



Appeal Decision

Site visit made on 23 November 2020 by Ben Phillips BSc MSc MRTPI

Decision by R C Kirby BA(Hons) DipTP MRTPI

An Inspector appointed by the Secretary of State

Decision date: 14 December 2020

Appeal Ref: APP/P0119/W/20/3256798

Land at Rear, 1 Cleeves Court, Court Farm Road, Longwell Green, Bristol 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 & Mrs Dowding against the decision of South Gloucestershire Council.
 - The application Ref P20/08511/F, dated 14 May 2020, was refused by notice dated 16 July 2020.
 - The development proposed is described as the Conversion of existing stable into 1no dwelling with parking and associated works. (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Resubmission of refused application P19/8532/F. Change of use of stables and curtilage to residential.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. The description of development above is taken from Part E of the appeal form and the Council's Decision Notice, in the interest of clarity.
4. The appellants have submitted additional plans for my consideration. These plans illustrate an alternative garden provision. No interested parties have had the opportunity to comment on the amended drawings and I consider that, having regard to the principles established under *Wheatcroft*¹, that to consider them would deprive those who should have been consulted of the change that opportunity. In the interest of fairness, I have assessed the appeal proposal on the basis of the drawings determined by the Council.

Main Issues

5. The appeal site is located within the Green Belt. The Council has not raised harm to the Green Belt as an issue, and having regard to the exception to development contained with paragraph 146 d) of the National Planning Policy Framework ('the Framework'), and on the basis of the evidence before me, I have no reason to find differently in this regard.

¹ Bernard Wheatcroft Ltd v SSE [JPL, 1982, P37]

6. Accordingly, the main issues are:

- The effect of the proposal on the character and appearance of the locality; and
- Whether the proposed development would provide acceptable living conditions for its intended future occupiers, with particular regard to the provision of private garden/external living space.

Reasons for Recommendation

Character and Appearance

7. The appeal site comprises a timber stable block, located in a paddock beyond the residential boundaries of dwellings fronting Court Farm Road and Cleeves Court. The appeal building is clearly set apart from the nearby residential development and neighboured to the rear and west by agricultural open fields. It sits within a mostly grassed area, apart from the tarmacked access area.
8. The new dwelling would sit within small grounds, with limited space between the building and side and rear boundary provided. However, it would be surrounded by open land and given its separation from nearby development, I find that visually, the development would not appear cramped. The design of the conversion reflects the appearance of the existing building and whilst cars may be parked outside of the building, this would be unlikely to have a greater impact than vehicles and equipment associated with the stable use.
9. In light of the foregoing, I conclude that the proposal would not be harmful to the character and appearance of the locality. There is therefore no conflict with Policy CS1 of the South Gloucestershire Local Plan; Core Strategy 2006-2027 (LP) or Policy PSP1 of the South Gloucestershire Local Plan; Policies, Sites and Places Plan (2017) (PSP), which collectively seek to ensure that development is informed by and understands the character of the site and its context.

Living Conditions

10. The plans show that the proposed conversion would result in a 4 bed dwelling. As such, the new dwelling would be large enough to accommodate a family, and there would be a high probability that at some time young children would live within it.
11. The only garden space provided would be a narrow strip immediately to the rear of the building. The garden area would be sited between the building and the hedgerow at the rear and as a result, would be a long, thin space. Whilst the appellant states that the bin and cycle storage area could be located within the garage area, the plans show that the garden space would be further limited by the inclusion of these areas.
12. There is dispute over the size of the garden area, however even if I was to accept the appellants' calculation, I find that the shape of this area would be unlikely to be large enough to accommodate much more than a thin patio area with a small area for seating upon it. Its restricted shape would be unlikely to be able to accommodate domestic items associated with a family sized dwelling such as play equipment and clothes drying area. The space would be cramped and impractical. In addition, whilst sited to the south of the building the garden

would be overshadowed by the hedgerow. It would be unlikely to be a pleasant area to spend time in.

13. It is acknowledged that the dwelling would be surrounded by open land providing space for children to play with access to the countryside, however this land would not be formally residential in use or provide space for play equipment. It is also acknowledged that the garden area would be secluded, quiet and private. However, this would not outweigh the consequences of its shape and location outlined above.
14. In light of the foregoing, I conclude that a poor external living environment would be provided to the intended future occupiers which would be harmful to their living conditions. Consequently there is conflict with the aims of PSP Policies PSP43 and PSP8 which require garden space to be of a functional shape to meet the needs of the likely number of occupiers and that acceptable living conditions are provided to occupiers. The proposal also conflicts with paragraph 127 of the Framework, which sets out, amongst other matters that developments should create places with a high standard of amenity for future occupiers.

Recommendation

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

B Phillips

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

RC Kirby

INSPECTOR