



Appeal Decision

Site visit made on 26 June 2020

by Rachael Pipkin, BA (Hons), MPhil, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th July 2020

Appeal Ref: APP/P0119/D/20/3252674

The Grange, Siston Court, Mangotsfield, BS16 9LU

- 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 Toby Nevitte against the decision of South Gloucestershire Council.
 - The application Ref: P20/03434/F dated 24 February 2020, was refused by notice dated 24 April 2020.
 - The development proposed is erection of a detached garage and associated works.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies;
 - the effect of the proposal on the openness of the Green Belt;
 - the effect of the proposed development on the character and appearance of the host property and the surrounding area with particular regard to the effect on heritage assets; and
 - if the proposal is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Reasons

3. The Grange is a two-storey detached house. It is a Grade II listed building and is located within the curtilage of Siston Court, a Grade I listed building. The appeal property, Siston Court and the cluster of development around it fall within the Siston Conservation Area (SCA). The surrounding area is predominantly fields and rural in character. The site lies within the Bath and Bristol Green Belt.
4. The proposed development would be a large, detached 5 bay garage with a dual pitched roof and 5 dormer windows to provide for a home office and storage in the roof space.

Inappropriate development

5. The construction of new buildings should be regarded as inappropriate in the Green Belt except in a limited number of circumstances as set out in paragraph 145 of the National Planning Policy Framework (the Framework).
6. The Council has considered the proposed outbuilding as an extension to the host dwelling which it sets out has already been substantially enlarged. However, in my view, the proposed outbuilding is some distance from the house and as such it could not be reasonably considered as an extension. The exceptions set out in paragraph 145 do not therefore apply.
7. I therefore conclude that the proposed outbuilding would result in a new building in the Green Belt and would amount to inappropriate development, which is, by definition harmful to the Green Belt.

Effect on the openness of the Green Belt

8. Paragraph 133 of the Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It identifies openness as an essential characteristic of the Green Belt. Openness is the absence of development and has both spatial and visual effects.
9. In spatial terms, the proposed detached garage would significantly increase both the footprint and volume of built development on the site. The increased space occupied by this building would significantly erode the openness of the site. Furthermore, the proposal due to its significant height and bulk and its proximity to the low boundary wall running alongside the lane would be visually prominent when viewed from the surrounding area.
10. I conclude that the appeal proposal would result in a significant loss of openness thereby causing significant harm to the Green Belt. Therefore, it would be contrary to the objectives of the Framework.

Character and appearance

11. The appeal site lies within the SCA which is an attractive rural and historic area, with a small group of historic properties clustered around the 16th century Elizabethan manor house of Siston Court. Siston Court dominates this part of the SCA with many of the surrounding buildings originally built to house estate workers or to serve the estate. These buildings are of varying designs and ages, clustering around the northern edges of Siston Court, with rural fields and the historic estate parkland beyond. Together these contribute to the setting of the Grade I listed building.
12. The Grange was a former nurseryman's cottage, dating back to the 19th century, located on the northern edge of Siston Court. It was built in a Gothic style, featuring arched windows and crenulations to its central bay and above the door. The distinctive architecture and style of The Grange, whilst forming part of an eclectic mix of buildings, nevertheless contrasts with surrounding development. This gives The Grange prominence within the locality. The prominence of The Grange on the edge of the cluster of development with fields and a nursery and glasshouses downslope and opposite, and Siston Court behind it, contribute to the setting of this architecturally distinct building. The rural setting, historic estate and associated buildings all contribute to the significance of the SCA.

13. The appeal site occupies a prominent position adjacent to the lane running through the cluster of development around Siston Court. The host property is positioned at the rear of the site adjacent to the high stone boundary wall to the neighbouring property, with Siston Court visible beyond this. The garden lies to the front adjacent to the lane. It is enclosed by a low stone wall and vegetation and is relatively open, although a substantial temporary structure within this space currently dominates the frontage.
14. The proposed development would be built within the front garden of The Grange, running perpendicular to the host property and along the open boundary to the garden of the neighbouring property. Due to its position, height and excessive width, it would be a visually prominent building. It would obscure views of both The Grange when approaching along the lane from the east; and views of Siston Court beyond it in views from the north.
15. The height of the proposed outbuilding, whilst lower than The Grange, would be similar in height to the neighbouring property. It would occupy a large footprint within the appeal site and, due to its width and height, it would compete with the host property appearing disproportionately large and dominant within the front garden. This would detract from The Grange as a prominent and architecturally distinctive building within the locality. This would therefore not preserve the setting of this Grade II listed building. It would also harm the character and appearance of the host property.
16. This northern side of Siston Court would have been the working part of the estate, with stables and outbuildings. In this context, a coach house or garage building would not be uncharacteristic. However, the size of the proposed development and the resultant loss of views of Siston Court would visually disconnect this primary building of the historic estate from the surrounding area including the rural landscape of which it forms part, when viewed from this side. This would not preserve the setting of the Grade I listed building. I attach considerable importance and weight to the desirability of avoiding any such harmful effects on the setting of listed buildings in accordance with section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
17. The proposed outbuilding would be finished in natural lias rubble stone slips and reclaimed clay double Roman roof tiles which would be in keeping with The Grange and surrounding development and the rural character of the area. However, this would not overcome the harm that would arise from the significant size of the proposed development at the front of the appeal site. The large size of the building and its position, projecting forward towards the lane, would erode the open character of the area and restrict longer views down the lane and across the open fields. This would harm the character and appearance of the surrounding area.
18. The cumulative harm arising from this harm to the character and appearance of the area and the harm to the setting of both listed buildings and their contribution to the conservation area, would fail to preserve or enhance the character or appearance of the SCA and would harm its significance. In accordance with Section 72(1) of the Act, I attach considerable importance and weight to the desirability of avoiding any such harmful effects.

19. The harm the proposal would cause to the setting of the listed buildings and the significance of the SCA would be significant though less than substantial. Paragraph 196 of the Framework states that where a proposal would lead to less than substantial harm to the significance of the heritage asset, this harm should be weighed against the public benefits of the proposal.
20. The proposed garage would provide long term storage of the appellant's classic car collection and loft space for a home office. These are private benefits of the scheme. The provision of a home office could reduce the need for travel therefore providing a modest reduction in traffic on the local road network. There would be a small public benefit arising from this. However, this public benefit would be very limited and would not outweigh the less than substantial harm that I have found.
21. A smaller detached garage with 2 bays was recently approved on the site. However, as this is for a significantly smaller development, sited away from the lane and behind an approved scheme for a garage in the neighbouring garden, its impact on the setting of both listed buildings and the character and appearance of the SCA would be significantly less. It is not therefore comparable to the scheme before me.
22. In view of this, I conclude that the proposed development would significantly harm the character and appearance of the host property and surrounding area and would not preserve or enhance the character or appearance of the SCA and the setting of the Grade II listed The Grange and the Grade I listed Siston Court. It would therefore conflict with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy 2013 and Policies PSP1 and PSP17 of the South Gloucestershire Local Plan Policies, Sites and Places Plan 2017 (PSPP). These policies together seek a high-quality design, that makes a positive contribution to local distinctiveness and conserves and enhances heritage assets. It would also not comply with the design and historic conservation objectives of the Framework.

Other considerations

23. The appellant has an extant planning permission for a smaller, 2 bay detached garage on the site. He suggests that the Council's previous judgement about this approved scheme in the context of the Green Belt should be applied to the appeal scheme. However, the scheme before me would provide a 5-bay garage and would be more than double in size to the approved scheme. Given the smaller size and set back position of the approved scheme, it would be significantly less prominent and dominant within the context of the host dwelling and its wider setting. It would therefore have significantly less impact on both heritage assets and the openness of the Green Belt. I therefore give this very limited weight.
24. The provision of a large garage would provide storage space for 5 cars and could tidy up the appearance of the front garden to the host property. An existing temporary structure within the front garden, currently being used for storage, could be removed which would enhance the appearance of the property. However, I have no firm evidence that this would happen. I therefore give these benefits modest weight.
25. The proposed development would have no harmful effect on the living conditions of neighbouring occupiers. This is a neutral factor in the balance.

The Green Belt Balance

26. I have concluded that the proposal would be inappropriate development and would therefore, by definition, be harmful to the Green Belt. I have also found that it would cause significant harm to the openness of the Green Belt. These are matters to which I give substantial weight as required by paragraph 144 of the Framework.
27. In addition to my finding that the proposed development is inappropriate development I have identified that it would harm the character and appearance of the host property and the surrounding area. Additionally, I have found that it would lead to significant though less than substantial harm to the SCA and the settings of a Grade I and Grade II listed building. These factors weigh very heavily against the proposed development.
28. The proposal could tidy up the appearance of the front garden. The provision of a home office space would reduce the need for the appellant to travel. It would also provide the private benefit of storage for the appellant's private car collection. These minor benefits would have very little weight and would not outweigh the substantial harm to the Green Belt I have identified. Consequently, the very special circumstances necessary to justify the development do not exist.
29. As such the proposed development would be contrary to the Framework and Policy PSP7 of the PSPP which set out that the Green Belt should be protected against inappropriate development. It would also not accord with the guidance set out in the Development in the Green Belt Supplementary Planning Document 2007.

Conclusion

30. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Rachael Pipkin

INSPECTOR