



Appeal Decision

Site visit made on 9 November 2022

by Rachel Hall BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 January 2023

Appeal Ref: APP/J3720/W/22/3293521

Walnut Tree Cottage, Alcester Road, Little Alne, Aston Cantlow B95 6HW

- 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 R Hartwell against the decision of Stratford-on-Avon District Council.
 - The application Ref 21/02338/FUL, dated 19 July 2021, was refused by notice dated 28 January 2022.
 - The development proposed is construction of stable block, tack room and machinery store.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies;
 - the effect of the proposal on the character and appearance of the area; and
 - whether any 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

Inappropriate development

3. Policy CS.10 of the Stratford-on-Avon District Core Strategy 2011 to 2031 (July 2016) (Core Strategy) resists inappropriate development with reference to the provisions of national Green Belt policy. In addition, criterion d. of the Policy CS.10 confirms that the construction of new buildings and the carrying out of activities as defined in national planning policy is not inappropriate development.
4. Paragraph 147 of the National Planning Policy Framework (the Framework) confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 149 of the Framework sets out a number of exceptions to inappropriate development in the Green Belt. Paragraph 149 b) specifies that the provision of appropriate facilities for outdoor sport and recreation, would

not be inappropriate development, provided that the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. It is not a matter in dispute between the main parties that the proposed use would fall within this exception, being for outdoor sport and recreation. I concur. Therefore it is necessary to consider whether the proposal would preserve openness and would not conflict with the Green Belt purposes.

5. The appellant submits that the scale, height and bulk of the proposed building is appropriate for its intended use (and necessitated by it). Further, that taking into account the removal of the existing stable building, it would not harm the openness of the Green Belt. Whereas the Council finds that the proposed scale, height, bulk and position of the building would be harmful to Green Belt openness and its purposes.
6. Openness is an essential characteristic of the Green Belt that has both spatial and visual aspects. The proposed building would be approximately 19.2m long and 6m deep, resulting in a new footprint of 115 sqm. It would have a ridge line of 4.6m rising to 5.5m at one end. In contrast, the existing stable building to be removed has a much smaller footprint and a lower overall profile. It is therefore clear that there would be a spatial reduction in openness as a result of the appeal scheme, even taking into account the removal of the existing stable building.
7. The proposal would create an L-shape by joining on to the existing garage building that extends away from the house. The appeal site is positioned on ground slightly higher than the adjacent roads. The open post and rail fencing around the site and absence of hedges or planting allow clear views into the site. Therefore, the proposal would appear prominent when approaching from White House Hill as well as on the B4089 from the north. Consequently there would be a notable visual reduction in openness from White House Hill and the B4089.
8. Therefore, I find that the proposal would result in a moderate spatial and visual reduction in openness, even taking into account the intended removal of the existing stable building. I note that adjacent dwellings to the west of the site have outbuildings that are positioned further south than the proposed development. However, the proposal comprises a not insignificant extension to the existing built form within the appellant's plot, encroaching on land currently without buildings. Accordingly, it would result in a degree of conflict with the Green Belt purpose of safeguarding the countryside from encroachment. This would not be wholly offset by the removal of the existing stable which, whilst positioned further into the field, has a considerably smaller footprint and volume.
9. As such, the proposal would not satisfy the exception at paragraph 149 b) of the Framework. It would therefore amount to inappropriate development in the Green Belt. Accordingly, the proposal would also comprise inappropriate development under Policy CS.10 of the Core Strategy.

Character and appearance

10. The appeal site sits within an attractive rural landscape. It is somewhat elevated above the adjacent road which sweeps round the site at the junction between White House Hill and the B4089. The fields surrounding the appeal site are typical of those in the surrounding area, bound by post and rail

fencing. Consequently, there are open views of the appeal site from the road. Low rise, timber clad stable buildings with simple pitched roofs are also visible in nearby fields.

11. Houses in the vicinity are of varied but generally traditional form with pitched roofs and dormer windows. There is a predominance of red brick, painted brick and timber framed buildings. A number of houses appear to comprise brick barns that have been sensitively converted for residential use, some of which are arranged around informal courtyards. Consequently, the rural character of the area and the predominance of houses of a traditional form are defining positive features of the character and appearance of the area.
12. The existing site contains a detached garage building which appears relatively recently constructed. It has a pitched, tiled roof of a simple form and wooden cladding. It is of a scale that appears subservient to the main house that fronts on to the road. The proposed form of the stable would mimic that of the existing garage to a certain extent. The L-shape that it would create with the adjacent garage would result in a courtyard feel consistent with the style of other buildings in the locality. The red tiled roof would be in keeping with the adjacent garage and materials used on the main house as well as in the wider area. Whilst visible from adjacent roads and relatively prominent due to its position on higher ground, its functional appearance would appear appropriate to its rural location.
13. Consequently, the proposed scale, form, layout and materials would not harm the character and appearance of the surrounding area. Accordingly, it would comply with Policy CS.5 of the Core Strategy which generally seeks to maintain the character and quality of the landscape. It would also accord with Policy CS.9 of the Core Strategy which requires that developments achieve high quality design and are appropriate to the surrounding character and local distinctiveness. Similarly, the proposal would not harm the quality of the Arden Special Landscape Area which is designated for its particularly high quality landscape and scenic qualities. As such it would accord with Policy CS.12 of the Core Strategy which seeks to resist proposals that would harm the important features of the Special Landscape Area.
14. Furthermore, it would accord with Policy AS.10 of the Core Strategy which, amongst other matters, seeks to ensure proposals minimise impacts on local landscape, as well as providing some support for equine and equestrian related activities in rural areas. In addition, it would accord with paragraph 130 of the Framework, which seeks to ensure proposals are sympathetic to local character and their landscape setting.

Other considerations

15. The proposed use is accepted in principle under criterion (r) of Policy AS.10 of the Core Strategy, being equine and equestrian related development. Given that the proposal is not submitted as a tourism development or visitor attraction I find Policy CS.24 of the Core Strategy to be of limited relevance here. I have taken into account that the existing stable building is intended to be removed and that this could be secured by a planning condition. Though in need of repair, it is of a form and appearance that is typical of its rural location and as such it is not particularly prominent. Therefore its removal would result in only a very limited benefit to the character and appearance of the area. A

condition relating to additional landscaping would not reduce the harm to openness or Green Belt purposes in this instance.

16. I note that the size of the proposal has been kept to a minimum and a small number of expressions of support were submitted including from a neighbour and the CPRE. Nevertheless, an absence of harm from the siting and design of the proposal on the character and appearance of the surrounding area is a neutral consideration. Also neutral considerations are the absence of harm to the living conditions of neighbouring occupants and its effect on traffic.

Conclusion

17. I have identified that the proposal would be inappropriate development and by definition would harm the Green Belt. In accordance with paragraph 148 of the Framework I afford substantial weight to this harm.
18. For the reasons set out above the harm to the Green Belt would not be clearly outweighed by the other considerations and, therefore, the very special circumstances required to justify a grant of planning permission have not been demonstrated. Consequently, the appeal is dismissed.

Rachel Hall

INSPECTOR