



Appeal Decision

Site visit made on 6 December 2023

by E Pickernell BSc MSC MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 January 2024

Appeal Ref: APP/P0119/D/23/3320689

**The Beeches, Old Gloucester Road, Alveston, South Gloucestershire
BS35 3LQ**

- 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 and Mrs Gordon against the decision of South Gloucestershire Council.
 - The application Ref P22/06503/HH, dated 16 November 2022, was refused by notice dated 3 February 2023.
 - The development proposed is removal of brick structure and erection of outbuilding for garage, storage and home office use.
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Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs was made by Mr and Mrs Gordon against the decision of South Gloucestershire Council. This is the subject of a separate decision.

Preliminary Matters

3. Since the determination of the application the Government published a revised National Planning Policy Framework (the Framework) on 19 December 2023 which was updated on 20 December 2023. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I consider that there is no requirement for me to seek further submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by my taking this approach. Where I have referred to the provisions of the Framework below, I have done so with numbering from the revised version.

Main Issues

4. 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;
 - the effect on the openness of the Green Belt;
 - the effect of the proposal on the character and appearance of the area, and

- 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

Whether inappropriate development

5. The Framework at para 142 identifies that the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open. It goes on to state at para 152 that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Framework establishes that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a number of exceptions as set out in para 154.
6. Para 154 c) of the Framework allows for 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. Policy PSP7 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (PSPP) (Adopted November 2017) is broadly consistent with para 154 c), and although not mentioned in the Council's reasons for refusal, is relevant to the appeal. Policy PSP7 sets out that additions resulting in a volume increase of 50% or more of the original building would most likely be considered disproportionate.
7. The proposed outbuilding would be in close proximity to the host dwelling and its proposed use as a garage, storage and home office would be closely associated with its domestic use. Therefore, it is reasonable to consider the proposed outbuilding as a normal domestic adjunct and assess it as an extension to the dwelling. The host dwelling has been previously extended, and this must be taken into account in considering additions to the original building.
8. The proposal would provide garaging for two cars and a work/storage area at ground floor with a home office on the first floor. It would add significantly to the footprint of the dwelling and together with a large roof space, would add considerable volume and mass to the side and front of the host building. Based on the evidence provided by the appellant, the cumulative volume increase of previous extensions and the proposed garage would amount to over 80% of the volume of the original dwelling. Taken together the existing and proposed extensions amount to substantial additions which would be disproportionate over and above the size of the original building.
9. For these reasons the proposal would not meet the exception set out at para 154 c) of the Framework and would conflict with Policy PSP7 of the PSPP which seeks to ensure that disproportionate extensions are avoided in the Green Belt.
10. Para 154 e) of the Framework allows for limited infilling in villages. Policy CS5 of the South Gloucestershire Local Plan Core Strategy 2006 – 2027 (Adopted December 2013) (CS) is broadly consistent with para 154 e) of the Framework. However, Policy CS5 refers to '*settlement boundaries*', in contrast with the Framework, which reduces the weight I give this Policy.
11. Alveston does not have a settlement boundary, however the site is within a row of dwellings on Old Gloucester Road which is contiguous with the majority of the built-up area of the village to the southwest and further development exists to the east of the appeal site. Therefore, the site is 'in a village'. Furthermore,

the proposed garage is located within a gap between two buildings, albeit, partially forward of the building line. As such, the proposal constitutes 'infilling'. However, because of the substantial volume and mass of the proposed building, the infilling would not be 'limited' in this context. Consequently, the proposal would not meet the exception set out at para 154 e) of the Framework.

12. Para 154 g) of the Framework allows for limited infilling or the partial or complete redevelopment of previously developed land. Annex 2 of the Framework provides a definition of previously developed land and explains that land in built-up areas such as residential gardens is excluded from the definition. The garage would be located in a residential garden in a built-up area and therefore the site would not constitute previously developed land. As such the proposal would not meet the exception set out at para 154 g) of the Framework. Even if I were to take the view that the site is previously developed land, the proposal would not be limited infilling for the reasons outlined above, in respect of para 154 e) of the Framework.
13. I conclude that the proposal would not meet the exceptions outlined at para 154 of the Framework and would therefore be inappropriate development in the Green Belt which is, by definition, harmful. It would conflict with Policy PSP7 of the PSPP which seeks to ensure that disproportionate extensions are avoided in the Green Belt and Policy CS5 of the CS insofar as it seeks to limit development in the Green Belt to small scale infilling in settlements.

Openness

14. Openness is an essential characteristic of the Green Belt that has spatial as well as visual aspects. Spatially, the proposal would inevitably lead to a loss of openness through the increase in built form on the site. The overall increase in the volume of the dwelling would be significant and would result in a harmful loss of spatial openness.
15. Visually, the proposed building would be located to the side and front of the existing dwelling and would be particularly prominent in views from public vantage points along Old Gloucester Road. The building which the proposal would replace is modest in scale and the additional mass of the proposed building would be clearly evident and would result in a harmful loss of visual openness.
16. Overall, the proposal would result in significant harm to the openness of the Green Belt to which, in accordance with the Framework, I give substantial weight.

Character and appearance

17. The appeal site comprises a detached dwelling, set back from the road, within a generous plot. The area is characterised by a variety of house types, however those in the immediate vicinity of the appeal site, largely comprise detached dwellings. Some properties in the area benefit from outbuildings which vary in terms of size and design.
18. The front elevation of the proposed building would contain two garage doors, a pedestrian door and rooflights to reflect its proposed use. Because the eaves and ridge line would be below that of the main house, and due to the simplicity of the design, I am satisfied that the garage would be subservient to the host

dwelling and would be acceptable in its design and appearance. The building would appear as a domestic outbuilding, similar to others in the area.

19. The proposal would not be harmful to the character and appearance of the area. As such the development accords with Policy CS1 of the CS, the Householder Design Guide Supplementary Planning Document (SPD) (Adopted March 2021), the Annexes and residential Outbuildings SPD (Adopted October 2021) and para 135 of the Framework. Together these seek to ensure that proposals are of a high standard of design, respect the character and design details of the street and surrounding area and that outbuildings are subservient to the main building.
20. The supporting text of Policy PSP38 of the PSPP explains that extensions to dwellings will be permitted (subject to the criteria of PSP38), in the open countryside, and settlements without defined settlement boundaries, subject to Policy PSP7 in respect of the Green Belt. I have therefore had regard to this in coming to my decision.

Other considerations

21. Reference has been made to another proposal considered by the Council where an outbuilding was not treated as an extension to the original building. This case related to a replacement dwelling which is materially different to the development before me. On the evidence before me the two cases are not directly comparable, and this reference carries very limited weight in favour of this appeal.
22. Planning permission has been granted for a garage of a similar design at 'The Lodge', adjacent to the appeal site. However, the Council have explained that the host dwelling had not been extended previously and as such the circumstances of the case differ from that of the appeal scheme. I therefore attach limited weight to this matter.
23. The appellant has drawn my attention to a number of infill developments that have been constructed in the vicinity of the site. The Council explains that these were new dwellings which were permitted in the context of a housing land supply shortfall. Therefore, the cases are not directly comparable to the scheme before me and carry limited weight.
24. It has been suggested that it would be possible to construct buildings to the side and rear of the host dwelling without the need for planning permission. However, these would not project forward of the front elevation of the main building, would be lower in height than the appeal scheme and would not be as harmful to the openness of the Green Belt. I therefore attach limited weight to this argument.
25. The removal of the existing buildings would be a minor visual enhancement to the site, however they would be replaced by a much larger building and therefore I attach limited weight to this matter.
26. I recognise that the proposal would provide the appellants with valuable space, including a home office to facilitate working from home, and that they are supported by residents locally. The proposal would increase security and would include solar panels and an EV charging point. Together, I attach minor weight to these benefits.

Green Belt Balance and Conclusion

27. I have found that the proposal would be inappropriate development in the Green Belt and harmful by definition. The Framework requires that substantial weight should be given to any harm to the Green Belt.
28. The proposal would not be harmful to the character and appearance of the area, however the absence of harm in this respect is a neutral factor in the appeal.
29. The Framework makes it clear that harm to the Green Belt by reason of inappropriateness and any other harm resulting from the development must be clearly outweighed by other considerations for planning permission to be granted. In this case, I find that although there are matters which weigh in favour of the development, the weight of these other considerations does not clearly outweigh the substantial harm which would arise to the Green Belt.
30. Consequently, I conclude that the very special circumstances that are necessary to justify inappropriate development in the Green Belt do not exist in this case. As such the proposal conflicts with Policy PSP7 of the PSPP which states that inappropriate development in the Green Belt will not be acceptable unless very special circumstances can be demonstrated that clearly outweigh the harm to the Green Belt, and any other harm.
31. The proposal would not accord with the development plan as a whole and there are no material considerations to outweigh that finding. Consequently, for the reasons given, the appeal is dismissed.

E Pickernell

INSPECTOR