
Appeal Decision

Site visit made on 28 June 2024

by S. Hartley BA (Hons) Dist.TP (Manc), DMS, MRTPI, MRICS

an Inspector appointed by the Secretary of State

Decision date: 11 July 2024

Appeal Ref: APP/P1805/D/24/3341678

Appletrees, Hanbury Road, Bromsgrove, Worcestershire B60 4AF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Tav Biran against the decision of Bromsgrove District Council.
 - The application Ref is 23/00894/FUL.
 - The development proposed is a detached garage and entrance gate.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appeal is made retrospectively for development already constructed.

Main Issues

3. The appeal site is located within the Green Belt. While the main parties disagree whether the detached garage and entrance gate should be considered to be either an extension or an outbuilding, there is agreement that the proposal would represent inappropriate development in the Green Belt, as defined in Policy BDP4 of the Bromsgrove District Plan 2017 (BDP), chapter 13 of the National Planning Policy Framework 2023 (the Framework) and the Council's High Quality Development Supplementary Planning Document 2019 (SPD). I concur with that position. Paragraph 153 of the Framework states that substantial weight should be given to any harm to the Green Belt.
4. Therefore, the main issues are (i) the effect of the proposed development upon the openness of the Green Belt and (ii) whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to very special circumstances to justify development.

Effect upon the openness of the Green Belt

5. The fundamental aim of the Green Belt is to keep land permanently open. Openness has both a visual and a spatial aspect. The garage, like the dwelling, is located behind a dense, mainly evergreen landscaped screen of trees and shrubs which mainly hides it from the road, though not entirely so from the public footpath which runs up the side of the property. While the garage adds to the scale of the dwelling, the visual impact upon openness is limited.
6. The appellant has referred to other dwellings to the rear and to approvals for associated garages. However, I have no information before me as to the

reasons which have led to their approval. In any event I have determined the appeal on its individual circumstances.

7. For the above reasons, I conclude that the proposal would not accord with Policy BDP4 of the BDP, with chapter 13 of the Framework or with the SPD which require development in the Green Belt to preserve openness. Policy BDP 1 of the BDP is not relevant in this context as it is concerned with sustainability, nor is policy DP19 which is concerned with high quality design.

Character and appearance

8. The appearance of the area is defined by the mixture of housing and commercial buildings set mainly in a surrounding rural area.
9. The garage, by its design, scale, the use of external materials and its subordinate appearance when compared to the extended host property, assimilates well into the area, and this is not diminished by the garage being in front of the main elevation to the dwelling. In any event, the garage is largely hidden from view from the road, if not entirely from the public footpath to the side but from where the garage and gates would be acceptably designed and would not cause harm to the character and appearance of the area.
10. Therefore, I conclude that the development accords with policies BDP1 and BDP19 of the BDP, chapter 12 of the Framework and the SPD. These require, amongst other things, high quality development which takes into account the character and distinctiveness of the local area.

Other Considerations

11. The development provides a more secure space for vehicles and for garden equipment. I afford this consideration limited weight.
12. The appellant considers that existing permitted development rights which apply to the dwelling, could have a greater impact upon openness than the garage. While it may be the case that permitted development rights do exist in terms of the existing property, I do not know the extent to which those rights would have a more harmful impact upon the openness of the Green Belt in relative terms. Furthermore, even if there were a greater than theoretical possibility of permitted development rights being exercised, the appellant has not provided me with evidence that they would seek to implement a particular permitted development scheme if this appeal were to be dismissed. I therefore afford this matter limited weight.

Planning Balance and Conclusion

13. I have concluded that the proposal as a whole would not cause harm to the character and appearance of the area. This carries neutral weight in the planning balance. Nonetheless, the development amounts to inappropriate development in the Green Belt and causes limited harm to the openness of the Green Belt. The harm to the Green Belt is a matter to which I afford substantial weight. Weighed against this harm is the advantage of having a secure area for the parking of vehicles and storing of garden equipment, and the potential for exercising permitted development rights elsewhere on the land. However, on balance, such material considerations do not carry enough positive weight to outweigh the harm that would be caused to the Green Belt.

14. I therefore conclude that the harm by reason of inappropriateness in the Green Belt, and the limited harm caused to the openness of the Green Belt, is not clearly outweighed by other considerations so as to amount to the very special circumstances needed to justify development. Therefore, the appeal is dismissed.

S. Hartley

INSPECTOR