



## Appeal Decision

Site visit made on 1 February 2022

**by R E Jones BSc (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 25 February 2022**

---

**Appeal Ref: APP/P0119/W/21/3280870**

**Fairfield, Siston Lane, Webbs Heath, Bristol BS30 5LX**

- 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 Ian Hodge against the decision of South Gloucestershire Council.
  - The application Ref P21/03894/F, dated 25 May 2021, was refused by notice dated 19 July 2021.
  - The development proposed is change of use from equestrian stables (sui generis) to 1 no. dwelling (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 

### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are:
  - Whether the proposed development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (Framework) and any relevant development plan policies;
  - The effect of the proposed development on the character and appearance of the area;
  - Whether or not the proposed development would provide a suitable location for housing, having regard to the accessibility of services and facilities;
  - 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

#### *Inappropriate development*

3. Located in a paddock to the rear of the residential curtilages fronting Siston Lane, the appeal building, a detached stable, is within the Green Belt.
4. Paragraph 147 of 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 150 of the Framework indicates that a material change in the use of the land and 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, is of substantial construction, 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 138 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 Document<sup>1</sup> (the SPD) echoes the considerations in the Framework in terms of the re-use of buildings. Elsewhere the Council's policies are less prescriptive, insofar as they relate to the proposal, nevertheless Policies CSC5 and CSC34 of the Core Strategy<sup>2</sup> and Policy PSP7 of the Local Plan<sup>3</sup> refer to the general principle of avoiding inappropriate development in the Green Belt.
6. In assessing whether the scheme is inappropriate development in the Green Belt, the Council referred to Paragraph 149 (g) (formerly 145(g)) of the Framework, which relates to new buildings on previously developed land. The proposal, however, would relate to the change of use of the land, whilst its conversion from stables to a dwelling constitutes the re-use of a building. Accordingly, Paragraph 150 would be more relevant in this case, and I have assessed the scheme against that part of the Framework.
7. 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.
8. There is a shallow hardstanding in front of the stable building and during my site visit this area was relatively open but included a small amount of visible paraphernalia connected with the stable building, such as wheelbarrows, tools and a small waste container. The appeal site also includes an access track that runs past the dwelling at Fairfield and along a paddock enclosure to the west of the stable. Part of that enclosure would, along with narrow strips of land to the stable's east and south form part of the site. Those areas are largely open and undeveloped in appearance, consisting of pasture and existing trees.
9. The proposal would give rise to a more intensive residential use of the building and land around it. Cars would use the area immediately to the side of the dwelling to park, while the appellant's drawings show areas for the storage of bins and bicycles close by. Furthermore, the addition of private amenity areas in front and to the rear of the dwelling would be expected to be domesticated with paraphernalia associated with a residential use, such as outdoor seating and clothes drying areas, while fencing would be likely to enclose those spaces in combination with landscaping. The likely intensification of use, and physical changes, to those areas of land would result in encroachment into the countryside, whilst also materially affecting Green Belt openness in spatial terms.

---

<sup>1</sup> Development in the Green Belt – Supplementary Planning Document, June 2007.

<sup>2</sup> South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013

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

10. A strip of new planting in front of the proposed dwelling would provide some screening of the building, particularly when viewed from the dwellings along Siston Lane. Yet, the new dwelling and the resultant domestic character of the land surrounding it would be visible through the proposed access and from the adjacent fields to the south and east. Accordingly, the proposal would reduce the openness of the Green Belt in visual terms.
11. A condition removing permitted development rights would be able to limit the presence of future structures or buildings on the land surrounding the proposed dwelling. Nonetheless, this would not be able to prevent the placing of other physical objects and large items associated with its domestic use and it would be unreasonable in my view to impose such a restrictive condition limiting the placement of those items on the land.
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.

#### *Character and appearance*

13. The stable building is located behind the dwellings fronting Siston Lane. The existing paddock to the west separates it from the rear gardens of Fairfield, Woodland View and Meadow View. The land to the east and south of the stable is also contiguous with a large field that is enclosed by mature trees and hedgerow. In this context the stable appears relatively divorced and isolated from residential dwellings. Moreover, the land around the stable has an attractive pastoral quality that contrasts to the more built-up residential development along Siston Lane.
14. The proposed development would not result in any new additions or significant physical alterations to the stable building. Nonetheless the land to its immediate west, east and south would take on a domestic appearance with parked vehicles, bins and cycle storage located around the dwelling. It is also likely that other domestic paraphernalia would be placed in those areas. The cumulative presence of those features would have an intensive appearance from nearby vantage points and encroach into the natural undeveloped spaces around the building. Although the level of encroachment would not be significant in terms of overall area, the presence of those domestic features would nevertheless appear concentrated in and around the narrow spaces that surround the dwelling. Thus, the proposal would harmfully alter the pastoral appearance of the land around the building. The level of harm in this case would be relatively minor and localised, but nonetheless would be unacceptable in this rural context.
15. Comparisons have been made between the appeal scheme and the approved housing development at the Old Brewery site. That scheme, however, is located closer to the dwellings along Siston Lane while the site is contiguous with the boundaries of the residential properties to the east. In contrast, the appeal site is more isolated from the dwellings along Siston Lane and separated from them by existing field enclosures. Its development would therefore have a more encroaching presence into the surrounding countryside, resulting in

harmful consequential effects on the immediate character of the area. I cannot therefore take this other decision as a compelling precedent.

16. It is acknowledged that a condition could be imposed requiring boundary treatment around the newly formed residential curtilage were I to allow this appeal. Yet the more intensively used site would be visible through the site access, while residential paraphernalia would also likely be seen over boundary enclosures from higher vantage points from the surrounding land. Accordingly, I do not consider that the suggested condition would adequately minimise the harm I have identified.
17. Therefore, the proposed development would have an unacceptable effect on the character and appearance of the area. It would fail to accord with Policy PSP40 of the Local Plan, where it requires proposals to not harm the character of the countryside.

*Location of proposed development*

18. Policy PSP11 of the Local Plan requires new residential development to be located on safe, useable walking and or cycling routes, that are an appropriate distance to key services and facilities. Where some key services and facilities are not accessible by walking and cycling, they are an appropriate distance to a suitable bus stop facility served by a public transport service which connects to destinations containing key service centres and facilities.
19. The nearest shops and local services are located around 1.5km away in the settlements of Bridgegate and Warmley. Walking to those locations would entail a journey along a road which has long sections without footways and streetlighting. The nearest bus stop is about 800m to the south of the appeal site and occupiers would need to walk along the same road as that leading to Bridgegate and Warmley. This is not an attractive pedestrian route, especially in poor light, which would discourage both walking to the nearest shops and services and to the closest bus stop to access facilities elsewhere. It is acknowledged that cycling to local amenities could be an option, yet this would not be suitable to all future occupiers. Therefore, residents of the proposed dwellings would be heavily reliant on the use of a car or other vehicle.
20. The Council has approved a number of residential schemes nearby (The Piggery, The Old Brewery and Greystones). In those cases, it did not consider that their location was inaccessible to local services and transport connections, while it also took into account considerations relating to the previous transport movements at those sites.
21. In respect of Greystones and The Piggery, I do not have any specific details relating to their proximity to the nearest services and facilities. I also note that the scheme at Greystones related to a site that once generated more vehicle movements than the housing scheme the Council subsequently approved. Thus, those cases are not directly comparable to the appeal scheme.
22. Users of the existing stable building generate up to 8 vehicular movements a day, which the appellant considers would be comparable with the proposed dwelling. However, the nature and character of the proposed movements are likely to be more varied and would involve future occupiers accessing, by motor vehicle, a range of services and facilities over a wide area as well as possible journeys to employment locations and local schools.

23. In contrast, the existing use would likely involve more direct journeys by the owners of the horses from their homes to the stable. It is also a use that often necessitates a rural location. Conversely new housing, in the case of the appeal proposal would be required to comply with the settlement strategy for the area and be located in locations that are more accessible to local shops and services and where alternative modes of transport other than the motor vehicle are available. On this basis I consider that the existing and proposed uses are not comparable, and I have therefore given limited weight to the current vehicular movements to and from the site.
24. In the case of The Old Brewery site, the Council considered that the relatively small number of daily movements to and from that development was acceptable, despite its remote location from shops and services. The appeal site, however, is located further to the north and marginally more distant from the services at nearby Bridgegate and Warmley. Moreover, I have found the likely reliance on motor vehicle journeys to and from the appeal site to represent a clear conflict with the Policy PSP11. I cannot therefore take this other decision as a compelling precedent.
25. A condition requiring electric charging points could be applied if I were to allow the appeal. Whilst this might give future occupiers the option to own a more sustainable electric vehicle, there would be no certainty of this or any way of stopping occupiers from using, more environmentally harmful petrol or diesel powered vehicles to make journeys to and from the site.
26. On the basis of the above, the proposal would be in an unsuitable location for housing, having regard to the accessibility of services and facilities. It would therefore conflict with the requirements of Policy PSP11 as outlined above and the Framework, where new proposals are required to pursue opportunities to promote walking, cycling and public transport use.

#### *Other considerations*

27. There are other considerations that would weigh in favour of the proposal including the contribution of one dwelling to the future housing stock, along with the associated spending during the construction process and by future occupiers in the local economy. Also, as a building conversion the proposal would align favourably with aspects of the Framework that promote the efficient use of buildings and land, as well as limiting the use of natural resources. Each of these matters attracts minor weight in favour of the proposal.

#### **Green Belt Balance and Conclusion**

28. 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. I have also found the proposal to be harmful to the character and appearance of the area as well as being in an unsuitable location for a dwelling in the context of its accessibility to local facilities and services. Together, these weigh significantly against the scheme.
29. The other considerations that weigh in favour of the proposal only carry minor weight when considered as a whole. Therefore, in this case they do not clearly outweigh the harm I have identified. Consequently, the very special

circumstances necessary to justify granting planning permission for development in the Green Belt do not exist.

30. For the reasons set out above, I conclude that the proposal would be contrary to the Framework, the adopted development plan taken as a whole and there are no other material considerations to indicate a decision otherwise than in accordance with it. The appeal should therefore not succeed.

*RE Jones*

INSPECTOR