



Appeal Decision

Site visit made on 3 September 2024

by P D Sedgwick BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 September 2024

Appeal Ref: APP/P0119/D/24/3342144

2 Northwick Road, Pilning, South Gloucestershire, BS35 4HF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Julie Randell against the decision of South Gloucestershire Council.
 - The application Ref is P23/02453/F.
 - The development proposed is retrospective planning for the creation of 1x 1 bed annexe in the rear garden.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. At the time of my site visit, I saw that the development of the annex was already carried out. I also note that the application has been submitted retrospectively. I have dealt with the appeal on that basis.

Main Issues

3. The main issues are:
 - Whether the development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies; and,
 - the effect of the development on the openness of the Green Belt; and,
 - if there would be harm by reason of inappropriateness, and any other harm, whether the harm would be clearly outweighed by other considerations to amount to the very special circumstances necessary to justify the development.

Reasons

Whether inappropriate development

4. The appeal site relates to a 2 storey house in a terrace of 4 houses set back from the road in a small village in an area designated as Green Belt. A 2 storey rear extension extends across the full width of the property. The single storey flat roofed annex is located at the back of the garden and extends across its full

width. Given its functional relationship with the main house, in terms of its shared parking, garden space and access through the main house, I agree with the Council's assessment that it is ancillary accommodation.

5. The appellant's design and access statement, and plans submitted with the application, refer to a shed previously located on the site of the annex. According to the Council, aerial photographs show that the shed had been removed by the end of 2015. It is therefore appropriate for me to consider the development as a new building, rather than a replacement building.
6. According to paragraph 154 c) of the National Planning Policy Framework (2023) (the Framework), the extension or alteration of a building is not inappropriate development in the green belt provided that it does not result in disproportionate additions over and above the size of the original building. The courts have held that an extension for the purposes of that provision can include structures which are physically detached from the building of which they are an extension."¹
7. Policy PSP7 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (2017) (LP) allows for extensions to buildings in the Green Belt provided they are not disproportionate to the size of the original building. This is consistent with the Framework. The policy states that proposals which would increase the volume of a building by over 30% may be disproportionate, if they would appear out of scale and proportion to the existing building, and that those of 50% or more would most likely be considered a disproportionate addition and be refused as inappropriate development. That reflects the guidance set out in the Council's Annexes & Residential Outbuildings: Guidance for new developments Supplementary Planning Document (2021).
8. The Council states that the volume of the original house is 219 cubic metres, the 2 storey extension 120 cubic metres and the annex 86 cubic metres and that, in combination, the 2 storey extension and annex would increase the volume of the original building by 94%. The appellant has not disputed these figures. The proposed development would therefore be a disproportionate addition over and above the size of the original building and would be inappropriate development and thus conflict with Policy PSP7 of the LP and Policies CS5 and CS34 of the South Gloucestershire Local Plan Core Strategy (2013) (CS), and the Framework, insofar as they seek to protect the Green Belt from inappropriate development.

Effect on openness

9. The area around the appeal site along the B4055 comprises a few houses clustered around the village church and former school, either side of which sporadic housing and farmsteads are set back from the road. Field and garden boundaries, and road edges, are lined with mature hedges and trees which create a sense of enclosure, limiting views across the wider landscape.
10. The appeal property and neighbouring houses back onto a field with mature hedges along their rear garden boundaries which restrict visibility between their gardens and the surrounding area. Consequently, views of the annex are restricted to neighbouring gardens which also have outbuildings within their curtilage. As a result, notwithstanding that the proposal would be

¹ Warwick DC v SSLUHC, Mr J Storer & Mrs A Lowe [2022] EWHC 2145 (Admin)

disproportionate in size to the existing dwelling, in the context of the limited views of it and the enclosed nature of the landscape, the impact on the visual openness of the Green Belt would be minimal. Also, given the relatively small size of the annex in comparison to other houses and outbuildings nearby, its spatial impact on openness would also be minimal. Therefore, the harm to openness would be limited

Other considerations

11. The development has provided additional accommodation to meet the appellant's family's needs, but this is a personal benefit and as such carries little weight.
12. The appellant has referred to a lack of harm caused to neighbouring occupiers and the reduced height of the development compared to the former shed. However, the absence of harm to neighbours' living conditions is not a positive consideration, as acceptability in amenity terms is to be expected and, as noted above, the shed was removed some years ago and is not therefore relevant to an assessment of the development.

Other Matters

13. Representations raised concerns regarding waste disposal from the site, and access to the rear of it to maintain field drainage ditches and hedges. However, these do not add to my reasons for dismissing the appeal.

Conclusion

14. The proposal would be inappropriate development within the Green Belt. In accordance with the Framework, substantial weight should be given to any harm to the Green Belt. The other considerations put forward do not clearly outweigh the substantial weight that I give to the harm to the Green Belt, by reason of inappropriateness and effect on openness that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist. The proposed extension would not accord with the development plan and there are no other material considerations to outweigh that finding. Therefore, for the reasons given, the appeal should not succeed.

P D Sedgwick

INSPECTOR