

Appeal Decision

Site visit made on 3 October 2024

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 November 2024

Appeal Ref: APP/P0119/D/24/3350950

The Old Vicarage, 85 High Street, Wick, Bristol, BS30 5QQ

- 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 S Litt against the decision of South Gloucestershire Council.
 - The application Ref is P24/01159/HH.
 - The development is the erection of rear extension with first floor roof terrace, raising of roof with gable extension and installation of 2no. side dormers and rooflights to an existing outbuilding.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of rear extension with first floor roof terrace, raising of roof with gable extension and installation of 2no. side dormers and rooflights to an existing outbuilding at The Old Vicarage, 85 High Street, Wick, Bristol, BS30 5QQ in accordance with the terms of the application Ref P24/01159/HH, subject to the following condition:

The development hereby permitted shall be completed in accordance with the following approved plans: Ref 16.016-001; 16.016-011d & 16.016-010c.

Preliminary and procedural matters

2. Since it more accurately describes the development, I have used the description from the Council's decision letter in the banner heading rather than that from the application form.
3. It appears from the site visit that most of the work subject of the appeal has already been undertaken, and builders were nearing the completion of their tasks when I visited. The Council treated the application as one for 'retrospective' planning permission. I shall proceed on the basis that the appellant seeks permission for the works already undertaken, and to complete them in accordance with the submitted plans.
4. The outbuilding granted planning permission in 2021¹ has largely been completed but includes a series of alterations. Its roof has been lifted slightly, and dormers inserted, and an addition made to the rear of the approved outbuilding.
5. The appeal site is located within the Bristol and Bath Green Belt (GB).

¹ Ref P21/00072/F dated 26 March 2023

6. Judging from what I saw at my site visit, I have no reason to disagree with the Council's view, taking account of local representations, that the development exhibits a high standard of design and has no adverse effect on neighbouring living conditions.

Main issue

7. The main issue is whether the development would be inappropriate development in the GB including the effect of development on openness.

Reasons

8. The Framework² establishes that the construction of new buildings in the GB should be regarded as inappropriate unless one of the specified exceptions applies. These include 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.
9. Policy CS5 of the South Gloucestershire Local Plan Core Strategy provides that proposals for development in the GB must comply with the provisions of the Framework. Policy PSP7 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (LP) provides more detailed policy guidance in that it sets out the level of volume increases to buildings likely to be considered as disproportionate or not disproportionate additions.
10. The appeal property is a former vicarage, a substantial building set well back from the busy High Street (A420) in a spacious verdant garden. Nearby properties to the west along this side of the road are largely detached dwellings set in well sized gardens, whereas to the rear the land is open and green. The form of development seen locally contributes to the openness of the GB.
11. The Council treated the outbuilding granted consent as an extension to the original building, the Old Vicarage. It was common ground at the time that the outbuilding would represent a 43% volume increase on the original building. A small extension has since been approved to the Old Vicarage which upped the volume increase to 49%. The Council considers that the additions to the outbuilding would take the cumulative volume increase to 54%, whilst the appellant's latest calculations indicate a lesser increase.
12. The unauthorised extension cannot be seen from the High Street, such is its secluded position, hidden by a high wall and trees on the site's frontage, and by extant buildings. From Woodcroft Lane, a rural cul-de-sac to the east of the appeal site, the extension is set behind a yard full of storage containers. I do not share the Council's view that it is visually dominant or bulky. It has a limited footprint, is proportionate in terms of its scale to the original building and the addition has had what I would regard as a minimal visual impression or impact on its surroundings. The perceived effect of the development on the openness of the GB has not proved harmful.
13. LP policy PSP7 provides that '*..additions resulting in a volume increase of 50% or more of the original building would most likely be considered a disproportionate addition and be refused as inappropriate development.*'

² The National Planning Policy Framework

14. The policy requires an assessment and an exercise of judgment on a case-by-case basis. It allows a level of discretion of decision-makers in circumstances such as these where the cumulative total of extensions, as in this case, may be higher than 50%. I am satisfied that despite the scale of works involved cumulatively, they would comply with paragraph 154(c) of the Framework in that they would not result in a disproportionate addition over and above the size of the original building.
15. As I consider that the proposed scheme is an exception identified in the Framework then a test of openness is not required.
16. Accordingly, the appeal is allowed.

Conditions

17. Since the development is well advanced and the specified materials differ from the existing building the first two conditions suggested by the Council are not necessary.
18. However, it is necessary in the interests of certainty that the development shall be completed in accordance with the approved plans.
19. No other matter raised is of such strength or significance as to outweigh the considerations that led me to my conclusions.

G Powys Jones

INSPECTOR