



Appeal Decision

Site visit made on 10 December 2024

by **P D Sedgwick BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 03 January 2025

Appeal Ref: APP/D0121/W/24/3351202

Oaklea Lodge, Blackmoor Road, Abbots Leigh, North Somerset, BS8 3RH

- 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 Beck against the decision of North Somerset Council.
 - The application Ref is 24/P/0671/FUL.
 - The development proposed is Conversion of Garage to a 3 Bedroom Dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Subsequent to the refusal of permission for the proposed development the Government published its revised National Planning Policy Framework (the Framework) in December 2024. The wording of the relevant paragraphs of the new Framework are similar to that of the 2023 version. Therefore, it has not been necessary to seek comments from the parties on the revised Framework, which I have referred to in my decision.

Main Issue

3. The main issue is the principle of development having regard to the development strategy for the area.

Reasons

4. The appeal site relates to a large, detached, garage associated with Oaklea Lodge located towards the end of Blackmoor Lane. As noted in the appellant's sustainability appraisal, Blackmoor Lane is a poorly lit, single track, private road with 21 dwellings spread out along its length, with the appeal site located approximately 800m from its junction with Pill Road which connects to the nearest settlements of Abbots Leigh, Ham Green and Pill.
5. Policies CS1, CS14 and CS33 of the North Somerset Core Strategy (2017) (CS) and Policy SA2 of the North Somerset Sites and Policies Plan – Part 2 (2018) (NSSPP2) seek to focus development in sustainable locations identified in a settlement hierarchy. Development outside of designated settlement boundaries is strictly controlled other than in special circumstances identified in Policy CS33, and Policy DM45 of the North Somerset Sites and Policies Plan Part 1 (2016) (NSPP1). They allow for conversion of rural buildings, provided that they are not remote from

a settlement with a range of services and facilities or where access to those services and facilities would be poor.

6. Pill is the nearest village with a range of facilities. There are footways and cycle paths along Pill Road which run from the junction with Blackmoor Lane to Pill and Abbots Leigh, and bus stops close to the junction. The appellant estimates that it would take between 7 and 10 minutes to cycle to the nearest schools and shops. However, the appeal site is towards the end of the lane furthest from the junction. Consequently, cyclists and pedestrians would pass most of the houses along its length, several of which have high hedgerows to the side of their access, or are located on bends in the road, limiting visibility. In combination with the lack of lighting along much of the lane, and absence of footways, I would expect that for safety and convenience most essential journeys would be by car.
7. I therefore agree with the Inspector at a previous appeal¹ at the site that the location of the proposed development would not relate well to an existing settlement and access to facilities or services would be poor. Thus, it would not be a sustainable location for housing and the proposal would therefore conflict with the Council's housing strategy and Policy DM45 of the NSPP1, Policies CS1, CS14 and CS33 of the CS, Policy SA2 of NSPP2 and the Framework in this regard.

Planning Balance

8. The Council cannot currently demonstrate a five-year supply of deliverable housing sites as required by the Framework. Consequently, paragraph 11(d) of the Framework is engaged. It requires that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
9. The proposed development would provide benefits in terms of contributing towards the Council's housing land supply and sustaining local services and providing jobs during construction, which weigh in favour of the proposal. However, given the small scale of the scheme I do not consider that the limited benefits it would provide outweigh the harm that would arise from locating development in an unsustainable location reliant mainly on car travel to access community services and facilities. Thus, the proposal would not be sustainable development for which the Framework indicates a presumption in favour.

Other matters

10. Notwithstanding that the proposal is in an unsustainable location, in terms of national and local policy to protect the green belt, the proposal is for the reuse of a building without any extensions or alterations to its height that might affect the openness of the green belt and there is no dispute between the parties over whether the development would comply with national and local policies that seek to protect the green belt.
11. The appellant has referred to paragraph 84 of the Framework which seeks to avoid isolated homes in the countryside but allows for the conversion of redundant or

¹ APP/D0121/W/22/3301675

disused buildings where the development would enhance its immediate setting. No enhancement to the setting of the building has been included in the proposal other than the removal of outbuildings to the rear that are not visible from outside the site. Proposed changes to the building are minimal and no additional planting or landscaping is indicated on the plans. The proposal would not therefore meet the requirements of paragraph 84 and outweigh the Framework's general presumption that development should be in a sustainable location.

12. I have had regard to other appeal decisions provided by the appellant. In the case of the appeal at Great House Farm², the proposal did not conflict with the Council's policy on residential development in the countryside. Also, it included the re-use of a curtilage listed building which weighed in its favour. The Inspector considered that services and facilities could be accessed by sustainable transport methods, but there were no details on the quality of access in terms of street lighting and distance from footways and cycleways to make any direct comparison with the current appeal proposal.
13. The appeal at Abbots Leigh Boarding Kennels³ relates to a site accessed from Pill Road with direct cycle and pedestrian links to Pill and Abbots Leigh and bus stops significantly closer than to the proposed development. As a result, it is in a more sustainable location and, also, not comparable with the appeal proposal.

Conclusion

14. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

P D Sedgwick

INSPECTOR

² APP/P0119/W/23/3330047

³ APP/D0121/W/18/3212672