



Appeal Decision

Site visit made on 1 July 2022

by R Sabu BA(Hons), MA, BArch, PgDip, RIBA, ARB

an Inspector appointed by the Secretary of State

Decision date: 18th July 2022

Appeal Ref: APP/P0119/D/22/3293894

Ashleigh, 52 Gloucester Road, Rudgeway, Bristol BS35 3RT

- 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 Mrs Nicola Bright against the decision of South Gloucestershire Council.
 - The application Ref P21/06338/F, dated 24 September 2021, was refused by notice dated 7 December 2021.
 - The development proposed is described as, 'second storey coach house style side extension'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the revised National Planning Policy Framework (Framework) and any relevant development plan policies;
 - the effect on the openness of the Green Belt; and
 - would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Inappropriateness

3. Paragraph 149 of the Framework states that the construction of new buildings should be regarded as inappropriate in the Green Belt. Among the exceptions listed is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
4. Policy PSP7 of the South Gloucestershire Local Plan Policies, Sites and Places Plan Adopted November 2017 (LP) states that additions that exceed 30% volume increase will be carefully assessed, with particular regard to whether the proposal would appear out of scale and proportion to the existing building. It goes on to say that additions resulting in a volume increase of 50% or more of the original building would most likely be considered a disproportionate addition and be refused as inappropriate development.

5. The appeal building has been extended a number of times. The main parties are in disagreement over the percentage increase to the original building which has been subject to the erection of a rear extension, a front porch and a replacement garage larger than the original structure.
6. The Council estimates the volume increase of the existing building to be around 74% above the original building and that the proposal would increase the volume of the original building by 117%. It is unclear whether the Council's estimate includes the ground floor of the proposed extension where the front rear and side would be open.
7. The Appellant estimates that the existing extensions together with the proposed extension would result in a 60% increase in the floor area of the original dwelling.
8. LP Policy PSP7 specifies increase in terms of volume rather than floor area. However, in any event, given the height and massing of the existing extensions, the volume increase would be significantly above the 30% and 50% set out in the LP.
9. Consequently, given the existing extensions on the host building, the proposal would be inappropriate development in the Green Belt having regard to the revised Framework as it would result in disproportionate additions over and above the size of the original building.

Openness

10. Openness is an essential characteristic of the Green Belt that has spatial as well as visual aspects. The appeal property is very clearly visible from the adjacent highway. Notwithstanding the neighbouring dwellings or the properties that have been extended within the vicinity of the appeal site, the openness of the Green Belt is clearly evident around the property and the wider area.
11. The existing building is a two-storey semi-detached dwelling. The other buildings along this side of the road are generally detached or semi-detached dwellings with moderate spacing such that the area has an open character and appearance. The separation between buildings provides views between the buildings and therefore contribute to the sense of openness.
12. The proposal would introduce massing at first floor level to the side of the existing building and would be supported by columns at ground floor that would create an open walkway to the rear of the site.
13. The appeal proposal would increase the volume, height and massing of the existing building and in doing so would result in a harmful loss of spatial openness. In terms of visual openness, the first-floor side extension would significantly reduce the gap between existing buildings. This would restrict views from the highway through to the rear of the site and would therefore result in harm to the Green Belt.

Other considerations

14. The Appellants have been registered foster carers for some time and foster multiple children at a time. The proposal would provide two additional bedrooms, one of which would accommodate an additional foster child. I acknowledge the e-mail from the Appellant's social worker who indicates that

there is a need for additional foster placements in the district. However, there is little substantial evidence to indicate that there is a specific need for additional accommodation for foster children in this particular location. As such, I attribute this matter limited weight in favour of the proposal.

15. I acknowledge the family circumstances of the Appellant. The Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010 sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. I have had due regard to the PSED in my assessment of this appeal.
16. While I understand the difficulty of the family circumstances, there is limited medical evidence before me, and no substantial exploration of suitable alternatives to the proposal which would avoid harm to the Green Belt. Therefore, I attribute limited weight to this matter in favour of the proposal.

Other Matters

17. I note local support for the scheme including from Alveston Parish Council. I also acknowledge that the proposal would not have an unacceptable effect on the living conditions of neighbouring occupiers with respect to light or privacy. However, these matters do not weigh in favour of the scheme and have not altered my overall decision.
18. I acknowledge the evidence regarding extensions to nearby properties including Nos 19, 21 and 23 Gloucester Road. While I note the information regarding No 28 Gloucester Road and a property known as Dilkhush, there is little detailed information before me about these properties to enable a direct comparison to be made with this appeal. Furthermore, the evidence indicates that Nos 40 and 56 Gloucester Road have additions of a significantly smaller proportion than the appeal scheme. As such, these matters have not altered my overall decision.
19. I also recognise that Alveston Parish Council has not objected to the proposal and the Council has not objected to the effect of the proposal on the character and appearance of the area or on the living conditions of neighbouring occupiers with respect to light and privacy. However, these matters do not weigh in favour of the scheme and carry neutral weight in the planning balance.

Conclusion

20. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to the harm to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt and any other harm are clearly outweighed by other considerations. The substantial weight to be given to Green Belt harm is not clearly outweighed by the other considerations sufficient to demonstrate very special circumstances given that those benefits are reasonably modest commensurate to the modest scale of the development proposed.
21. Therefore, the proposal would conflict with LP Policy PSP7 which resists inappropriate development in the Green Belt unless very special circumstances

can be demonstrated that clearly outweigh the harm to the Green Belt, and any other harm.

22. It would also conflict with Policy CS34 of the South Gloucestershire Local Plan Core Strategy 2006 – 2027 (CS) which seeks development that protect the designated Green Belt from inappropriate development among other things.

23. For the reasons given above the appeal should be dismissed.

R Sabu

INSPECTOR