



Appeal Decision

Site visit made on 14 February 2023

by G Bayliss BA (Hons) MA MA MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 3 March 2023

Appeal Ref: APP/C3430/W/22/3308340

The Farm Shop, Wrottesley Park Road, Perton, Staffordshire WV6 7HL

- 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 G Beard against the decision of South Staffordshire District Council.
 - The application Ref 22/00193/FUL, dated 21 February 2022, was refused by notice dated 25 July 2022.
 - The development is the siting of storage containers.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A number of containers identified as 'existing containers' on the submitted site plan have already been installed, therefore, with regard to this appeal, I am considering this part retrospectively. The same plan identifies an area for 'additional proposed containers' and are yet to be installed and are also the subject of this appeal.
3. Reason for Refusal No.4 refers to the application plans and No.5 relates to the Council working proactively with the applicant. However, as these reasons do not relate to the planning merits of the case before me, I haven't explored them further.

Main Issues

4. As the site lies within the West Midlands Green Belt, the main issues are:
 - Whether the development is inappropriate development in the Green Belt, including its effect on openness, having regard to the National Planning Policy Framework (the Framework) and relevant development plan policies;
 - The effect of the development on the character and appearance of the surrounding area; and
 - If inappropriate development, 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

5. The Framework identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence. It goes on to state that 'inappropriate development' in the Green Belt is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
6. Policy GB1 of the South Staffordshire Core Strategy 2012 (CS) seeks to protect the Green Belt from inappropriate development, unless the development accords with the Framework or other types of development listed in the policy. I am satisfied that CS Policy GB1 is broadly consistent with the Framework.
7. The appeal site is a strip of land to the north-east of The Farm Shop and contains 19 storage containers located to either side of an area of hardstanding with space to accommodate the additional containers identified on the proposed site plan. It is at right-angles to Wrottesley Park Road running away from the road with a conifer tree plantation to the rear and on the northern side. Between the containers and Wrottesley Park Road is an area of new hedging and several young conifer trees which largely reflect the proposed site plan. There is an area of mature trees to the rear of the Farm Shop, extending around to the conifer tree plantation, and the surrounding land is otherwise in agricultural use with an attractive rural character. On the opposite side of Wrottesley Park Road is a more extensive tract of woodland.
8. Paragraphs 149 and 150 of the Framework set out the categories of development which may be regarded as not inappropriate in the Green Belt, subject to certain conditions. Under Paragraph 150, certain other forms of development are not inappropriate development in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. Paragraph 150 e) refers to material changes in the use of the land and is relevant to this appeal.
9. It has been established that openness has both a spatial and visual aspect. In spatial terms, the footprint, height and volume of the containers has affected the openness of the Green Belt when compared to the previous undeveloped nature of the appeal site which was agricultural land without buildings. This impact would be exacerbated further by the installation of the proposed containers and collectively they would have a substantial footprint. The extensive area of hardstanding also impacts on that openness. Although the footprint of the containers and associated development may be considered a small proportion of the overall land area, and may be the smallest size required for their purpose, nevertheless, in spatial terms the development has reduced the Green Belt's openness.
10. Whilst the site is largely screened from more distant views of the wider landscape by existing trees, in closer views the development is readily seen from public vantage points. From Wrottesley Park Road opposite, the two rows of containers and central track are clearly viewed by road users and pedestrians, with the roadside trees only providing limited filtering of views which would diminish when the trees are not in leaf. Likewise, the containers are clearly in view from the Farm Shop car park and the open grassed area to

the side. The development is visually detached from other buildings and structures which makes the visual harm even more apparent. Also, there is the potential for more distant views to be revealed with the cutting of Christmas trees.

11. The planting immediately to the front of the containers alongside Wrottesley Park Road would assist in partly screening one viewpoint from the roadside but there would be no planting along the southern side leaving this widely visible from public vantage points. There is the potential to provide additional screen planting to assist in mitigating the visual harm, limiting to some extent public views. However, a reliance on screening by planting to mitigate an otherwise inappropriate development is not an effective means of managing visual impact. Also, limiting visual intrusion does not in itself mean that there is no impact on the openness of the Green Belt.
12. The development has introduced built form where previously there was none and by virtue of its physical presence results in a substantial loss of spatial and visual openness of the Green Belt. I find therefore that the appeal development does not preserve the openness of the Green Belt. Furthermore, it fails to safeguard the countryside from encroachment. Hence, there is conflict with the fundamental aim and one of the purposes of including land within the Green Belt contrary to paragraphs 137 and 138 of the Framework respectively. Therefore, it does not fall within the cited exceptions of the Framework. I conclude the appeal development is inappropriate development in the Green Belt for the purposes of CS Policy GB1 and the Framework. Inappropriate development and loss of openness are, by definition, harmful to the Green Belt and the Framework directs that substantial weight should be given to this harm.

Character and appearance

13. The surrounding countryside is characterised by its predominantly agricultural and wooded landscapes with Wrottesley Park, a local wildlife site, located across Wrottesley Park Road. Although I have noted the screening of distant views by the existing trees, and the development is associated with the farm shop alongside, the containers are not typical of structures seen en-mass in rural locations. The metal containers have an industrial and utilitarian appearance, out of keeping and incongruous in this rural location. Furthermore, their siting away from other structures, in a visibly detached location, exacerbates their presence and incongruity. Whilst the visual impact of the development has been minimised to some extent by the dark green of the containers and landscaping, the development is clearly apparent in local views and is an unexpected and discordant element in this agricultural landscape and clearly visible to passers-by. The development as a whole is not absorbed into the local landscape and is an incongruous and unwelcome intrusion into the area's rural character.
14. As such the development has a harmful effect on the character and appearance of the surrounding area and conflicts with CS Policies EQ4 and EQ11 which seek to respect local character and distinctiveness and take account of the sensitivities of the landscape. It also conflicts with one of the main objectives of the Framework which is to protect and enhance the natural environment.

Other considerations and very special circumstances

15. Very special circumstances would need to exist to justify granting permission for the development because it would constitute inappropriate development in the Green Belt and harm the openness. Paragraph 148 of the Framework advises that substantial weight should be given to any harm to the Green Belt and very special circumstances will not exist unless that harm, and any other harm, is clearly outweighed by other considerations.
16. The appellant advises that the site is an established small-scale retail hub with an existing Farm Shop, Christmas tree sales and consents for other buildings and extensions. The storage containers are to support farm diversification and partly serve the existing businesses operating on the site, acting as overflow storage for the Farm Shop and to store equipment associated with the Christmas tree farm. The containers also offer self-storage to local businesses and individuals, and the appellant states that with limited demand in the area the storage business has been successful.
17. The appellant states that the site offers convenient and easily accessible storage. Vehicular movements associated with the site are minimal with cars and vans generally visiting only weeks or months at a time. Heavy goods vehicles are unlikely to visit, reflecting the size of the storage units. The development therefore presents no highway issues or causes visual harm from vehicle movements. Furthermore, the hard surfacing is a permeable hardcore which presents no risk of flooding.
18. I have no evidence of what proportion of the containers are to support the existing businesses on the site or whether they represent largely stand-alone self-storage. In addition, there is no explanation as to why the site is visibly detached from the existing buildings and beyond the site of previously approved buildings and extensions. Furthermore, whilst the containers are temporary in nature and moveable, the permission sought is not a temporary consent so the harm to the Green Belt would be permanent.
19. Whilst the Framework and Local Plan Policy support the development and diversification of agricultural and other rural businesses, the appeal site is within the Green Belt with national and local policies to protect the countryside from encroachment and preserve openness. Whilst there may be a need to locate this development outside a settlement boundary, there is no compelling business case to demonstrate that the development will support the rural economy, that there is a demonstrable need in this particular area or evidence to demonstrate why this development could not be located elsewhere where it would not harm the Green Belt or convince me that the harm identified under the main issues would be justified. The other considerations in this case therefore carry limited weight.
20. Taken as a whole, I find that the other considerations in this case do not clearly outweigh the significant harm that I have identified. In concluding, therefore, the harm by reason of inappropriateness, and any other harm, would not be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal. As such, the proposal would be in conflict with CS Policy GB1 and the Framework.

Conclusion

21. For the reasons given above, having regard to the development plan as a whole and all other relevant material considerations, including the Framework, the appeal is dismissed.

G Bayliss

INSPECTOR