
Appeal Decision

Site visit made on 20 April 2021

by C Dillon BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 September 2021

Appeal Ref: APP/W4223/W/20/3265907

Well-i-Hole Farm, Well-i-Hole Road, Greenfield OL3 7HY

- 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 Chadderton Hall Properties Ltd against the decision of Oldham Metropolitan Borough Council.
 - The application Ref PA/343252/19, dated 4 April 2019, was refused by notice dated 11 August 2020.
 - The development proposed is described as conversion of existing farmhouse to provide bed and breakfast, renovation and conversion of barn to create 4 holiday flats, erection of new building to include flexible community space, shop and toilet/showers, new 3 bed detached house, tractor shed and ancillary facilities and reconfiguration to provide 15 static caravans and 35 powered pitches at existing camping and caravan site.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Chadderton Hall Properties Ltd against Oldham Metropolitan Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The National Planning Policy Framework ('the Framework') was revised subsequent to the submission of this appeal. The main parties have been given the opportunity to draw my attention to any material changes which would impact on their respective cases and the appeal has been determined accordingly.
4. The proposed new dwelling has been expressly excluded by the appellant within their appeal submission. This reduces the scope of the proposed development and is a discreet element. As such, its exclusion does not prejudice the interests of the Council or any interested parties. The appeal has been determined accordingly, although reference to that element is contained within the heading above because that is the description of development relied upon by the main parties at planning application stage.
5. Furthermore, I note that the tractor shed advanced through this appeal is significantly larger in size and materially different in appearance and location to that which was assessed at planning application stage. It is not the role of the

appeal process to advance new proposals. That component has relevance to the consideration of the main issues of this appeal and the evidence of other parties. To ensure that the Council and other parties interests are not prejudiced, I have based my assessment on the smaller tractor shed as proposed at planning application stage.

6. The appeal proposal comprises several interrelated components which seek to redevelop and upgrade an existing caravan and camping site. The submitted evidence indicates that aside from the originally proposed dwelling, the disputed matters relate to the proposed facilities building and siting of 15 static caravans. However, I have made my determined on the basis of the components in their entirety. This is so that a full assessment of the impact of the appeal scheme can be made and also because the evidence before me does not demonstrate that a lesser scheme would secure a satisfactory form of development.

Main Issues

7. The main issues are:

- whether or not the appeal proposals are inappropriate development in the Green Belt for the purposes of the Framework and development plan policies;
- the effect of the appeal proposals on the openness of the Green Belt;
- whether or not there is any other harm that would result from the appeal proposals, with particular regard to the effect on the character and appearance of the area;
- whether or not any other considerations exist and the weight that should be afforded to them; and
- if any of the appeal proposals are inappropriate development, whether or not any harm to the Green Belt 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 the appeal proposals.

Reasons

Whether or not inappropriate development

8. The appeal site comprises a small complex of farm buildings and associated open land offering camping and caravanning pitches. It is located within a narrow part of the Green Belt which is situated between the urban edges of Greenfield. Policy 22 of the Oldham Council Joint Core Strategy and Development Management Policies Development Plan Document (the 'DPD') seeks to keep the Green Belt permanently open and permits development that does not conflict with national policies on Green Belt. The Framework confirms that the construction of new buildings is inappropriate in the Green Belt. Furthermore, development is inappropriate unless it meets one of the exceptions listed in either paragraphs 149 or 150 of the Framework.
9. The appeal scheme aims to substantially improve and expand the site's tourism accommodation offer. There is no dispute that only the proposed facilities building, and the proposals relating to the powered pitches, including the siting

of static caravans do not fall within the Framework's exceptions and are inappropriate development in the Green Belt. In these regards, paragraph 147 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Moreover, the appeal proposal would conflict with Policy 22 of the DPD, unless in line with the Framework, very special circumstances are demonstrated.

Openness of Green Belt

10. The Government attaches great importance to Green Belts. Their fundamental aim is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence. The Council's evidence confirms that the purposes of this Green Belt are to prevent neighbouring towns from merging and assisting in safeguarding the countryside from encroachment. These are consistent with those purposes set out in the Framework.
11. The current arrangements mean that parked caravans are viewed against the backdrop of the surrounding existing buildings. In terms of the proposed inappropriate development, the revised caravanning arrangements would extend substantially beyond the area of the site accommodating the existing pitches. The overall number of static and powered mobile caravan pitches would increase to 15 and 35 respectively. Some of the proposed pitches would be in fluctuating use, the duration of which could be controlled by a planning condition. Nonetheless, the appeal scheme would result in the formalisation of the area through the laying of hard surfacing. There would also be a significant all year round presence of 15 static caravans within a more exposed part of the site, away from the existing building group. This would be exacerbated during periods of the year where surrounding tree cover is unclothed. Furthermore, the proposed main facilities building would be an additional building which would be substantial in height, scale and mass.
12. Consequently, these components would have a greater spatial and visual impact on openness than the existing situation. Either would result in a substantial adverse impact on the openness of the Green Belt in both spatial and visual terms.
13. In describing the existing layout of the appeal site and the legacy rights which define its current tourism use, the main parties refer to Zones 1, 2 and 3 which comprise a total of 49 camping, touring and static caravan pitches. The appellant has advanced that the extant rights for Zone 1 and Zone 2 could be rescinded through the appeal proposal. In respect to Zone 1, I find that there could be some benefit to openness by bringing the use of that area for the stationing of static caravans out of unrestricted use. Furthermore, I find that the cessation of use of the pitches in Zone 2 would be beneficial given it would increase openness to a part of the site which is divorced from the main complex of buildings by Well-i-Road. However, these moderate benefits would be diluted by the loss of openness that would arise from the increase in new pitches and siting of static caravans which are proposed in prominent, more outlying parts of the appellant's land.
14. Having regard to the purposes of the Green Belt, these particular components of the appeal proposal would serve to reduce what is already a narrow extent of Green Belt and would be read as an encroachment into the countryside.

Consequently the purposes of this Green Belt would be undermined, and the appeal proposal would not preserve openness of it. Both individually and collectively, I find that the resulting impact of these components constitutes considerable harm to the openness of the Green Belt and its purposes.

Character and appearance

15. The appeal site presents as a small scale farmstead grouping with low key camping and caravanning opportunities on the outskirts of the settlement of Greenfield. It is located within a relatively small pocket of low lying countryside which is narrow as it extends up to the built urban edge. This contrasts with the surrounding built up form of Greenfield, where buildings tend to be of a residential scale and constructed from a mix of natural stone, brick and slate. The open, undeveloped rustic character of this area of countryside is a reminder of the wider landscape setting of Greenfield.
16. The proposed facilities building would be located within this open, lower lying land next to the existing building complex. Nonetheless, it would be highly visible from an extensive range of short, medium and longer distance vantage points including the A635 Manchester Road, Well-i-Hole Road and the local public rights of way network. The Council has not raised any concerns regarding the effect of the components of the scheme which are not inappropriate development on the character and appearance of the area. From my assessment of the submitted details and evidence, I have no cause to dispute that stance.
17. I have already assessed the impact of the caravan proposals on openness and those findings inform my overall conclusion that these aspects would have a negative contribution on the character and appearance of their context.
18. In addition, the building form and massing of the proposed facilities building combined with the steepness of the proposed roof pitch and the extensive use of timber along with the extensive glazing on the prominent elevations would emphasise its great scale. These credentials over-emphasise its physical presence within this open countryside context. Moreover, it would not be read as a large agricultural building. The Council has advanced that this particular proposed contemporary design solution does not adequately reflect the character and appearance of buildings in the locality. I agree with that assessment and, when coupled with its large scale, this would cause the proposed building to unduly contrast and significantly overwhelm its context. Consequently, this component would be overly prominent and highly discordant with the prevailing character and appearance of the local context.
19. Overall, I conclude that the appeal scheme would cause considerable harm to the character and appearance of the area. Although the Framework encourages innovative design, it also recognises the importance of local design policies and states that proposals should be sympathetic to local character and history, including the surrounding built environment and landscape setting. Furthermore, paragraph 130 of the Framework states that decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, whilst not preventing or discouraging appropriate innovation or change. Moreover, paragraph 134 of the Framework states that development that is not well designed should be refused, particularly where it fails to reflect local design policies.

20. Moreover, Policy 9 of the DPD requires that new development does not result in a significant, adverse impact on the visual amenity of the surrounding area. Policy 20 of the DPD requires that development reflects local character. Given the identified harm to the character and appearance of the area, the appeal proposal conflicts with both of these local policies.
21. The fact that the appeal site and surrounding area are not subject to any specific local landscape designations does not justify or reduce the harm that I have found. Contrary to the appellant's assertion, this harm was recognised in the Council's second reason for refusal. National Green Belt policy requires me to include my findings regarding any other harm as part of my assessment of whether or not very special circumstances exist.

Other considerations

22. The appeal scheme will facilitate the regeneration of 2 non-designated heritage assets to secure their long-term future through the proposed conversion works. The removal of the existing agricultural building would also improve the built fabric of the site. In principle, additional onsite facilities could increase the attractiveness of the site offer. Nonetheless, there are other aspects of the appeal scheme which would be harmful, and the particular details of the appeal scheme have not been demonstrated to be the only means by which the appellant's business objectives could be achieved. Collectively, those site improvements which would not be harmful are benefits carrying moderate weight.
23. The submitted evidence advances that the proposed facilities building would be beneficial in terms of hosting local events in addition to meeting the holiday guest's needs. The submitted evidence indicates that this has, in part, driven the scale of that building. However, the evidence before me does not substantiate that these local events are confined to or are dependent on this particular site. There is no evidence that it would be infeasible to host events here within appropriate temporary accommodation. Furthermore, there is no evidence that this facility could not be accommodated within a nearby non-Green belt location. Consequently, this consideration is a benefit which carries limited weight.
24. It is advanced that the scheme is necessary for business viability and future sustainability. The appellant's viability evidence just demonstrates viability in terms of Scenario 2, which best aligns with the components of the scheme subject to this appeal. I have noted that Scenario 3, which excludes both the dwelling, and the static caravan expansion is cited as not being viable. No substantive evidence has been submitted to demonstrate any subsequent improvement or reduction to these margins has occurred since that evidence was prepared. Overall, this evidence indicates that the appeal scheme is marginal in its entirety even after significant investment. This raises uncertainty as to whether a greater level of development than that sought through this appeal is required to support the operation in the longer term. Consequently, this consideration carries moderate weight in favour of the appeal scheme.
25. The appeal scheme would benefit the local tourism economy. The Framework recognises the importance of supporting the rural economy, however this needs to be balanced with the consequences of development on the character and appearance of the area, amongst other things. However, the level of

contribution that this particular scheme would make through improving and expanding its offer has only been quantified on a general basis. A requirement for up to 20 full and part-time staff is not disputed by the Council and seems reasonable for the scale of operation proposed. This would boost the local employment. Overall, in view of their likely scale, I find that these economic considerations are benefits which carry moderate weight.

Whether very special circumstances exist

26. The appeal proposal includes significant components of the overall scheme which constitute inappropriate development in the Green Belt, which is harmful by definition. These would cause considerable harm to the openness of the Green Belt and considerable harm to the character and appearance of the area. In accordance with paragraph 148 of the Framework any harm to the Green Belt must be given substantial weight. I have also found that there are other considerations which weigh in favour of the appeal proposal.
27. In summary, even when taken collectively, I conclude that the other considerations in this particular case do not clearly outweigh the identified harm by reason of inappropriateness, the harm to openness of the Green Belt and the harm to the character and appearance of the area. As a result, very special circumstances have not been demonstrated to justify allowing the appeal proposal.

Planning balance

28. This appeal must be determined in accordance with the development plan unless material considerations indicate otherwise. I have found that the appeal proposal conflicts with Policy 22 of the DPD in terms of Green Belt matters. I have also found that the appeal proposal conflicts with Policy 9 and Policy 20 of the DPD in terms of the effect of the appeal proposal on the character and appearance of the area. These policies are not inconsistent with the Framework. I have found that very special circumstances have not been demonstrated to justify the appeal proposal in this Green Belt location. Consequently, the national and local Green Belt policies provide clear reasons for refusing the development.
29. In summary therefore, in this particular case the other material considerations weighing in favour of the appeal scheme do not justify allowing the appeal, given the harm that has been identified and the resulting conflict with the development plan when taken as a whole.

Conclusion

30. For the reasons given, the appeal should be dismissed.

C Dillon

INSPECTOR