



Appeal Decision

Site visit made on 4 March 2025

by N Bromley BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 March 2025

Appeal Ref: APP/J3720/W/24/3349311

Eastern Hill Farm, Evesham Road, Astwood Bank, Redditch, Worcestershire B96 6DZ

- 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 J Howard against the decision of Stratford-on-Avon District Council.
 - The application Ref is 24/00634/FUL.
 - The development proposed is replacement dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council's third reason for refusal was with respect to the impact of the proposed building on protected trees. The appellant has provided an Arboricultural Survey, Impact Assessment and Protection Plan (the tree report), in order to address this reason for refusal. I acknowledge that the Council did not have the information with the original planning application, but the tree report does not materially alter the proposal, and it was submitted with the appeal submission in a timely manner. Therefore, having regard to the principles established in *Holborn Studios Ltd*¹, I am satisfied that no party, including the Council who have viewed the additional information, would be prejudiced by my assessing the scheme with regard to it.

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 (the Framework) and any relevant development plan policies;
 - the effect of the proposal on the openness of the Green Belt;
 - the effect of the proposal on the character and appearance of the area;
 - the effect of the proposal on existing trees; and
 - if the proposal would be inappropriate development, whether any harm by reason of inappropriateness and any other harm, would be clearly outweighed

¹ *Holborn Studios Ltd v The Council of the London Borough of Hackney* [2017] EWHC 2823

by other considerations so as to amount to the 'very special circumstances' required to justify the proposal.

Reasons

Whether inappropriate development

4. The appeal site comprises Eastern Hill Farm, which includes a farmhouse, garage and a collection of agricultural buildings. The site is in the Green Belt and within the open countryside.
5. The Framework establishes that new buildings in the Green Belt are inappropriate other than for specified exceptions that are set out in paragraph 154. The only relevant exception to the proposal, 154(d), is the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. Policy CS.10 of the Stratford-on-Avon Core Strategy 2011 to 2031 (the CS) includes a similar exception and is therefore consistent with the Framework.
6. The evidence indicates that the existing dwelling and garage have a volume of approximately 1443 cubic metres. The volume of the proposed dwelling would be 1622 cubic metres. Therefore, the volume of the proposed development would be 12.4% larger than the existing building.
7. The proposed dwelling would be repositioned within the plot and the design seeks to take advantage of the sloping topography of the land. As a result, the appellant suggests that 266 cubic metres of the proposed volume would be underground. However, although the front elevation of the proposal would be single storey, with a lower height than adjacent barns, the rear elevation would have a two storey height. Combined with its width and bulk it would have a commanding and imposing appearance, that would appear materially larger compared to the single storey garage and the existing farmhouse and its single storey extensions. It would also be more prominent in the landscape.
8. Consequently, for these reasons, the proposal would be materially larger than the buildings to be replaced, and the proposal does not comply with this exception, and it would be inappropriate development in the Green Belt, as set out in the Framework and Policy CS.10 of the CS.

Openness

9. Paragraph 142 of the Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 153 of the Framework further states that when considering any planning application, substantial weight should be given to any harm to the Green Belt, including harm to its openness. The national Planning Practice Guidance provides advice on the factors that can be taken into account when considering the potential impact of development on the openness of the Green Belt, with openness being capable of having both spatial and visual aspects.
10. Although the existing farmhouse, with various extensions, as well as the detached garage, have a generous footprint, the bulk of development is reduced by the single storey height of the extensions and garage.
11. In contrast, the proposed dwelling, due to the volume being consolidated into a single building, as well as its orientation and repositioning within the site, would be

more visually prominent than the existing buildings. In particular, the appearance of the proposal, with its large width, two storey height, including the two storey projecting gables and generous balcony, would be more dominant, with a starker appearance compared to the existing buildings. It would also be more visible from the B4092 Jill Lane (the B4092).

12. For these reasons, the appeal scheme would have a greater impact on the visual and spatial openness of the Green Belt than the current buildings and it would conflict with the fundamental aim of Green Belt policy which is to prevent urban sprawl by keeping land permanently open.

Character and appearance

13. The site lies on the edge but outside the settlement, within the Arden Special Landscape Area. The area is characterised by an attractive rural landscape, with an undulating topography, which allows open views across the landscape. Clusters of buildings and dwellings are sporadic.
14. The farmhouse and detached garage form part of a group of buildings arranged in a tight cluster, accessed via a long track off the A441 Evesham Road. The cluster of buildings are in a state of disrepair, and the farmhouse has a number of large extensions.
15. The existing buildings include barns with a timber frame construction, primarily brick built with pitched tiled roofs. The Council indicates that one of the barns within the group is a non-designated heritage asset (NDHA). However, the barn is not on an adopted Local List and information is otherwise limited.
16. Although the buildings are in a state of disrepair, and the farmhouse has been extended with unsympathetic extensions, the group of buildings have a traditional appearance within a farmstead setting. As such, whether the barn is an NDHA or not, it has some value within the context of the small cluster of farm buildings.
17. The cluster of buildings, due to their arrangement, form and traditional appearance, naturally and sympathetically blend into the landscape. In contrast, the proposed dwelling would be more visible within the landscape, in part due to its orientation and it being repositioned within the site.
18. Furthermore, despite attempts to reduce the height of the proposal, by setting the building into the hillside, the scale and width of the two storey rear elevation would be highly visible from various vantage points along the B4092. The two storey projecting gable features on the rear elevation would also be overly dominant, exacerbating the scale and prominence of the proposal.
19. The hipped roof design of the proposed dwelling would also be at odds with the pitched roofs of the existing buildings. In addition, while the facing materials and certain design features have sought to reflect nearby farm buildings, the split-level design, large width and modern design of the proposal would not be reflective of the design and appearance of the existing buildings within the site.
20. Overall, even though the front elevation would be unobtrusive, for the reasons given, the proposed dwelling would not be sympathetic to the group of buildings within the site, and it would also be an imposing and discordant building within the landscape.

21. Collectively, for the above reasons, I conclude that the proposal would be harmful to the character and appearance of the area. Therefore, the proposed development would fail to accord with Policies CS.5, CS.8, CS.9, CS.12, CS.20 and AS.10 of the CS, which together and amongst other things, require high quality design that reflects the local distinctiveness and historic character of the landscape, and result in visual enhancement.

Trees

22. The repositioned location and orientation of the proposed dwelling would be closer to a number of trees compared to the existing buildings. The tree report identifies that there are three category B - moderate quality trees, and four category C - low quality trees, in proximity to the proposed dwelling.
23. The tree report sufficiently demonstrates that subject to tree protection measures, which could be secured by a suitably worded planning condition, the trees can be retained. Therefore, without any substantive evidence to the contrary, I am satisfied that the proposed development would not harm visually significant trees.
24. For the reasons given above, I conclude that the proposal would not be harmful to existing trees. As such, it would not conflict with Policy CS.5 of the CS, which seeks to protect trees within the landscape.

Other Considerations

25. The replacement of existing unoccupied and dilapidated buildings, which have been the subject of vandalism and anti-social behaviour, would bring the site and dwelling back into use. The proposed dwelling has also been designed and orientated to optimise passive solar gain, lowering energy consumption and operational costs, and it would be constructed to higher standards of insulation and air permeability. The use of renewable and energy efficient heating systems would also ensure a highly sustainable and energy efficient home for the future occupants. Nevertheless, the incorporation of these proven renewable energy techniques would have limited weight in favour of the scheme.
26. No objections have been raised with regards to highway safety or parking arrangements, the effect on biodiversity, drainage provision, the standard of amenity for future occupiers or the effect on neighbouring living conditions. The proposal would also not harm existing trees. However, these are requirements of planning policy and taken together they carry neutral weight.

Green Belt Balance

27. The proposed development would be inappropriate development in the Green Belt which in line with Paragraph 153 of the Framework is harmful by definition. I have also found that the appeal proposal would reduce the openness of the Green Belt which also amounts to harm and carries substantial weight. The proposal would also be unacceptably harmful to the character and appearance of the area.
28. I have given some weight to the other considerations in favour of the proposal, as set out above. However, they do not clearly outweigh the harm arising from the proposal. Consequently, the 'very special circumstances' necessary to justify inappropriate development in the Green Belt do not exist. The development would thus conflict with the Green Belt protection aims of the Framework, and Policies CS.5, CS.8, CS.9, CS.10, CS.12, CS.20 and AS.10 of the CS.

Conclusion

29. For the reasons given above, I conclude that the appeal should be dismissed.

N Bromley

INSPECTOR