



Appeal Decision

Site visit made on 11 February 2020

by Adrian Hunter BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th March 2020

Appeal Ref: APP/P0119/W/19/3240403

Northlands Cottage, Dunkirk, Badminton GL9 1AG

- 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 John and David Blackwell against the decision of South Gloucestershire Council.
 - The application Ref P19/1971/F, dated 19 February 2019, was refused by notice dated 22 August 2019.
 - The development proposed is replacement dwelling and replacement workshop.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the character and appearance of the area and the qualities of the Cotswold Area of Outstanding Natural Beauty (AONB).

Reasons

3. The appeal site lies in a rural location, surrounded to the north, south and west by open fields. Immediately to the east is the A46 road. The surrounding topography is a plateau and is therefore relatively flat, with little in the way of landscaping and planting. As a result, the existing buildings on the appeal site are relatively visible in views across the surrounding land. Immediately to the north-east, on the opposite side of the A46 is another, larger detached property.
4. The existing dwelling on the site is a 2 bedroom, stone built detached property, set within a large garden. To the west of the dwelling is a workshop, from which the owners operate a motor vehicle repair business. Around the site are a number of freestanding storage containers and other structures, associated with the existing business. There are two access points, one which serves the house and business at the southern end of the site, and a further one at the northern end, which at the time of my site visit was gated. The boundaries to the north and west comprise established hedgerows, whilst to the south the boundary is open and marked by a post and rail fence.
5. Policy PSP40 (Residential Development in the Countryside) of the Policies, Sites and Places Plan identifies, amongst other things, that the replacement of an existing dwelling is acceptable, where it is of a similar size and scale to the existing dwelling, within the same curtilage, and of a design in keeping with the locality, and minimises visual intrusion in the countryside. Policy PSP2

(Landscape) of the South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017, requires proposals to conserve, and where possible enhance, the natural beauty of the Cotswolds Area of Outstanding Natural Beauty (AONB), and to deliver the highest quality design which respects the areas natural beauty.

6. The proposed replacement dwelling would be a substantial, 5 bedroomed property. By comparison to the existing dwelling on site, it would occupy a larger footprint, with a larger expanse of roof, which includes a number of large, feature gables. The proposed replacement building would therefore be of a considerably greater scale, bulk and massing than the property to be replaced.
7. I note that it is proposed to reposition the dwelling away from the main road and position it in the north-east corner of the site. Whilst I can appreciate the benefits that this alternative location would deliver in terms of an improvement to living conditions, this proposed location for the replacement dwelling is no less prominent than the current building. As a result, the new dwelling would be wholly different in scale, character and appearance to the existing property. It would represent a significant feature within the countryside and would be visible within views of the area.
8. The proposed replacement workshop would occupy a similar location to the existing workshop building. It would be single storey and would be similar in appearance to the existing workshop on site. Whilst the overall size of the workshop would be larger than the existing, this increase in size would ensure the removal of the existing storage container units. I consider their removal to be a visual improvement and therefore a benefit of the scheme. However, due to the size and appearance of the replacement dwelling, I do not find that this benefit is sufficient to outweigh the harm I have found in relation to the overall impact of the proposed scheme.
9. I therefore conclude that the proposed development would harm the character and appearance of the area, and therefore effect the qualities of the AONB. As such, in this regard, the proposal is contrary to development plan Policies CS9 and CS34 of the South Gloucestershire Core Strategy (Adopted) December 2013, Policies PSP2 and PSP40 and The Framework.

Other Matters

10. My attention has been to the particular individual circumstance of the applicant and the relationship between the existing business and the dwelling. It is clear that there is an established business on site. The Framework and the development plan policies support the provision of rural enterprises and I have taken into account the appellants' wishes to use the new accommodation to enable their family to provide on-site support and continue the business. Although I understand the need for this, these represent largely private benefits that would accrue from the appeal development. These personal circumstances are therefore not sufficient to outweigh the harm that I have identified.
11. I have been referred to another development in the locality for a replacement dwelling. I note from the information that the building in question is referenced to have been derelict for a number of decades, with permission granted for a larger building on the grounds that the current structure was not

suitable for re-use. I therefore find that the circumstances which were applied to the other case are not directly comparable to those before me. In any case, I am not familiar with all of the circumstances of that other case, and I am required to determine the appeal on its own merits.

Conclusion

12. I conclude that for the above reasons, the appeal should be dismissed.

Adrian Hunter

INSPECTOR