
Appeal Decision

Site visit made on 13 June 2017

by H Porter BA(Hons) PGDip IHBC

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

Decision date: 27 June 2017

Appeal Ref: APP/P0119/W/17/3172060

Greenacres Park, Ram Hill, Coalpit Heath BS36 2UB

- 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 Hearne against the decision of South Gloucestershire Council.
 - The application Ref PK16/5646/F, dated 12 October 2016, was refused by notice dated 8 December 2016.
 - The development proposed is use of land for the siting of 2 mobile homes.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposed development would be inappropriate development in the Green Belt;
 - The effect of the proposal on the openness of the Green Belt;
 - The effect of the proposal on the character and appearance of the area; and
 - If the proposal would be inappropriate development, whether the harm 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.

Reasons

3. The appeal site has a long planning history, with various applications relating to the siting of mobile homes on it dating back to 1989. There has also been a previous Inspector's decision¹, for the demolition of a dwelling on the site and replacement with four mobile homes. The previous Inspector considered whether the development would be inappropriate in the Green Belt, the effect on the openness, and whether there were special circumstances to justify it, as well as visual impact. Notwithstanding that the earlier decision pre-dates the adoption of the National Planning Policy Framework (the Framework) and the South Gloucestershire Local Plan: Core Strategy 2006 – 2027, adopted 2013 (the CS), the main issues were fundamentally the same as under this appeal. There is also nothing substantive to indicate that the characteristics of the

¹ APP/P0119/A/99/1030037/P2

surroundings have fundamentally changed in the intervening years. I therefore consider that the previous Inspector's decision is of relevance to this appeal, and is material consideration to which I attach some weight.

Whether inappropriate development

4. The appeal site is situated within the Bristol/Bath Green Belt. The Framework sets out the government's approach to protecting the Green Belt, advising at paragraph 89 that, other than in connection with a limited number of specific exceptions, the construction of new buildings should be regarded as inappropriate development.
5. The appeal scheme would introduce two mobile homes within the garden plot associated with Green Acres House. Limited infilling in villages, or the partial or complete redevelopment of previously developed sites are two of the listed exceptions under paragraph 89. While contending that the proposal would broadly fit within the definition of infill development, the appellant does not dispute that the proposal would be inappropriate development in respect of the provisions within paragraphs 89 and 90 of the Framework. While noting that the Framework does not define either 'village' or 'limited infilling', owing to the appeal site's semi-rural context, separated from any facilities that would reasonably constitute the make-up of a village, the proposal would not fit the fifth exception in paragraph 89.
6. In terms of the sixth exception, the appeal site is positioned between Green Acres House and the neighbouring dwelling that together form a loose-knit frontage along Ram Hill. Broadly speaking, therefore, development between them could constitute 'limited infilling'. However, the proposal would introduce two units on the site that together, in my mind, would be in excess of a limited infill. Moreover, the position of the first unit close to Ram Hill would undermine any sense that it was infilling a gap within its residential frontage along it. I therefore do not find the appeal proposal meets any of the exceptions in the Framework. It follows that the proposal would constitute inappropriate development in the Green Belt.

Openness

7. Paragraph 79 of the Framework advises that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, defining the essential characteristics of Green Belts as being their openness and their permanence. Green Acres House is set back from the road frontage behind a boundary wall and lawn. With the exception of the concrete pads that have been installed in relation to the appeal proposal and the areas of gravelled driveway and hard surfacing, the remainder of the site is essentially open and particularly legible as such from Ram Hill.
8. The proposal would extend the built form of the holding way beyond the mass of the existing dwelling, to occupy a significant proportion of the remainder of the site. The stretch of open land that currently extends from the roadside boundary wall to the rear of the garden plot would be encroached upon and would be legible in a wider context, notably along Ram Hill.
9. Notwithstanding the separate mobile home park, in terms of both footprint and volume, the total amount of development on the appeal site itself would be substantially increased. In consideration of the increase in built volume on the site, fundamentally the appeal scheme would not assist in keeping land open and free from development. Overall, while the harm to the Green Belt's

openness would be quite localised, the development would nonetheless facilitate a permanent loss of openness of the Green Belt.

Character and appearance

10. Ram Hill has a semi-rural country lane character. Properties are well-spaced, with gaps between development providing views to the surrounding countryside. Travelling along Ram Hill past the mobile home, there is a broadly consistent building line, with properties set back behind a hedge or walled front boundaries. The properties on the mobile home park are situated on a slight decline that falls away from the roadside. While architecturally unremarkable, the position and inward-facing arrangement of the established mobile home units has succeeded in creating a discreet and relatively unobtrusive development within the semi-rural context.
11. The mobile home proposed to be sited closest to the road would be well forward of the established building line and, even at a single storey, would appear completely at odds with the layout and form of development that characterises Ram Hill. Rather than successfully completing the layout, the two units proposed would visually and physically extend the mobile home site towards the roadside frontage. The unsophisticated architectural form of the mobile homes would appear as starkly at odds with the material permanence of the dwellings that underpins the established character along Ram Hill. The higher ground level where the unit closest to the road would be sited would exacerbate its harmful visual impact, even if the tops of existing mobile units within the established park were visible behind it.
12. Although the previous Inspector was considering four mobile homes, I similarly conclude that even the development of two units would have a pronounced visual impact upon their surroundings, especially when seen from the frontage lane. While I recognise that planting could potentially provide some screening, I believe it would take time to mature and do little to mitigate the harm to the character and appearance of the area. The appeal proposal would therefore result in harm to the character and appearance of the area, as well as the visual appearance of the land.

Other considerations

13. I have considered the appellant's proposal to freeze the number of units at the neighbouring park by way of a restrictive condition, such that if the two units on the appeal site were allowed, the net amount of mobile homes would equate to that permissible on the neighbouring holding. This was a matter put to the previous Inspector, who concluded that freezing the number of mobile homes on the main site would only be tenuously related to the direct impact that the mobile homes would have on the openness of the site, and would not negate the harm that would be caused to the Green Belt by the new development. I concur with this assessment and likewise consider that a net reduction of two units on the neighbouring site does not cancel out the potential effect in relation to Green Belt openness of development on the appeal site. Moreover, even if there was a legal mechanism in place to secure such a control, I still find that this matter carries moderate weight in the overall balance.
14. There is a potential to introduced planting along the front boundary of the appeal site. While the extent and nature has not been indicated in any of the proposed plans, this is an element that could reasonably be secured by a condition. However, even if planting provided some screening of the proposed

mobile homes from the road, it would not assist in keeping the land fundamentally open and free from development. This element would therefore do little to mitigate the harm to the Green Belt, nor the character and appearance of the area. Along with the lack of any objection from the Highway Authority and the potential to control sewage disposal by a condition, these area all neutral factor that carry no weight in the overall planning balance.

15. While areas of hardstanding and other infrastructure may be covered by a separate licencing regime, the impact of the development on the openness of the Green Belt would nonetheless contribute to a localised reduction in the openness of the landholding. This matter therefore carries little weight in balancing the substantial weight that should be given to any harm to the Green Belt, as in paragraph 88 of the Framework. The Green Belt policies apply a wholesale approach to its protection; I therefore attribute no weight to the contention that the appeal site is not in a particularly sensitive part it.
16. The appellant raises the point that the Council are currently unable to demonstrate a 5-year supply of housing land², and this is a matter to which I attribute moderate weight. Under paragraph 14, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, assessed against the policies in the Framework taken as a whole, or when specific policies indicate that development should be restricted. Footnote 9 of the Framework establishes that 'specific policies' include those in relation to the Green Belt. It stands therefore, that the development proposal should be assessed against the relevant Green Belt policies in the Framework and the related development plan policies. Although the appeal proposal would introduce a form of low-cost housing with an established residential garden where associated residential paraphernalia could materialise, the contribution of two dwellings would still make a very modest contribution to any deficit in housing land supply.

Conclusions

17. The Framework specifies that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Although in this case the additional visual effect on the openness of the Green Belt would be moderate, substantial weight should still be given to any harm to the Green Belt. In this appeal I have also identified harm to the character and appearance of the area, to which I also attach substantial weight. Very special circumstances will not exist unless the harm to the Green Belt and any other harm is clearly outweighed by other considerations.
18. For the reasons given above, I find that the combined weight of the other considerations does not clearly outweigh the harm to the Green Belt and to the character and appearance of the area. Even operating the tilted balance in paragraph 14, the harm that would arise from the development would also significantly and demonstrably outweigh the benefits. As such, the very special circumstances necessary to justify the development do not exist.
19. The proposal would therefore run contrary to the policies in the Framework insofar as they seek to protect Green Belt openness and resist development that would be detrimental to the Green Belt. Consequently, the proposal would also fail to comply with Policy CS5 which requires development in the Green

² APP/P0119/W/16/3161365

Belt complies with the provisions of the Framework. As well as Policy CS34, specifically criterion 4, which seeks to protect the designated Green Belt from inappropriate development. The supporting text to CS Policy L1 clarifies that the term landscape refers primarily to the visual appearance of the land. While the appeal site does not make a 'significant contribution' as defined in criterion A, the proposal would neither conserve nor enhance the amenity of the landscape, thereby running contrary to criterion C. The development would also run contrary to Policy CS1 of the CS, which require proposals respect and enhance the character of the site and its context, and with the Framework requirement for good design.

20. I conclude, therefore, that the appeal should be dismissed.

H Porter

INSPECTOR