

## Report for Information

## APPENDIX 2

### Appeal made against the refusal of planning permission

<b>Appeal reference</b>	APP/P1805/D/11/2150620
<b>Planning Application</b>	10/1191-TC
<b>Proposal</b>	Erection of a timber garden shed/store.
<b>Location</b>	Owl Barn, Tack Farm Barns, Hewell Lane, Redditch, B97 6QH
<b>Ward</b>	Tardebigge
<b>Decision</b>	Refused; 4th March 2011.

The author of this report is Tim Collard who can be contacted on 01527 881334 (e-mail: [t.collard@bromsgrove.gov.uk](mailto:t.collard@bromsgrove.gov.uk)) for more information.

### Discussion

The proposal was to erect a timber garden shed/store in the garden curtilage of Owl Barn, Tack Farm.

The Inspector considered there were three main issues:

- whether the shed is inappropriate development for the purposes of Planning Policy Guidance: *Green Belts* (PPG2) and development plan policy;
- its effect on the openness of the Green Belt and the purposes of including land in the Green Belt;
- its effect on the character and appearance of the surrounding area; and, if it is inappropriate development, whether the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

At the site visit the Inspector observed that the shed has been substantially completed. Consequently this appeal was dealt with as relating to an application for retrospective planning permission.

The Inspector noted that the appeal site is within the Green Belt, as designated in the development plan. The shed is too remote from the existing dwelling to be considered to be an extension, which could be one of the exceptions to new buildings inside a Green Belt being inappropriate, given in paragraph 3.4 of PPG2. In these circumstances, the development represents inappropriate development for the purposes of PPG2, which is not contested.

The Inspector noted in terms of the harm that the shed causes, inappropriate development is, by definition, harmful to the Green Belt. Substantial weight will be given to harm to the Green Belt, in accordance with paragraph 3.2 of PPG2. The shed has a relatively large footprint and is located away from the main dwelling, on the edge of the cluster of buildings that consist of Tack Farm Barns and close to the boundary with an open field. Although it is near to an outbuilding and garage that are within the curtilage of Lilly Cottage, which fronts Hewell Lane, it is a free standing building that adds to the built development that is visible within the rural setting. As such, it fails to preserve the openness of the Green Belt and encroaches on the countryside, which is contrary to one of the purposes of the Green Belt given in paragraph 1.5 of PPG2.

Turning to character and appearance, the shed has a domestic appearance, with a prominent pitched felt roof to be finished in wood chippings, and dark stained timber walls that are significantly different from the predominantly brick construction of the main building and most of the other nearby buildings. It stands out as an incongruous structure near the brow of a hill, and is visible across the surrounding attractive rolling countryside. As such, it increases the urbanisation of the rural setting and therefore harms the character and appearance of the area.

With regard to other considerations, the appellants suggested that the building is a similar size to that which could be built under permitted development rights had they not been removed under a planning condition. The Council's Supplementary Planning Guidance Note 7: *Extensions to Dwellings in the Green Belt* (SPG) gives this as an example of a consideration that may amount to the very special circumstances, but the SPG indicates that the local planning authority will assess the weight to be attributed to it. In this respect, the shed is not visually closely related to the dwelling house and is a relatively large structure. Also, the Inspector observed at the site visit that the extent of built development within the curtilage is currently being increased by the construction of a previously permitted extension to the house. Therefore, in the above circumstances, the matter regarding permitted development rights does not carry any significant weight.

The appellants have referred to a possible strategic housing site that has been identified as Option 1 on a concept masterplan. However, the Inspector was given limited details to determine the feasibility of this site for housing and how advanced any proposals are in terms of the development plan policies. Therefore, only limited weight was attached to this consideration.

The appellants indicated that the shed is required for storage and, without it, the garden equipment will need to either be stored outside, which would be intrusive to the Green Belt, or stored away from the site, which would increase vehicle use to fetch it. However, the shed is a permanent structure that increases the coverage of land by built development and reduces its openness. Such

encroachments may, in themselves, have little effect but they can be repeated too often and the cumulative effect could be considerable. Therefore, the Inspector gave very little weight to the need to store garden equipment.

Taking account of the above, the Inspector found that the appellants have not put forward other considerations that are sufficient to clearly outweigh the harm identified.

For the reasons given, the Inspector found that the shed is inappropriate development, reduces the openness of the Green Belt, and has an adverse effect on the purposes of including land in the Green Belt and the character and appearance of the surrounding area. Other considerations in this case do not clearly outweigh the harm the Inspector identified, and the very special circumstances necessary to justify the development do not exist. As such, the development conflicts with PPG2; Worcestershire County Structure Plan 1996-2011 policies D.38 and D.39, and Bromsgrove District Local Plan 2004, policies DS2, DS13 and C4. Therefore, having regard to all matters raised, the Inspector concluded that the appeal should fail.

#### **Costs application**

No application for costs was made.

#### **Appeal outcome**

The appeal was **DISMISSED**.

#### **Recommendation**

**The Committee is asked to RESOLVE that the item of information be noted.**