



Appeal Decision

Site visit made on 17 November 2020 by C Brennan BAE (Hons) M.PLAN MIPI

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 January 2021

Appeal Ref: APP/D0121/D/20/3257887

Gruff Cottage Adjacent to Ivy Cottage, 53 Cleeve Hill Road, Cleeve, Bristol BS49 4PH

- 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 Denis Burn against the decision of North Somerset Council.
 - The application Ref 20/P/0903/FUH, dated 20 April 2020, was refused by notice dated 16 July 2020.
 - The proposed development was originally described as "a first-floor extension above just the northern section of the house and on a slightly increased footprint".
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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.

Main Issues

3. The main issues are:
 - whether the proposed development would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework 2019 (the NPPF) and development plan policy;
 - the effect of the proposal on the openness of the Green Belt;
 - the effect of the proposal on the character and appearance of the site and surrounding area; and
 - if the development would be inappropriate, whether the harm to the Green Belt by way of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons for the Recommendation

Inappropriate Development

4. Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 of the NPPF states that new buildings in the Green Belt are inappropriate unless they fall within the given list of exceptions. One exception is the extension or alteration of a building, provided that it would not result in disproportionate additions over and above the size of
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the original building. Policy DM12 of the Sites and Policies Plan Part 1 2016 (the SPP) states that inappropriate development will not be approved except in very special circumstances, and that extensions to buildings would not be regarded as inappropriate provided that it would not result in disproportionate additions over and above the size of the original building. Policy DM12 is therefore consistent with the NPPF.

5. Policy DM12 also states that an extension will not normally be regarded as disproportionate provided that it does not exceed 50% of the gross floor area of the original building. The parties agree that the resultant increase in floor area would not conflict with this particular part of the policy. However, the inclusion of the word "normally" indicates that there can be circumstances when an extension not exceeding 50% of the original gross floor area can be still be regarded as disproportionate in size. Given that the existing building is wholly limited to a single storey, the proposed first floor element, due to its height, would appear as a disproportionate addition relative to the size of the original building, notwithstanding the percentage increase in floor area. Consequently, the proposal would constitute inappropriate development in the Green Belt, as defined in paragraph 145 of the NPPF. As such, the proposal would be contrary to Section 13 of the NPPF and Policy DM12 of the SPP as set out above unless it can be shown that very special circumstances exist.
6. The Council also state that the proposal would conflict with Policy CS6 of the Core Strategy 2017 (the Core Strategy). However, this policy relates specifically to the boundaries of the Green Belt and does not make any reference to inappropriate development. As such, I do not consider that there would be any conflict with Policy CS6.

Openness

7. Openness is an essential characteristic of the Green Belt as set out in paragraph 133 of the NPPF and can comprise spatial and visual aspects.
8. Spatially, the proposal would result in the creation of additional floor space at ground floor level, alongside a first-floor pitched roof extension on the northern side of the building. Overall, the proposal would cause moderate spatial harm to the openness of the Green Belt.
9. The existing building is set back from Cleeve Hill Road, adjacent to the northern face of a disused quarry. There are no public views of the building from the north, east or south, and only limited public and private views are possible from the access road to the west. From the access road, a single-storey shed on higher ground behind the appeal property can be seen. From this position, the proposed first floor extension would obscure views of the shed. As the scale of the resultant two-storey element would appear comparable to that of the shed when seen from the access road, the proposal would not cause visual harm to the openness of the Green Belt.
10. Substantial weight should be given to any harm to the Green Belt. Development should not be approved unless the harm to the Green Belt, and any other harm, is clearly outweighed by other considerations. I therefore need to consider whether any other harm is caused by the development and then balance the other considerations against the totality of that harm.

Character and Appearance

11. The appeal property comprises a single-storey barn conversion which lies to the north of Ivy Cottage, an attractive two-storey dwellinghouse. While there is some residential development along Cleeve Hill Road, the appeal site is set against a backdrop of open fields to the east and as such has a distinctly rural character. The varied roofline and character of the appeal property is telling of its past as a diverse assemblage of agricultural buildings, and so responds positively to its pastoral setting. In contrast, the proposed first-floor extension would represent a disproportionate addition that would fail to be subservient to the host property. Due to its height and scale, the resultant two storey part of the dwellinghouse would appear as its primary visual element, and the single-storey elements would appear as disjointed extensions to it. This arrangement would fail to preserve the character of the appeal property and would undermine its relationship with the surrounding pastoral environment. As such, the proposed development would cause unacceptable harm to the character and appearance of the site and surrounding area.
12. The appellant states that the appeal property does not fall under the definition of a "rural building" as per the glossary of the SPP, and as such Policy DM45 should not be applied in the determination of the proposal. Policy DM45 clearly sets out that any extension as part of a conversion or subsequently should respect the scale and character of the building. As such, whilst no longer a rural building, as defined, the policy is still applicable to the proposed subsequent extension, notwithstanding that the appeal property is the result of a conversion under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
13. Furthermore, Policy DM12 relates to inappropriate development in the Green Belt, and Policy DM45 relates to the conversion or re-use of rural buildings and any subsequent extensions to them. As the appeal site lies in the Green Belt and concerns a proposed extension subsequent to the conversion of a rural building, the proposal should be determined with due regard to both policies.
14. The Council claims that the proposal would result in the loss of more than 70% of the original exterior walls, whereas the appellant states that only 37% would be removed. Even if I was to accept the appellant's position, I have nonetheless found that the proposed first-floor extension would be disproportionate to the original building and would not respect the scale and character of the appeal property and its setting.
15. The appeal site is discreetly sited and would only be visible within limited public views from the access road. As such, I do not consider that the effect of the proposal on the Cleeve Ridges and Combes Landscape Character Area would be unacceptable.
16. The appellant states that an alternative scheme based upon a single-storey extension of 50% of the gross floor area of the existing property would be a sprawling building that would contrast poorly with surrounding houses. I am not convinced this would be the case. Furthermore, I must provide a recommendation on the scheme before me.
17. For the above reasons, I consider that the proposed development would cause harm to the character and appearance of the site and surrounding area. It

would therefore conflict with Policy DM45 of the SPP which states, amongst other things, that subsequent extensions to a rural building conversion should not be disproportionate to the original building and respect the scale and character of the building and its setting.

Other Considerations

18. Proposals should not be approved unless the harm to the Green Belt, and any other harm, is clearly outweighed by other considerations. I therefore need to balance any other considerations against the harm.
19. The appellant states that the proposal would be suitable for people requiring disabled access, with adequate space for a live-in carer on the first floor. However, this is a reasonable requirement of any new build residential development, and so I give little weight to this consideration in favour of the proposal.
20. The appellant states that the proposal would result in an improved living environment for occupants. While this would be the case, this relates to the appellant's personal circumstances rather than the broader public concerns that are of relevance for planning, and so I give limited weight to this consideration.

Planning Balance and Overall Conclusion

21. The proposal would cause harm to the Green Belt by virtue of its inappropriateness in principle. Added to that is the moderate spatial harm to openness that would be caused, as well as the harm that would be caused to the character and appearance of the site and surrounding area. The NPPF advises that the Government attaches great importance to Green Belts and that substantial weight should be given to any harm to the Green Belt.
22. The other considerations identified above do not clearly outweigh the harm to the Green Belt and therefore there are no very special circumstances to justify the proposal. As such, the development would conflict with Policy DM12 of the SPP and Section 13 of the NPPF.
23. For the reasons given above, and taking account of all other considerations, I conclude that the appeal should be dismissed.

C Brennan

APPEAL PLANNING OFFICER

Inspector's Decision

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

Andrew Owen

INSPECTOR