



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/W/22/3291371

Sunnybrook, Dodmore Crossing, Westerleigh BS37 8QJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mr Godfrey against South Gloucestershire Council.
 - The application Ref P21/06063/F, is dated 8 September 2021.
 - The development proposed is first floor and single storey 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 and any relevant development plan policies;
 - the effect on the openness of the Green Belt;
 - 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. From the evidence before me the site lies within the Bristol/ Bath Green Belt. While I acknowledge the evidence regarding settlement boundaries, this does not change the designation of the land as Green Belt. Consequently, the proposed development must be assessed within the context of this designation. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
4. 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.
5. 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.

6. The proposed first floor extension would significantly increase the volume of the building by more than 50%. The proposed side extension would replace an existing conservatory but would amount to an increase in volume given its greater height and massing.
7. I note the evidence regarding an extension that was granted planning permission in 1977. From my observations during the site visit it was unclear whether such a permission had been implemented. However, even taking the existing building as shown on drawing 001 dated Sept'21 as the original building, the proposal would amount to an extension over 50% of the original building. Given the proposed two storey height and massing, the proposal would appear out of scale and proportion to the existing building.
8. Consequently, 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

9. Openness is an essential characteristic of the Green Belt that has spatial as well as visual aspects. 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.
10. In terms of visual openness, the existing building is single storey with a steep pitched roof. In addition, it is at a lower ground level than Westerleigh Road. As such, the existing building allows views to the rear of the site. While there are buildings surrounding the site, these are largely some distance away such that the area retains a sense of openness.
11. The first-floor extension would significantly increase the height and massing of the existing building. Therefore, although the dwellings to the south of the site are single and two storey buildings, the proposal would nevertheless result in harm to the visual openness of the Green Belt.

Other considerations

12. I acknowledge the dwellings noted by the Appellant, including four dwellings on the opposite side of the road and Rockland. However, there is little detailed information before me regarding the dwellings opposite the road to enable a direct comparison to be made with the appeal scheme. The dwelling at Rockland appears to be a single storey dwelling with accommodation in the roof space and dormer windows. As such, this building is not directly comparable with the proposal which would be two storeys high. Accordingly, these matters do not carry any substantial weight in favour of the proposal.
13. I also note concerns regarding the service provided by the Council. However, I have necessarily assessed the appeal based on its planning merits and this matter has not altered my overall decision.

Conclusion

14. 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.
15. 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. It would also conflict with Policy CS5 of the South Gloucestershire Local Plan Core Strategy 2006 – 2027 (CS) which seeks development in the Green Belt that comply with the provision in the Framework. CS Policy CS1 does not specifically relate to Green Belt land and is not directly relevant to the main issues.
16. For the reasons given above the appeal should be dismissed.

R Sabu

INSPECTOR