

Appeal Decision

Site visit made on 29 November 2016

by J J Evans BA (Hons) MA MRTPI

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

Decision date: 16 December 2016

Appeal Ref: APP/P0119/W/16/3152592

13 Greenways, Kingswood, Bristol, South Gloucestershire BS15 4LG

- 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 Mr M Taylor against the decision of South Gloucestershire Council.
 - The application Ref PK16/0601/F, dated 8 February 2016, was refused by notice dated 5 May 2016.
 - The development proposed is to erect a two bed attached house.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The site address provided on the application form is 13 Greenways, Kingswood, whilst on the appeal form it is 13 Greenways, Bristol. From the evidence before me and what I saw on my site visit it is the same property. The Council have referred to the site as being 13 Greenways, Kingswood, Bristol, and as this fully describes the site and is consistent with the addresses provided by the appellant, I have used this above.

Main Issue

3. The main issue is the effect of the proposed house on the character and appearance of 13 Greenways and the surrounding area.

Reasons

4. The appeal site comprises part of the garden of 13 Greenways. Positioned within a residential estate of similar aged and styled houses and bungalows, this red brick and tiled house is one of a short row of semi-detached houses that front Holly Green. The front and side garden of No 13 provides parking, and along the western boundary of the property is a high brick and block wall that bounds the public footpath that connects Holly Green to Greenways. The positioning of the dwellings set back from the footway behind front and side gardens, along with the generous width of the public footpath and areas of landscaping, gives an open and spacious appearance to the area.
 5. The proposed dwelling would be attached to the west facing flank wall of No 13. It would have off-street parking provision and a rear garden. However, the house would occupy much of the width of the side garden, and due to the tapering shape of the site, would abut the wall along the footpath. This
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juxtaposition would appear unacceptably cramped compared to the surrounding properties, which are set back from the highways and public footpaths behind gardens. The height and close proximity of the house to the footpath would adversely erode the spacious and carefully planned appearance of this part of the estate.

6. I share the concerns of the Council that the proposed dwelling would appear contrived, as its position, design and form are determined by the shape of the side garden. As such the house would not appear as a natural progression of the semi-detached pair into a terrace. Even with the use of materials to match the host building the proposed dwelling would be noticeably different to the houses it is attached to. Not only would it be unacceptably close to the site boundary, its narrow width, the fenestration pattern including the pattern of windows to walls ratio, along with the pitch of the roof and its higher ridge, would all exaggerate the vertical emphasis of the dwelling. It would be harmfully different to the characteristics of the host building and those in the surrounding area.
7. The Council have no five year housing land supply, and have stated that the housing land supply policies of the development plan are out of date. In such cases applications and appeals for housing development should be considered in the context of the presumption of sustainable development, as set out in the National Planning Policy Framework (the Framework). In paragraph 7 it is made clear that sustainable development has economic, environmental and social dimensions, none of which should be undertaken in isolation.
8. The appellant has pointed out that the dwelling would be energy and resource efficient, and positioned in a sustainable location. These would be benefits of the scheme, as would the provision of an additional home in a popular area. However, for the reasons given the proposal would have a significant adverse environmental impact and this would not be outweighed by the limited benefits of the scheme. Taken as a whole, the proposal would not be the sustainable development required by the Framework.
9. Thus, for the reasons given the proposed dwelling would unacceptably affect the character and appearance of No 13 and that of the surrounding area. As such it would fail to accord with Policies CS1 and CS17 of the South Gloucestershire Local Plan Core Strategy (2013), and Policies L5 and H4 of the South Gloucestershire Local Plan (2006). These policies seek, amongst other things, the highest standards of design that respects and enhances the character and distinctiveness of a site and its context, thereby reflecting objectives of the Framework.

Other Matters

10. Reference has been made to a permission for a two storey side extension to the property. However, the extension of a dwelling is very different to the provision of a new dwelling. Although I do not have the full details of the extension before me, I note the permission has expired. As such the weight I can attribute to the matter is limited, and does not outweigh the harm I have found with regard to the main issue.
11. Finally, the Council have referred to an emerging development plan, the South Gloucestershire Local Plan: Proposed Submission: Policies, Sites and Places

Plan (2016). Whilst I have considered the policies referred to, as they have not yet been adopted and this limits the weight that can be attached to them.

Conclusion

12. For the reasons given above and having considered all other matters raised, the appeal is dismissed.

J J Evans

INSPECTOR