



Appeal Decision

Site visit made on 15 October 2019

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 December 2019

Appeal Ref: APP/P0119/W/19/3233282

Severn View, The Green, Littleton-upon-Severn, Bristol BS35 1NN

- 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 Ms Judith Bryant against the decision of South Gloucestershire Council.
 - The application Ref PT18/4250/F, dated 12 September 2019, was refused by notice dated 22 March 2019.
 - The development proposed is conversion of agricultural barn to form a yoga, meditation studio.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the site address from the appeal form as it provides the most concise and accurate location of the development.

Main Issues

3. The main issues are:
 - whether the proposal would be 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 proposal on the character and appearance of the area, with regard to the setting of the Grade II* listed Church of St Mary of Malmesbury;
 - the effect of the proposal on highway safety; and,
 - if there is harm by reason of inappropriateness, and any other harm, would it be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Reasons

Whether the proposal would be inappropriate development in the Green Belt

4. The appeal relates to a redundant agricultural building at the edge of the settlement of Littleton-upon-Severn, within the Bristol/Bath Green Belt. The Framework states that the essential characteristics of Green Belts are their openness and permanence. It identifies that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances.

5. It establishes that the construction of new buildings in the Green Belt is inappropriate, subject to a number of exceptions. One such exception (exception c) of Paragraph 146) is where a scheme would involve the re-use of a building provided it is of permanent and substantial construction and the scheme would preserve the openness of the Green Belt and not conflict with the purposes of including land within it.
6. Policies CS5 and CS34 of the South Gloucestershire Local Plan Core Strategy 2006-2027 (adopted 2013) (CS) and Policy PSP7 of the South Gloucestershire Policies, Sites and Places Plan (adopted 2017) (PSPP) seek to protect the Green Belt from inappropriate development, subject to the provisions of the Framework. The policies are therefore consistent with the Framework.
7. The existing building is comprised of two elements. A taller, Dutch style barn forms its west side, from which a metal and concrete lean-to extends eastwards. The Dutch barn is open fronted to the south, west and north and its curved roof is supported on slender metal struts. These attributes give it an extremely lightweight, open and permeable appearance. Indeed, it is possible to look right through it, particularly from the entrance to Severn View and from the Public Right of Way (PROW) to the north.
8. The conversion would not extend the building or cause its encroachment into the countryside. However, the open sides of the barn would be enclosed, which would increase the substance of its form. Although the presence of glass and apertures would lessen this effect to an extent, there would be an overall increase in the solidity of the building, which would cause loss of openness within the Green Belt. The increased parking would also reduce the openness of the site, albeit to a very limited degree. These effects could not be mitigated by landscaping, which itself has the potential to reduce openness.
9. For these reasons, although the scheme would not conflict with the purposes of including land within the Green Belt identified within Paragraph 134 of the Framework, the openness of the Green Belt would not be preserved. Therefore, notwithstanding the dispute between the main parties regarding the construction of the barn, the proposal would be inappropriate development in the Green Belt in any event.
10. I therefore conclude on this issue that the proposal represents inappropriate development which would give rise to a loss of openness within the Green Belt. It would conflict with Policies CS5 and CS34 of the CS, Policy PSP7 of the PSPP and Paragraph 146 of the Framework insofar as they seek to prevent inappropriate development in the Green Belt.
11. The Council's first reason for refusal also refers to the South Gloucestershire Green Belt Supplementary Planning Document. However, as its guidance relates to superseded policies, I have given it very limited weight.

Character and appearance

12. Littleton-upon-Severn is a dispersed village set along a number of roads. This pattern of development emphasises its rural setting. The barn is at the eastern edge of the settlement and is clearly identified as an agricultural building within the rural landscape. Although it is tired and basic in appearance, and may further degrade over time, this is not uncommon for buildings of this type.

13. The barn is near to the entrance to the churchyard and within the setting of the Grade II* listed Church of St Mary of Malmesbury (the Church). I am therefore mindful of my duty to consider the impact of the proposal on the special architectural and historic interest of this listed building. The significance of the Church derived from its setting relates to its enclosure within its churchyard and its commanding, rural location on elevated ground above the village.
14. Despite their proximity, the barn is set down on lower land to the Church and separated from it by the churchyard and the highway. This provides the barn with a clear subservience and detachment from its more illustrious counterpart. In longer views the muted and permeable appearance of the barn leads it to largely blend into the landscape and leave the Church unchallenged. On this basis, I find that the existing barn does not harm the setting of the Church.
15. The proposed conversion would have a substantively increased physical presence. I note that the elevation facing the church would be finished in corresponding stonework. However, given that the appeal barn is not itself an historic building, I would question the validity of this approach. Furthermore, I find that the proposed composition of the conversion, the introduction of domestic sized openings, multiple rooflights, a flue, and the application of render, to what is essentially a utilitarian farm building, would result in a rather crude conversion with a confused identity. The render would appear notably stark within the pastoral landscape when viewed from the PROW, which would detract from the primacy of the church's position.
16. I note the appellant's view that the conversion of Lodge Farm Barns, if carried out, would heighten the need for the appeal barn to be tidied up and converted. However, as I have found that the appeal barn is an innocuous and typical rustic building within the rural landscape, this is not an opinion I share.
17. As such, whilst I appreciate the views expressed by the appellant and interested parties that the conversion would be an enhancement, I find that, due to the specific design approach proposed, it would appear incongruous within this location. In doing so, the proposal would harm the setting of the Church. Mitigatory planting would not provide an adequate long-term solution. Although it is noted that a new area of grassland has been set out to the west of the barn, the emerging benefits of this work would do little to directly mitigate the harm I have identified.
18. I consider that the harm to the historic environment would be less than substantial. Any such harm nevertheless merits great weight in accordance with Paragraph 193 of the Framework and falls to be weighed in the balance with the public benefits of the development.
19. The scheme would generate employment through the reuse a redundant building. In doing so, it would provide a home for a small rural enterprise and popular community facility with evidenced education and health benefits. Increased footfall may boost village vitality and offer some limited increase in awareness and publicity for the Church. The benefits of the yoga, the use of solar panels, recycling and rainwater harvesting, plus the inclusion of bicycle storage and a charging point for an electric vehicle, would make a small contribution to meeting environmental objectives. The landscaping, particularly the wildflower meadow, would make a contribution to biodiversity, and the scheme would make provision for nesting birds and bats.

20. As the appellant would live and work at Severn View, there would be no commuting in the first instance. I also understand that some of the likely patrons of the studio live locally and could lift share or walk or cycle to the site. However, I cannot rely on these circumstances not to change, which has reduced the weight I have attached to the associated environmental benefits. The absence of any significant noise pollution and the absence of advertisements at the site are neutral factors in my assessment. In the balance, I find that the public benefits of the scheme would weigh moderately in its favour. They would not, however, outweigh the harm to the designated heritage asset.
21. My attention has been drawn to planning permissions for Dutch barn conversions elsewhere in the area¹. Although these cases are inherently similar, I have identified a particular sensitivity to change in this case, based on the specific circumstances of the area within which the barn is experienced. As such, these permissions have had little bearing on my decision.
22. Consequently, I find that the proposal would have a harmful effect on the character and appearance of the area, with regard to the setting of the Grade II* listed Church of St Mary of Malmesbury. It would conflict with Policies CS1, CS9 and CS34 of the CS and Policies PSP1, PSP2, PSP17 and PSP28 of the PSPP which, amongst other things, seek schemes to respond appropriately to their location. The proposal would also be contrary to the advice of the Framework to conserve heritage assets in a manner appropriate to their significance.

Highway safety

23. The appeal site is accessed via a lane which connects to the main public highway through the village a short distance to the south. The location of Littleton-upon-Severn suggests to me that through traffic is limited, and I observed that the roads were typically quiet within this rural area. Although the absence of pavements leads to the sharing of the carriageway, there is no evidence before me of any particular incidents between road users.
24. Although the generous internal plan of the conversion could lend itself to quite large-scale events, it seems to me that the capacity of classes could be recorded and therefore limited by condition. There is no evidence that such restrictions would render the studio unviable. For these reasons, I am satisfied that the large parking forecourt at Severn View could satisfactorily accommodate the likely traffic generated by the proposal. Furthermore, given the absence of any recorded incidents or substantive evidence to the contrary, I have no reason to believe that vehicular movements generated by the proposal could not be safely accommodated within the highway network.
25. Whilst I appreciate the community benefits associated with the existing informal use of Severn View's parking forecourt during particularly busy church services, I find no reason why this private arrangement would be affected by my decision.
26. I therefore find on this issue that the proposal would have an acceptable effect on highway safety. It would accord with the highway aims of Policies CS8 of the CS, Policies PSP11 and PSP16 of the PSPP and the Framework.

¹ Given Refs: PT14/4879/PNGR, PT15/2340/F, PT14/4703, PT16/1196/PNGR, PT17/0496/F, PT18/4250/F

Other Considerations

27. I appreciate that the proposal has much local support and that there would be health benefits to the individual users of the facility. However, there is no substantive evidence to demonstrate that these benefits could only be achieved on this site. Whilst the conversion would be a more bespoke facility, I understand from the interested parties that yoga already takes place within the village hall. Therefore, this matter is of limited weight in my assessment.
28. The appellant has also referred to marketing which has been carried out in relation to agricultural use of the barn, but no other details have been provided. As such, the marketing has had very limited weight in the scheme's favour.
29. I have also had regard to comments about the procedural conduct of the Council. The matters raised are not germane to this section 78 appeal, which is confined to an assessment of the planning merits of the case.

Green Belt Balance

30. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It goes on to advise that substantial weight should be given to any harm to the Green Belt and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
31. I have found that the proposal would be inappropriate development that would harm openness. It would also be harmful to a designated heritage asset, which is a matter of considerable weight and importance. In my view, the other considerations put forward do not clearly outweigh the substantial weight that I give to the harms I have identified. Consequently, the very special circumstances necessary to justify the development do not exist.

Conclusion

32. For the reasons given above, the proposal would conflict with the development plan and the Framework when taken as a whole. Having considered all other relevant matters raised, I conclude that the appeal should be dismissed.

Matthew Jones

INSPECTOR