



Appeal Decision

Site visit made on 2 June 2025

by **S Harrington MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4th July 2025

Appeal Ref: APP/P0119/W/25/3360330

Greenways, Vicarage Lane, Olveston, South Gloucestershire BS35 4BT

- 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 K Pountain against the decision of South Gloucestershire Council.
 - The application Ref is P24/00048/F.
 - The development proposed is construction of a replacement dwelling following the demolition of the existing house and outbuildings.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the determination of the application, a revised version of the National Planning Policy Framework (the Framework) was published. Parties have had the opportunity to comment on the changes within the appeal timetable. Therefore, no parties will have been prejudiced by my having regard to the latest version in reaching my decision.

Main Issues

3. The main issues are:
 - whether or not the proposal would be inappropriate development in the Green Belt having regard to the Framework, including the effect of the proposal on the openness and purposes of the Green Belt;
 - the effect of the proposal on the character and appearance of the area; and
 - if the proposal is inappropriate development, whether the harm, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether inappropriate development

4. The appeal site is within the Green Belt. Paragraph 154 of the Framework sets out the categories of development which may be regarded as not inappropriate in the Green Belt, subject to certain criteria. The proposal is for the replacement of a single storey dwelling with a two-storey dwelling with a greater width, height and, as such, overall volume and bulk than the existing dwelling and is materially larger.

It would therefore not meet the exception set out in para 154 d) of the Framework in relation to replacement of a building. Nevertheless, paragraph 154 g) allows for the limited infilling or the partial or complete redevelopment of previously developed land (PDL), which would not cause substantial harm to the openness of the Green Belt.

5. Openness has a visual and spatial aspect. As established above, the proposed dwelling would be larger than the dwelling it is to replace. It would also cover a greater proportion of the appeal site than at present. Whilst public views of the proposal are minimised from the highway by mature planting, due to this increase in built form and the relatively large scale of the proposed building when compared to the current building, the proposal would have a significant spatial and visual impact on the openness of the Green Belt. The matching of the building line of the adjacent properties, or the provision of the proposed garden area would not mitigate this identified impact on openness.
6. Therefore, even if I were to conclude that the appeal site constitutes PDL, due to the substantial harm to the openness of the Green Belt, it would not fall under the exception in paragraph 154 (g) of the Framework.
7. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Whilst the proposal would not conflict with the purposes of the Green Belt as set out in paragraph 143 of the Framework, the proposal would nevertheless fail to keep land permanently open.
8. To conclude, the proposal would be inappropriate development within the Green Belt and would significantly harm its openness. This is harmful to the Green Belt which, in accordance with paragraph 153 of the Framework, should be given substantial weight.

Character and appearance

9. The appeal site is part of a ribbon of residential development along Vicarage Lane, which features a mix of building forms including bungalows, such as that currently at the appeal site, as well as larger scale 1.5 storey and two storey dwellings. Due to mature hedge and stone wall boundaries the area has a semi-rural character.
10. The proposal would reflect design elements seen elsewhere in the area including a gable, pitched roof and materials including natural stone walling, render and slate roof tiles. The bulk of the proposal is not dissimilar to other dwellings in the wider area.
11. However, due to the articulation of the double-gabled front elevation in combination with a central oak framed protruding gable featuring a large area of glazing, the proposal would be read as being of noticeably greater bulk and massing than the adjacent dwellings on this side of Vicarage Lane. This is despite the proposed reduction in site level resulting in ridge heights being only modestly higher than that of the neighbouring dwelling. Whilst views of the property are limited from the highway, the additional bulk and massing would appear harmfully incongruous and visually out of scale with this part of the street scene.
12. To conclude, the proposal would harm the character and appearance of the area in conflict with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (2013) (LP). This policy seeks, amongst other matters, to ensure development

form and massing respects and enhances the characters of both the site and its context.

13. Whilst not referred to within the decision notice, the appellant has drawn my attention to Policy PSP1 of the South Gloucestershire Policies Sites and Places Plan (2017). However, for the reasons provided above, whilst the proposal does incorporate some high-quality architectural features, the proposal would not respond constructively to the characteristics of the immediate locality and would also conflict with Policy PSP1.

Other considerations

14. Inappropriate development should not be approved except in very special circumstances. These circumstances will not exist unless the development's harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
15. The appellant has highlighted that single storey extensions to the side and rear of the existing dwelling could be constructed under permitted development rights. Should both these extensions be constructed on the appeal site, the floor area of all built form would be greater than the proposed dwelling before me. Whilst minimal detail has been provided to me in relation to the final design of any extensions, I have no reason to doubt that there is a possibility that the extensions could be built, and I consider that there is a real prospect of the fallback development taking place.
16. However, although the fallback could have a greater floor area than the proposal, it would retain the existing dwellings ridge height, thereby being a lower ridge height than the appeal proposal. The combination of the appeal proposal's greater ridge height and associated massing, particularly of the road facing elevation, would have more visual and spatial prominence than the extensions as illustrated to me within the fallback scheme, even when taking into account the cumulative effect of both extensions.
17. I therefore find that this fallback would have a lesser impact on the openness of the Green Belt than the appeal proposal. As a result, the fallback position is a matter that carries only modest weight.
18. The appellant states that the proposal would result in a modern, energy efficient family sized dwelling in a location close to services and facilities, compared to the existing dwelling which is dilapidated and would be difficult to bring up to modern standards. I observed that the existing dwelling is in poor condition and therefore I give these benefits moderate weight. The proposal would make a neutral contribution to housing supply since the proposal is for a replacement dwelling, however there would be economic benefits during the construction period, although given the scale of the proposal the weight I attach to this is modest.

Other Matters

19. The Council are unable to demonstrate a 5-year housing land supply, indicating it can demonstrate 4.41 years and the appellant also suggests that LP Policy CS5 is out of date. However, the policies in the Framework relating to the Green Belt provide a strong reason for refusing the development proposed and as such the proposal would not benefit from the presumption in favour of sustainable

development set out in the Framework. Moreover, the proposal relates to a replacement dwelling, which would in any case have a neutral effect on housing supply.

Green Belt balance

20. The proposal constitutes inappropriate development in the Green Belt to which I attach substantial weight. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
21. There would be harm arising from the inappropriate development and reduction of the Green Belt's openness. I attach substantial weight to these harms. Other considerations, either individually or cumulatively, only carry moderate weight and therefore do not clearly outweigh the harm to the Green Belt. Consequently, the very special circumstances necessary to justify the development do not exist.

Conclusion

22. For the reasons given above, I find that the proposal would be inappropriate development in the Green Belt and reduce its openness, as well as harm the character and appearance of the area. Accordingly, I find that the proposal would conflict with the development plan, read as a whole. No material considerations, individually or cumulatively, indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal is dismissed

S Harrington

INSPECTOR