20/3257175

Fordson Farm, Harvest Hill Lane, Meriden, Solihull CV5 9DE

- 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 Kevin Kennel against the decision of Solihull Metropolitan Borough Council.
 - The application Ref PL/2019/02064/PPFL, dated 6 August 2019, was refused by notice dated 11 February 2020.
 - The development proposed is described as a secure agricultural store and farm office.
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Decision

1. The appeal is allowed and planning permission is granted for a secure agricultural store and farm office at Fordson Farm, Harvest Hill Lane, Meriden, Solihull CV5 9DE in accordance with the terms of the application, Ref PL/2019/02064/PPFL, dated 6 August 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan and proposed Block Plan, 01/03-A (2064), dated July 2019 and Floor Plan and Elevations, 21/12, dated July 2019.
 - 3) No above ground work shall be commenced until samples of all external facing materials have been submitted to and approved by the local planning authority in writing. The relevant works shall be carried out in accordance with the approved sample details.
 - 4) No above ground work shall be commenced until such a time as a scheme to manage the surface water runoff from the development hereby approved have been submitted to and approved in writing by, the Local Planning Authority, with no occupation until the scheme is operational. The submitted details should include:
 - i. results of infiltration tests, carried out in accordance with BRE 365 or similar to determine the suitability of the site for infiltration. If infiltration is deemed to be suitable, the proposed soakaway(s) should be designed in accordance with BRE 365 also.
 - ii. a plan indicating the size and location of the proposed soakway
 - iii. if a soakaway is demonstrated to not be suitable then details of an alternative SuDS system should be submitted.
 - iv. construction details

- v. maintenance plan for the whole drainage system in accordance with the SuDS manual.

Main Issues

2. Whether the proposal is inappropriate development within the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and development plan policy; and,
3. The effect on the character and appearance of the existing residential dwelling

Reasons

Whether the proposal is inappropriate development within the Green Belt

4. The Government attaches great importance to Green Belts and the construction of new buildings is inappropriate in the Green Belt. New buildings for agriculture are listed as exceptions (paragraph 145a) of the Framework. This approach is largely consistent with saved Policy P17 of the Solihull Local Plan (the LP), which sets out that applications for development in the Green Belt will be determined in line with national planning guidance on Green Belts and other relevant policies within the development plan.
5. The Framework does not set out any limiting criteria relating to size or any other matters. Nonetheless, the Council's Decision Notice specifically questions the agricultural need for the proposed agricultural store and office building. The Officer's Report refers to the scale of agricultural activity and the availability of other agricultural buildings on the site.
6. Firstly, I note that the development as applied for is clearly described as "a secure agricultural store and farm office". At the site visit I saw on going agricultural activity including in respect of livestock (geese and pigs) and the existing sheds appeared to be used for the open storage of a range of agricultural paraphernalia and hay bales. The appellant has submitted a report "Rhodes Rural Planning & Land Management" (July 2019) which sets out details of the current agricultural operation and the use of the proposed building, detailing the agricultural need for the building.

Consequently, based on the evidence before me I find that the appeal scheme is a building for agriculture. Therefore, the building is not inappropriate development and is not therefore contrary to Policy P17 of the LP and the National Planning Policy Framework with regards agricultural development within the Green Belt.

The character and appearance of the existing residential dwelling

7. The Council describes the dwelling as being a separate planning unit. From the information supplied on the appeal and application forms it appears that the dwelling is occupied by the appellant and at the site visit it appeared as an integrated part of the farm operation, as a farmhouse.
8. The proposed building would be located in fairly close proximity to the dwelling, in common with out buildings that together form a farmyard setting. Furthermore, the submitted plans show that the appeal site is located within a predominately rural location where agricultural barns would not appear out of place.

9. For the reasons detailed above I find that the appeal scheme would not harm the character and appearance of the existing residential dwelling. As such the proposal is not contrary to Policy P15 of the LP in so far as it relates to good design.

Other Matters

10. I note that the site has an extensive planning history and there has been more than one reference by objectors to the alleged failure of the appellant to comply with previous planning permissions and in respect of unauthorised buildings. In any event I have determined the appeal on its own merits.

Conditions

11. For the reasons of clarity and certainty I have included conditions relating to the life of the planning permission, materials and approved plans. In the interests of the environment and to ensure satisfactory drainage of the site I have included a condition relating to surface water drainage as requested by the Council.

Conclusion

12. For the reasons given above I conclude that the appeal should be allowed.

Mark Brooker

INSPECTOR