

**Appeal made against the refusal of planning permission**

<b>Appeal reference</b>	APP/P1805/D/11/2158029
<b>Planning Application</b>	11/0355-SG
<b>Proposal</b>	Erection of an oak framed single storey car port and garden equipment store
<b>Location</b>	Hay Barn, Lower Gambolds Lane, Finstall, Bromsgrove, B60 3BP
<b>Ward</b>	Tardebigge
<b>Decision</b>	Refused (Delegated decision) - 13th June 2011

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**Discussion**

The development proposed has already been carried out. The development proposed is the erection of an oak framed single storey car port and garden equipment store.

The application was determined under delegated powers and refused on the basis of harm to the Green Belt and impact on the character and setting of the converted rural building. The reasons for refusal are noted below:

1. The outbuilding represents an inappropriate form of development in the Green Belt which is harm the openness of the Green Belt. No very special circumstances exist or have been put forward which outweigh the harm caused. As such, the development is contrary to policy DS2 of the Bromsgrove District Local Plan 2004, policies D.38 and D.39 of the Worcestershire County Structure Plan 2001 and the provisions of Planning Policy Guidance 2: Green Belts.
2. The form and design of the outbuilding has a detrimental impact on the character and setting of the converted rural building contrary to Policy DS13 of the Bromsgrove District Local Plan; the Council's Supplementary Planning Guidance Note 4 'The Conversion of Rural Buildings' and PPS3: Housing.

It is noted that Hay Barn is a dwelling converted from a barn, located in the countryside. The car port lies to the south of the dwelling, some 50-60m away, separated by a garden, a shared access and other outbuildings which do not form part of this proposal.

With regard to the effect of the proposal on the openness of the Green Belt: the Inspector notes that the structure is a substantial one, measuring about 17m by 6m; although it is open at the front and rear, the long roof at about 4 - 4.2m high, and the enclosed ends give the building an impression of solidity. It is located adjacent two much smaller outbuildings, but otherwise stands in a largely open area. Due to its size and position, the Inspector found that the development resulted in a significant loss of openness of the Green Belt. As Planning Policy Guidance Note 2: Green Belts (PPG2) says that openness is the most important attribute of the Green Belt, the harm that this causes is weighty.

With regard to character and appearance, the Inspector notes the appellant's claim that the car port cannot be seen from the road. Contrary to this, the Inspector considered the extent of screening provided by the hedgerow to be variable and that the car port can be seen clearly in some places and glimpsed in others through gaps in the foliage. When the deciduous parts of the hedgerow are not in leaf, the Inspector notes that the car port would be even more evident.

The Inspector considers the building stands out because of its size and position within an otherwise sparsely development countryside location, and is therefore an incongruous feature in the rural landscape, poorly related to the converted dwelling. The proposal was considered to result in the marked consolidation of existing buildings and the cumulative effect would be to compete with the parent building. Thus, the Inspector agreed that the development is harmful to the character and appearance of the countryside and to the setting of Hay Barn.

The appellant argued that the car port was erected under the belief that it was permitted development. The Inspector attached little weight to this misunderstanding. While the development does not pose any harm to the living conditions of neighbours, the Inspector considers that such a lack of harm does not result in any benefit that might outweigh the other harm identified.

Overall, the Inspector found that the development causes significant harm through loss of openness and to the character and appearance of the area and setting of Hay Barn. The other considerations argued in favour of the proposal were found to carry modest weight, but did not clearly outweigh the harm found to exist. Accordingly the very special circumstances necessary to justify the development do not exist in this case.

It was therefore determined that the appeal should be dismissed.

### **Costs application**

No application for costs was made.

**Appeal outcome**

The appeal was **DISMISSED** (27th October 2011).

**Recommendation**

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