



Appeal Decision

Site Visit made on 6 July 2021 by G Sibley MPLAN MRTPI

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 September 2021

Appeal Ref: APP/Q1825/W/21/3272642

12 Dagtail Lane, Redditch B97 5QT

- 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 & Mrs N Lewis & Millham against the decision of Redditch Borough Council.
 - The application Ref 20/01549/FUL, dated 7 December 2020, was refused by notice dated 9 February 2021.
 - The development proposed is erection of new dwelling and associated works.
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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.

Preliminary Matter

3. On 20 July 2021 the Government published a revised version of the National Planning Policy Framework (the Framework). The main parties have been provided with a further opportunity to make submissions in respect of the publication. Any comments received have been addressed in this decision.

Main Issues

4. The main issues are:
 - i) whether the proposal would be inappropriate development in the Green Belt having regard to the revised Framework and any relevant development plan policies;
 - ii) the effect of the proposal on the openness of the Green Belt; and
 - iii) whether any 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 required to justify the proposal.

Reasons for the Recommendation

Whether Inappropriate Development

5. Policy 8 of the Borough of Redditch Local Plan No.4 (LP) (adopted 2017) notes that development proposals will be considered in accordance with national Green Belt guidance and other relevant development plan policies. The

Framework states that the construction of new buildings should be regarded as inappropriate development in the Green Belt, with certain listed exceptions. Framework paragraph 149(e) identifies that one exception would be the limited infilling in villages.

6. Redditch is characterised by development broken up by areas of undeveloped tree cover. This is most evident around the edges of the settlement where smaller pockets of development have been created but still appear as part of Redditch. Growth of the town means that it has absorbed some former villages such as Crabbs Cross and Hunt End, which are now suburbs of the town.
7. The appeal site is within a group of properties known as Dagtail End at the southern end of Redditch, between it and Astwood Bank. However, Dagtail End is not allocated to either settlement or identified as a separate settlement in the LP. A tree belt separates the site and surrounding dwellings from the development directly to the north, which are within the settlement boundary of Redditch. However, both areas appear as suburban style residential development in a verdant setting, with density of development reducing only slightly in the southern area. As such, the character of the town does not significantly change between these two areas, and the site and surrounding development appear as part of the built form of the wider suburbs on this edge of the town.
8. Although historically a separate small settlement, there is now nothing on the ground that would identify Dagtail End as a village separate to the similar development to the north. There are no signs, shops, or community facilities that would typically be associated with a village. Those living within the area are reliant on the services and facilities in either Redditch or Astwood Bank. There is no clear and obvious break in development which would suggest the site is within a separate settlement to Redditch. Consequently, I find that the appeal site is within the wider suburbs of Redditch, and not within a village.
9. The delivery of a single dwelling on this site would be limited in terms of the scale and as the site is bound by development on all sides the proposal would be infill development. Nevertheless, as the proposal would not fall within a village it would not meet the exception in Framework paragraph 149(e). Consequently, the proposed development would be inappropriate development in the Green Belt.
10. The Framework sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight must 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 resulting from the proposal, is clearly outweighed by other considerations.

Openness

11. The garden of the appeal site creates a sense of space between dwellings in this otherwise relatively built-up area and as such makes a small but noticeable contribution to the openness of this part of the Green Belt compared to the main urban area. Such spaces are less common in this area, as other small plots have been infilled. The proposal is for a large two storey dwelling with a single storey garage. While the design would, in itself, be sympathetic to other development in the area, it would nevertheless introduce significant new built

form into undeveloped garden land. As a result, the proposal would harmfully erode the openness of the Green Belt in spatial terms.

12. The site has dwellings on all sides, but a Public Right of Way (PRoW) passes alongside the northern boundary. Due to its scale and siting, the proposed dwelling would be clearly visible from the PRoW, but intervening buildings and vegetation mean that it would not be particularly visible from the surrounding roads. Nevertheless, due to the scale of the proposed dwelling and garage, the development would reduce the visual openness of the Green Belt.
13. Consequently, the proposal would harm the openness of the Green Belt in both spatial and visual terms. As openness is one of the essential characteristics of Green Belts, this is a matter to which I attach substantial weight.

Other Considerations

14. I have been referred to various schemes for new dwellings around the appeal site dating from the 1990's and an approved appeal in 2003. Decisions have been provided for the 1990's schemes but no details are before me of how the decisions were reached and what factors were considered. Therefore, I cannot be certain they were comparable to the scheme before me, which I have considered on its own merits.
15. The Inspector for the 2003 appeal found that proposal would be inappropriate development as it would not meet any of the exceptions in then national policy PPG2, including limited infilling in villages. This is consistent with my findings above. That site lies along Evesham Road in what was a more or less developed frontage to that main road and, as such, is different in character to the back land, garden development proposed here.
16. Due to the relatively enclosed nature of the site, the proposal would not result in encroachment into the countryside, sprawl or settlements merging into each other. However, I do not consider that it serves no useful purpose in the Green Belt as, for the reasons set out above, the site contributes to the openness of this part of the Green Belt, an essential characteristic that would be harmed by the proposal. As such, it differs from the circumstances of the 2003 appeal.
17. It is also notable that since the determination of the 2003 appeal a new LP has been adopted, therefore the Council has had the opportunity to review the Green Belt boundaries in light of that decision. Despite that, the appeal site and surrounding properties remain in the Green Belt. The Green Belt Land and Areas of Development Restraint within Redditch Borough study (published 2008) also identified that smaller sites could be released from the Green Belt around the south of Redditch. Nevertheless, those sites were not subsequently released. Consequently, while the open agricultural land to the south and east is clearly of fundamental importance to maintaining the separation of Redditch and Astwood Bank, this does not mean that Dagtail End does not also make a contribution to openness, when viewed in the context of the Green Belt to the south of the Redditch urban area as a whole.
18. The proposal would add to the supply of housing within the Borough, which is heavily constrained, in a location with good access to services, facilities and public transport. The Council cannot currently demonstrate a 5-year housing land supply, with the latest figure provided showing only 3.24 years' supply. In

light of this significant shortfall, these considerations attract modest weight in favour of the development.

19. The scheme would also lead to a small and time-limited economic benefit during the construction phase, which may give rise to extra local employment, while new residents could increase spending in the local economy and support local services and facilities. Given the small amount of development proposed however, I give these considerations limited weight.

Whether Very Special Circumstances Exist

20. The proposal would result in Green Belt harm due to its inappropriateness and impact on openness, matters to which I attach substantial weight having regard to Framework paragraph 148.
21. The other considerations do not, on balance, clearly outweigh the harm to the Green Belt. Consequently, the very special circumstances necessary to justify the development do not exist. Therefore, the proposal would conflict with LP Policy 8 and with the Framework.

Conclusion and Recommendation

22. Although the Council cannot demonstrate a 5-year housing land supply, for the reasons set out above the harm to the Green Belt provides a clear reason for refusing the development proposed, and as such the presumption in favour of sustainable development in Framework paragraph 11d) does not apply. Therefore, for the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

23. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall dismiss the appeal.

L McKay

INSPECTOR