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## Appeal Decision

Site visit made on 30 July 2025

by **U P Han BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 August 2025

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**Appeal Ref: APP/P0119/W/25/3365052**

**Hudson House, Homeapple, The Workshop, Homeapple Hill, Wick BS30 5QZ**

- 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 J McAlinden against the decision of South Gloucestershire Council.
  - The application Ref is P23/03060/F.
  - The development proposed is change of use of residential dwelling (Class C3) known as 'Hudson House' and outbuilding known as 'Homeapple' to holiday accommodation (sui generis); and change of use of outbuilding 'The Workshop' to ancillary on-site managers accommodation (sui generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
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### Decision

1. The appeal is allowed and planning permission is granted for change of use of residential dwelling (Class C3) known as 'Hudson House' and outbuilding known as 'Homeapple' to holiday accommodation (sui generis); and change of use of outbuilding 'The Workshop' to ancillary on-site managers accommodation (sui generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) at Hudson House, Homeapple and The Workshop, Homeapple Hill Wick BS30 5TX in accordance with the terms of the application, Ref P23/03060/F, subject to the conditions in the attached schedule.

### Preliminary Matters

2. I have taken the description of development from the Appeal Form and the Council's Decision Notice as it is more accurate than the description given in the Application Form. However, I have removed reference to the words 'holiday accommodation' after the words 'The Workshop to' as the appellant's appeal statement clearly indicates that The Workshop is to be used as ancillary on-site manager accommodation only. I have removed reference to 'part retrospective' in the description of development as it is not a form of development.
3. The appellant's submissions indicate that the proposed change of use has already taken place, and my observations during the site visit confirmed this to be the case. For the avoidance of doubt, I have determined the appeal on the basis of the submitted plans.

### Main Issues

4. The main issues in this appeal are:
  - whether the development is inappropriate development in the Green Belt including its effect on openness and the purposes of including land within it, having regard to the Framework and the development plan;

- the effect of the development on the living conditions of the occupiers of Highfield Cottage with regard to noise and disturbance;
- the effect of the development on the character of the surrounding area; and
- if the development is inappropriate, 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 appeal site is located in the Green Belt and comprises Hudson House, Homeapple and The Workshop. The site is largely screened from view by dense, mature vegetation growing along its northern, eastern and western boundaries and its adjacency to Bramley Barn, Linden Lodge and Olive Tree to the south. Access to the site is via a private driveway from Homeapple Hill A420.
6. Policies CS5 and CS34 of the South Gloucestershire Local Plan Core Strategy 2006-2027 (adopted 2013) (the CS) and Policy PSP7 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (adopted 2017) (SPP) seek to protect the Green Belt from inappropriate development and requires proposals for development in the Green Belt to comply with the Framework and relevant development plan policies. Policies CS5 and PSP7 reflects the Framework in terms of resisting development in the Green Belt except in certain circumstances.
7. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It goes on to establish that development in the Green Belt is inappropriate unless one of the specified exceptions applies. This includes the re-use of buildings, provided that the buildings are of permanent and substantial construction (paragraph 154 h iv)) and that it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.
8. The main parties agree that there are no proposed changes to the appeal buildings themselves, and that they are of permanent and substantial construction. On the evidence before me, I have no basis to disagree. The main dispute is whether the change of use preserves the openness of the Green Belt and conflicts with the Green Belt purposes, as set out in paragraph 143 of the Framework.
9. Openness is an essential characteristic of the Green Belt that has spatial and visual aspects. The appellant's appeal statement indicates that Hudson House and Homeapple accommodates a maximum of 17 and 18 guests respectively, totalling 35 guests. Although this results in a higher occupancy than typically associated with a single dwelling, it does not necessarily impact the openness of the Green Belt, particularly in the absence of any external or physical alterations. Limited evidence has been submitted to demonstrate that the number of guests alone would erode the visual or spatial openness of the Green Belt.
10. The Transport Statement Addendum<sup>1</sup> (the TSA) confirms a total of 24 car parking spaces for Hudson House, Homeapple and The Workshop within the appeal site.

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<sup>1</sup> Hudson House Site, Homeapple Hill, Wick, Bristol, Transport Addendum, February 2024.

All the parking spaces are within the existing hardstanding area adjacent to the buildings, and parked vehicles would largely be seen against the backdrop of the existing buildings or boundary fencing. Furthermore, the visually enclosed nature of the site would help to limit the visual impact of parked vehicles, thereby preserving the openness of the Green Belt.

11. The proposal relates solely to the change of use of existing buildings without extending the developed footprint or introducing additional built form. The proposed change of use would be contained within the current developed site boundary with no projection into surrounding undeveloped land. As such, the proposal would not amount to encroachment into the countryside, thereby complying with paragraph 143 c) of the Framework.
12. I am also satisfied that the proposal would not conflict with the other purposes of the Green Belt as outlined in Paragraph 143 of the Framework as the buildings are already in situ.
13. For the reasons given, the proposal would not be inappropriate development in the Green Belt. Accordingly, it complies with Policies CS5 and CS34 of the CS Policy PSP7 of the SPP and the Framework.

#### *Living Conditions*

14. The nearest residential property is Highfield Cottage, located to the south east of the appeal site. However, it is separated from the appeal site by Linden Lodge and Bramley Barn, both of which are also used as holiday accommodation.
15. While the total maximum number of guests results in a more intensive use of the site compared to that of a single dwellinghouse, the separation distance, combined with the presence of intervening buildings and fencing, between the appeal buildings and Highfield Cottage, contributes to minimising any potential noise and disturbance experienced by the occupiers of Highfield Cottage.
16. The Council has raised concerns regarding the potential for noise and disturbance particularly related to the use of the outdoor swimming pool adjacent to Hudson House. However, the swimming pool is shielded by Hudson House itself immediately to the east and north, and by timber boundary fencing to its west and south. Moreover, Bramley Barn and Linden Lodge are situated between the swimming pool and Highfield Cottage. These factors contribute to minimising potential noise and disturbance to the occupiers of Highfield Cottage.
17. The increased level of comings and goings as a result of the development largely occur at weekends and during seasonal peaks. Therefore, the intermittent pattern of use inherently limits the frequency and duration of potential noise and disturbance.
18. While it could be argued that guests may exhibit a lower degree of neighbourly self-regulation compared to permanent residents, the presence of on-site manager's accommodation, as acknowledged by the Council, would likely act as a deterrent to anti-social behaviour.
19. I acknowledge that the occupiers of Highfield Cottage may wish to enjoy their outdoor space during the weekends. However, similar weekend use could be reasonably expected if the appeal site were in residential use, which might include large family gatherings and domestic celebrations typical of such settings.

20. Notwithstanding the above, given the large number of guests that could potentially occupy the site at one time, a condition requiring the submission, approval and implementation of a Noise Management Plan is reasonably necessary to ensure the development minimises the potential for increased noise and disturbance to the occupiers of Highfield Cottage. Taking into account the tests set out in the Framework in relation to planning conditions, I see no reason why a Noise Management Plan such as the example suggested by the appellant could not be enforceable.
21. The appeal site is separated from a public footpath to the south of the site by Linden Lodge, Highfield Cottage, Bramley Barn and Olive Tree, thereby reducing the potential for noise and disturbance to users of the footpath. In any event, there is no policy before me which seeks to protect users of public footpaths in the area from potential noise and disturbance arising from nearby development.
22. The Council has cited conflict with Policy PSP28 of the SPP. However, based on the evidence before me, there is insufficient justification to demonstrate that the size and extent of the development are inappropriate and disproportionate to its function and use. In addition, rural areas often accommodate a diverse range of uses including agricultural, residential and tourism. Accordingly, I am not persuaded that the development is in breach of Policy PSP28.
23. For the reasons given, the development would not harm the living conditions of the occupiers of Highfield Cottage with regard to noise and disturbance. It complies with Policies PSP8 and PSP28 of the SPP insofar as they require development to not have unacceptable impact on the residential amenity of occupiers of nearby properties with regard to noise and disturbance and proposals to be of a scale which is consistent with its function, use and rural location.

### *Character*

24. The rural character of the surrounding area derives principally from its openness and agricultural land use. As the proposal does not entail any physical alterations, its impact on the visual character of the surrounding area would be minimal. Furthermore, the existing structures are already well integrated into the landscape and largely screened from public viewpoints by established vegetation and boundary features.
25. The level of activity associated with the development is expected to be intermittent, occurring mainly at weekends and during seasonal peaks. Given its transient nature, the activity would not unduly undermine the established character of the surrounding area. Furthermore, the associated activity would remain predominantly contained within the site.
26. Vehicles associated with the holiday accommodation would be parked within the existing hardstanding area, which is largely screened from public view.
27. For the reasons given, the development would not harm the character of the surrounding area. Accordingly, it does not conflict with Policies CS9 and CS34 of the CS and Policy PSP2 of the SPP insofar as they require development to protect, conserve and enhance the rural areas' distinctive character.

## **Other Matters**

28. The Council has raised no objections to the development on transportation and highway safety grounds. I have no basis to find otherwise.
29. The Council has raised no concerns regarding sewerage discharge, and I see no compelling reason to adopt a different view.

## **Conditions**

30. The Council has outlined a list of planning conditions which I have considered against the Framework and advice contained in Planning Practice Guidance. The appellant has had the opportunity to comment on the Council's suggested conditions, and I have taken these comments into account.
31. A standard time condition for the commencement of development and a condition requiring compliance with the approved plans are necessary to provide precision and certainty.
32. A condition requiring the submission, approval, implementation and adherence to an approved Noise Management Plan is necessary in the interests of the living conditions of the occupiers of Highfield Cottage. Given the retrospective nature of the development, a further condition would be necessary to ensure that the development can be enforced against if the required details are not submitted for approval within the period given by the condition, or if the details are not approved by the local planning authority or the Secretary of State on appeal, or if the details are approved but not implemented in accordance with an approved timetable.
33. Although not included in the Council's suggested list of conditions, a limit on the number of guests occupying the holiday accommodation is considered necessary in the interests of the living conditions of the occupiers of Highfield Cottage.

## **Conclusion**

34. For the reasons given above the appeal should be allowed.

*U P Han*

INSPECTOR

## **Schedule of Conditions**

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos: Location Plan; Hudson House Plans 2 Drawing No. HH-102; Hudson House 3D Views Drawing No. HH-104; Site Layout Drawing No. ST-101; WS Site Layout Plan Drawing No. ST-102; Workshop Existing Plans Drawing No. WS-101; Workshop Existing Elevations and 3D View Drawing No. WS-102; Workshop Proposed Plans Drawing No. WS-201; Workshop Proposed Elevations and 3D View Drawing No. WS-102; Homeapple Existing Floor Plans Drawing No. HA-101; Homeapple Proposed Floor Plans (unchanged) Drawing No. HA-101; Homeapple Existing Elevations Drawing No. HA-102; Homeapple Proposed Elevations (unchanged) Drawing No. HA-102; Hudson House Existing Floor Plans Drawing No. HH-101; Hudson

House Proposed Floor Plans (unchanged) Drawing No. HH-101; Hudson House Existing Elevations Drawing No. HH-103 and Hudson House Proposed Elevations (unchanged) Drawing No. HH-103.

- 3) Within 30 days of the date of this decision, a Noise Management Plan shall be submitted to the local planning authority for their written approval. The Noise Management Plan, to prevent disturbance to local residents resulting from the hereby permitted use, shall include undertakings and procedures for:
- i. The name(s) of an on-site supervisor responsible for the behaviour of guests and for liaison with local residents;
  - ii. The control and use of outside areas;
  - iii. The control of noise break out from within the building;
  - iv. Access and egress to and from the property by guests including arrangements for taxi and coach parking;
  - v. Recording of complaints and response to those complaints;
  - vi. Deliveries and collections to and from the property;
  - vii. The annual review of the approved Noise Management Plan and, if necessary, the submission and approval of a revised Noise Management Plan; and
  - viii. Any other matters that are reasonably required by the local planning authority.

Upon implementation of the approved Noise Management Plan specified in this condition, that Noise Management Plan shall be followed and/or maintained.

- 4) The use hereby permitted shall cease within 6 months of the date of failure to meet any one of the following requirements:
- i. Within 30 days of the date of this decision, a Noise Management Plan submitted in accordance with Condition 3 shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.
  - ii. If within 6 months of the date of this decision the local planning authority refuse to approve the scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.
  - iii. If an appeal is made in pursuance of (ii) above, that appeal shall have been finally determined and the submitted Noise Management Plan shall have been approved by the Secretary of State; and
  - iv. The approved Noise Management Plan shall have been carried out and completed in accordance with the approved timetable.
- 5) The holiday accommodation hereby approved shall not exceed the following number of guests, other than through the provision of travel cots for infants: Hudson House – 17 guests, Homeapple – 18 guests. For the avoidance of doubt, sofa-bed provision counts as a bed-space provision.

### **End of Conditions**