
Appeal Decision

Site visit made on 11 February 2025

by **U P Han BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 March 2025

Appeal Ref: APP/U4610/W/24/3352132

The Hawthorns, Wall Hill Road, Coventry CV7 8AD

- 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 Cliff Campbell against the decision of Coventry City Council.
 - The application Ref is PL/2023/0002541/FUL.
 - The development proposed is demolition of existing stables and erection of new outbuilding to serve as holiday let.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing stables and erection of new outbuilding to serve as holiday let at The Hawthorns, Wall Hill Road, Coventry CV7 8AD in accordance with the terms of the application, Ref PL/2023/0002541/FUL, subject to the conditions in the attached schedule.

Preliminary Matter

2. A revised National Planning Policy Framework (the Framework) was issued on 12 December 2024. Comments were sought from the main parties as to the relevance of the revised Framework to the appeal.

Main Issue

3. The main issue in this appeal is whether the appeal proposal would be inappropriate development in the Green Belt including its effect on openness and the purposes of including land within it, having regard to the Framework and the development plan

Reasons

4. The appeal site relates an existing building, a small area of hardstanding in front of it and a larger area of hardstanding which serves as the drive and parking area associated with The Hawthorns. The appeal building was formerly used as stables but is currently used for domestic storage purposes in connection with The Hawthorns which is a detached bungalow to the south of the site. The appeal building, which is of timber and brick construction with a corrugated metal sheet roof, is located in between a garage and other outbuilding associated with The Hawthorns. The appeal site is surrounded by mature trees and accessed via a long private drive from Wall Hill Road. The land associated with The Hawthorns comprises a large, landscaped garden area surrounded by a dense tree boundary. The site lies within Green Belt.
5. Policy GB1 of the Coventry City Council Local Plan (December 2017) (LP) seeks to resist inappropriate development in the Green Belt unless very special

circumstances exist. It goes on to say that development proposals in the Green Belt will be assessed against relevant national planning policy. In this respect, Policy GB1 is largely consistent with the Framework.

6. The Framework indicates 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 Framework goes on to establish that development in the Green Belt is inappropriate unless one of the specified exceptions applies. The Council contends that the proposal does not meet any of the exceptions listed in paragraph 154 of the Framework, while the appellant argues that it would constitute 'infill'.
7. Paragraph 154(e) of the Framework relates to limited infilling in villages. The appeal site is separated from the housing development¹ currently under construction to the north of the site by an open field. Given, the size of the gap between the appeal site and the housing development to the north of the appeal site, the proposal would not constitute limited infilling in a village. Therefore, the proposal would not fall to be considered not inappropriate under paragraph 154(e) of the Framework.
8. Paragraph 154(g) of the Framework relates to limited infilling or the partial or complete redevelopment of previously developed land (PDL) (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
9. PDL is clearly defined in the Glossary of the Framework. The Council is incorrect in suggesting that residential curtilages are excluded from that definition. Instead, the definition clarifies that 'land in built up areas such as residential gardens' is excluded from being PDL. The site is evidently not within a built up area and is occupied by a permanent structure and fixed surface infrastructure associated with the structure which have been lawfully developed. As such, the appeal site constitutes PDL under the definition found in the Glossary of the Framework, and the proposal would comprise the partial redevelopment of that land.
10. Openness is an essential characteristic of the Green Belt which has both spatial and visual aspects. The parties agree that the proposed development would not impact on the visual openness of the Green Belt, and I have no reason to disagree. The presence of mature trees immediately surrounding the appeal site and the dense boundary of mature trees bordering the wider land associated with The Hawthorns would limit the visual impact of the proposal on the openness of the Green Belt.
11. The proposed building would be taller and therefore have a larger volume than the existing building. However, its footprint would not be significantly greater than the existing building and be contained within the extent of the hard surfacing that exists directly in front of it. Consequently, the spatial impact of the proposal on the openness of the Green Belt would be limited given the modest scale of the proposed building.
12. For the reasons given, the proposed development would not cause substantial harm to the openness of the Green Belt. Thus, the proposal would not be inappropriate development in the Green Belt under paragraph 154(g) of the

¹ Ref. FUL/2021/2574 and OUT/2020/0325.

Framework. As such, the scheme would comply with Policy GB1 of the LP and the Framework.

13. Further, the proposed development would not impact negatively on the openness and character of the wider Coventry Green Belt due to its small scale and limited visual impact, thereby complying with Policy GB1 of the LP. Policy H3 relates to the provision of new housing so is not determinative in this appeal.

Conditions

14. The Council has provided a list of suggested planning conditions, which I have considered against the Framework and advice contained in the Planning Practice Guidance (PPG). Where appropriate, I have amended the wording for clarity and precision.
15. Along with the standard time condition, the approved plans should be specified to provide clarity and certainty.
16. A condition preventing the use of the proposed building as a sole or main place of residence and restricting the length of stay is necessary in the interests of clarity, to adequately control the use of the site and to ensure it serves its intended purpose.

Conclusion

17. The proposed development would not be inappropriate development in the Green Belt. Accordingly, it would comply with the development plan. There are no material considerations to indicate that a decision should be taken other than in accordance with it. For the reasons given above the appeal should be allowed.

U P Han

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following drawings and details: Location Plan P/01 Rev B, Site Plan P/02 Rev A, Proposed Floor Plan and Elevations P/03, Existing Stable Floor Plan and Elevations.
- 3) The development hereby permitted 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 28 days in any calendar year. 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.

End of Conditions