



Appeal Decision

Site visit made on 2 October 2024

by E Pickernell BSc MSC MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 November 2024

Appeal Ref: APP/D0121/D/24/3337761

Bracken Barn, Sheepway, Portbury, North Somerset BS20 7TE

- 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 Mr Sam Fowler against the decision of North Somerset Council.
 - The application Ref is 23/P/1956/FUH.
 - The development proposed is the construction of a double garage with a hobby room over.
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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;
 - the effect of the proposal on the openness of the Green Belt; 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

3. The appeal site lies within the Green Belt (GB). The Framework at para 142 identifies that the fundamental aim of GB 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 GB and should not be approved except in very special circumstances. The Framework establishes that the construction of new buildings in the GB should be regarded as inappropriate, subject to a number of exceptions as set out in para 154. 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.
4. Policy DM12 of the Development Management Policies Sites and Policies Plan Part 1 (Adopted July 2016) (SPP) conforms to the thrust of national GB policy, stating that the extension or alteration of a building will not be regarded as inappropriate provided that it is within the existing curtilage and does not

result in disproportionate additions over and above the size of the original building. Policy DM12 states that an extension will not normally be regarded as disproportionate provided it does not exceed 50% of the gross floor area of the original building. The policy also seeks to ensure that proposals for domestic outbuildings and garages should be of a scale and height subordinate to the original dwelling, not adversely affect the openness of the GB and should normally be small scale and single storey.

5. The appeal site comprises a converted barn which is now in use as a dwelling. Consent was granted for a two-storey extension which has now been built. This resulted in an addition amounting to approximately 36% of the gross floor area of the original building. The appeal proposal comprises a further 1.5 storey extension to the dwelling which would provide garaging for two cars on the ground floor and a hobby room on the first floor. It would add significantly to the footprint of the dwelling and would add considerable volume and mass to the northeast side of the building. The parties agree that the cumulative increase in floor area of the previous extension and the proposed extension would amount to approximately 76% of the gross floor area of the original building, thereby exceeding the figure given in policy DM12.
6. Notwithstanding the above, an assessment of whether a proposal would amount to a disproportionate addition is a matter of planning judgement and each case must be assessed on its merits. However, taken together the existing and proposed extensions amount to substantial additions to the bulk and floorspace of the property which I find would be disproportionate over and above the size of the original building.
7. Consequently, the proposal would not meet the exception set out at para 154c) of the Framework and would conflict with Policy DM12 of the SPP which seeks to ensure that inappropriate development is avoided in the GB.
8. Policy CS6 of the Core Strategy (adopted January 2017) clarifies the boundaries of the GB and therefore has not been determinative in my consideration of the appeal.

Effect on openness

9. The extension would inevitably lead to a loss of spatial openness through the increase in built form on the site. Although the entirety of the proposal would not be visible, due to its location between the existing extension and the boundaries of the site, the overall width and height of the proposed extension would nevertheless be appreciable from public vantage points as it would be set forward of the existing northwest elevation. Whilst the extension would be seen against a backdrop of buildings beyond the appeal site, it would reduce the sense of visual relief and space between these and Bracken Barn. Consequently, the proposal would result in a loss of GB openness.

Other considerations

10. The proposal would not result in harm to the character and appearance of the area, however the lack of harm in this regard is a neutral factor in the appeal. The proposal would provide additional accommodation for a growing family however this is a private benefit which carries limited weight.

Green Belt Balance and Conclusion

11. The Framework makes it clear that harm to the GB 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.
12. The proposal would be inappropriate development in the GB and harmful by definition. The proposal would also result in harm to the openness of the GB. The Framework requires that substantial weight should be given to any harm to the GB. Set against this, I ascribe only limited weight to the benefits of the proposal.
13. Consequently, the harm by reason of inappropriateness and to the openness of the GB would not be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.
14. The proposal conflicts with the development plan and the material considerations including the Framework do not indicate that the appeal should be determined other than in accordance with it. Therefore, the appeal is dismissed.

E Pickernell

INSPECTOR