

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

<b>Appeal reference</b>	APP/P1805/A/11/2154806
<b>Planning Application</b>	11/0157-SC
<b>Proposal</b>	Proposed creation of a private driveway and landscaping
<b>Location</b>	White Lodge Barn, Holy Cross Lane, Belbroughton, DY9 9UB
<b>Ward</b>	Furlongs
<b>Decision</b>	Refused (Delegated decision) - 20th April 2011

The author of this report is Stuart Castle who can be contacted on 01527 881342 (e-mail: s.castle@bromsgrove.gov.uk) for more information.

**Discussion**

The proposal was for the creation of a private drive by utilising an approved field access, and landscaping.

The application was determined under delegated powers and refused due to the following reason as detailed below:

1. The proposed driveway would represent an inappropriate form of development in the Green Belt contrary to policies D.38 and D.39 of the Worcestershire County Structure Plan 2001, policy DS2 of the Bromsgrove District Local Plan 2004 and the advice contained within PPG2: Green Belts. The proposal would cause clear harm to the visual amenity and rural character of the Green Belt and no very special circumstances have been put forward that would outweigh this harm.

The Inspector found the main issues to be its Green Belt location and:

- Whether the proposal constitutes inappropriate development in the Green Belt;
- Whether the proposal would injure the visual amenities of the Green Belt or jeopardise highway safety; and
- Whether any 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.

## **The Proposal**

The proposed driveway runs from a recently approved farm access on Holy Cross Lane straight across a field to White Lodge Barn. It would be about 140m long and it would be bounded by fencing and hedges. Its primary purpose would be to serve that dwelling, though it would also provide access to the 2 fields to either side.

The Inspector confirms the proposal would involve no changes to the junction with Holy Cross Lane over and above those already permitted in connection with the farm access. Consequently, the merits of the scheme rest on the impact of the new drive itself, together with the fencing and hedges to either side.

## **Details**

Primarily the Inspector refers to Planning Policy Guidance 2 *Green Belts* (PPG2) which says inappropriate development is by definition harmful to the Green Belt, and great weight is to be given to the harm arising from inappropriateness when considering such development. The guidance states that engineering and other operations, which would include the proposal, would be inappropriate development unless it was able to maintain openness and did not conflict with the purposes of including land in the Green Belt.

The Inspector noted whilst the proposed new drive would follow the surface of the field and would have a stone finish it would still constitute hard development within this rural landscape. Furthermore, its effect would be emphasised by its straight alignment, by its length, by the fences to either side and by the manner in which it would rise up the slope to its crest some 3 to 4m above the lane. Consequently the Inspector felt it would not maintain the current sense of openness that is created by this undeveloped field. Moreover, because of its nature and form the new drive would constitute an encroachment of development into this area of countryside, and so would conflict with the purposes of including land in the Green Belt given in PPG2.

In terms of the visual amenity and character, the Inspector had concerns over the intrusive element of the proposed driveway. It was felt that it would erode the character and appearance of the locality. The current the field is described as contributing positively to this pleasing rural landscape. The appellant intended to install fencing and hedges in order to conceal the driveway; however the Inspector noted this would take time to become established and their long-term retention cannot be guaranteed. Therefore it was deemed that the proposal would injure the visual amenities of the Green Belt.

With regard to highway safety, the Inspector noted the sight lines would allow adequate indivisibility between drivers emerging from the access and those travelling along the road. The access would also be a significant distance from

the existing drive to the south and vehicle movements would not be sufficient to cause a conflict with traffic entering or leaving the drives of the houses opposite. Consequently the scheme would not cause harm as a result of its effect on highway safety.

The appellant claims very special circumstances exist which justify the inappropriate development. These include the reduced traffic outside the existing driveway, the reduction of conflict with other vehicles and an improved landscape with hedging. Consequently, whilst the new drive and the hedges may bring certain benefits, the Inspector agreed with the Council that limited weight should be afforded to these and that very special circumstances do not exist to justify this inappropriate development.

### **In conclusion**

Both the Inspector and the council agree that this proposal is to be considered as inappropriate development in the Green Belt that would injure the visual amenities of the Green Belt. Whether taken individually or together other considerations do not clearly outweigh the harm arising from such inappropriateness. Consequently very special circumstances do not exist to justify this inappropriate development.

Therefore Inspector dismissed the appeal.

### **Costs application**

No application for costs was made.

### **Appeal outcome**

The appeal was **DISMISSED** (17th October 2011).

### **Recommendation**

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