
Appeal Decision

Site visit made on 1 March 2022

by Martin Allen BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 March 2022

Appeal Ref: APP/P0119/W/21/3279574

**Land adjacent to The Hollybush Inn, Bath Road, Bridgeyate, Bristol
BS30 5JP**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Daniel Peat against the decision of South Gloucestershire Council.
 - The application Ref P20/01833/O, dated 29 January 2020, was refused by notice dated 29 April 2021.
 - The development proposed is the erection of 2no. Bungalows with access to be determined and all other matters reserved.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues raised in this case are:
 - Whether or not the proposal is inappropriate development in the Green Belt,
 - The effect on the openness of the Green Belt,
 - Whether the location is suitable for the proposed development with reference to the locational strategy of the development plan, and
 - If the proposal is inappropriate development 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

Whether or not inappropriate development

3. The appeal site is located within the Green Belt. The National Planning Policy Framework (the Framework), at paragraph 149, indicates that, other than in connection with a small number of exceptions, the construction of new buildings should be regarded as inappropriate in the Green Belt. Limited infilling in villages, is listed as one of the exceptions.
4. The appeal site lies to the east side of Bath Road, with an access lane and buildings comprising a public house to the north and a dwelling with its outbuildings to the south. To the rear of the site there are further buildings,

although these are not contiguous with the appeal site and are separated from it by a bank of vegetation. The site comprises a field positioned between the features I refer to above, albeit that there are a number of structures within the site, including portacabins, a skip and the remains of a vehicle.

5. Visually along the road, the site comprises a large gap between the loosely arranged buildings along this side of the road. While the scheme proposes two dwellings at this location, given the length of the road frontage and the degree to which the site extends, in my view, it would not be limited in its extent.
6. Moreover, there is little visual cohesion between the existing buildings that are located along this side of the road, and they have the appearance of sporadic development, rather than forming a cohesive cluster. The Council highlight that the site lies outside of the settlement boundary, however this is not determinative in whether the site lies within a village or not. Based on my observations however, the site is detached from the remainder of the settlement and, as a result of the presence of Bath Road, which is a significant delineating feature, there is little affinity between the development within the settlement, and that which lies to the east of the road. Moreover, the nearby buildings, particularly to the rear, are loosely positioned around the appeal site, thereby reinforcing the appearance of sporadic development at this location. Therefore, as a consequence of the loose arrangement of existing buildings within the immediate vicinity of the site, and the differentiation in the development on each side of the road, I find that the site is not within what can be deemed a village.
7. Consequently, in not complying with the exceptions as outlined by paragraph 149, the scheme would comprise inappropriate development in the Green Belt, which paragraph 147 states is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The scheme would also conflict with policy CS34 of the South Gloucestershire Local Plan: Core Strategy (2013) which seeks to protect the Green Belt from inappropriate development.

Effect on openness

8. Paragraph 137 of the Framework indicates that openness and permanence are the essential characteristics of the Green Belt.
9. The appeal site is currently an area with no observable fixed buildings within it, albeit that some structures and paraphernalia were present. The scheme would result in the introduction of new built development into the site, where there is currently none. The development would be clearly visible within the site. Thus, the development would inevitably result in a considerable loss of openness of the Green Belt at this location, in both visual and spatial terms.

Suitability of location

10. Policy PSP40 of the South Gloucestershire Local Plan: Policies, Sites and Place Plan (adopted 2017) (the PSP Plan) sets out the circumstances where residential development in the countryside, outside of settlement boundaries, will be acceptable. The scheme does not accord with any of the situations outlined in this policy. Thus, the proposal conflicts with policy PSP40, insofar as it seeks to strictly limit development in the countryside.

Other considerations

11. I acknowledge that the site is located close to the settlement boundary and that the Council does not object to the proposal on the basis of any deficiency in accessibility to services, or transport matters. Furthermore, the appellant highlights that the development of bungalows on this site would meet the needs of individuals with specific housing in regard to accessibility requirements.

Other Matters

12. The appellant highlights two cases which are contended to comprise a precedent for permitting the development. However, limited details have been provided of these cases and as such I am unable to draw any direct comparisons between them and the appeal scheme. Thus, these examples have little bearing on my decision.
13. I note comment that while the Council is able to demonstrate a five-years supply of deliverable housing sites, this is not a maximum and does not prevent further housing from coming forward. While this is accepted, this is also not a reason to allow development that conflicts with the development plan and the Framework. Furthermore, while the appellant asserts the appeal should be determined having regard to the circumstances at the time which the planning application was submitted, I am required to have regard to the circumstances existing at the time of making my decision.

Conclusion

14. The proposal would be inappropriate development in the Green Belt, there would also be a loss of openness. The Framework establishes that substantial weight should be given to any harm to the Green Belt. I have had regard to the other considerations above. However, these, individually or when considered together, are not sufficient to amount to the very special circumstances necessary to justify the development. Therefore, the proposal conflicts with policies CS34 of the South Gloucestershire Local Plan – Core Strategy (adopted 2013) (the Core Strategy) and policies PSP7 and PSP40 of the PSP Plan, insofar as they seek to prevent inappropriate development in the Green Belt.
15. Policy CS4 of the Core Strategy seeks to limit infill development to within settlement boundaries, which is inconsistent with the requirements of the Framework. However, this does not diminish the conflict with the Framework and other policies of the development plan that I have identified above.
16. Therefore, for the reasons given and having regard to all matters raised, I conclude that the appeal should be dismissed.

Martin Allen

INSPECTOR