
Appeal Decision

Site visit made on 12 April 2022

by C McDonagh BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 May 2022

Appeal Ref: APP/H1033/W/21/3289368

Street Record, Bridgeholme Industrial Estate, Chinley SK23 6DX

- 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 Chris Sizeland against the decision of High Peak Borough Council.
 - The application Ref HPK/2021/0023, dated 20 January 2021, was refused by notice dated 1 October 2021.
 - The development proposed is a warehouse extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main parties have agreed that the proposal would represent inappropriate development in the Green Belt as defined in development plan policy and the National Planning Policy Framework (the Framework). I see no reason to dispute that position.
3. Therefore, the main issues are as follows:
 - The effect of the proposal on the openness of the Green Belt;
 - The effect of the proposal on the character and appearance of the area; and
 - Whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations and if so, whether this would amount to the very special circumstances required to justify the proposal.

Reasons

Openness of the Green Belt

4. The appeal site currently comprises a parcel of land located next to a large warehouse building within an industrial estate. The building proposed for expansion is formed of 3 distinct bays, and the scheme seeks to extend this with an additional bay of roughly the same scale.
5. Paragraph 137 of the Framework identifies that openness is one of the essential characteristics of Green Belts, along with their permanence. Openness has both a spatial and visual aspect and intrusion on either can, individually or

collectively, impact the openness of the Green Belt. Policy EQ4 of the High Peak Local Plan (LP) (adopted April 2016) is aligned with the Framework in this regard and seeks to protect the Green Belt and maintain its openness and permanence.

6. Despite its previous use for the disposal of waste and agreement between the parties that the site constitutes previously developed land, the appeal site remains free of built form at present. Inevitably, the erection of a large extension to the warehouse into this space would reduce openness spatially.
7. The proposal would also reduce openness visually, although that impact is reduced to a degree by the existing earth bund and mature tree and hedge cover around the site. Moreover, the majority of views of the structure would be from within the industrial estate given the location of the appeal site, while views from wider vantage points, including the public right of way, would be fleeting and limited.
8. I note that the appellant does not dispute there would be a loss of openness and I agree that, overall, this harm to the Green Belt as a result would be limited and localised. However, harm to the Green Belt would still occur regardless. The Framework states in paragraph 148 that when considering any planning application, substantial weight should be given to any harm to the Green Belt.

Character and Appearance

9. The appeal site is located beyond any defined settlement boundary and lies between the settlements of Chinley and Chapel-en-le-Frith. The industrial estate comprises several buildings of typical design adjacent the former mill. The surrounding area is predominantly rural in character, with only sporadic farm buildings and dwellings located nearby. The land subject to this appeal was evidently a former waste tip associated with the mill and at the time of my visit had two shipping containers, building materials and other equipment associated with the business stored upon it. It therefore makes a neutral contribution to the character and appearance of the area given its location and existing use in this context.
10. The proposed extension would be in keeping with the adjoining building in terms of its industrial appearance and would be viewed in the context of the wider industrial estate. I note the Council does not dispute this. Moreover, it would appear to be contained within the physical extent of the industrial estate, despite its location outside of the boundary as drawn on the Policies Map.
11. Although the building would be visually apparent from some viewpoints, in particular the public right of way which runs past the site, it would not be overbearing or intrusive in the landscape. I note this is demonstrated in the appellant's photographic evidence from local viewpoints. Any visual prominence would be further reduced through a landscaping scheme which could be secured via condition.
12. Overall, the proposal would cause a visual change to the site's appearance, although the impact on the wider landscape would be minimised by the existing earth bund and tree coverage. Therefore, the appeal proposal would assimilate

within its immediate context from local viewpoints and integrate and complement the character of the industrial estate.

13. Based on the above, the proposal would not cause harm to the character and appearance of the area, in accordance with Policies EQ2 and EQ3 of the LP. These seek to ensure development will protect, enhance and restore the landscape character of the Plan Area for its own intrinsic beauty and for its benefit to the economic, environmental and social well-being of the Plan Area. The proposal would also accord with the aims of the Framework, which advises in paragraph 174 that decision should protect and enhance valued landscapes while also recognising the intrinsic character and beauty of the countryside.

Other Considerations

14. There would be socio-economic benefits through the construction phase as a result of construction jobs. Moreover, the appellant advises that up to 4 full time jobs would be created by the expansion of the business itself. However, there is little information before me to substantiate this number, such as what these jobs would entail. The Council's regeneration officer supports the proposal from a business perspective, although they do regard the number of jobs created as 'modest'. The creation of jobs therefore carries positive weight in favour of the proposal, albeit this is moderate.
15. The increased spend within the local economy and increase in business rates collected by the Council to invest in other areas would also be of benefit in socio-economic terms, as would the increased industrial space in the Council area. This would accord with paragraph 81 of the Framework, which advises significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
16. Although I am informed that the proposal would help retain 20 existing jobs, there is little substantive information as to why this would be the case. The business has evidently expanded, particularly during the covid-19 pandemic, due to additional contracts to manufacture medical supplies among other things. This has carried with it the need to expand. As such, it seems unlikely that given this expansion that jobs are also at risk. Given the lack of evidence in this regard, I can therefore only attribute this argument limited weight.
17. My attention is drawn to appeals for ostensibly similar proposals in St Helens¹, Ripley² and Wigan³. I have been provided with Inspectors reports and decisions as well as the relevant Directions from the Secretary of State for these. However, from the limited information before me, these appear to be of substantially larger scale than the warehouse extension before me. While this may equate to a significantly greater impact on the openness of the Green Belt than the appeal proposal, they also appear to bring forth much greater benefits. For example, the St Helens scheme seems to involve the creation of nearly 3000 jobs which would have been of considerable benefit in an area which was subject to identified significant levels of social deprivation. As such, aside from obvious similarities such as the development types and their locations in Green Belts, I do not consider the examples directly comparable to

¹ APP/H4315/V/20/3265899

² APP/M1005/W/20/3265602

³ APP/V4250/V/20/3253242

the scheme before me, which I have assessed on its own merits. As such, I attach little weight to these considerations.

Green Belt Balance and Conclusion

18. As per the Framework, 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.
19. The proposal is agreed to be inappropriate development which is, by definition, harmful to the Green Belt. Furthermore, the proposal would reduce openness, causing further harm to the Green Belt, albeit to a limited degree. As per paragraph 148 of the Framework, these attract substantial weight against the proposal.
20. The socio-economic benefits of the proposal in terms of the expansion of the business, potential for additional jobs and associated socio-economic impacts of this would weigh significantly in favour of the scheme.
21. Although I have concluded that the proposal would not harm the character and appearance of the area, an absence of harm would not weigh in favour of the scheme and is neutral in the planning balance.
22. Based on the foregoing, although I agree there would be clear benefits to the scheme, these would not clearly outweigh the harm to the Green Belt, a matter which attracts substantial weight. For these reasons, it has not been demonstrated that very special circumstances exist which would justify the proposed development. In addition, the proposal would conflict with the Green Belt protection aims of the Framework and those of Policy EQ4 of the LP, which states that within the Green Belt, planning permission will not be granted for development unless it is in accordance with national planning policy.
23. The development would therefore conflict with the development plan taken as a whole and material considerations do not indicate that the decision should be made other than in accordance with the development plan. Therefore, I conclude that the appeal should be dismissed.

C McDonagh

INSPECTOR