



Appeal Decision

Site visit made on 7 January 2020

by R E Jones BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 May 2020

Appeal Ref: APP/P0119/W/19/3238938

1 Cleeves Court, Court Farm Road, Longwell Green BS30 9AW

- 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 and Mrs Dowding against the decision of South Gloucestershire Council.
 - The application Ref P19/8532/F, dated 4 July 2019, was refused by notice dated 17 September 2019.
 - The development proposed is for the conversion of existing stable into 1 No dwelling (class C3) with parking and associated works.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The development description in the banner heading has been taken from the appeal form and differs to that in the application form. There is agreement between the parties that the revised description describes the development adequately, and I have no reason to disagree. I have therefore determined the appeal on the basis of the revised development description.

Main Issues

3. The main issues of the appeal are;
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies;
 - The effect of the proposed access arrangements on the safety of vehicular and pedestrian traffic on Cleeves Court.
 - If the development is inappropriate, 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

Whether Inappropriate Development

4. Located in a paddock beyond the residential boundaries of dwellings fronting Court Farm Road and Cleeves Court, the appeal building, a long wooden clad stable, is within the Green Belt. Paragraph 143 of the National Planning Policy

Framework (the Framework) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. However, paragraph 146 of the Framework indicates that the re-use of a building can be considered as being not inappropriate development. This is on the proviso the building is a permanent structure and is of substantial construction and the openness of the Green Belt would be preserved and that there would be no conflict with any of the five purposes of including land in the Green Belt. The purposes for including land in the Green Belt being those referred to in paragraph 134 of the Framework. As for openness, the Framework states that this is an essential characteristic of the Green Belt and has a spatial as well as a visual aspect.

5. The Council's Green Belt Supplementary Planning Document¹ (the SPD) echoes the considerations in the Framework in terms of proposals that re-use buildings. Elsewhere the Council's policies are less prescriptive, insofar as they relate to the proposal, nevertheless Policies CSC5 and CSC34 of the Core Strategy² and Policy PSP7 of the Local Plan³ include a general tenet that seeks to avoid inappropriate development in the Green Belt.
6. The parties do not dispute that the building is a permanent structure and is of substantial construction, I have no reason to disagree with this view following my site visit. Moreover, the changes proposed to the building's exterior would be largely limited to modest alterations to existing window and door openings.
7. The existing stable building is located within a small parcel of land relative to the larger agricultural fields it adjoins to the south and west. The land is bordered by existing hedgerow and post and rail fencing and can be seen through gaps from the public footpath that runs along the bottom of the neighbouring field to the south. The parcel of land is mostly covered in grass however, there is a large gravelled hardstanding that in part incorporates the existing road to the stable building. During my visit I noted a van parked in this area, and it would likely be used for the parking and manoeuvring of vehicles and trailer attachments used to transport horses relating to the stable building, should the stable use continue. Although not included in the appeal site the appellant proposes to landscape this hardstanding area with grass and use planting to separate it from the access track leading to the stable.
8. The areas immediately adjacent to the stable building consist of linear but shallow strips of land laid with gravel. During my site visit these areas were relatively open but included a small amount of visible paraphernalia connected with the stable building, such as water butts, a drinking trough and a seating bench.
9. The appeal site comprises a significantly reduced area within the parcel of land. It would include the current access track leading to the barn and would utilise the existing shallow gravel areas to the immediate front and rear of the building for parking and private amenity space respectively. A grassed area to the immediate east of the stable building is proposed as further private amenity land. This is generous in terms of its area and would be enclosed partly by a 1.8m fence and landscaping. During my site visit I noticed this area was primarily grassed but strewn with building materials in addition to a parked

¹ Development in the Green Belt – Supplementary Planning Document, June 2007.

² South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013

³ South Gloucestershire Local Plan; Policies, Sites and Places Plan (Adopted) November 2017

mini digger that had no apparent connection with the stable use. It was partly enclosed by the hedgerow running along the rear of the stable and post and rail fencing, but otherwise was open in appearance. The proposed private amenity areas around the appeal building would be visible through gaps in the existing boundary vegetation when viewed from the adjacent field and public footpath to the south.

10. The proposal would give rise to a more intensive residential use of the building. Despite the presence of an integral garage, cars would likely use the area immediately in front of the dwelling to park. Furthermore, the addition of the private amenity area to the side of the dwelling would be expected to be domesticated with paraphernalia associated with a residential use, such as outdoor seating, while fencing is proposed to enclose the space in combination with landscaping. The likely intensification of use, and physical changes, to this area of land would result in encroachment into the countryside, whilst also materially affecting Green Belt openness.
11. I acknowledge from the submitted information that the existing large gravelled forecourt area is proposed to be landscaped and returned to pasture. This would have a positive effect on the openness of the Green Belt by removing an engineered hardstanding that can be used for parking and replacing it with a softer landscaped area. This land, although outside of the appeal site, is within the appellant's control therefore as suggested a planning condition could be imposed that would ensure the gravelled forecourt is landscaped and becomes part of the adjacent pastureland. The resultant landscaping, in my view, would be proportionate in area to the spaces around the appeal building earmarked for outdoor amenity and parking and have the effect of offsetting the combined impact on openness, if the gravelled forecourt was not landscaped. Such an eventuality would in my view have a neutralising outcome that would not result in any overall harm to the openness of the Green Belt.
12. I conclude that the proposal would be 'inappropriate development' and would result in the encroachment of development into the countryside. While the harm would be moderate, the proposal would nonetheless conflict with one of the purposes of including the land in the Green Belt. This means that the proposal does not accord with the provisions of the Core Strategy, the Local Plan, and the SPD, in addition to the Framework about the protection of the Green Belt.
13. The Council's first refusal reason cites conflict with Policy CS4A of the Core Strategy, a policy that addresses sustainable development. However, the policy makes no reference to the Green Belt and I am therefore of the opinion that it is not relevant to the consideration as to whether this scheme would be inappropriate or not inappropriate development within it.

Highway Safety

14. The access drive currently serves two properties along Cleaves Court, with a third currently under construction. The road is relatively straight with good forward visibility along its entire length. Whilst I have not been provided with details of dimensions it was evident from my site visit that the access drive has a variable width from its junction with Court Farm Road to the proposed entrance gates that lead to the appeal building. Although narrow in places it is wide enough for two cars to pass each other for an adequate length of the drive at its junction with the main road and adjacent to No 47 and 51 Court

Farm Road. From this point onwards, I consider that the access drive's width can only accommodate 1 vehicle.

15. It is acknowledged that there would be instances where two vehicles would meet each other at the same time, along the narrower section of the access drive, but these would likely be rare, given the number of dwellings it would serve. Moreover, instances when a vehicle would obstruct a pedestrian travelling along the access drive, would be equally infrequent. Besides, the speeds that vehicles would be travelling along the driveway would likely be low, thus reducing further any occurrences where vehicular and pedestrian safety issues could arise. Therefore, despite the lack of information on this matter I do not consider that the access into the site is so inadequate, such that it would be unsafe to vehicular and pedestrian traffic.
16. During my inspection I noted that there was a bin collection point at the entry to the access drive from Court Farm Road. This could also be used by the occupiers of the proposed dwelling as there was sufficient space available for further bin storage. There was also enough space, in my view, around the appeal building to accommodate parking and turning facilities for cars as well as cycle storage that would meet the Council's standards. Conditions agreeing these details could therefore be imposed.
17. In concluding on this matter, the proposal would result in acceptable access arrangements that would not harm the safety of vehicular and pedestrian traffic on Cleeves Court. I have therefore found no conflict with Policy CS8 of the Core Strategy and Policies PSP11 and PSP16 of the Local Plan. Collectively these, amongst other matters, require proposals not to have an unacceptable impact on highway and pedestrian safety. I also found no conflict with the South Gloucestershire Residential Parking Standards Supplementary Planning Document, Adopted December 2013. The proposal would also accord with the provisions of the Framework, where it seeks to prevent unacceptable impacts on highway safety.

Other Considerations

18. Notwithstanding, the ability of a planning condition to redress the harm that could be caused to Green Belt openness, this does not overcome my concerns in relation to the encroachment of the proposed side amenity area into the countryside. Given that safeguarding the countryside from encroachment is one of the five main purposes of the Green Belt, I do not consider that a neutral effect on Green Belt openness outweighs the harm I have identified.
19. There are no refusal reasons relating to matters such as the size of the proposed accommodation or outdoor space. Furthermore, there are no concerns from the Council in respect of the living conditions of existing and future occupiers. The proposal also complies with the Council's countryside protection policies where they relate to conversions of redundant buildings. Additionally, I have found that the proposed site access is acceptable in terms of vehicular and pedestrian safety. Nevertheless, the absence of other harm is a neutral factor and does not weigh in favour of the proposal, or amount to the very special circumstances necessary to justify the development.

Conclusion

20. The proposal would be inappropriate development in the Green Belt in that it would lead to encroachment into the countryside. The Framework establishes that substantial weight should be given to any harm to the Green Belt. The other considerations in this case and the lack of harm I have found in respect of vehicular and pedestrian safety do not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist. The proposal would be contrary to Policies CS5 and CS34 of the Core Strategy and Policy PSP7 of the Local Plan, the SPD and the provisions of the Framework.
21. Therefore, for the reasons given I conclude that the appeal is dismissed.

R. E. Jones

INSPECTOR