

APPEAL BY MR AND MRS MCDOWELL AGAINST THE DECISION OF THE COUNCIL TO REFUSE FULL PLANNING PERMISSION FOR THE ERECTION OF A FARM MANAGERS DWELLING AT LAND ADJACENT TO THE OLD HALL FARM, MAIN ROAD, BETLEY, STAFFORDSHIRE

<u>Application Number</u>	19/00491/FUL
<u>LPA's Decision</u>	Refused on 10 September 2019
<u>Appeal Decision</u>	Dismissed
<u>Date of Decision</u>	16 December 2020

Appeal Decision

The Inspector identified the main issues to be whether or not the proposal would be inappropriate development in the Green Belt; the effect of the proposal on the openness of the Green Belt; and if the proposal 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 it.

The Inspector concluded that because the proposed development did not meet any of the exceptions listed in paragraphs 145 and 146 of the National Planning Policy Framework it represents inappropriate development within the Green Belt. He also concluded that the proposed development would have a substantive detrimental effect on the openness of the Green Belt and it would be contrary to the requirements of the NPPF.

The Inspector then made an assessment as to whether the Green Belt harm identified, by reason of inappropriateness, and any other harm resulting from the proposed development, would be clearly outweighed by other considerations i.e. were there any very special circumstances. In this respect the NPPF seeks to avoid new isolated homes in the countryside other than in particular circumstances. These are set out in paragraph 79 and include reference to situations where there is an essential need for a rural worker to live permanently at or near their place of work in the countryside.

The Inspector considered the evidence submitted by the appellant and whilst he was of the view that it had been demonstrated that the enterprise required a dwelling within sight and sound of the farmstead, he considered that there was little evidence to adequately demonstrate that suitable temporary accommodation is not available to purchase or rent. Therefore, the Inspector was not satisfied that it has been demonstrated that there is an essential need for a rural worker to live permanently on the site at the current time. On this basis it was concluded that the benefits of the proposed development would not clearly outweigh the substantial weight given to Green Belt harm and other identified harm. As such, the very special circumstances needed to justify the proposed permanent dwelling in the Green Belt do not exist in this case. Therefore, the proposed development fails to comply with the Green Belt aims of LP Policy S3 and the Framework.

The planning decision setting out the reasons for refusal and the appeal decision in full can be viewed via the following link;

<https://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/19/00491/FUL>

Recommendation

That the appeal decision be noted.