



Appeal Decision

Site visit made on 31 May 2017

by G P Jones BSc(Hons) MA MRTPI

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

Decision date: 7 June 2017

Appeal Ref: APP/D0121/W/17/3169231

Hailstones Farm, Red Hill, Redhill BS40 5TG

- 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 Steve Barnes against the decision of North Somerset Council.
 - The application Ref 16/P/1555/F, dated 13 May 2016, was refused by notice dated 16 August 2016.
 - The development proposed is described as Divide existing single dwelling into three dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of the proposed development varies between the application form, the appeal form and the Council's decision notice. Notwithstanding the description of development as set out in the banner heading above, which is taken from the application form, it is clear from the plans and accompanying details that the development comprises the sub-division of the existing dwelling to create two dwellings, the demolition of existing single storey extensions to the south, north and east elevations, and the conversion and extension of the existing garage to form a two storey dwelling. The Council dealt with the proposal on this basis and so shall I.

Main Issues

3. The site falls within the Bristol – Bath Green Belt and accordingly the main issues are:
 - Whether by virtue of its nature and location the proposal would represent a sustainable form of development;
 - The effect of the proposal on the living conditions of future occupiers;
 - Whether the proposal would be inappropriate development within the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and development plan policy;
 - The effect of the proposal on the openness of the Green Belt and the character and appearance of the area; and
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- 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 the development.

Reasons

Location

4. The appeal site lies in a countryside location outside of any designated settlement boundary. Since a previous application was approved the Council has subsequently adopted in July 2016 the North Somerset Council Sites and Policies Plan Part 1 (SPP). Policy DM39 of the SPP differs from the previous policy and does not allow for the sub-division of properties to create additional dwellings outside of settlement boundaries.
5. I have not been presented with any substantive evidence as to the public transport links available or the distance to the nearest facilities and services. However, from my site visit I observed that the appeal site is in a reasonably isolated position. Therefore I consider that the proposal would represent an unsustainable location for the proposed development. As such it would be contrary to Policies CS14 and CS33 of the North Somerset Council Core Strategy (CS), adopted January 2017, and Policy DM39 of the SPP which require, among other matters, that development in the countryside outside settlement boundaries, including sub-divisions of existing properties, will be strictly controlled and shall represent a sustainable form of development.

Living conditions

6. The appeal property is a large farmhouse building, comprising bed and breakfast accommodation with an adjacent detached double garage. Under part of the proposal before me the garage would be extended and converted to form an additional dwelling that would be significantly larger in scale. The new dwelling would be two storeys in height, and the eaves and pitched roof would sit just below those of the main farmhouse building. Despite the removal of the lean-to extensions on the north elevation of the farmhouse building, this new dwelling would sit in close proximity to the north elevation of the proposed residential unit B, as indicated on the submitted plans. It is the future occupiers of this unit, rather than Little Barn which the appellant has referred to, that the Council considers would be adversely affected.
7. Due to the larger scale of the new dwelling and close proximity to part of the north elevation, which would be much less than the 12 metres recommended in the Council's Residential Design Guide, adopted January 2103, I consider that it would give rise to an overbearing effect on the outlook of the future occupiers of the proposed residential unit B to an unacceptable degree. Consequently this element of the proposal would not accord with Policy CS12 of the CS and Policy DM32 of the SPP, as well as the advice contained in paragraph 17 of the Framework. These policies and guidance seek to ensure that proposals for new development do not have an adverse effect on the living conditions of current and future occupiers of properties.

Whether the proposal is inappropriate development in the Green Belt

8. Paragraphs 89 and 90 of the Framework state that the construction of new buildings in the Green Belt should be regarded as inappropriate subject to a

limited number of exceptions. One of these exceptions is for 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.

9. The Framework does not provide a numerical threshold to define what constitutes a disproportionate addition. However, Policy DM12 of the SPP considers that normally extensions that do not exceed 50% of the gross floor area of the original building would not be disproportionate. The proposed garage conversion is cited by the Council as representing more than a doubling of the existing footprint of the detached garage and an increase in height of some 2.4 metres and thus would exceed the 50% figure stated in SPP Policy DM12. As such I consider that it would be a disproportionate increase to the scale and massing of the original garage building that would not be offset by the removal of the single storey extensions to the main farmhouse building that have been proposed. Consequently, I conclude that the proposal would be inappropriate development in the Green Belt.

The effect of the proposal on the openness of the Green Belt and the character and appearance of the area

10. The appeal site is in a countryside location that is within the Green Belt and outside of any designated settlement boundary. The appeal property is set some way back from the A38 and it has quite an open setting, albeit it is viewed within the context of a small complex of buildings that includes the neighbouring barn conversions.
11. Paragraph 79 of the Framework advises that openness is an essential characteristic of Green Belts. The proposed development would extend built development into land which is currently open and would significantly increase the height of the existing garage building. The creation of new access arrangements, including additional parking areas, would entail further erosion of existing green space. Therefore I consider that, despite the removal of the extensions, the overall proposal would be of a scale, and would give rise to a visual intrusion, that would materially harm the openness and purpose of the Green Belt.
12. The existing detached garage clearly reads as an ancillary building to the main building. However, the proposed new dwelling would be of a much larger scale that would be only slightly smaller in height than the main building and would be significantly higher than the nearby barn conversions. Also it would have more of the appearance of a suburban style of residence. It is my view that the proposed new dwelling would not appear subservient to the farmhouse and would appear out of context with both the main farmhouse building and the nearby barn conversions.
13. Consequently, I conclude that the proposal would not accord with the Framework or with CS Policy CS6 and SPP Policies DM12, DM32 and DM45 which, among other matters, seek to protect the Green Belt from inappropriate development, ensure that conversions of rural buildings are not disproportionate to the original building and ensure new development creates sustainable places.

Other considerations

14. The proposal would create an increase in the number of dwellings and thus would provide a modest contribution towards boosting housing supply. The appellant contends that these houses would constitute affordable housing but has not provided any substantive evidence in this regard. It would also entail the removal of some of the existing single storey extensions to the main building. In addition, due to its close proximity the bed and breakfast provides a facility for users of Bristol airport with associated late night and early morning vehicle movements. Consequently the proposal would be likely to reduce some of the disturbance to the occupiers of the neighbouring properties. The appellant has also cited other buildings that have previously been removed from the site but I do not have substantive details regarding these and they did not form part of the proposal that is before me.

Conclusion

15. Paragraph 88 of the Framework guides that substantial weight be given to any harm to the Green Belt, and that 'very special circumstances' will not exist unless the potential harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations. I have concluded that the proposal would represent inappropriate development in the Green Belt, and that it would result in a loss of openness.
16. In accordance with paragraph 49 of the Framework I have considered this proposal in the context of the presumption in favour of sustainable development. In terms of its benefits, the proposal would increase the supply of housing by a modest amount and would remove some of the noise associated with late night and early morning vehicle movements at the bed and breakfast. However, it is my view that these benefits would not clearly outweigh the harm that I have identified to the openness of the Green Belt, the unsustainable location for a development of this nature, and harm to the character and appearance of the area and the living conditions of the future occupiers of unit B. I therefore conclude that very special circumstances necessary to justify inappropriate development in the Green Belt would not exist.
17. For these reasons I conclude that the proposal does not accord with the guidance in the Framework and the development plan, when taken as a whole, and therefore the appeal should be dismissed.

GP Jones

INSPECTOR