



Appeal Decision

Site visit made on 21 February 2023

by **O Marigold BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 9th March 2023

Appeal Ref: APP/P0119/W/22/3308407

Iron Acton Forge, Bristol Road, Iron Acton, Bristol BS37 9TF

- 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 Thomas Coleman of Prestige Property Developments (GB) against the decision of South Gloucestershire Council.
 - The application Ref P21/07744/F, dated 26 November 2021, was refused by notice dated 10 June 2022.
 - The development proposed is redevelopment of the site to create 2no. dwelling houses with associated works.
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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 National Planning Policy Framework (the Framework) and any relevant development plan policies, including the effect of the proposal on the openness of the Green Belt,
 - whether the proposal would comply with the Council's spatial strategy for development in the countryside, with particular regard to its accessibility to services and facilities, and
 - if the proposal is inappropriate, whether the 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

Inappropriate Development and Openness

3. The site lies within the Bristol/Bath Green Belt. Framework Paragraph 147 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 of the Framework makes clear that substantial weight should be given to any harm to the Green Belt, and that 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.

4. Framework Paragraph 149 states that new buildings are inappropriate, other than for exceptional types of development, one of which at Paragraph 149(g) relates to the redevelopment of previously developed land, such as the appeal site, where this would not have a greater impact on the openness of the Green Belt than the existing development.
5. Policy CS5 of the South Gloucestershire Core Strategy (SGCS), adopted December 2013, requires that Green Belt development must comply with the Framework or relevant SGCS policies. This includes Policy CS34, which protects the Green Belt from inappropriate development. Policy PSP7 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (SGLP), adopted November 2017, states that inappropriate development will not be acceptable unless very special circumstances clearly outweigh the harm to the Green Belt and any other harm. These policies are consistent with the Framework and so have full weight.
6. The Planning Practice Guidance advises¹ that openness is capable of having both spatial and visual aspects. The existing buildings are simple in form, have a low profile and are discrete. The proposal would reduce the floor space and volume of buildings on the site, and result in a smaller amount of hard surfacing. However, the proposed buildings would have an appreciably taller height resulting in a greater mass and bulk than the existing buildings.
7. The proposal would also result in the site having a domesticated appearance, including from the hipped roof form of the bungalows and their more central position within the site. This would harmfully contrast with the simple and rural nature of the existing buildings and their surroundings.
8. The historic use of the forge resulted in storage within the yard. However, it is now vacant, and the proposal would result in additional residential paraphernalia, such as washing lines, children's play equipment and structures incidental to the dwellings. Even if a landscaping plan were to be required by planning condition, these elements would add to the domesticating effects of the proposal and would further reduce the openness of the Green Belt, particularly given the large size and length of the garden to Plot 2.
9. The site is currently well screened from Bristol Road by existing dense trees and hedgerows. However, the proposal including its increased height and visual effects would be seen from the surrounding footpaths, including Hoovers Lane, as well as from Bristol Road through the entrance to the site.
10. For these reasons, the proposal would result in a moderate but nevertheless harmful reduction in the openness of the Green Belt and so would not meet Framework exception 149(g). I therefore conclude that the proposal would constitute inappropriate development in the Green Belt having regard to the Framework and the relevant development plan policies. As such, it would conflict with SGCS Policies CS5 and CS34, SGLP Policy PSP7 and with the Framework.

Access to Services and Facilities

11. The site is outside of any settlement boundary defined in the Local Plan. At Paragraph 80, the Framework makes clear that the development of isolated

¹ Paragraph: 001 Reference ID: 64-001-20190722

homes in the countryside should be avoided other than in circumstances that do not apply to this proposal. In establishing whether the site is isolated, I am mindful of the *Braintree* court decision².

12. There are a handful of dwellings near to the appeal site, around 250 metres away and which share its postcode. Even so, the surroundings of the site consist primarily of undeveloped open countryside. The nearest settlement is Iron Acton, but this is not close to the site, and facilities in the village are limited to several public houses and community buildings. The nearest other facilities are further away and so less accessible from the site, particularly by means other than the private car.
13. The site is located at the convergence of several strategic Active Travel Routes, consisting of public rights of way for shared use by pedestrians, cyclists and horse riders. However, the rural nature of these routes means that they would not be an appealing means of travel at night, in inclement weather, or for those with limited mobility.
14. The nearest bus stops are close by and can be accessed using a shared, paved path. However, the stops are rural in nature with no shelters and few if any facilities for intending passengers. They would be accessible only via an unlit path, making their use unattractive at night or in bad weather. I am told that bus services operate every two hours to Bristol and Yate, and every 30mins at peak times, providing access to their higher order of services and facilities. However, this frequency is restrictive, particularly for use outside the peaks. I am also mindful that the long-term future of rural bus services is by no means certain.
15. The site can be digitally connected and would allow for home working. Opportunities to maximise sustainable transport solutions will vary between urban and rural areas and vehicle journeys between rural settlements are to be expected. However, future occupants here would be reliant on private vehicles for many day-to-day facilities and services, as would visitors and deliveries. Such reliance would ultimately cause environmental harm because the proposal would not be located where it would contribute to a cumulative reduction in harmful greenhouse gas emissions, or to an improvement in air quality and public health.
16. Therefore, despite the presence nearby of some dwellings and the availability of bus services and walking/cycling routes, the site is generally distant and far away from other places, buildings and people. As such, I find that the proposal would be in an isolated location.
17. The proposal does not fall within one of the limited categories of development permitted outside of settlement boundaries by SGLP Policy PSP40, such as rural workers' dwellings. It would therefore conflict with this policy. No other planning policies have been identified that would provide support for the proposal. As such, it would also conflict with SGCS Policy CS5 which requires compliance with other planning policies or the Framework.
18. For the reasons given above, the proposal would not comply with the Council's spatial strategy for development in the countryside, with particular regard to its accessibility to services and facilities. I have found conflict with SGLP Policy

² Braintree DC v SSCLG [2018] EWCA Civ. 610

PSP40 and SGCS Policy CS5, and with the Framework including at paragraph 80. By not reducing the need to travel, it would also conflict with SGCS Policy CS34. It follows that the presumption in favour of development contained in SGCS Policy CS4A does not apply and so the effect of this policy is neutral.

Other Considerations

19. Construction of the proposal would make a positive economic contribution to the area, as would its occupants both socially and economically. It would add to the supply of housing, using previously developed land, and could be developed quickly. However, the Framework only requires that substantial weight is given to the use of brownfield land within settlements, which is not the case here. Furthermore, the identified benefits would be limited because of the size of the proposal, being for only two units of accommodation.
20. The proposal would include energy saving measures and the potential for renewable energy technology, although I have little to suggest that these would be particularly unusual. It would also result in ecological enhancements to the site, but these would be relatively minor.

Planning Balance and Conclusion

21. The proposal would cause harm to the Green Belt by reason of inappropriateness and harm to its openness. In accordance with the Framework, these attract substantial negative weight. It would also conflict with the Council's spatial strategy, with particular regard to its accessibility to services and facilities.
22. For the reasons given above, I find that the other considerations in this case do not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist.
23. As identified above, I have found conflict with the Development Plan as a whole. The material considerations in this case do not indicate a decision other than in accordance with the Development Plan. This leads me to conclude that the appeal should be dismissed.

O Marigold

INSPECTOR