
Appeal Decision

Site visit made on 19 June 2018

by Siobhan Watson BA(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 July 2018

Appeal Ref: APP/R4408/W/18/3196692

Windy Bank Hall, Hill Top Farm, Hill Top Lane, Green Moor, Barnsley, S35 7DQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Jason Bradley against the decision of Barnsley Metropolitan Borough Council.
 - The application Ref 2017/0800, dated 6 June 2017, was refused by notice dated 4 September 2017.
 - The development proposed is a holiday villa.
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Decision

1. The appeal is dismissed.

Main Issues

2. The appeal site is in the Green Belt so the main issues are:
 - Whether the proposal would be inappropriate development for the purposes of the National Planning Policy Framework;
 - The effect of the proposal upon the openness of the Green Belt;
 - If the proposal would be 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 it.

Reasons

Whether or not the proposed development would represent inappropriate development in the Green Belt

3. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
4. Paragraph 89 of the Framework states that the construction of new buildings should be regarded as inappropriate in the Green Belt, unless they fall within various specific exceptions. A holiday villa is not one of those exceptions.
5. Consequently, the proposed development should be regarded as inappropriate development in the Green Belt. Paragraph 87 of the Framework states that

inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Openness

6. Openness is a lack of built development. The building would be located in a field by the road and would therefore be highly visible to passers-by. Whilst it would be single storey and modest in size, it would introduce built development where currently there is none. Therefore, I consider that there would be significant harm to the openness of the Green Belt. I note the appellant's proposal to put some additional planting on the boundary but this would not overcome the fundamental loss of openness.

Other Considerations

7. The proposal would constitute inappropriate development in the Green Belt. As such, the Framework requires that the harm by reason of inappropriateness be given substantial weight and that inappropriate development should not be approved except in very special circumstances. Very special circumstances will not exist unless the harm to the Green Belt and any other harm are clearly outweighed by other considerations.
8. The villa would be an addition to an existing holiday let/caravan business. In addition guests might use local businesses such as shops and pubs. Therefore there would be some benefit to the rural economy in respect of tourism. I give this factor some weight in favour of the proposal.

The Green Belt Balance

9. The economic benefit of the proposal would not clearly outweigh the totality of the substantial harm that would arise as a result of the development's inappropriateness and its impact upon the openness of the Green Belt. The very special circumstances necessary to justify the proposal do not therefore exist. The proposal would be in conflict with the Framework and Barnsley Core Strategy Policy CSP 34 which seeks to safeguard the Green Belt.

Conclusion

10. For the reasons set out above, I therefore conclude that the proposal is unacceptable and the appeal should fail.

Siobhan Watson

INSPECTOR