

23/00966/FUL
NON MAJOR

Mrs Avril Watton

WOMBOURNE
Councillor Barry M Bond
Councillor Daniel M Kinsey
Councillor Martin J Perry

Land At Orton Hall Farm Flash Lane Orton WOLVERHAMPTON WV4 4TF

The erection of a dwelling following the demolition of a barn in respect of which planning permission had been granted for conversion to a dwelling.

Pre-commencement conditions required: n/a	Pre-commencement conditions Agreed: n/a	Agreed Extension of Time until 24.05.2024
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Date of site visit - 14 December 2023

1. SITE DESCRIPTION AND APPLICATION DETAILS

1.1 Site Description

1.1.1 The site is on Flash Lane close to its junction with Orton Lane and Showell Lane, approximately 2km north of Wombourne village centre.

1.1.2 The site was formerly occupied by a disused cattle shed. The cattle shed has now been demolished and a shallow area excavated in preparation for building works with drainage partially completed. A section of the yard wall which fronts Flash Lane has also been removed as well as a section of wall to the rear of the site. The site is now open in nature albeit enclosed by temporary fencing and a laurel hedge has been planted in-between the site and the parking area to the northeast.

1.2 Application Details

1.2.1 Planning permission is sought for the erection of a dwelling on land at Orton Hall Farm. The proposed dwelling is the same proportions/dimensions as the former cattle shed, as allowed on appeal (ref 21/00885/FUL) but now proposes a new build rather than a conversion as the former cattle shed has been demolished. As previously, the dwelling would be single storey and measure 144sqm in area, 5m in height to the ridge of the roof and 2.7m to the eaves.

1.2.2 Vehicle access would be via the existing access to the north from Flash Lane which serves the residential dwellings adjacent to the site. This would be an extension of the existing hardstanding courtyard which is used for communal parking. The main entrance to the dwelling would be from this courtyard.

1.2.3 The applicant has submitted the following documents with the application:

- Design and Access Statement
 - Appendix 1 Appeal Decision
 - Appendix 2 Photos of Site
 - Appendix 3 Heritage Impact Assessment
 - Appendix 4 Court of Appeal Decision Corbett v Cornwall
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1.3 SITE HISTORYPlanning Applications

Application reference number	Date Validated/ Processed	Date determined	Decision	Proposal	Comments
21/00885/COND2	08/06/2023	27/07/2023	Application Returned	Discharge Condition 3 allowed at appeal. App/C3430/W/22/3293404	It was during the assessment of this application that the build was found to have been demolished
21/00885/COND	30/03/2023	06/06/2023	Approved by Letter of conditions 4, 5 and 6	Discharge Condition 4,5 and 6 allowed at appeal. App/C3430/W/22/3293404 Landscaping proposals / manufacturer and details of bat and barn owl boxes to be used / images of site fencing erected to safeguard existing hedge planting	
23/00216/VAR	13/03/2023	27/03/2023	Application Returned	Application Reference Number: APP/C3430/W/22/3293404, 21/00885/FUL. Date of Decision: 21/06/2022 Condition Number(s): 4/ 5/ 6 Conditions(s) Removal: Conditions required to be removed prior to work commencing on site	Incorrect application type applied for, refund issued.
21/00885/FUL	17/08/2021	21/12/2021	Refused	Proposed conversion and extension of agricultural barn to a residential dwelling	Application allowed on appeal, decision date 04/07/2022
10/00692/FUL	15/09/2010	10/11/2010	Approved with conditions	Oak-frame extension to barn (unit 7)	
03/00817/COU	02/07/2003	18/02/2004	Approved with conditions	Change of use of farmhouse, cottage and outbuildings to form 14 residential units	

1.4 The planning history to this site is key to the recommendation by officers to refuse this current planning application. The relevant details are outlined within the main body of this report.

2. POLICY

2.1 Constraints

Within the West Midlands Green Belt
Newt - Impact Risk Zone Green
D Class Road D4129

2.2 Policies

South Staffordshire Core Strategy 2012:

Core Policy 1: The Spatial Strategy
Policy GB1: Development within the Green Belt
Core Policy 2: Protecting and Enhancing the Natural and Historic Environment
Policy EQ4: Protecting, Expanding and Enhancing the Character and Appearance of the Landscape
Core Policy 3: Sustainable Development and Climate Change
Policy EQ9: Protecting Residential Amenity
Core Policy 4: Promoting High Quality Design
Policy EQ11: Wider Design Considerations
Policy EQ12: Landscaping
Core Policy 9: Rural Diversification
Core Policy 11: Sustainable Transport
Policy EV11: Sustainable Travel
Policy EV12: Parking Provision
- Appendix 5 Parking Standards
- Appendix 6 Space About Dwellings Standards

2.3 Supplementary Planning Documents

South Staffordshire Design Guide 2018
Sustainable Development SPD 2018
Green Belt and Open Countryside SPD 2014

2.4 National Planning Policy Framework 2023

Section 5 - Delivering a sufficient supply of homes
Section 11 - Making effective use of land
Section 12. Achieving well-designed and beautiful places.
Section 13 - Protecting the Green Belt
Section 16 - Conserving and enhancing the historic environment

3. CONSULTATION RESPONSES

All consultation periods have expired unless noted otherwise.

Site Notice Expires	Press Notice Expires
4 January 2024	n/a

Councillor Barry Bond - Wombourne North Ward

No Response Received

Councillor Daniel Kinsey B.E.M - Wombourne North Ward

6th December 2023

I'm sure you will recall my feelings on this. Given the original intention to retain and convert the original remaining barn walls into a dwelling and support from the planning inspectorate, I fully support the proposals here as a means of not only tidying up the existing site, with implications for the roadway and security of the existing dwellings on the corner of Flash Lane and Orton Lane.

I must acknowledge the taking-down of the original walls which was done on the recommendation of 'professionals'. The owner themselves always saw these walls as integral, and actually sought to retain the bricks, etc with the express intent to rebuild on proper foundations - their understanding of doing what was right. It is my feeling that the owner here has previously been let down with a variety of complications arising which has led to this point. I get absolutely no sense that they are trying to gain any advantage beyond the permission originally granted by the inspectorate, and given the presence of the original materials and clear commitment to do the right thing, I fully support the proposals made.

As it stands, the site detracts from the local historic landscape (the oldest settlement in the Parish) and both requires and deserves improvement that retains local character.

Councillor Martin Perry - Wombourne North Ward

No Response Received

Wombourne Parish Council

20th December 2023

We have no comments to make, and will leave this to the Planning Officer to determine the outcome of this application.

Conservation Consultation

12th February 2024

The application seeks to re-build a former barn that was previously given permission for conversion. The site of the former barn is associated with Orton Hall Farm, the outbuildings of which have now been converted to residential use.

The barn was given permission for conversion, but subsequently demolished. The footings of the proposed structure remain, as do materials from the demolition. This retention of materials will allow the historic fabric (whilst altered) to remain on site.

Whilst the main buildings are not listed, they are of local historical significance and are within the setting of White Cross House, which is Grade II listed. The barns to the rear of the farmhouse contribute positively to the rural character of the area.

Having looked through the heritage statement that has been produced to accompany the application I would concur with the findings. The loss of barn has had a detrimental impact upon the character and legibility of the site. The re-instatement of the building as per the approved plans will allow the re-establishment of the site.

Whilst not an ideal situation, it is accepted that the best outcome for the site in this case will be for the reconstruction of the barn as per the previously approved plans. The materials will be key, and, in this case,

there are reclaimed materials on site. These will need to be re-used and any additional materials required to match.

Conditions:

No development hereby approved shall be commenced, until details of all external materials to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

Public consultation responses

Two public representations have been received. Neither object to the proposals but raise the following matters:

- The visual amenity of the site has denigrated and there are also concerns regarding security and potential crime whilst the building works are in hiatus.
- The roof line height of the development should not exceed the original roofline of the now demolished barn.
- Building materials and design should reflect the nature of the existing adjacent developments, and so be in keeping so far as is practicable with the former brick and tile barn, and not present as an incongruous feature.
- The dwelling should match the previous planning application and inspections are taken accordingly to ensure that no more errors of judgment are made.
- this would clean up the site as the area deserves to be improved not only for the safety and security of the existing dwellings but for the historic landscape it is.

4. APPRAISAL

4.1 Key Issues

- **Principle of development**
 - Is the proposal in a sustainable location?
 - Whether or not the proposal constitutes inappropriate development in the Green Belt
 - Level of harm to the Green Belt
 - Very special circumstances
- **Layout, design & appearance**
- **Access, parking & highway safety**
- **Residential Amenity**
- **Ecology & Trees**
- **Human Rights**

4.2 Principle of development

4.2.1 Section 38 (6) of the Planning and Compulsory Purchase Act (2004) sets out that the determination of applications must be made, in accordance with the Development Plan, unless material considerations indicate otherwise. The Development Plan for South Staffordshire District comprises the Core Strategy (2012-2028) and the Site Allocations Document (2012-2028).

4.2.2 The relevant principles are whether or not the proposal directs development to an accessible and

sustainable location (Core Strategy Policy CP1), whether the proposal constitutes inappropriate development in the Green Belt for the purposes of Core Strategy policy GB1 and the National Planning Policy Framework; and finally, if the development is deemed inappropriate, whether the harm to the Green Belt, and any other identified harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development. These policies are reiterated locally within Policies CP1 (The Spatial Strategy) and GB1 (Development in Green Belt) within the South Staffordshire Core Strategy, 2012.

4.2.3 Is the proposal in a sustainable location?

4.2.4 With regard to delivering housing in the most sustainable locations, Core Strategy Core Policy 1 states that 'Throughout the district, growth will be located at the most accessible and sustainable locations in accordance with the Settlement Hierarchy'. Policy CP1 defines the most accessible and sustainable locations as main service villages. The application site is not within a main service village, or any other form of settlement identified within the Core Strategy and is physically and functionally separate from the nearest main Service Villages of Wombourne and the urban area of Penn to the east of the site. In terms of walking, access to services to the east would be via an unlit road with no footpath and approximately 30-minute walk to Springhill Lane shops. There is a footpath south to Wombourne, however, this would also be a 30+minute walk to the majority of services. As a result, future occupiers of the dwelling are likely to be reliant on the use of a private car to access everyday facilities and services. The proposed location of the dwelling would therefore be contrary to Core Strategy Core policy 1, which directs development to the most accessible and sustainable locations, in accordance with the settlement hierarchy.

4.2.5 Whether or not the proposal constitutes inappropriate development in the Green Belt

4.2.6 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. Local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt.

4.2.7 South Staffordshire Core Strategy Policy GB1 and National Planning Policy Framework (NPPF) paragraphs 154 and 155 set out the exceptions where a new building would be acceptable within the Green Belt. However, none of the exceptions apply here. The proposed dwelling is therefore inappropriate development within the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

4.2.8 Level of harm to the Green Belt

4.2.9 Paragraph 142 of the NPPF states that, '...the essential characteristics of Green Belts are their openness and their permanence'.

4.2.10 The National Planning Policy Guidance (NPPG 22 July 2019) provides guidance on matters which may need to be taken into account in assessing the impact on the openness of the Green Belt. Openness is capable of having both spatial and visual aspects - in other words, the visual impact of the proposal may be relevant, as could its volume.

4.2.11 The application site is agricultural land, adjacent to the public highway and visible along Flash Lane up to 280m southwest from the site as the road rises. The site can be seen from Orton Lane directly to the east over an existing low brick wall, but nearby buildings screen any prolonged views from Orton Lane. The proposals would create a dwelling along with associated domestic paraphernalia, the parking of vehicles and an increase in activity where none currently exist. There is also likely to be future pressures for

extensions and the erection of outbuildings although this could be controlled to some extent by removing permitted development rights.. This impact on openness would be mitigated somewhat by the single storey size of the dwelling and proximity to existing converted buildings. However, the proposed dwelling does extend built form outwards rather than being within a cluster. As a result, it is considered that the proposals would lead to a moderate impact on openness visually and also spatially, particularly as development would be located on land where there currently is none.

4.2.12 The building of a new dwelling on agricultural land would also conflict with one of the five purposes of the Green Belt which is 'c) to assist in safeguarding the countryside from encroachment'. This is because the proposal would create residential development within the Green Belt where there currently is none.

4.2.13 In conclusion, the proposed dwelling would be inappropriate development, cause moderate harm to the openness of the Green Belt and conflict with the purpose of safeguarding the countryside from encroachment.

4.2.14 Very special circumstances

4.2.15 NPPF Paragraph 153 states that, 'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.'

4.2.16 The submitted design and access statement sets out the applicants' case for very special circumstances (VSC). These are summarized below:

- That the proposed building would be identical to the dwelling which would have been created pursuant to the previous appeal decision permission which was deemed to comply with policies relating to visual impact and effect on the character and appearance of the area.
- The Site is currently unsightly and has a harmful visual impact. If permission is not granted, the Site is likely to become derelict and have an even more harmful visual impact.
- The effect of the application would be a significant positive impact on a non-designated heritage asset.
- That the Barn was demolished inadvertently due to a misunderstanding by the applicant's advisors. The applicant did not instruct her builder to demolish the Barn. The applicant faces significant financial hardship if consent is not obtained to develop the Site for residential purposes.

4.2.17 With regard to the first point, the previous approval cannot now be implemented as it was for the conversion of a building that no longer exists. The previous appeal decision did not consider the impact of Core Strategy policy GB1 and the Green Belt policies set out in National Planning Policy Framework against which this application needs to be considered. As a result, this proposal must be assessed on the site as it is now, which is an open site, devoid of buildings. As a result, this part of the VSC case relating to the previous Inspector's does not carry any weight in the planning balance and no fall back position exists.

4.2.18 With regard to the second point, the site is currently unsightly as it is a building site where the land had been excavated in preparation for building a new dwelling. That work has stopped pending the outcome of this application and therefore the current condition of the site is considered temporary and not a valid fall back to compare to this proposal. Should permission be refused, the site would remain open and the temporary fencing would be removed. It noted that a laurel hedge has been planted which would establish a boundary to the existing dwellings and the remaining site area would recolonize with vegetation if left. The demolished materials comprise bricks which have been retained onsite and these could be used to rebuild/create a courtyard boundary to the collection of converted barns adjacent to the site. A proposal for which planning consent is unlikely to be required. For the reasons above, this point is given limited weight as the site is unlikely to remain as a building site.

4.2.19 With regard to the third point, the council's heritage officer has commented that the loss of barn has had a detrimental impact upon the character and legibility of the site. Whilst the former appearance of the site was derelict in nature with the remains of the cowshed, the brick walls of the cowshed and boundary wall facing Orton Lane did form a continuous boundary to the cluster of converted barns and were part of the historic fabric of the wider site. The reuse of the bricks would therefore allow the historic fabric (whilst altered) to remain on site. Whilst the reintroduction of the building in its original location would clearly add an authenticity to the wider farmstead, this being a positive element to the proposed development, this needs to be weighed against all other material planning considerations. Pertinent to this point, it is noted that recent discharge of condition (materials), for the approved conversion of the barn, proposed reclaimed bricks. This is surprising as a far greater extent of wall was demolished than was necessary to replace historic feature along the highway. It is therefore unknown how much of the historic fabric is appropriate or available to be reused. This matter is therefore afforded limited weight.

4.2.20 Furthermore, with regard to the impact on heritage, the proposal would significantly alter the appearance of the site compared to the former cowshed, with the introduction of white render, glazing (over 50% of the south elevation), rooflights and garden area. The garden area would become enclosed by hedgerows to provide privacy to the private amenity space and southern elevation of the proposed dwelling. This would likely obscure views of the any reused walled material and, as a result, the original materials would visually become a minor reference to the previous layout and historic high walled boundary. As a result, it is not agreed that the application would be a significant positive impact on a non-designated heritage asset. It is considered that the proposed reuse of the original bricks (those that are useable, which as explained above is unknown) in an altered form would provide a modest benefit to the non-designated heritage assets. Should permission be refused, there is an opportunity to use the original bricks to rebuild a courtyard boundary to the existing buildings and parking area, which would have a greater positive impact to the wider heritage value of the site than the proposed dwelling. There would also be a lesser impact on the openness off the Green Belt. It is considered that there would be a greater than theoretical possibility that this would occur, and therefore this potential benefit to the character of the site is given some weight.

4.2.21 With regard to the last point, the previous permission was clear in its description, 'Proposed conversion and extension of agricultural barn to a residential dwelling'. It is unknown whether, during the course of construction it became clear that the barn was not capable of conversion or, that it would simpler and more cost effective to demolish and rebuild. No specific reason has been given for the demolition of the building. Nevertheless, whether it was capable of conversion or not, the barn was demolished, and the area excavated for the construction of a new dwelling. Consequently, this proposal must be considered in the context of the construction of a new dwelling. As a result, the misunderstanding that resulted in the demolition and the personal circumstances of the applicant can not be afforded weight in the planning balance.

4.2.22 At this point it is necessary to emphasis that approval for the conversion of the former barn was only granted on the proviso that it was capable of conversion. The inspector notes verbatim, that:

It is recognised that the barn is not substantial in that most of the doors are missing and there is no roof at all. Nonetheless, the walls are largely extant, there is a concrete floor, and double wooden doors face Flash Lane. Furthermore, the appellant's Structural Inspection report states that the building, with some repair, is able to be converted. It is reasonable to consider the former barn is a building that is able to be altered and extended, as allowed for in in policy GB1 and the Framework, as opposed to being demolished and replaced or rebuilt.

As such the development as a whole would accord with policy GB1, paragraph 149 of the Framework and Core Policy 1, which also guards against inappropriate development in the Green

Belt. It is therefore not inappropriate development.

As such, now that the building has been removed that the development by its very definition is inappropriate development in the Green Belt. The “fallback” position that the presence of the barn afforded to the appeal decision is now not present. This represents an in principle matter for the development currently proposed. It is worth further emphasis at this juncture that significant weight was given to the conversion of the building (as appropriate development in the Green Belt) because the appeal submission was accompanied by a professionally produced structural inspection that concluded, again verbatim:

In our opinion the remaining parts of the building are suitable for repair and conversion into domestic accommodation.

The fact that the building is not present is the in principle difference between the previous approval (appropriate development in the Green Belt) and this current proposal (inappropriate development in the Green Belt). This consideration should be afforded significant weight.

4.3 Layout, Design and Appearance

4.3.1 Policy EQ4 of the Core Strategy advises that, ‘the design and location of new development should take account of the characteristics and sensitivity of the landscape and its surroundings, and not have a detrimental effect on the immediate environment and on any important medium and long-distance views’. Core Policy 4 similarly seeks to promote high quality design and respect and enhance local character and distinctiveness of the natural and built environment. Policy EQ11 advises that new development should seek to achieve creative and sustainable designs that consider local character and distinctiveness, whilst having regard to matters of use, movement, form and space. Finally, the Council's Design Guide SPD amplifies the principles set out in Policy EQ11 of the Core Strategy.

4.3.2 The NPPF (Section 12) advises that “good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”. The document continues to state that “development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design”.

4.3.3 The site previously contained the remains of a brick-built cattle shed and boundary wall which have now been demolished. The site is now open and devoid of structures. The proposal would comprise a new dwelling which would include use of the bricks that remain (of those that are usable, amount still unknown) from the demolition. Whilst the proposals would allow the historic fabric (whilst altered) to remain on site, the proposed dwelling is substantially different from the former cattle shed, with extensions, timber cladding, render, and the number/shape and placement of roof lights departing from the simple uncluttered character of the original structure. The proposed materials are not in keeping with the nearby building styles at Orton Hall Farm which are brick/stone built and retain their agricultural character. Contrary to the inspector’s report, the extent or glazing, positioning and style would not match the windows in the converted farmhouse. Neither does the proposal accord with the Design SPD which supports careful attention to maintaining a rhythm in the window openings (p38), an uncluttered roof without being broken up with features such as roof lights (p44), and minimal fussy adornments as this tends to create a generic suburban character that disguises the building’s history and interest (p55).

4.3.4 Overall, whilst the remnants of the cattle shed walls could be reused there are insufficient features to avoid disguising its use as a former cattle shed contrary to the guidance set out in the council’s Design Guide SPD. As a result, it is considered that the proposal would adversely impact on the rural character of site and wider area contrary to Core Strategy Policy EQ11 and the Design Guide SPD.

4.4 Access, Parking & Highway Safety

4.4.1 Policy EV12 states that the Council will require appropriate provision to be made for off street parking in development proposals in accordance with adopted parking standards. These are set out in Appendix 5 and require 2 spaces for 2 bed dwellings. The proposal is for a 2-bedroom dwelling and provision is made for 2 parking spaces in accordance with Policy EV12 and Appendix 5 which relate to parking standards.

4.4.2 Vehicle access would be from the existing access from Flash Lane which serves the residential dwelling adjacent to the site. County Council Highways do not object subject to the development not being brought into use until the parking and turning areas have been provided in accordance with the approved plans. Any permission should include the recommended condition.

4.4.3 In conclusion, it is considered that the proposal provides sufficient parking and would not impact highway safety in accordance with Core Strategy policy EV12 and Appendix 5.

4.5 Residential Amenity

4.5.1 In accordance with Core Strategy Local Plan Policy EQ9, all development proposals should take into account the amenity of any nearby residents, particularly with regard to privacy, security, noise and disturbance, pollution, odours and daylight. Appendix 6 sets out minimum separation distances between facing habitable room windows and towards flank walls.

4.5.2 The proposed dwelling is single storey and a sufficient distance from nearby dwellings with proposed boundary treatments that avoid any potential neighbour amenity issues such as loss of light or privacy. The proposals meet the internal, external, and side access space standards as set out in Core Strategy Appendix 6 – Space About Dwelling Standards.

4.5.3 In conclusion, the proposal does not harm the amenity space around the dwelling or the amenity of neighbours or occupants and is therefore in accordance with Core Strategy Local Plan Policy EQ9 and Appendix 6 – space about dwellings standards.

4.6 Ecology & Trees

4.6.1 Core Strategy Policy EQ1: Protecting, Enhancing and Expanding Natural Assets states that permission will be granted for development that would not cause significant harm to species that are protected or under threat and that wherever possible, development proposals should build in biodiversity by incorporating ecologically sensitive design and features for biodiversity within the development scheme.

4.6.2 Core Strategy policy EQ4 states that trees, veteran trees, woodland, ancient woodland and hedgerows should be protected from damage and retained unless it can be demonstrated that removal is necessary and appropriate mitigation can be achieved. It also states that permission will not be granted for development which would cause significant harm to sites or habitats of nature conservation including trees and hedgerows and species which are protected or under threat.

The site is within a green risk impact zone for Great Crested Newts which is considered to be low risk and there are no ponds within or close to the site. The proposal therefore complies with Policy EQ1 in this regard.

4.6.3 The council's ecology officer, as well as the previous appeal decision, has commented that the development should provide biodiversity gain through provision of including, but not limited to, two integrated bat tubes or bat boxes located on a south-facing aspect of the building, and one barn owl box on

the northwest-facing aspect of the building, and a suitable condition could ensure this was provided.

4.6.4 As included in the inspectors' decision a condition should also be attached to any permission requiring details of new trees as mitigation for any trees removed, and protection of any retained trees by strong fencing. In accordance with Core Strategy Policy EQ1 the suggested conditions should be included in any permission to protect existing trees or shrubs are necessary to protect the character and appearance of the area.

4.7 Human Rights

4.7.1 The proposals set out in the report are considered to be compatible with the Human Rights Act 1998. The proposals may interfere with an individual's rights under Article 8 of Schedule 1 to the Human Rights Act, which provides that everyone has the right to respect for their private and family life, home and correspondence. Interference with this right can only be justified if it is in accordance with the law and is necessary in a democratic society. The potential interference here has been fully considered within the report in having regard to the representations received and, on balance, is justified and proportionate in relation to the provisions of the policies of the development plan and national planning policy.

5. CONCLUSIONS

5.1.1 The proposed development is inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the openness of the Green Belt. The proposal would also create a moderate level of visual and spatial harm to the openness of the Green Belt and also cause direct conflict with the purpose of safeguarding the countryside from encroachment. This harm shall be attributed substantial weight in the planning balance. In addition to the Green Belt harm there is harm by way of the proposals being within an unsustainable location and adversely impacting the rural character of the area.

5.1.2 The applicant has advanced a number of considerations by way of very special circumstances. Full consideration has been given to the case presented by the applicants; however, these have either no weight, limited weight or in the case of the reuse of bricks some weight in the planning balance. No material consideration exist that would justify a decision otherwise than in accordance with the Development Plan.

5.1.3 For the reasons above, it is not considered that these considerations clearly outweigh the substantial weight that must be attached to the Green Belt harm and other harm as identified in this report.

5.1.4 Taking the above into consideration I am recommending the application be refused.

6. RECOMMENDATION – REFUSE

Reasons

1. The site is within the Green Belt and the proposed development is considered to be inappropriate development as set out in policy GB1 of the adopted Core Strategy. The development is therefore harmful to the Green Belt, contrary to policy GB1 of the adopted Core Strategy.
2. The Local Planning Authority has considered the reasons advanced but does not consider that these reasons constitute the very special circumstances required to clearly outweigh the harm to the Green Belt by reason of inappropriateness, visual and spatial harm, conflict with the purposes of the Green Belt and other harm resulting from the proposal, contrary to the NPPF.

3. The application site is physically and functionally separate from the nearest main Service Village of Wombourne and the urban area of Penn to the east. Future occupiers of the dwelling would be reliant upon the use of a private car to access everyday facilities and services. The proposed location of the dwelling would therefore be contrary to Core Strategy Core policy 1 being an unsustainable location. The proposals would also create an isolated home in the countryside contrary to NPPF paragraph 84 where none of the exceptions apply here.
4. The proposal would adversely impact on the rural character of the immediate and wider area contrary to Core Strategy Policy EQ11 and the Design Guide SPD.

Proactive Statement -The Local Planning Authority has worked in a positive and proactive manner in accord with National Planning Policy Framework 2023, paragraph 38, by attempting to seek solutions with the applicant to problems associated with the application. A solution could not be found and so the development fails both with regards to the NPPF and the adopted South Staffordshire Core Strategy 2012.

Plans on which this Assessment is based:

Plan Type	Reference	Version	Received
Location Plan			01 December 2023
Proposed Site Plan	1025.02.1001		14 November 2023
Proposed Ground Floor Plan	1025.02.1101		14 November 2023
Proposed Elevations	1025.02.1501		14 November 2023
Proposed Elevations	1025.02.1502		14 November 2023



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