



Appeal Decision

Site visit made on 14 June 2022

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 June 2022

Appeal Ref: APP/W0530/D/21/3282801

Foxelwood, Station Road, Oakington and Westwick CB24 3AR

- 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 and Mrs Townsend against the decision of South Cambridgeshire District Council.
 - The application Ref 21/00781/HFUL, dated 19 February 2021, was refused by notice dated 22 June 2021.
 - The development proposed is the renovation of existing timber barn to home office and summer room. Construction of new open car port and two garages. Thinning of vegetation to front of dwelling to improve access and visibility to Station Road.
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Decision

1. The appeal is dismissed.

Background and Main Issues

2. The appeal proposal involved, amongst other matters, the conversion of existing outbuildings, the erection of a garage and works to a driveway. From the evidence before me, the main issues relevant to this appeal are:
 - whether the proposal represents an inappropriate development in the Green Belt;
 - the effect of the development upon the openness of the Green Belt; and
 - if the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether inappropriate development

3. The appeal site is located within the Green Belt. The National Planning Policy Framework (the Framework) regards the erection of new buildings within the Green Belt as generally being inappropriate. However, Paragraph 149 of the Framework is clear that there are some exceptions to this.
4. The evidence before me is indicative that the proposed development does not fall within one of the categories listed in Paragraph 149. In addition, the nature of the proposed development does not fall in one of the categories listed in Paragraph 150 of the Framework.

5. The proposed development would result in an increase in the overall level of built form at the appeal site. In consequence, the proposed development would conflict with the general principles of including land within the Green Belt. In particular, the proposed development would result in an encroachment of a more urban form into the countryside.
6. Although the proposed development would include elements that could not be described as new buildings, this would not overcome my findings in respect of the additional outbuilding that has been included within the appeal proposals.
7. The appeal proposal, taken as a whole, would not meet any of the exceptions identified in Paragraph 149 of the Framework. It would therefore constitute inappropriate development in the Green Belt.

Effect on openness

8. The proposed development would result in an increase in the overall level of built form at the appeal site. This would comprise the erection of the additional building, in addition to the extension and alterations to the driveways. Some planting would also be removed from the site.
9. Owing to the scale of the proposed development, it would be visible from several different vantage points within the surrounding area. In addition, the proposed development would be viewed alongside the existing dwelling, which features a single-storey projecting element. The proposed development would also be near to an existing outbuilding. In result, the appeal scheme would contribute to an enclosing, and more urbanised, effect at the front of the appeal site.
10. This would be exacerbated by the removal of some trees near to the front of the appeal site. This would afford the appeal proposal a greater degree of prominence. In addition, the proposal includes a lengthened driveway. This means that, from time to time, some vehicles may be parked on it. This would also erode the sense of openness. Although these trees are not protected, they contribute to a character that features generally limited amounts of development.
11. These factors, in unison, mean that the overall developments would result in an erosion of the physical sense of openness that is present within the green belt.
12. In addition, the proposed developments would also erode the spatial sense of openness that is an intrinsic feature of the green belt. This is due to the greater amount of build form and in particular the height and mass that the proposed development would have.
13. In reaching this view, I have had regard to the presence of landscaping elsewhere within the appeal site. Although this reduces views of the proposed development it does not screen them in its entirety. This means that the increase in built form would be readily perceptible from public vantage points, such as the nearby highway. In addition, some of the landscaping would be removed to facilitate the proposed development.
14. Furthermore, owing to the passage of time it is possible that due to ill health or indeed, any other reason, the planting at the appeal site could be reduced in size or scale. In consequence, this would result in a greater adverse effect upon the Green Belt's sense of openness.

15. Although it is possible that the planting may be retained throughout the life of the development the spatial sense of openness caused by the building would occur in any event. Therefore, the presence of the landscaping does not overcome my previous concerns.
16. I therefore conclude that the proposed developments would have an adverse effect on the sense of openness within the green belt. The development, in this regard, would conflict with the requirements of Policies HQ/1, NH/8 and S/7 of the South Cambridgeshire Local Plan (2018) (the Local Plan) and the Framework. Amongst other matters, these seek to ensure that developments do not have an adverse effect on the rural character and openness of the Green Belt; preserve or enhance the character of the local rural area and respond to its context in the wider landscape; and be appropriate to its location.

Other considerations

17. The proposed development would result in a widened access to the appeal site, which would also feature a change of surface treatment. However, given that the driveway would only serve a single dwelling only, it is unlikely that there would be a significant number of vehicle movements. This means that there is a diminished likelihood of gravel being dragged onto the road.
18. Furthermore, the number of vehicle movements combined with the speed limit of the road would mean that approaching motorists would have sufficient pre-warning of vehicles leaving the site. Although there is a commercial use nearby, drivers of vehicles leaving the site currently have sufficient visibility to ensure safe egress from the appeal site. Therefore, this matter can only be given a limited amount of weight.
19. The proposed development would result in improved living conditions for the occupiers of the proposed development, including their working environment. Whilst this is a matter of note the overall level of benefit would be small as it would purely affects the appellant and their family only. In addition, it has not been demonstrated that the only way of achieving these benefits is through the proposed development. Therefore, I give this matter a limited amount of weight
20. The proposed development would also generate some economic benefits through the construction process. However, such economic benefits would likely be small scale, localised in impact, and also of a time limited duration. In consequence this cannot be said to be a substantial benefit and accordingly I attribute this a limited amount of weight only.
21. The proposed development includes an electric vehicle charging point. However, it has not been demonstrated that this could only be provided within the proposed development. In result, this can only be attributed a limited amount of weight.

Other Matters

22. My attention has been drawn to Policy NH/3 of the Local Plan. This policy appears to be primarily concerned with protecting agricultural land. However, given that the appeal proposals are within the garden of the appellant's dwelling, they would not result in an adverse effect upon the functioning of

agricultural land. In consequence, I am unable to give this policy weight in my considerations.

23. The appeal site is located within the Westwick Conservation Area (the CA). However, given that I am dismissing the appeal, the proposed development would not result in an adverse effect upon the character and appearance of the CA. Whilst this is a matter of note, it does not outweigh my findings in respect of the main issues.

Planning Balance and Conclusion

24. The development plan and Framework set out the general presumption against inappropriate development within the Green Belt. They explain that such development should not be approved except in very special circumstances. Very special circumstances to justify inappropriate development will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
25. I have concluded that the appeal scheme would be inappropriate development and would, by definition, harm the Green Belt. In so doing I have found harm to the openness of the Green Belt. Paragraph 148 of the Framework requires substantial weight to be given to any harm to the Green Belt.
26. The other considerations I have identified individually and collectively carry a limited weight in favour of the proposal. As such the harm to the Green Belt is not clearly outweighed by the other considerations identified, and therefore the very special circumstances necessary to justify the development do not exist.
27. The scheme would therefore conflict with the development plan taken as a whole. There are no material considerations, including the Framework, that indicate the decision should be made other than in accordance with the development plan. Therefore, for the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR