
Appeal Decision

Site visit made on 17 May 2022 by G Sibley MPLAN MRTPI

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 June 2022

Appeal Ref: APP/H1840/D/21/3287190

Yew Tree Cottage, Addis Lane, Cutnall Green, Droitwich WR9 0NB

- 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 Messrs Rigby & Burford against the decision of Wychavon District Council.
 - The application Ref 21/00292/HP, dated 2 February 2021, was refused by notice dated 22 September 2021.
 - The development proposed is replacement garaging.
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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.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (Framework) and any relevant development plan policies
 - the effect on the openness of the Green Belt
 - if the development is inappropriate, whether the 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

4. The Framework establishes that new buildings within the Green Belt are inappropriate development subject to a number of exceptions (paragraphs 149 and 150). This includes an exception in paragraph 149 d) for the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

5. Policy SWDP2E of the South Worcestershire Development Plan (SWDP) (adopted 2016) states that development proposed within the Green Belt will be considered in accordance with national policy set out in the Framework.
6. The existing building is used as a garage and the proposal would be in the same use. Consequently, the proposal would comply with this element of the exception.
7. The existing garage is a flat roofed, single storey building slightly wider than one car. With the pitched roof proposed, the replacement garage would be a significantly taller building, while it would also be almost twice as wide as the existing. Consequently, there would be a stark difference in footprint, volume and overall scale between the existing and proposed garages. Therefore, the proposed replacement building would be materially larger than the one it would replace and would be inappropriate development in the Green Belt.

The effect on openness

8. The proposed garage would be located close to the roadside behind existing trees, a hedgerow and the fencing between this dwelling and Honeysuckle Cottage. The roof would be taller than the fence and would be visible from Addis Lane. The trees and hedgerows could be allowed to grow to be taller and thus provide additional screening, but the effect would be considerably less when they were not in leaf. Consequently, due to its scale and siting, the proposal would harm the visual openness of the Green Belt. Furthermore, by introducing a large structure into a currently undeveloped area, it would also harm openness in spatial terms.
9. The demolition of the existing garage would result in an improvement in visual and spatial openness of the part of the Green Belt close to the house. However, it is considerably smaller than the one proposed and located further from the roadside, so has a less harmful effect upon the openness of the Green Belt, both visually and spatially, than would the proposed garage. Consequently, its demolition would only offset the effect of the proposal. Overall, the proposal would erode the visual and spatial openness of the Green Belt.
10. The impact on openness would be limited due to the partial screening of the proposal, but nevertheless is a matter which I afford substantial harm, having regard to the Framework.

Other Considerations

11. 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.
12. The existing garage appears to be in poor condition and the flat roof and materials mean its design is not sympathetic to the host dwelling. The proposed white 'k' render, timber boarding with tiled roof would complement the materials and design of Yew Tree Cottage so would be appropriate for an outbuilding associated with this dwelling. The scale of the garage would be subordinate to the dwelling and its siting would clearly be related to the dwelling, despite being located forward of the front elevation. Therefore, the

proposed garage would not harm the character or appearance of the host property or surrounding area. Removal of the unsympathetically designed garage, which could be secured by a planning condition, would result in a visual improvement. Given the limited views of the existing garage however, the improvement would be small and carries limited weight.

13. The proposal would create a larger and more practical garage for the occupants of Yew Tree Cottage. Given the domestic scale of the proposal and because this would be a private benefit, I give this consideration very limited weight.

Whether very special circumstances exist

14. The proposed development would cause harm to the Green Belt by reason of inappropriateness and the reduction in the openness of the Green Belt and I attach substantial weight to those harms. The other considerations of the scheme do not, either individually or cumulatively, clearly outweigh the harm to the Green Belt. Consequently, the very special circumstances necessary to justify the development do not exist.

Conclusion and Recommendation

15. Accordingly, the proposal would conflict with SWDP Policy SWDP2 and the Framework and there are no material considerations that justify granting permission contrary to the development plan. Having had regard to all other matters raised, I recommend that the appeal should be dismissed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

16. 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