



## Appeal Decision

Site Visit made on 12 January 2021

**by Robert Walker BA (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 22 January 2021**

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**Appeal Ref: APP/J4423/W/20/3260728**

**Hillside Cottage, 254A High Greave, Sheffield S5 9GR**

- 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 Mrs Janet Jaques against the decision of Sheffield City Council.
  - The application Ref 15/02654/FUL, dated 8 July 2015, was refused by notice dated 9 April 2020.
  - The development proposed was originally described as 'retention of temporary large shed and decking. Predominantly used by my daughter, aged 17 to practice her dancing after being accepted into CAPA college to progress with her studies in the educational sport of dance and performing arts'.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The description of development in the application form and Council's decision notice differ. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application in the banner heading above.
3. The building and decking subject of this appeal are in situ, therefore I am dealing with this appeal retrospectively.

### Main Issues

4. The main issues are:
  - Whether the development is inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
  - The effect of the development on the openness of the Green Belt and the purposes of including land within it; and
  - if it 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 the development.

## Reasons

### *Inappropriate development*

5. The appeal site is situated in the Green Belt. The Framework says (paragraph 145) that, other than in connection with a small number of exceptions, the construction of new buildings should be regarded as inappropriate in the Green Belt. The development does not fall within any of these identified exceptions.
6. Policies GE1 and GE3 of the Sheffield Unitary Development Plan (UDP) (1998), also provides a list of exceptions. Although they do not fully reflect those contained within the Framework, the development does not fall within any of the listed exceptions.
7. Accordingly, the development comprises inappropriate development in the Green Belt and is therefore at odds with Policies GE1 and GE3 of the UDP and paragraph 145 of the Framework in this regard.

### *Openness and Green Belt Purposes*

8. A fundamental aim of Green Belt policy, as set out in paragraph 133 of the Framework, is to keep land permanently open. This openness is an essential characteristic of the Green Belt.
9. Due to the development's massing and appearance, in comparison with the concrete hardstanding that existed at the time of development, there has been a loss of openness both spatially and visually. I will return to the stable that previously existed later in my decision.
10. The paddock in which the building is positioned in, is a large open area surrounded, in parts, by built development. Green Belt purposes that appear to be served by the designation of the appeal site within the Green Belt include, amongst others, checking unrestricted sprawl and safeguarding the countryside from encroachment.
11. The development is clearly visible between gaps in the vegetation along High Greave and from the surrounding residential properties. The building has a simple form which in its appearance has some similarities with a rural building. However, the building's use, and its overall appearance, with its windows, doors and walkway with handrail, in combination with the decking, results in an urbanisation of that part of the paddock. The encroachment of residential activities, in a prominent and exposed position in the paddock, results in a conflict with the identified Green Belt purposes.
12. I therefore find that the development has resulted in a loss of Green Belt openness and impacted on the purposes of including the land within the Green Belt. Therefore, it is contrary to the relevant Green Belt guidance within the Framework and Policies GE1 and GE3 of the UDP in this regard.

### *Other considerations*

13. I saw the hardstanding that a previous stables building sat on and from the evidence provided it was larger than the existing built form. Given the reasonably short period between the stable and the existing development, I give significant weight to this previous structure. Moreover, due to the nature of the building it would not necessarily be in situ permanently and could be removed at the end of its life cycle.

14. No objections were raised from occupants of neighbouring properties. The absence of harm in relation to other considerations including, amongst other things, biodiversity and the living conditions of the occupants of neighbouring properties are neutral matters that weigh neither for nor against the proposal.
15. The building meets the appellant's need for additional useable space in connection with the host dwelling. However, personal circumstances will seldom outweigh more general planning concerns, and this does not, therefore, amount to very special circumstances that weigh in favour of the development.
16. Concerns regarding the processing of the application including, amongst other things, matters relating to communication with the Council, the length of time and costs are not issues that I can assess as part of this appeal. The validity or not of such matters do not affect the planning merits or effects of the development before me.

### **Conclusion**

17. The development is inappropriate development in the Green Belt and conflicts with Policies GE1 and GE3 of the UDP. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and that substantial weight should be given to that harm. Very special circumstances will not exist unless the harm to the Green Belt and any other harm are clearly outweighed by other considerations.
18. I give weight to the previous building at the site. However, from the evidence before me, it had the appearance and use of a stable building typically associated with an open paddock. Whereas, the development, albeit smaller in size, results in an encroachment of residential activities into the paddock. In such a prominent and exposed location in the paddock, this encroachment harms the purposes of including the land within the Green Belt.
19. The development has been in situ for several years. However, given the potential life cycle of the building and deck, such harm would continue to occur over a long period.
20. Drawing the above together, the other considerations, in this instance, do not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist.
21. The development conflicts with the development plan when read as a whole, and there are no material considerations that indicate that the appeal decision should be taken other than in accordance with it.
22. For the reasons given above, and having regard to all matters before me, the appeal is dismissed.

*Robert Walker*

INSPECTOR