



Appeal Decision

Site visit made on 18 March 2025

by L C Hughes BA (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 April 2025

Appeal Ref: APP/G4240/W/24/3352897

Land To The West Of The Billy Goat Public House, Stamford Street, Mossley, Tameside OL5 0JS

- 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 & Mrs Cooper against the decision of Tameside Metropolitan Borough Council.
 - The application Ref is 24/00179/FUL.
 - The development proposed is conversion and extension of stables to dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 12 December 2024 the Government published a revised National Planning Policy Framework (the Framework). Both parties have had the opportunity to comment on any implications for the appeal, and I have taken comments received into account. Where references are made to paragraph numbers of the Framework, these are references to the most recent version.
3. I have taken the full address of the proposed development from the Council's decision notice, for certainty.

Main Issues

4. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt, and its effect on the openness of the Green Belt, having regard to the Framework and any relevant development plan policies; and
 - whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development

5. The appeal site lies within the Greater Manchester Green Belt. The Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Inappropriate development is, by definition,

harmful to the Green Belt and should not be approved except in very special circumstances.

6. Paragraph 154 of the Framework establishes that new development in the Green Belt would be inappropriate unless it would meet a listed exception. Paragraphs (a) to (g) relate to specific types of development that would be deemed to be not inappropriate. Paragraph 154 (h) relates to other forms of development that would be not inappropriate provided they would preserve the openness of the Green Belt and would not conflict with the purposes of including land within it. One form of development detailed in Paragraph 154 (h) (iv) is the re-use of buildings, provided that the buildings are of permanent and substantial construction.
7. The proposal would see the re-use of buildings at the appeal site, which would be converted and extended into a dwelling. There is dispute between the main parties as to whether the buildings can be considered to be of permanent and substantial construction. Permanent and substantial construction is not defined in the Framework and is inevitably a matter of planning judgement.
8. From the submitted information and what I observed on site, the buildings have been in existence for a number of years, and as such can be described as permanent constructions.
9. An engineer's report dated February 2024 was submitted with the appeal. Whilst the Council suggest that the report findings were based off a visual inspection of the buildings from long-range views from the highway, there is no substantive evidence before me to suggest that a thorough inspection of the buildings was not undertaken. The report indicates that the building has externally clad walls typically constructed from loadbearing timber studding, and timber purloins supporting a corrugated sheet roof. The survey recommends that work to facilitate the proposal should include strengthening the roof and new metal roof cladding, insulating and screeding the floor slab, recladding the walls externally, and new insulation. New openings would also be required for proposed windows and doors.
10. However, whilst the engineer's report concluded that the buildings are suitable for refurbishment, from my site visit I noted that the buildings, particularly parts of the roof and walls, were in a somewhat deteriorated state, and there was evidence of deteriorated timber. The report refers to the roof being strengthened and clad in metal, and the walls being reclad externally, and lined internally, but the report is brief and there is little to specify the extent of the necessary re-building, and no information in the report regarding the foundations. Moreover, the submitted plans show limited detail relating to the construction of the dwelling.
11. As such, based on the evidence before me and from my observations on site, I cannot be satisfied that the buildings are of substantial construction. Even if I had been able to conclude that the buildings were of substantial construction, to not be considered inappropriate, the proposal would need to preserve the openness of the Green Belt.
12. The Framework identifies that the essential characteristics of Green Belts are their openness and permanence. The concept of Green Belt openness has both a spatial and visual dimension.

13. There are already buildings on the appeal site, and the proposed development would not see a large increase in the floorspace and volume of the existing buildings. The impact on openness in spatial terms would therefore be minimal.
14. However, the proposal would see the introduction of a vehicular access and a new driveway and parking area. The introduction of a dwelling at the appeal site would see increased comings and goings, lighting of the property, boundary treatments, the formation of a residential garden, along with domestic paraphernalia in terms of refuse storage, facilities for drying clothes, outbuildings, garden furniture and play equipment.
15. The proposal is for a single dwelling and as such the level of parking and residential paraphernalia may be limited. The single-storey proposal would also benefit from screening from vegetation and landscape features. However, the proposal sits in a relatively open and elevated position and the introduction of new domestic features would impact on the visual aspect of openness.
16. Overall, whilst there would be no harm to the spatial dimension of the openness of the Green Belt, there would be harm to the visual dimension, albeit modest and localised. This would be contrary to the Framework.
17. The appellants have contended that the development might also be considered to fall under the exception to inappropriate development at paragraph 154 (g) of the Framework, relating to the partial or complete redevelopment of previously developed land which would not cause substantial harm to the openness of the Green Belt. As the proposal is for the re-use of a building rather than the site's partial or complete redevelopment, paragraph 154 (g) fails to apply.
18. The updated Framework has introduced the concept of grey belt land. This establishes that development would not be regarded as inappropriate where it would utilise grey belt land and would not fundamentally undermine the purposes of the remaining Green Belt; where it would meet a demonstrable need; would be in a sustainable location; and (where applicable) meets the 'Golden Rules'.
19. Even if I were to accept that the appeal site does not strongly contribute to the purposes of the Green Belt relating to unrestricted sprawl, the merging of towns or the setting of historic towns, in order for development not to be regarded as inappropriate the use of grey belt land must satisfy a demonstrable unmet need for the type of development proposed. Whilst the appellants have provided evidence to demonstrate that there is a shortfall of bungalows in the borough, which the proposal would help to redress, footnote 56 of the Framework indicates that in the case of applications on grey belt land, involving the provision of housing, demonstrable unmet need means the lack of a five-year supply of deliverable housing sites. From the evidence before me, the Council is able to demonstrate a five-year deliverable supply of housing land. Consequently, the proposal would not meet the relevant provisions of paragraph 155, and this paragraph does not render the development not inappropriate.
20. The proposal would therefore comprise inappropriate development which is by definition harmful to the Green Belt. It would be contrary to the Framework, and to Policy JP-G9 of the Places for Everyone Joint Development Plan Document (PfE) which reiterates the purposes of the Green Belt as set out in the Framework.

Other Considerations

21. Whilst the Council is able to demonstrate a five-year deliverable supply of housing land, the evidence before me indicates that only 6.7% of dwellings in the borough are bungalows. Given the aging profile of the borough, the demand for this type of accommodation is expected to increase. Although there is no mechanism before me to ensure that the proposed dwelling would be occupied by older people, the provision of an additional bungalow to the local housing market would be a benefit of the proposed development. The proposal would also support the Government's objective of significantly boosting the supply of homes. I have given these considerations moderate weight.
22. The development would generate economic activity during the construction of the dwelling and local tradesmen would also benefit from the construction. However, given the scale of the proposal this would be to a limited degree and for a limited period of time. I therefore afford this consideration limited weight.
23. The proposal would re-use existing buildings rather than introduce new buildings in the Green Belt. However, given my findings on the proposal's effect on the visual openness of the Green Belt, I give this consideration limited weight.
24. The proposal would satisfy residential space standards and would provide environmental improvements by meeting Building Regulation standards. However, these are requirements of planning policy and they carry neutral weight.

Green Belt Balance and Conclusion

25. The Framework requires that substantial weight is given to any harm to the Green Belt, including harm to its openness, and states that very special circumstances will not exist unless harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
26. I have found harm to the Green Belt by reason of the proposed development's inappropriateness, and harm to the openness of the Green Belt.
27. Weighed against that are the other considerations set out above. However, for the reasons given I give moderate weight to the contribution of a bungalow to the housing supply, and limited weight to the re-use of existing buildings and the benefits to local tradesmen during the construction period.
28. Consequently, those other considerations would not, in their totality, clearly outweigh the harm that I have identified. Therefore, 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 Policy JP-G9 of PfE.
29. The development would conflict with the development plan taken as a whole and material considerations do not indicate that the decision should be made other than in accordance with the development plan.
30. As a result, the appeal should be dismissed.

L C Hughes INSPECTOR