

APPEAL SYNOPSIS

Planning Inspectorate Reference: APP/Q4625/W/19/3221365

Location: 32 Creynolds Lane, Cheswick Green Solihull B904ER

Planning Application Number: PL/2018/01763/PPOL

Appeal Decision notice date: 6 June 2019. Appeal Dismissed

This appeal related to the Council's decision to refuse planning permission for Outline Planning Permission for residential development for 3 No. dormer bungalows & associated access (reserved matters for which approval was being sought included scale and access)

The main issue was the Council's interpretation and application of Green Belt policy including;

- (a) whether the proposed development would be inappropriate development in the Green Belt for the purposes of the National Planning policy Framework (the Framework) and any relevant local development plan policies;
- (b) the effect of the proposed development on the openness of the Green Belt and the purposes of including land within the Green Belt; and
- (c) whether any harm to the Green Belt by reason of inappropriateness and any other harm would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

The Inspector agreed with and reiterated with the Council's view on the following;

The appeal site lies to the rear of a ribbon of development to the north of Creynolds Lane, which runs to the junction with Stratford Road, that lies broadly to the east of the site. Cheswick Green, with its range of services and facilities are within 800m of the appeal site in a broadly westerly direction accessed via the existing footway. The ribbon of development is clearly separated from the main built up area of Cheswick Green by open fields that abut Creynolds Lane and does not read as a cohesive extension to the village. The Inspector concluded the appeal site is not within Cheswick Green.

The appeal site comprises an area of land that is located to the rear of Nos. 32, 34 and 36 Creynolds Lane. This would not constitute a gap that is within an otherwise built-up frontage, as set out in policy P17 of the SLP This policy clearly states that limited infilling is for not more than two dwellings. Therefore, the proposal would be contrary to policy P17, being inappropriate development in the Green Belt.

The proposed development would introduce new buildings where none currently exist causing harm to the openness of the Green Belt and to the purposes of including land within the Green Belt. Substantial weight is given to this harm. Very special circumstances (VSC's) will not exist unless the harm to the Green Belt and any other harm are clearly outweighed by other considerations. For the reasons given, the totality of the other considerations did not clearly outweigh the harm to the Green Belt and so VSC's to justify the development did not exist. As such, the proposal would conflict with policy P17 of the SLP and the Framework and on this basis the appeal was dismissed.