



Appeal Decision

Site visit made on 21 May 2025

By G Powys Jones FRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 June 2025

Appeal Ref: APP/D0121/D/25/3362493

The Grange, Hen Lane, Winford, Bristol, BS40 8DP

- 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 Ms Z Bishop against the decision of North Somerset Council.
 - The application Ref is 24/P/2482/FUH.
 - The development proposed is demolition of existing conservatory and dormer windows and proposed extensions to the south and west with garage / home office extension to east.
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Decision

1. The appeal is dismissed.

Main Issues

2. The appeal site is located within the Green Belt (GB). Accordingly, the first issue is whether the proposed extension would be inappropriate development in the GB and, if so, whether other considerations clearly outweigh the harm to the GB so as to amount to very special circumstances. Secondly, the effect of the development on the character and appearance of the host property and its surroundings.

Reasons

Whether Inappropriate Development

3. The Framework¹ establishes that the construction of new buildings in the GB should be regarded as inappropriate unless one of the specified exceptions applies. The exceptions are listed in paragraph 154. They 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' (c), and

'limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.' (g)

4. Policy DM12 of the North Somerset Development Management Policies – Sites and Policies Plan Part 1 (DMP) generally reflects the provisions of the Framework referred to above, but more detailed guidelines are provided as to the type of development considered disproportionate and sets out provisions for what is to be regarded as acceptable forms of redevelopment or partial development on

¹ The National Planning Policy Framework

previously developed land (PDL). The appellant considers that these provisions are not compliant with the latest version of the Framework. They pre-date the latest revised Framework, but they form part of the development plan and are therefore taken into account although I shall make due allowance for the latest national guidance in considering their applicability.

5. The appeal property is a detached dwelling set in the northern part of a large, mainly lawned garden also containing a decorative pond, play and sitting out areas. An outbuilding is set on the fringes of the garden next to the Hen Lane frontage. The proposal involves the demolition of the modest conservatory attached to the western elevation, and the remodelling of the southern/western elevation by the introduction of what are best described as two storey protrusions facing southwards. A set of garages would be added to the east elevation, with space created in the pitched roof above.
6. The Framework contains no empirical guidance on what constitutes a disproportionate addition to a building. It thus calls for the application of planning judgment depending on circumstances. On the other hand, DMP policy DM12 provides reasonably detailed guidance on this aspect with reference to new floorspace created. Generally, additions involving increases in gross floorspace to the original building of greater than 50% would be regarded as inappropriate.
7. The original building on the site was a bungalow. Permission was later granted to extend it. The appellant does not question the Council's calculations as to the cumulative increase in floor space involved over and above the original building, which measured just under 200m². The proposed scheme would increase the floorspace to just over 600m². Nor, given the significant increase in floorspace, does the appellant seriously dispute the Council's contention, having regard to development plan and national policies, that this would represent a disproportionate addition to the original building. I find that the additions and extensions proposed materially conflict with development plan and national policy for additions and extensions to buildings within the GB since they would be disproportionate over and above the size of the original building.
8. The appellant however maintains that the Council did not consider the prospect of the proposal being regarded as a redevelopment or partial redevelopment having regard to the Framework's paragraph 154 (g) exception mentioned earlier. This proposition was put forward in the Planning Statement accompanying the original application.
9. Having regard to the specific wording of the exception set out in paragraph 154 (g), I make the following findings. The proposal does not fall to be considered as infilling or a material change of use, and the appellant does not argue otherwise. The term PDL is defined in the Framework, and I share the view that the land, being outside a built-up area, falls within the definition. The land is also in continuing use.
10. The terms '*complete redevelopment*' or '*partial redevelopment*' are not defined in the Framework, and nor for that matter is the term '*redevelopment*'. The appellant does not suggest that the scheme involves a complete redevelopment. However, on the basis that the scheme involves the demolition of part of the existing dwelling (the conservatory), the extensions and extensive remodelling proposed, she considers that the proposal falls to be treated as a partial redevelopment.

11. The term redevelopment is in common usage in planning circles and may refer to large or small sites. I do not exclude other forms, but the redevelopment of a site in my experience normally relates to the demolition and replacement of derelict or unused buildings or structures, or those in poor condition with new, whilst not excluding their possible refurbishment. Redevelopment normally involves the revitalization or regeneration of a site or area evidently in need of such action.
12. Whilst acknowledging that this proposal involves the demolition of a modestly sized conservatory, this structure did not appear to be in such condition that it needed demolition or replacement. Rather it seems to me that it was a relatively small structure in the context of the dwelling as a whole, which would otherwise obstruct or frustrate the appellant's quest for the construction of substantial additions to the dwelling.
13. Based on what I saw and the submitted plans it would be inappropriate to describe the proposal as redevelopment, even partial. The site and buildings appeared to be in good condition and did not strike me as being in need of redevelopment in the commonly applied sense of the term. To my mind, the clear purpose of the scheme is to enlarge and alter the main building. Thus, the proposals fall to be considered under the terms of the Framework's paragraph 154(c) rather than 154(g).
14. The appellant refers to two recent appeal decisions² in support of her arguments. Both involved schemes on previously developed land being residential curtilages sited outside a built-up area, and are similar to the appeal proposal in this respect. No plans of the two proposals subject of the appeals have been produced, but based on the information contained the respective decision letters, both schemes appear to me to be distinguishable in other material respects from the case before me. The first involved the complete demolition of a dwelling and outbuildings and the enlargement of the original curtilage, and the erection of a new replacement dwelling. The second involved the complete demolition of an outbuilding and its replacement with a new building.
15. I therefore conclude that the proposal comprises inappropriate development in the GB, which, by definition, is harmful, and this carries substantial weight against the development.

Character and appearance

16. The site is situated in countryside where open, hedged fields are prevalent, with some scattered development. The site is sited at the northern end of Hen Lane and is separated from the lane by a reasonably high means of enclosure. This, together with the outbuilding mentioned earlier, provides a degree of screening to the development behind. Although the existing dwelling contains some accommodation upstairs, the overall impression from outside the site is of a bungaloid form, punctuated by the gable facing the lane.
17. The extent of the additions involved would transform the appearance of the dwelling particularly those elements facing southwards. Whilst the existing dwelling sits reasonably comfortably in its surroundings, the proposed scheme by reason of its massing and scale would overpower the existing, introducing urbanizing and

² Ref APP/M0655/W/24/3348066 & APP/H2265/D/24/3349338

over-dominating two storey features, harming the modest nature and scale of the host property and the rural character and appearance of the locality. The scheme would also substantially harm openness by the introduction of excessively large extensions for this visual context.

18. The scheme would thus conflict with those provisions of policy CS12 of the Core Strategy and DMP policies DM32 & DM38 directed to achieving high quality design in new development, demonstrating sensitivity to local character and respecting the massing, scale, proportions, and overall design and character of the existing property.

Other considerations

19. The appellant refers to the importance attached in the Framework to meeting housing needs, but whilst a larger dwelling would be created, no additional housing units would be produced.
20. A substantial sum would be generated by the building works for the local construction industry, and this would be a minor benefit of the scheme.

Overall Conclusions

21. The proposal would amount to inappropriate development within the GB. In accordance with the Framework's guidance, substantial weight should be given to any harm to the GB. I also find the proposals conflict with the Council's design policies. Other considerations do not provide significant support for the scheme. These do not, therefore, clearly outweigh the totality of harm and so very special circumstances do not exist.
22. The proposals would not accord with the development plan in respect of GB and design policy and there are no other material considerations to outweigh those findings. Therefore, for the reasons given, the appeal should not succeed.

G Powys Jones

INSPECTOR