



Appeal Decision

Site visit made on 19 February 2025

by **E Pickernell BSc MSC MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 March 2025

Appeal Ref: APP/P0119/D/24/3347639

Brook Cottage, Bath Road, Bitton, South Gloucestershire BS30 6LN

- 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 Chris Price against the decision of South Gloucestershire Council.
 - The application Ref is P23/02906/HH.
 - The development proposed is raising of roofline, and erection of a two storey side and front extension to form additional living accommodation.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the determination of the application the Government published a revised National Planning Policy Framework (the Framework). The parties have had the opportunity to comment on the relevance of the revised Framework to the appeal and I have taken the submissions received into account in my decision.
3. I have used the description of development given on the decision notice in the banner heading above as it more accurately describes the development.

Main Issues

4. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and relevant development plan policies;
 - the effect of the proposal on the openness of the Green Belt;
 - the effect of the proposal on the character and appearance of the host dwelling and 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 153 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 development in the Green Belt is inappropriate unless one of a number of exceptions apply. 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.

6. The Framework defines the 'original building' as "*A building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was originally built*". The appellant contends that the property was not modernised prior to this date, however this is not relevant to this matter.
7. The Framework does not define 'disproportionate additions'. However, Policy PSP7 of the Local Plan: Policies, Sites and Places Plan (Adopted November 2017) (PSPP) states that as a general guide an addition resulting in a volume increase of up to 30% of the original building would be likely to be proportionate. It goes on to state that additions that exceed 30% volume will be carefully assessed, with particular regard to whether the proposal would appear out of scale and proportion to the existing building. 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. Policy PSP7 is broadly consistent with the Framework and therefore I give it significant weight.
8. The 'original' building has already been heavily extended. The Council estimate that the existing extensions, including the garage amount to over a 300% increase in volume compared to the original building. The proposal involves the demolition of the existing garage and the removal of existing single storey extensions on the north and south elevations. It is proposed to extend the existing property at both ground and first floor level, along with an increase in the overall height of the building. The appellant contends that taking account of the proposed demolition, the proposal would result in a reduction in the overall volume of 23m³. I return to this matter below.
9. Although the proposal would represent a reduction in the overall volume of extensions, compared to the existing situation, the exception at para 154 c) of the Framework specifically refers to additions to the original dwelling. Based on the evidence before me, I consider that the proposal would result in extensions to the original building the volume of which would be far in excess of the figures suggested in Policy PSP7.
10. As such the proposal would result in disproportionate additions over and above the size of the original building in the terms of the Framework. Therefore, the exception at para 154 c) of the Framework is not met and as such the proposal would result in inappropriate development in the Green Belt. It would conflict with Policies CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy 20016 – 2027 (CS) and Policy PSP7 of the PSPP which together seek to ensure that proposals within the Green Belt comply with the Framework and protect it from inappropriate development.

Openness

11. The appeal site is accessed via a track which leads off Bath Road and therefore is not widely seen from the road. However, the appeal building is particularly prominent in views from the footpath to the northeast of the appeal site. The proposal would result in an overall increase in the height of the building and an

increase in mass and bulk at first floor level. This would increase the visibility of the built form on the site from nearby locations, including from the surrounding open countryside.

12. This is offset to some degree by the removal of some of the existing extensions and structures, however the first-floor additions would be much more visible from surrounding vantage points due to their elevated position. As a result, the proposal would result in a minor loss of openness.

Character and appearance

13. The appeal site is located in a semi-rural location which is characterised by buildings of varying form and character. Buildings on the north side of Bath Road are generally grouped adjacent to the road with the density of development reducing further away from the road as built form transitions into open countryside.
14. The existing property comprises a main two storey core with several single storey elements which break up the mass of the building. The proposed extensions would not significantly increase the footprint of the building, however the proposed alterations to the first floor would increase its height, extend the main ridgeline further to the south and would introduce a perpendicular section with gabled elevations facing east and west.
15. The resultant dwelling would have a much more extensive, elongated appearance and greater bulk at first floor. Despite the fact the site is screened from view by adjacent buildings from some vantage points, it is particularly prominent in views from the countryside to the east of the appeal site. From these locations the overall effect of the proposals would result in a significantly more prominent building which would appear incongruous and overly dominant in this semi-rural location. I recognise that the scheme has sought to address concerns made in respect of an earlier application at the site and that my assessment differs from the views of the Council's Conservation Officer. However, I have come to my own conclusions on this matter.
16. I therefore conclude that the proposed development would result in unacceptable harm to the character and appearance of the host dwelling and the area. It would therefore be contrary to Policies CS1 of the CS and Policies PSP1 and PSP38 of the PSPP. Together these seek to ensure that development achieves a high standard of design, respects and enhances the character, distinctiveness and features of the site and its context, including the form, scale and proportions of the area.

Other Considerations

17. The removal of some of the existing extensions including the garage would mean that the implementation of the appeal scheme would result in a reduction in the overall volume of additions to the original building. This is a material consideration in the determination of the appeal.
18. A Lawful Development Certificate was approved in November 2022 in respect of single storey side and rear extensions and the erection of a detached garage. It is the intention not to implement these works. However, no mechanism, such as a planning obligation, has been put to me which would prevent the implementation of these, or other works utilising existing permitted development rights. Even if I were

to withdraw these rights by way of condition there would be nothing to prevent them being utilised prior to the commencement of the appeal scheme.

19. Consequently, were I to allow the appeal it would be possible to implement both the appeal scheme and works allowed under permitted development. The cumulative effect of this would be extensions which far exceed the volume of the building in its 'original' form and as it exists at present. In such circumstances the weight I can attach to the reduction in volume proposed by the appeal scheme is limited.
20. I recognise that the proposal would improve the quality of the accommodation, the layout of the rooms and would resolve issues with the staircase and the lack of corridor space. In this respect the proposal would be beneficial to the living environment of the appellant and improve the overall accessibility of the dwelling. It is proposed to utilise good quality materials and to enhance the garden area through the removal of existing extensions. Overall, I afford these benefits modest weight.

Other Matters

21. I am aware that the appeal site is near to the Grade II listed building – Brook House. Mindful of the statutory duty set out in s66(1) of the Planning (Listed Building and Conservation Areas) Act 1990, I have had special regard to the desirability of preserving its setting. Given the location and extent of the proposal, I am satisfied that it would preserve the setting of this listed building and the contribution it makes to its significance. I note the Council had no concerns in this regard either. The lack of harm in this respect of this matter is a neutral consideration in the appeal.
22. I recognise the appellant's frustrations that their proposal has been refused in the context of larger scale development being proposed elsewhere in the Green Belt. Nevertheless, my decision is based on the evidence before me and the relevant parts of the Framework and development plan.

Green Belt Balance and Conclusion

23. The Framework makes it clear that substantial weight should be given to any harm to the Green Belt and that any harm 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.
24. The proposal would be inappropriate development in the Green Belt and harmful by definition. The proposal would also result in harm to the openness of the Green Belt and to the character and appearance of the host dwelling and the area. Set against the substantial weight I must give to the harm to the Green Belt, I ascribe only modest weight to the benefits of the proposal and limited weight to the other material considerations.
25. Consequently, the other considerations in this case do not clearly outweigh the harm identified so as to amount to the very special circumstances necessary to justify the proposal.
26. The proposal conflicts with the development plan and the material considerations including the Framework do not indicate that the appeal should be decided other than in accordance with it.

27. For the reasons given above the appeal is dismissed.

E Pickernell

INSPECTOR