



Appeal Decision

Site visit made on 28 August 2025

by **P Barton BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21st October 2025

Appeal Ref: APP/P0119/W/25/3367505

Barn off Sweetwater Lane, Thornbury, South Gloucestershire BS35 3JX

Grid Ref Easting: 361844, Grid Ref Northing: 189237

- 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 Martin King against the decision of South Gloucestershire Council.
 - The application Ref is P24/01888/F.
 - The development proposed is change of use of existing stable block and immediate curtilage to form 1 (C3) residential dwelling house.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. It appears that the Council had regard to the December 2023 version of the National Planning Policy Framework (the Framework). The main parties have had an opportunity to comment on the 2024 version of the Framework that had a revision on 7 February 2025. I have had regard to the latest version of the Framework in my decision.
3. I observed that the stable block and haybarn had not been completed and were not wholly consistent with the plans before me. Externally to the stable block this included a single width door to the store/tack room rather than a pair of double doors and cladding rather than stonework around some of the stable doors. Internally I saw a load-bearing beam above stable doors, in the approximate location of the proposed bi-folding doors. Within the haybarn, there was a doorway within an internal wall constructed of blockwork as well as a small enclosure made of the same blockwork. For the avoidance of doubt, I have considered the appeal based on the plans before me.

Main Issues

4. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies;
 - the effect of the proposed development on the openness of the Green Belt;
 - whether the appeal site would be a suitable location for the proposed development, in terms of access to services and facilities;

- the effect of the proposal on the character and appearance of the area; and
- if the proposal is found to be inappropriate development, whether other considerations clearly outweigh the harm to the Green Belt and any other harm as to amount to very special circumstances.

Reasons

Whether inappropriate development in the Green Belt

5. The appeal site is located to the eastern tip of a larger field at the junction between Sweetwater Lane and a public bridleway. The access into the site is positioned at this junction. A stretch of the site's boundary to Sweetwater Lane is a stone wall and elsewhere the site's boundary consists mainly of established hedgerows. The larger of the 2 buildings on the appeal site is the stable block and would provide a 2-bed dwelling accommodated on a single floor and the hay barn would provide a garage/workshop and storage.
6. The site is located within the Green Belt, which the Government attaches great importance to. The National Planning Policy Framework (the Framework) identifies that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open and the essential characteristics of the Green Belt are their openness and their permanence. The Framework is clear that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances.
7. The Council has not referred to any development plan policies in its first reason for refusal, but both parties have referenced Policy CS 5 of the South Gloucestershire Local Plan Core Strategy (Core Strategy) and Policy PSP7 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (PSPP) within their submissions. These policies broadly reflect national Green Belt policy and as such there is consistency with the Framework.
8. Several exceptions are identified in Paragraph 154 of the Framework where development would be regarded as not inappropriate. The appellant contends that paragraph 154 h) iv applies as the proposal would represent the re-use of buildings that are of permanent and substantial construction, would preserve openness and do not conflict with the purposes of including land within it.
9. Planning permission has been granted on the site for the erection of a stable block and a hay barn, along with installation of hardstanding and access tract to facilitate an equestrian use¹. On site I noted that construction work was still being undertaken, including the external stonework to the north elevation of the stable block, which was not in use. The land to the front of the stable doors was uneven and noticeably lower than the building's slab level. This area, as well as other areas around the building, was also covered in building rubble and appear to not be suitable ground for horses at the time. This further indicated that the construction work had not yet been completed, and the building was not in its intended use.
10. The hay barn was in a more advanced state of completion, with external cladding still to be installed. Some haybales were being stored in the hay barn along with a

¹ Planning permission Ref: P23/01340/F

limited amount of machinery. There was a horse in the adjacent interconnected field.

11. It seems logical that to meet the exception in paragraph 154 h) iv. of the Framework it would be necessary for the approved buildings to have been completed and used for their intended purposes before a 're-use' could be considered under this clause. On the basis of the incomplete nature of the buildings, and that the stable block has clearly yet to be used for its intended purpose, it would fall short of meeting this rational expectation.
12. My attention has been drawn to an appeal decision² that the appellant contends is directly comparable and relevant to the proposals. However, this appeal is materially different to the appeal scheme before me as the building in question was not under construction and had been used for its intended purposes. As such, a comparison is of limited relevance in this instance, and I have considered the appeal before me on its individual merits.
13. In conclusion, as the buildings are incomplete and the stable block has not yet been used for its intended purpose, the proposal would not represent a re-use, and it would not meet the exception of paragraph 154 h) iv. Moreover, the proposal does not meet any of the other exceptions in the Framework and would be inappropriate development in the Green Belt in terms of the Framework and Policy CS 5 of the Core Strategy and Policy PSP7 of the PSPP.

Openness

14. In considering the concept of openness, the courts have found that it broadly has visual and spatial dimensions. Moreover, the effect on openness is not confined solely to physical works but also the duration and activity associated with a proposal. The appeal site is clearly visible from Sweetwater Lane, particularly, when approaching from the east towards its junction with the public Bridleway.
15. The proposal would not enlarge the existing buildings on the appeal site and the curtilage to the new dwelling would be modest. Therefore, the effect on spatial openness would be negligible.
16. As construction work was being undertaken and the stable block was not yet in use it was not possible to fully observe the visual effect of the approved development, nor activities associated with it. There is limited information before me regarding anticipated activities in connection with the consent on the site.
17. There would be regular comings and goings associated with a new dwelling, including trips for necessary services and facilities, as well as visitors and deliveries. Movements associated with the approved use on the site that includes 5 stables would also be regular and include, importantly, the care of the horses. However, I am not convinced that the frequency of movements and the duration of the visits to the approved development would be comparable to that of the proposed 2-bedroom, 4-person house, where it is likely to be occupied as a main place of residence.
18. Consequently, the greater level of comings and goings as well as the significantly longer periods of stay at the site, and probable parking of vehicles on the

² Appeal Ref APP/P0119/W/23/3322304

prominent driveway, associated with the proposal would have a moderate effect on visual openness.

19. The proposal would result in the use of the curtilage for residential purposes, as well as the introduction of residential paraphernalia such as washing lines, refuse bins and play equipment. Due to the ongoing construction, I was unable to view paraphernalia associated with the approved use on the site and there is limited information before me on this matter. Nevertheless, some of the residential paraphernalia would be visible, particularly on the prominent driveway, and this would have a limited effect in visual openness.
20. Taking the above into account the proposed development would have a greater effect on openness than the existing consent.
21. For the purposes of my assessment, even if I had found that the proposal would be for the re-use of buildings of a permanent and substantial construction, it would fail to preserve the openness of the Green Belt, albeit I have found the harm to be moderate.

Access to services and facilities

22. The closest key services and facilities are some distance away in Alveston and I saw a secondary school on Vattingstone Lane and a bus stop on Strode Common. Access to these from the appeal site would be via Sweetwater Lane and Mumbleys Lane, which leads to Vittingstone Lane. These roads, up to the secondary school, have no footpath or street lighting and Sweetwater Lane and Mumbleys Lane are narrow with vehicular passing places. These road conditions would not be an attractive option for cyclists and walkers and those with mobility issues, particularly during adverse weather and during the hours of darkness. Therefore, the necessary day-to-day services and facilities that would be required by future occupants of the proposed dwelling would not be readily accessible. Due to a lack of genuinely sustainable travel choices, the occupants would be heavily reliant on private motor vehicles to access services and facilities on a regular basis.
23. For the reasons detailed before, as the proposal is not a 're-use', Policy PSP40 of the PSPP is not relevant in this regard.
24. Local residents have claimed that the proposal would result in fewer vehicle movements in terms of the appellant owning farmland close to the site and supporting a family member who lives nearby. In terms of access to facilities by users of the site, the authorised equestrian use of the site is materially different to a dwelling and without the same need for day-to-day services and facilities.
25. For the above reasons, the appeal site would not be a suitable location for the proposed development, in terms of access to services and facilities. This conflicts with Policy PSP11 of the PSPP, which requires, amongst other things, residential development to be located on safe, useable walking and, or cycle routes that are an appropriate distance to key services and facilities, or an appropriate distance to a suitable bus stop connecting to these.

Character and appearance

26. The visual dimension of the openness of the Green Belt does not exhaust all relevant planning factors relating to the visual impact of a proposal in the Green

Belt. These are different assessments, and it is possible that a different conclusion on openness could be reached to that on the effects on character and appearance.

27. Policy CS 5 of the Core Strategy states that development in the open countryside will be strictly limited. Policy PSP40 of the PSPP identifies circumstances where residential development outside settlement boundaries will be acceptable. Criteria 4) has been stated as being relevant as it relates to the conversion and re-use of existing buildings for residential purposes where it meets a number of tests. However, as I have already found that the proposal would not constitute a re-use, the proposal fails to accord with this part of the policy. Nevertheless, there are other parts of this policy that are relevant to the effects on character and appearance.
28. The proposal involves modest alterations, with the most significant changes, including the bi-folding doors, would be located to the rear elevation of the stable block and not visible from Sweetwater Lane. The proposed curtilage to the dwelling is modest and the main private amenity space would be mainly screened by the building. The comings and goings and associated parking with the proposal would also have a domesticating effect on the site and wider area.
29. Nevertheless, there are individual residential properties dotted around the locality, including opposite the public bridleway that contribute to the site's context, and I have found the effect of the proposal on the rural character and appearance of the area would be very limited. Accordingly, there would be no conflict with Policy PSP40 of the PSPP insofar as it seeks that alterations, extension or creation of a residential unit do not have a harmful effect on the character of the countryside.

Other considerations

30. I recognise that there are personal circumstances relating to the short timescale between the consent on the site and the proposal subject to this appeal. These are also reflected in the supporting comments received on the planning application. Whilst sympathetic to these personal circumstances, I am mindful that the courts, in general, have taken the view that planning is concerned with land use in the public interest. Moreover, there is little evidence before me to demonstrate that these benefits could not be delivered in a less harmful way. Consequently, I afford this moderate weight.
31. The proposal would deliver a single dwelling to the housing supply and improve biodiversity. Nevertheless, due to the small scale of the proposal, and thereby the small scale of these associated benefits, I afford this limited weight.
32. The appeal site is not at risk of flooding, is located outside of a conservation area and the setting of a listed building and is not subject to any environmental designations. Furthermore, the proposal would result in no adverse harm to living conditions, to trees that would be retained and there would be sufficient parking. A lack of harm in these respects are neutral considerations that weigh neither for nor against the proposal.
33. A lack of enforcement action relating to the site is a matter for the Council and does not alter my findings; neither does the lack of objection from the Highway Authority and the Council's Landscape Officer.

Planning Balance

34. Paragraph 153 of the Framework is clear that substantial weight should be given to any harm to the Green Belt, including harm to its openness. I have found that there would be harm to the Green Belt by reason of the proposed development's inappropriateness and its effect on openness. The appeal site would also not be a suitable location for the proposed development, in terms of access to services and facilities.
35. The Framework states that the potential harm to the Green Belt 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. The other considerations in this case, as detailed above, are not sufficient to comprise the very special circumstances necessary to justify this development. This would be contrary to the Framework and Policy CS 5 of the Core Strategy and Policy PSP7 of the PSPP.
36. The Council has stated that it has a deliverable housing land supply of 4.41 years. Therefore, Paragraph 11 d) of the Framework is applicable. However, Paragraph 11 d) i) provides an exception where there are circumstances where the application of policies in the Framework to protect areas or assets of particular importance provides a strong reason for refusing the proposal. Footnote 7 establishes that this includes the Green Belt. As I have found that there would be harm to the Green Belt, the appeal proposal does not benefit from the presumption in favour of sustainable development.

Conclusion

37. The proposal conflicts with the development plan as a whole and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal is dismissed.

P Barton

INSPECTOR