
Appeal Decision

Site visit made on 11 October 2016

by H Porter BA(Hons) PGDip IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18 November 2016

Appeal Ref: APP/F0114/W/16/3155710

Land between Brookside and Valley View Road, Paulton, Bristol

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Ms L Montgomery against the decision of Bath & North East Somerset Council.
 - The application Ref 15/03373/FUL, dated 24 July 2015, was refused by notice dated 1 July 2016.
 - The development proposed is erection of two detached houses.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Preliminary Matters

3. The Council make reference to emerging Policy LCR6A of the Draft Placemaking Plan, under which the appeal site is identified as Local Green Space. As the Plan is under examination, I give the site's potential status as Local Green Space limited weight.

Reasons

4. The appeal proposal relates to a sloping site within a late-20th century residential estate on the edge of Paulton. The local character and appearance are defined as much by the broadly consistent form and materials of the dwellings as by the way development responds to the contours of the steep-sided valley. The careful spatial planning gives generous gaps between detached or paired houses, revealing the local topography and wider landscape, which contributes to the sense of a spacious and verdant setting.
 5. The steep slope of undeveloped land is highly prominent, revealed from gaps between houses locally, the public footpath that runs across the top of the site and in various mid-distant views, including from the cemetery. Whilst the wider site is somewhat overgrown, its open, undeveloped nature emphasises the local topography and provides an important landscape punctuation between the Brookside and Valley View Road houses. In this regard, the appeal site and the rest of the open land extending beyond it make a positive contribution to
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the sense of a spacious and verdant suburban layout that is intrinsic to the character and appearance of the area.

6. The proposal would truncate the green swathe towards its northern end and introduce two detached dwellings of identical contemporary design. Despite cutting into the slope of the site and leaving a large portion of green space remaining, the proposal would fundamentally alter the local landscape's undeveloped nature. Whilst the existence of the hardcore access track would, to a degree, lessen the amount of additional hard-surfacing required, the introduction of dwellings would materially alter the site's use and appearance. Consequently, the appeal proposal would undermine the greenery and legibility of the open space, to the detriment of the character and appearance of the area generally.
7. Although the contemporary design is in itself not objectionable, the modern architecture combined with the use of timber cladding, green walls and sedum roofs, would not assist the assimilation of the proposed dwellings into this highly visible landscape. Despite the proposed use of local stone in boundary walls, the overall material palette would be unrelated to the appearance of development locally. The proposal would therefore fail to integrate effectively with its surroundings, appearing incongruous and out of place as a result.
8. Taking all these factors into consideration, I conclude that the proposed development would result in significant harm to the character and appearance of the area. The proposal would therefore be contrary to Policy CP6 of the Bath and North East Somerset Core Strategy, Part 1 of the Local Plan, adopted July 2014 and Saved Policies BH.15, D.4 and NE.1 of the Bath & North East Somerset Local Plan, including minerals and waste policies, adopted October 2007. These policies require, amongst other things, that development is of high quality design; reinforces and contributes to its specific local context; conserves or enhances the distinctive character and quality of the landscape, and protects open spaces that make a contribution to the character of the area. The development would also fail to accord with the core principles of the National Planning Policy Framework, adopted March 2012 (the Framework), which seek to secure a good standard of design and take account of the character of different areas.

Planning Balance and Conclusion

9. At the time of my visit, the appeal site itself was clear of undergrowth and evidence of fly-tipping, although I observed heavy weed growth across the wider green space. The appellant has proposed a Landscape Management Plan, to be controlled by condition, which would offer some enhancement to the land and biodiversity benefits. Although the appellant has not provided any substantive evidence to support the claim of an unmet demand for housing locally, the proposal would provide two additional homes that would contribute, albeit in a small way, to increase the supply of housing. The construction-phase would also create jobs, which would be beneficial to the local economy. Future occupants could bring additional expenditure, making use of local services, which would also benefit the local economy and community.
10. However, the moderate benefits arising from the provision of two houses in, what may be, a sustainable location and the positive aspects that arise from the management proposals for the larger area of land would not outweigh the harm to the character and appearance of the area identified above. In

particular, the development on a portion of the land is not the only means by which the land could be more effectively or appropriately managed. This demonstrates that, in spite of the appeal site falling inside the development boundary, the environmental dimension of sustainable development would not be achieved overall. Even if there was a lack of a 5-year supply of housing land, the adverse impacts of the scheme would therefore significantly and demonstrably outweigh the benefits and the proposal would not be a sustainable development.

11. The fact that the refusal does not relate specifically to ecology, trees, flood, highway safety or living conditions, does not alter the harm identified in relation to the character and appearance of the area. Overall, I find that there are no material considerations that outweigh the conflict with the development plan as a whole.
12. For the reasons given above, I conclude that the appeal should be dismissed.

H Porter

INSPECTOR