



Appeal Decision

Site visit made on 6 September 2022

by Mrs J Wilson BA (Hons) BTP MRTPI DMS

an Inspector appointed by the Secretary of State

Decision date: 20 September 2022

Appeal Ref: APP/D0121/D/22/3298337

Sunnyside, Naish Lane, Barrow Gurney, BRISTOL, BS48 3ST

- 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 Andrew White against the decision of North Somerset Council.
 - The application Ref 22/P/0093/FUH, dated 14 January 2022, was refused by notice dated 15 March 2022.
 - The development proposed is a new single storey extension to existing house.
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Decision

1. The appeal is dismissed.

Main Issues

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

Reasons

3. Paragraph 145 of the National Planning Policy Framework (the Framework) regards the construction of new buildings as inappropriate in the Green Belt. One of several exceptions 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. The Framework does not set out precisely how disproportionate should be assessed though where an extension to a building is proposed the Framework does set out that the comparison is to the original building. The effect of this is to include existing extensions. In this case the building has already been enlarged and the cumulative increase including this appeal proposal would amount to around 59% of the original dwelling. This figure is not disputed. When compared to the original dwelling it exceeds the 50% increase specified in Policy DM12 of the North Somerset Council Development Management Policies, Sites and Policies Plan (Part 1) 2016 (NSDMP) as being the threshold above which an extension should not exceed.

5. The appellant highlights that the proposal would represent a modest additional increase in floorspace, with little design impact. Nonetheless the original addition¹ exceeded the level specified in Policy DM12. Subsequent incremental additions to properties in the Green Belt would undermine the aims and objectives of local and national policy which seeks to ensure that permitted additions are not disproportionate to the original dwelling.
6. The proposal, therefore, when taken together with the previous additions to the dwelling would constitute inappropriate development in the Green Belt which would conflict with Policy DM12 of the NSDMP and with the aims of the Framework.
7. In coming to this conclusion, I have considered the reference to Policy CS6 of the North Somerset Council Core Strategy quoted by the Council in their refusal however that policy relates to the definition of the Green Belt boundaries which would not be compromised by this proposal and is not of direct relevance to this appeal.

Openness

8. One of the Framework objectives fundamental to the aims of protecting the Green Belt is to keep land permanently open. The essential characteristics of Green Belts are openness and permanence. Although openness is not defined in the Framework, I also consider it to mean the absence of buildings or development rather than simply its visual impact.
9. The extension would have a very localised impact, nonetheless, it represents an incursion into an area characterised by dwellings in generous plots and within generally verdant settings. In this particular case the proposal in its local context would not be prominent beyond the site boundary and would have only a modest effect on the openness of the Green Belt such that the harm would be limited.

Other considerations

10. The Framework makes clear that development should not be approved unless the harm to the Green Belt, and any other harm, is clearly outweighed by other considerations.
11. The appellant highlights that the previous alterations changed the focus of the dwelling to the Naish Lane side of the property and that the new enlargement would be technically in the rear garden. They emphasise that it would not harm the characteristics of the existing building or its surroundings and will have no effect on bed spaces, parking and bats, nor on the setting of any listed building. Moreover, the appellant stresses that the site is close to Bristol Airport and the recent approval of airport expansion will increase noise and pollution from the A38 hence the appellants desire to have a sunroom extension. However, these factors neither individually nor cumulatively represent the very special circumstances which would be required to justify additional enlargements to the dwelling within the Green Belt when considered in the context of development plan policy and Framework considerations.

¹ At 52% of the original dwelling

Green Belt Balance

12. The Framework makes clear at paragraph 143 that inappropriate development in the Green Belt is, by definition, harmful and should not be approved except in very special circumstances. This is a high bar. I have found that there would be harm from inappropriate development together with a modest impact on openness. Substantial weight should be given to any harm to the Green Belt and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
13. I have considered the matters cited in support of the scheme however these would not clearly outweigh the harm that I have identified and the development would therefore conflict with the Framework and the development plan. Consequently, the very special circumstances necessary to justify the development have not been demonstrated.

Conclusion

14. For the reasons given above and having regard to all matters raised, the appeal is dismissed.

Mrs J Wilson

INSPECTOR