
Appeal Decision

Site visit made on 9 May 2023

by Michael J Muston BA(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 June 2023

Appeal Ref: APP/P0119/D/23/3317723

Golden Valley Barn, The Naite, Oldbury on Severn BS35 1RH

- 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 V Harding against the decision of South Gloucestershire Council.
 - The application Ref P21/03817/F, dated 23 May 2021, was refused by notice dated 8 December 2022.
 - The development proposed was originally described as single storey extension and alterations.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The development was described on the application form as set out in the heading above. This was amended by the Council to "*Erection of a single storey rear extension to form additional living accommodation (resubmission of P21/00780/F)*", which is also the description used by the appellant on his appeal form. This describes the proposal more fully, and I have therefore used this amended description as the basis for my decision.

Main Issues

3. The main issues are:-
 - the effect of the proposed development on the character and appearance of the area; and
 - whether sufficient information has been provided to determine if the development would have an unacceptable effect on protected species.

Reasons

Character and appearance

4. Planning permission was granted to convert two barns into a dwelling in 2015. The main barn has been converted into a dwelling, whilst the second barn is used for garaging. When approaching the site from the road to the east, the two barns still appear as subservient to the larger dwelling to the south, and do retain the character of converted farm buildings. This is at least in part a result of the significant gap between the two barns, the simplicity of the built form of

the converted barns, and the absence of large areas of glazing when seen from this direction.

5. The proposal involves linking the two barns. Whilst the additional floorspace created would not be unduly large, the proposed extension would appear as being of considerable size when viewed on approach from the road to the east. The proposed east elevation also includes a large amount of glazing. The combination of these factors would significantly alter the character of the converted barns, when seen from the direction most readily available to public view. This would have a detrimental effect on the rural character of the existing converted barns.
6. The use of the barns for residential purposes has already altered their character, including from the residential paraphernalia that exists in their vicinity. However, the proposal would nonetheless result in significant harm to the remaining rural character of the converted buildings.
7. The appellant has drawn my attention to a number of other conversions and alterations of rural buildings in the vicinity of the site. I was able to view these on my site visit. From what I saw, and from the information submitted by the appellant with his grounds of appeal, none of these examples precisely replicate the conditions in place at the appeal site. Each case must be considered on its own merit, and nothing I have seen in this respect outweighs my conclusion that the appeal proposal would be harmful.
8. I conclude that the development has an adverse effect on the character and appearance of the area, contrary to Policy CS1 of the South Gloucestershire Local Plan Core Strategy 2006-2027, and Policy PSP38 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (2017), which, amongst other things, seek development that respects and enhances the character of the site and its context, and respects the form and scale of the surrounding area.

Protected Species

9. The Council also refused the application on the grounds that protected species have previously been identified on site and that, in the absence of an up to date bat survey, insufficient information had been provided to demonstrate that the proposal would not have an adverse impact on protected species. The delegated report made it clear that, if negligible potential for the presence of bats was found, then no further surveys would be required. However, if potential was found, further emergence/re-entry surveys would be required.
10. Since the refusal of the application, the appellant has commissioned further work from a qualified ecologist. The resulting report (Preliminary Roost assessment dated February 2023) concludes in paragraph 5.1 that both barns have "*moderate potential to support roosting bats*". In paragraph 5.3, the report goes on to say that "*in order to determine the presence*" or "*absence of bats and whether mitigation to avoid impacts is required*", further dusk emergence and dawn re-entry surveys of each barn would be needed.
11. The appellant's ecologist's report therefore makes it clear that further surveys are required. These would need to take place between May and August, following which the best way forward can be accurately determined. Until these surveys have taken place, it remains the case that there is insufficient

information available to demonstrate that the proposal would not have an adverse impact on bats on site.

12. I therefore conclude that insufficient information has yet to be provided to determine if the development would have an unacceptable effect on protected species, contrary to Policy PSP19 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (2017), which, amongst other things, says that proposals that result in significant harm to sites supporting protected species will be refused.

Conclusion

13. For the reasons given above, I conclude that the appeal should be dismissed.

Michael J Muston

INSPECTOR