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# Appeal Decision

Site visit made on 26 July 2022

**by Samuel Watson BA (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 16 August 2022**

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**Appeal Ref: APP/H1840/W/22/3296743**

**Pennyhill Farm, School Lane, Cutnall Green WR9 0PH**

- 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 Mrs Jane Bache against the decision of Wychavon District Council.
  - The application Ref 21/02931/FUL, dated 14 December 2021, was refused by notice dated 8 February 2022.
  - The development proposed is the conversion of 1no. existing redundant garage building, together with new build infill extension to form 1no. holiday let (non-permanent residences). 1No existing garage retained.
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## Decision

1. The appeal is dismissed.

## Main Issues

2. The appeal site is within the Green Belt and therefore, the main issues are:
  - Whether the proposal would be inappropriate development in the Green Belt, having regard to the revised National Planning Policy Framework (the Framework) and any relevant development plan policies;
  - the effect on the openness of the Green Belt; and,
  - whether the appeal site is suitable for new visitor accommodation.

## Reasons

### *Whether Inappropriate Development*

3. Paragraph 147 of the Framework establishes that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 states that substantial weight should 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, is clearly outweighed by other considerations.
4. Subject to a number of exceptions, as listed in Paragraphs 149 and 150, the Framework makes it clear that the construction of new buildings should be regarded as inappropriate in the Green Belt. The listed exceptions include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. Policy SWDP2 of the South Worcestershire Development Plan (the SWDP,

February 2016), in so far as it refers to the Green Belt and is relevant to the appeal before me, relies on the Green Belt requirements set out in the Framework and so, is consistent with it.

5. The appeal site covers a fairly large area which includes a range of buildings set around what appears to have formerly been a farmyard, and the lane leading up to these buildings. The yard itself is laid out in gravel. The proposal would relate to two detached garages which form a side of the yard and would include their extension and partial conversion to a holiday home. The appeal site is set away from the built-up area of Cutnall Green, within the open countryside. Whilst close to Cutnall Green it is separated from it by a large open space with only sporadic development.
6. The proposed extension would be of a footprint and height similar to that of the smaller of the two garages. Whilst I note the Council's concern regard the proportions of this extension, I find that it would not just be read as an extension of the smaller garage. Instead, the proposal would be, visually, an extension of both garages. In this context, the visual appearance and physical form of the proposed extension would be proportionate with the original buildings.
7. The extension would form part of the existing farmyard and would be read in connection with it, rather than the open fields adjacent to the site. Therefore, and given its small scale, it would not result in an unacceptable impact on the openness of the Green Belt.
8. Given the small scale, and context, of the proposed extension, it would be proportionate with the original buildings it connects and would not harm the openness of the Green Belt. Therefore, it would comply with Policy SWDP 2 as outlined above, as well as section 13 of the Framework, including Paragraphs 147 to 150.

#### *Suitability for Visitor Accommodation*

9. From the evidence before me, I understand that the appeal site is outside of, and does not adjoin, the development boundary for Cutnall Green. Policy SWDP 35 supports the provision of new visitor accommodation outside of development boundaries only where it can meet a number of requirements. The appellant has been silent with regards to whether the proposal would relate to any existing hospitality or visitor accommodation businesses, or to a farm seeking to diversify. Lacking any evidence to the contrary, I therefore find that the proposal would not meet these requirements.
10. However, I do find that the type and scale of the proposed accommodation would be appropriate for its location and that it would not unacceptably harm the living conditions of any neighbouring occupiers.
11. Moreover, the appellant has submitted that the proposal would meet one of the requirements, SWDP 35(v), as it would re-use a redundant rural building of permanent and substantial construction. It is clear from the evidence before me and my observations on site, that the building is, by way of its location, rural, and as a result of its construction, permanent and substantial.
12. Nevertheless, whilst the appellant has suggested that they have not used the single garage for the parking of motor vehicles in the last 15 years, I do not find that this necessarily means that the building is redundant. In particular, I

note the photographs within the appellant's bat report (dated 24 May 2021) that clearly show it being used for domestic storage. Such a use is typical of domestic garages and would give the building a use. Therefore, although not used for its intended purpose, the storage of motor vehicles, the single garage still has a purpose and use ancillary to the dwelling. In comparison, I find a redundant building could not be so easily, or viably, used without significant changes, such as those proposed under this scheme.

13. Whilst there may have been an increase in demand for holidays within the UK, and consequently for the provision of further visitor accommodation, Policy SWDP 35 does not set out any exceptions for such a consideration. Therefore, whilst I have been mindful of this matter, it has not been determinative in my considerations.
14. Therefore, whilst the proposal would meet some of the requirements set out under Policy SWDP 35 of the SWDP, it would not be within a suitable location for new visitor accommodation and would consequently conflict with the Council's spatial strategy. The proposal would not comply with Policies SWDP 2 and SWDP 35 of the SWDP which collectively, and amongst other matters, direct development, including visitor accommodation towards built-up areas.

### **Planning Balance and Conclusion**

15. The proposal is likely to result in a small and time-limited economic benefit during the construction phase, as well as some social and economic uplift resulting from future visitors. Given the small scale of the proposal, these benefits attract modest weight.
16. Conversely, the location of the proposal outside of a development boundary would undermine the Council's plan-led approach to the delivery of visitor accommodation, this matter attracts significant weight and outweighs the benefits associated with the proposed development.
17. The proposal would therefore conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict. Therefore, for the reasons outlined above, I conclude that the appeal should be dismissed.

*Samuel Watson*

INSPECTOR