



Appeal Decision

Site visit made on 28 March 2017

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24 April 2017

Appeal Ref: APP/P0119/D/17/3168414

Rockleaze Cottage, The Down, Old Down, Bristol, BS32 4PU

- 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 Douglas Nester against the decision of South Gloucestershire Council.
 - The application Ref PT16/5713/F, dated 17 October 2016, was refused by notice dated 9 December 2016.
 - The development proposed is demolition of conservatory and construction of a two storey and single storey rear extension.
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Decision

1. The appeal is dismissed.

Main issues

2. The appeal property is situated within the designated Green Belt (GB). Accordingly, the main issues are:
 - Whether the proposed development is inappropriate or not inappropriate development in the GB in the terms of local development plan policy and national policy, as set out in the *National Planning Policy Framework* (the Framework),
 - The effect on openness, and the character and appearance of the locality,
 - If it is inappropriate development, whether the harm caused 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 or not inappropriate

3. The Framework, at paragraph 89, says that a local planning authority should regard the construction of new buildings as inappropriate in the GB. However, exceptions to this general principle include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
 4. No empirical guidance is provided in the Framework in respect of the term '*disproportionate addition*'. In my experience, decision-makers commonly use a variety of yardsticks to assess the acceptability of extensions in the GB,
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including footprint, floorspace and volume measurements. In some circumstances, subjective assessments are made.

5. Saved Policy H4 (E) of the South Gloucestershire Local Plan (LP) is broadly consistent with the Framework in that, in the case of extensions to dwellings in the GB, they should not result in disproportionate additions over and above the size of the original building and should not prejudice the openness of the green belt.
6. The Council refers in its reason for refusal to its 2007 Supplementary Planning Document (SPD) entitled 'Development in the Green Belt'. This document attracts some, albeit very limited weight as a material consideration since it is based primarily on the provisions of now replaced national planning policy guidance (PPG2) and policy GB1 of the South Gloucestershire Local Plan (LP), which is no longer 'saved'.
7. The term '*original building*' is defined in the Framework as '*a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.*'
8. The planning history indicates that the appeal property was originally formed as a one-bedroomed conversion pursuant to a planning permission granted in 1989. It has been extended since, and the appellant has not seriously questioned the Council's calculation that the volume of the original building, were this proposal permitted and built, would have been increased by about 160%.
9. The increase in volume proposed, taking account of previous additions, is such that I share the Council's view that the proposed extension should properly be regarded as a disproportionate addition to the original dwelling in the terms of national and local policy. Whilst volume is not the only yardstick in arriving at this view, the appellant has not provided or relied on other calculations in an attempt to demonstrate that the scheme is not disproportionate. Even on a subjective assessment, I consider the proposed extensions to be a disproportionate addition to the original dwelling.
10. Accordingly, having regard to the provisions of local and national policy, I conclude that the proposals would amount to inappropriate development in the GB, which, by definition, is harmful, and this carries substantial weight against the development.

Openness, character and appearance

11. The extensions would be built to the rear of the property, so that they would not be seen from The Down. However, the two-storey element would be clearly seen across the open ground at the western end of Inner Down.
12. In that development would take place where none exists at present, even allowing for the demolition of the single-storey conservatory, it is inevitable that openness would be affected by this development, and that the loss of openness would be perceptible in the public realm.
13. Although the appeal property is comprised within a small settlement, the general layout is relatively spacious. One of the essential characteristics of GBs is their openness, and the proposed development would materially offend this

characteristic. The harm to the openness of the GB attracts substantial weight against the development

14. For the same reasons as set out in their report, I share the thrust of the Council officers assessment as to the design and appearance of the proposed extension and its limited visual impact on its surroundings. The design of the development, accordingly, is not unacceptable, and this attracts limited weight in favour of the scheme.

Other considerations

15. The appellant says that:

'he is keen to extend his home to provide more appropriate living space for a growing family. Although the property is described as having four bedrooms, two are quite compact in size, both in floor space and due to the eaves of the property, so the owners are unable to fit a single bed plus wardrobe in either. Therefore the small bedrooms are not suitable for the children once they are in normal sized beds and reach school age.'

16. I fully understand the type of difficulties that may be experienced with a growing family and the consequent need for larger accommodation. However, this is an argument that could be repeated throughout the GB, which would potentially affect its openness, especially if inappropriate development is involved. Thus the appellant's argument in this regard attracts limited weight in my considerations.

17. The appellant also says that *'what remains unclear to him is what the actual harm would be to the GB in this case'*. Paragraphs 87 & 88 of the Framework provide that:

'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.. & ... when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.'

18. I have found the development proposed to be inappropriate which, by definition, in the terms of national policy, is harmful to the GB.
19. Reference has been made to another planning appeal affecting another property in the Council's area (Ref: APP/P0119/D/14/2226825). I am very familiar with that case since I determined the appeal. I am content that the circumstances in that case, particularly in terms of the salient facts, were materially different to those applying in the current case, and the cases are not therefore, directly comparable.

Planning balance and overall conclusions

20. The harm I have identified as a consequence of the inappropriateness of the development in the GB carries substantial weight against the proposals.
21. The loss of openness involved also attracts substantial weight against the scheme.
22. The acceptable nature of the design and the perceived need for the additional accommodation both attract limited weight in favour.

23. I find that the harm caused by reason of inappropriateness, and the effect on openness, clearly outweighs any advantages of the proposals. Accordingly, the very special circumstances necessary to justify the development do not exist, and the appeal fails.

G Powys Jones

INSPECTOR