
Appeal Decision

Site visit made on 14 July 2020

by M Allen BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 August 2020

Appeal Ref: APP/P0119/W/20/3250348

Sunnyside Farm, Dyers Lane, Iron Acton BS37 9XW

- 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 Richard and Mrs Christine Hunter against the decision of South Gloucestershire Council.
 - The application Ref P19/16575/F, dated 11 November 2019, was refused by notice dated 7 January 2020.
 - The development proposed is described as a "New dwelling in replacement of snooker room and garage. Demolition of small portion of farmhouse".
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the suitability of the location having regard to the locational strategy of the development plan, and
 - the effect on the character and appearance of the area.

Reasons

Location

3. The site lies outside of any settlement boundary and is not within what could be considered to be any settlement without a boundary; it therefore lies in the countryside. Policy CS5 of the South Gloucestershire Local Plan: Core Strategy (2013) (the Core Strategy) sets out a framework for the location and scale of development, outlining that in the countryside, new development will be strictly controlled. Policy PSP40 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (2017) (the Policies Plan) outlines that proposals for residential development in the countryside will only be acceptable within a limited number of stated circumstances.
4. The appellants contend that the proposal would accord with criteria 3 and 4 of PSP40. Dealing first with criterion 3, this relates to the replacement of a single dwelling. The appeal scheme would involve the demolition and replacement of buildings which currently accommodate a snooker room and garages. I note that the building accommodating the snooker room is referred to as "The

Bungalow”, however the information before me demonstrates only that it is utilised in conjunction with the main dwelling at the site.

5. I was able to enter the building and view the inside; I saw that it accommodated a large snooker table, as well as a sofa bed and there was also a small kitchenette. It was apparent that it was not used as a separate unit of accommodation and did not comprise a dwelling in its own right. This is corroborated by the appellants who state that it is used as a games room and for overspill accommodation for visiting family and friends. Whilst there is reference to previous owners of the site having potentially used the building for residential purposes, it was clear to me that the building was not used as, and consequently does not comprise, a separate dwelling. Thus, the scheme does not accord with criterion 3.
6. Moving to criterion 4, this allows the conversion and re-use of existing buildings for residential purposes where further conditions are met. It is clear that what is proposed is the demolition of the existing buildings and the construction of a new dwelling. This would patently not comprise the conversion or re-use of existing buildings. Moreover, the appellants accept that the existing games room is not suitable for conversion. As such, there is no support for the proposal provided by criterion 4.
7. Policy CS8 of the Core Strategy provides detail in terms of accessibility and affirms that developments which are car dependant or which promote unsustainable travel behaviour will not be supported, whilst policy PSP11 of the Policies Plan requires that residential development be located on safe and useable walking routes. I note that the appellant outlines the proximity of bus stops in the locality, referring to two which are 8- and 20-minute walk from the site. The nearest primary and secondary schools are also referred to, being a 10- and 20-minute walk, respectively, from the site. Whilst I acknowledge this, travelling on foot to either the bus stops or the schools would necessitate walking along the local roads.
8. I observed that the roads had no footways and that street lighting was infrequent. As such, I consider that travelling along the roads on foot would not be an attractive option for occupiers, particularly in the dark or in poor weather. I note that there is reference to the frequent use of the lanes by walkers and that the appellants do sometimes walk from locations nearby. However, the use of the roads by recreational walkers or occasionally by residents, cannot be compared to frequent and regular use by occupiers. As such, I find that occupiers of the proposal would be heavily, if not totally, reliant on the private car in order to access services.
9. Accordingly, I find that the location is not suitable for the development, having regard to the locational strategy of the development plan. The scheme therefore conflicts with policies CS5 and CS8 of the Core Strategy and policies PSP11 and PSP40 of the Policies Plan. It would also conflict with policy CS34 of the Core Strategy insofar as it seeks to reduce the need to travel.

Character and appearance

10. The proposal would necessitate the removal of the games room and garage buildings and the construction of a new, L-shaped dwelling. Whilst views in proximity to the site would only be available along the access to the property, I observed that there were also views of the existing, and thus there would be of

the proposed, from further along Dyers Lane. The overall height of the proposed building has been kept low and to a single storey, reflecting the height of the buildings to be demolished and would appear subservient to the existing dwelling at the site. However, the elevational treatment of the proposed dwelling would result in a building that fails to integrate appropriately with the prevailing character of the nearby dwellings, most notably due to the inclusion of dormer elements and black shiplap boarding. Whilst the intention may be to create a structure emulating a low group of agricultural buildings, the frequency of dormers, together with the significant amount of glazing would result in an incongruous addition to the site, which fails to appropriately emulate functional, rural buildings.

11. Accordingly, I find that the scheme would be harmful to the character and appearance of the area. It would therefore conflict with policy CS1 of the Core Strategy and policy PSP1 of the Policies Plan, insofar as these seek to ensure development achieves the highest possible standard of design and that development responds constructively to buildings and characteristics contributing to the distinctiveness of an area.

Other Matters

12. I acknowledge the desire of the appellants to downsize to a smaller property and to remain within the locality that they currently reside. However, these personal circumstances are not sufficient to outweigh the harm that I have identified. Neither is the intention to construct an eco-friendly dwelling.
13. Reference is made of pre-application advice that was provided by the Council. Whilst this matter is noted, pre-application advice is non-binding on the Council and provided on the basis of the circumstances at the time, which the appellants highlight was at a time when the Council was unable to demonstrate a five-year supply of deliverable housing sites. Since that time, the Council has a five-year supply. As required, the current scheme has been assessed on the basis of the current situation. As such, this matter has little bearing on my decision.
14. There is also reference to other developments granted approval within the local area. It is clear from the information provided that one development was for the conversion of an existing building and one for the extension of an existing property. They are therefore not directly comparable to the scheme that is before me. Two other cited cases refer to the erection of dwellings, four dwellings and one dwelling. The Council state that both of these examples were granted planning permission at a time when the Council was unable to demonstrate a five-year supply of deliverable housing sites. As such, the circumstances that existed at that time were different than those currently existing. Thus, I do not find that any of the cited examples provides support for allowing the appeal.

Conclusion

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

Martin Allen

INSPECTOR