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# Appeal Decision

Site visit made on 24 September 2024

**by Rachel Hall BSc MSc MRTPI**

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

**Decision date: 27 September 2024**

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**Appeal Ref: APP/R1845/W/24/3336770**

**Land at Goods Green Farm, Arley Lane, Shatterford DY12 1RU**

- 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 H Link & Ms K Archer against the decision of Wyre Forest District Council.
  - The application Ref is 23/0801/FUL.
  - The development proposed is 'conversion of building to create a holiday let (Use Class C3)'.
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## Decision

1. The appeal is allowed and planning permission is granted for conversion of building to create a holiday let (Use Class C3) at Land at Goods Green Farm, Arley Lane, Shatterford DY12 1RU in accordance with the terms of the application, Ref 23/0801/FUL, subject to the conditions in the attached schedule.

## Preliminary Matters

2. The description of development in the heading and decision above is taken from the Council's decision notice as this more accurately describes the nature of the proposal than the description on the original application form. This is consistent with the description in the appellant's appeal form.

## Main Issues

3. The main issues are:
  - whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (Framework) and any relevant development plan policies; and
  - the effect of the proposal on the character and appearance of the countryside.

## Reasons

*Whether inappropriate development*

4. Policy DM.22 of the Wyre Forest Local Plan 2016-2036 (April 2022) (Local Plan) sets out a number of circumstances under which development within

the Green Belt will be accepted. This includes criterion d. which allows for development comprising the re-use or conversion of a building that accords with policies on adaptation of rural buildings, with particular reference to Policies SP.11 and DM.10 of the Local Plan.

5. No substantive evidence is before me to indicate that Policy SP.11 on addressing rural housing needs is relevant to the appeal scheme. However, Policy DM.10 of the Local Plan applies. This supports farm diversification subject to a number of criteria. On the evidence before me I am satisfied that the proposal would comply with this policy in accordance with those criteria. The Council also reached the same conclusion.
6. Policy DM.29 of the Local Plan is also relevant to the consideration of the adaptation of rural buildings. It follows that this policy is relevant in assessing proposals against criterion d. of Policy DM.22. With respect to Policy DM.29 criterion a., I find that the existing building is of a suitable size to provide one-bed holiday accommodation with a shower room. Although the proposed accommodation would be without a kitchen, living or dining room, it is not essential for holiday accommodation to provide such facilities. In any event, it would provide basic facilities for an overnight stay in a pleasant rural environment. I note also that the site is in walking distance of a public house and restaurant. As such, I am not persuaded that an extension to provide a kitchen, living or dining space would be necessary. Moreover, one is not proposed here. Thus, the proposal complies with Policy DM.29 criterion a.
7. The proposed conversion would make only minor alterations to the external appearance of the building, with windows and doors proposed in locations where there are existing or former openings. A 1.1m high post and rail fence is proposed to enclose a modest area around the outside of the building. This style of fencing would retain a sense of openness and would appear in keeping with the rural character of the area. The use of that space for informal seating would not be detrimental to that character given the proposal is for a one-bed holiday let and consequently the number of occupants at any one time would be limited. Thus, the proposal complies with Policy DM.29 criterion b. Criterion c. is not relevant in the absence of evidence of impacts on heritage assets and historic farmsteads.
8. In addition, the proposal makes use of an existing access, in compliance with Policy DM.29 criterion d. A single parking space is proposed adjacent to the appeal building. Given the proposed use of grasscrete, the effect of this space on the character of the surrounding countryside would be highly limited. Moreover, no substantive evidence is before me to indicate that the proposal would harm the surrounding countryside, landscape, wildlife or local amenities (criterion e.). Furthermore, the proposal incorporates suitable drainage provisions (criterion f.). Accordingly, the appeal scheme would comply with Policy DM.29.
9. Returning to Policy DM.22, for the above reasons I find that the proposal complies with relevant Local Plan policies on adaptation of rural buildings. Therefore, it also comprises an acceptable form of development within the Green Belt, in accordance with Policy DM.22 criterion d.

10. In addition, paragraph 155 of the Framework sets out some exceptions to inappropriate development in the Green Belt. Of these, paragraph 155.d) is the re-use of buildings provided that the building is of permanent and substantial construction. To comply with this exception, proposals must also preserve Green Belt openness and not conflict with the purposes of including land within it. The building appears to be of a permanent and substantial construction, comprising brick walls with a tiled roof.
11. In respect of openness, the conversion of the building to a single bedroom holiday let would not change the volume or scale of built form. As reasoned above, provision of a low post and rail fence around the building would retain the sense of openness here. Although the addition of a grasscrete parking space would facilitate the parking of a vehicle adjacent to the building, the impact of a such a vehicle on openness would be transient. In any event, the use of the existing building for agricultural purposes could reasonably result in the regular parking of a vehicle in the vicinity of the building. No substantive evidence before me indicates otherwise. The proposed windows are modest in scale and are likely to be provided with internal curtains or blinds. As such, the impact of additional lighting within the building would not harm the openness of the Green Belt in visual terms.
12. In respect of the Green Belt purposes, the proposal makes use of an existing building with very limited alteration to its immediate surroundings, confined to a post and rail fence and grasscrete parking space. Accordingly, it would not contribute to unrestricted sprawl or amount to encroachment of the countryside. Thus, I find no conflict with the purposes of including land within the Green Belt. Accordingly, the proposal would fall within the exception to inappropriate development under paragraph 155.d).
13. As the proposal is not inappropriate development in the Green Belt, very special circumstances are not required to justify this appeal scheme.

#### *Character and appearance*

14. The appeal building comprises a standalone brick building with a simple pitched, tiled roof, situated towards the edge of an agricultural field. The proposed conversion of the building would retain its pleasing simplicity of form. Moreover, as reasoned above, the provision of windows and doors in existing or former openings, would not detract from the rural character of the building. Given the modest size of the proposed windows, I am not persuaded that lighting within the building would be harmful to the rural character of its surroundings. Furthermore, enclosure of a limited area of land around the building by a post and rail fence would not appear overly domesticated. The use of grasscrete for the parking space would also retain the rural character at the site entrance.
15. Therefore, the proposal would not harm the character and appearance of the existing building and surrounding area. Accordingly, as reasoned above, it would comply with the requirement in Policy DM29 for proposals to avoid harm to the character of the building and its surroundings (criterion b.). It would also comply with the similar requirements in Policy DM.10. I note that the Council also found compliance with Policy DM.10. In addition, the proposal would comply with Framework paragraph 135 which, amongst other

matters, requires that developments are designed to be sympathetic to the character of their surroundings.

### **Other Matters**

16. I acknowledge concerns raised by a small number of neighbours covering a range of matters. Nevertheless, as the appeal building is single storey, providing only one bedroom and well separated from nearby houses, it would not lead to harm to living conditions of existing residents with respect to privacy or noise disturbance. Whilst there may be more frequent comings and goings from occupants of the proposal, access arrangements are adequate for this modest proposal, without obstructing access to other properties. As one bedroom holiday accommodation, I find that it would be unlikely to affect availability of community facilities to any significant extent. Given the limited nature of the proposals I am satisfied that it would not be harmful to ecology or unacceptable with respect to pollution.

### **Conditions**

17. I have considered the conditions suggested by the Council, having regard to the six tests set out in the Framework. I have amended the wording of certain conditions in the interests of precision, without altering their meaning.
18. As well as the standard time condition, and for certainty, one is required to ensure that the development is carried out in accordance with the approved plans. A condition is necessary to require approval of external materials to ensure the development achieves an acceptable appearance. I have changed this to allow any below ground level works to be undertaken before the condition is required to be discharged. A condition requiring submission of bin storage details is necessary to achieve an acceptable design. Provision of a parking space prior to occupation is necessary to avoid nuisance to nearby occupants. I have not included a requirement for access and vehicle turning details as the proposal would make use of the existing access.
19. Given the policy context outlined above, a condition is necessary to ensure that the building is used only as short-term holiday accommodation and a register of occupants is kept. For simplicity I have combined three conditions suggested by the Council to that effect. Given the small scale nature of the proposals with limited external alterations, a condition requiring a preliminary ecological assessment is not necessary. Therefore, I have not imposed this suggested condition.

### **Conclusion**

20. The proposal would comply with the development plan as a whole, and there are no material considerations of sufficient weight to indicate that permission should be withheld. I therefore conclude that the appeal should be allowed.

*Rachel Hall*

INSPECTOR

### **Schedule of Conditions**

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following plans: Site Location Plan dated 24/10/2023; and Proposed Holiday Let 4468-02A.
- 3) No development above ground level shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 4) Prior to the occupation of the development hereby permitted details of the bin storage facilities shall be submitted to and approved by the local planning authority. The facilities shall be completed in accordance with the approved details before the building is occupied.
- 5) The development hereby permitted shall not be occupied until the vehicle parking space has been provided in accordance with drawing no 4468-02A. Thereafter that space shall be retained for the parking of vehicles only.
- 6) The development shall be occupied as holiday accommodation only and shall not be occupied as a sole or main place of residence or by any persons exceeding a period of 3 weeks in any 5 week period. An up-to-date register shall be kept at the holiday accommodation hereby permitted and be made available for inspection by the local planning authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and departure from the accommodation.