



Appeal Decision

Site visit made on 29 January 2024

by K Ford MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th March 2024

Appeal Ref: APP/J3015/W/23/3328297

Land at Meadow View Glamping Site, Mill Road, Stapleford, Nottingham NG9 8GD

- 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 Ian Shakespeare against the decision of Broxtowe Borough Council.
 - The application Ref 23/00338/FUL, dated 26 April 2023, was refused by notice dated 14 July 2023.
 - The development proposed is construct 2 bungalows and undertake access improvements.
-

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 National Planning Policy Framework (NPPF) and any relevant development plan policies.
 - The effect of the proposal on the openness of the Green Belt.
 - If the proposal is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Reasons

Inappropriate Development

3. The appeal site is an irregular shaped parcel of land accessed off Mill Lane. The site forms part of a wider area of land that has planning permission for a recreational use that includes glamping pods. Whilst part of the development has commenced, the 2 pods planned for the appeal site have not been constructed. The site currently contains some building materials and rubble. It is free from built development.
4. The site is located within the Green Belt. Paragraph 152 of the NPPF states that inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 154 of

the NPPF identifies that the construction of new buildings is inappropriate within the Green Belt subject to a number of exceptions.

5. Criterion g in paragraph 154 of the NPPF relates to the limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings) which would not have a greater impact on the openness of the Green Belt than the existing development.
6. The NPPF defines previously developed land as land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). Even if, as argued by the appellant, the land is classed as previously developed, whether the proposal would be inappropriate development would be dependent upon whether there would be a greater impact on openness.

Openness

7. Paragraph 142 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It identifies openness as an essential characteristic of the Green Belt. The Planning Practice Guidance states that assessing the impact of a proposal on the openness of the Green Belt requires a judgement based on the circumstances of the case. An assessment of openness is capable of having both spatial and visual aspects.
8. The glamping pods attached to a previous planning permission have not been built. As the site is free from built development the proposal would have a greater impact on the openness of the Green Belt in both visual and spatial terms. The development would not therefore preserve openness and would amount to inappropriate development. The development would be permanent in nature. The development would result in a loss of openness of the Green Belt and would conflict with the part of Policy 8 of the Broxtowe Part 2 Local Plan (2019) which requires applications for development in the Green Belt to be determined in accordance with the NPPF. The development would cause harm to the Green Belt to which I give significant weight.

Other Considerations

9. Paragraph 153 of the NPPF states that substantial weight should be given to the Green Belt and that 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.
10. The development would lead to the construction of 2 additional residential dwellings. However, the small scale of the scheme would mean that it would make a minimal contribution to the housing land supply which limits the weight I attribute to it, even taking into account the appellant's contention that the scheme would cater for older and disabled persons.
11. The appellant has made reference to the fallback position of the 2 glamping pods. However, the proposal would increase the footprint of permanent built development by half above that which has been approved. This along with features such as boundary treatments and domestic paraphernalia leads me to take the view that the proposal would have a greater impact on the Green Belt

than the fallback position, even when taking into account the proposed location of the dwellings in relation to the fallback position and the proposed design of the dwellings. This limits the weight I attach to the fallback position.

12. Reference has been made to the proposed improvements to the access lane which is in a poor state of repair. I accept that the improvements to the road surface, footway and street lighting would be of benefit to those accessing the nearby social club and other surrounding uses. However, the improvements could be made irrespective of the development. There is little before me to demonstrate that the dwellings are required to fund the works, as suggested by the appellant.

Planning Balance and Conclusion

13. The development would constitute inappropriate development in the Green Belt which by definition is harmful. The NPPF requires that substantial weight be attributed to the harm to the Green Belt. For the appeal to succeed the combined weight of other considerations must clearly outweigh the harm caused. The other considerations do not clearly outweigh the totality of the harm caused and so very special circumstances to justify the development do not exist.
14. For the reasons identified, I conclude that the appeal should be dismissed.

K Ford

INSPECTOR