
Appeal Decision

Site visit made on 21 March 2017

by Jacqueline Wilkinson B. Arch Dip Cons Studies (York) IHBC

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

Decision date: 06 April 2017

Appeal Ref: APP/P0119/W/16/3166232

52 Horse Street, Chipping Sodbury, Bristol BS37 6DB

- 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 Anthony Faithful against the decision of South Gloucestershire Council.
 - The application Ref PK16/3572/F, dated 31 May 2016, was refused by notice dated 2 August 2016.
 - The development proposed is new detached dwelling after demolition of existing garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on i) non-designated heritage assets and designated heritage assets, ii) the character and appearance of the area and iii) the living conditions of the occupiers at 52 Horse Street in terms of privacy and the occupiers of Rose Acre in terms of privacy and aspect.

Reasons

Heritage assets

3. 52 Horse Street is an unlisted building fronting the main street. I was unable to go inside but it is evident from its steep pitched roof, plan form, and prominent cross gable, that this building is likely to be an historic structure. Due to its location, shape, scale and historic character, this building makes a positive contribution to the significance of the conservation area and is an undesignated heritage asset in its own right.
4. The Chipping Sodbury Conservation Area Supplementary Planning Document (2009) explains the historical importance of the long narrow burgage plots in forming the townscape which can be seen today. The 1880 map on page 5 shows the extent of the surviving plots at that time and the long plot to the rear of 52 can be seen, although it has an intermediate line, which approximates to the position of the bothy. This bothy, which has historic materials in its construction, cuts the garden into two and is clearly included within the conservation area for the reason that it is historically connected with the frontage property. Its separation from 52 and inclusion into the appeal site would therefore have an adverse effect on the significance of the remaining historical garden setting to 52.

5. It is also clear from the 1880 map that the burgage plot for 52 was even longer at one time than it is now. Post-war housing estate development has significantly impinged on the historical line of the burgage plots along this section of street and today there is little visual evidence of the historic plot lines. Views from Mead Road are limited. Whilst the main groups of burgage plots in the town are identified in pink on the character area map, the conservation area boundary runs along the rear of the modern shorter gardens in this section of Horse Street. I therefore conclude that the separation of the rear part of the burgage plot would not result in additional harm to the setting of 52 itself or the character and appearance of the conservation area.
6. That said, the proposed dwelling would have a two-storey elevation at the rear, which would be seen from the Horse Street properties and the garden of 52 in particular, which would increase the adverse visual impact of modern development on the rear gardens within the conservation area.
7. I therefore conclude that the proposal, due to its two-storey height and the separation of the historical bothy from its host dwelling, 52 Horse Street, would harm the setting and therefore significance of the undesignated heritage asset and would fail to preserve the character or appearance of the conservation area.
8. This would be contrary to the requirements of section 72 of the Act¹ and to policies CS1 *High quality design*, CS9 *Managing the environment and heritage* and CS16 *Housing density* of the South Gloucestershire Local Plan 2006 (Local Plan). These policies accord with the National Planning Policy Framework.

Character and appearance of area

9. The proposed dwelling would be located off a short private drive, which would run across the front of an existing bungalow. The corrected ground levels elevations show that the proposed ridge line would be approximately 1m below the ridgeline of the existing two-storey semi-detached dwellings at the end of the cul-de-sac, Woodlands Close. The proposed dwelling would be relatively close to the bungalow and would be unacceptably dominant in this essentially back land garden setting. The appellant has pointed to examples in the locality, all of which I found to have differing circumstances to the appeal site. The two-storey development off Hounds Close was set much further away from adjacent dwellings and the street. The new cul-de-sac development on the site of 30 Woodlands Close (under construction) would be a new street frontage in its own right.
10. I therefore conclude that the proposed dwelling, due to its scale and height would be at odds with the garden setting of the appeal site and so would harm the character and appearance of the area, contrary to the requirements of Local Plan policy CS1.

Living conditions

11. Due to the good separation distances between the proposed dwelling and the rear of 52 Horse Street, there would not be any significant loss of privacy to the occupiers of 52.

¹ Planning (Listed Buildings and Conservation Areas) Act 1990.

12. The proposed dwelling would have a "cat-slide" roof to the front (south) elevation, with a lower gabled cross wing with a bedroom within this, lit from a small circular window and two roof lights. A further small gabled dormer in the main roof would serve a bathroom and there would be an ensuite window in the west elevation, both of which would have obscure glazing.
13. The garden of the adjacent property, Rose Acre, is wide and I cannot conclude that the aspect of these occupiers would be harmed by the proposed dwelling. However, it would be possible to see the rear rooms and rear private garden areas closest to the house from the south bedroom of the proposed dwelling. Although the circular window and the roof lights would be small, they would still give the occupiers of Rose Acre a sense of being overlooked at relatively close quarters. A condition could be used to require these windows to be obscure glazed, but this would lead to poor quality living conditions within this room and in any event some openable windows would be needed.
14. I therefore conclude that the proposal would lead to an unacceptable loss of privacy to the occupants of Rose Acre, so would fail the tests of Local Plan policies CS1 and CS16, which require that development is well integrated with existing development.

Conclusions

15. I have concluded that the proposed dwelling, due to its two-storey scale and the separation of the historic bothy from its original historic host dwelling, would harm the setting, and therefore significance, of an undesignated heritage asset, 52 Horse Street and would fail to preserve the character or appearance of the conservation area. I have also found that it would be at odds with the character and appearance of the area.
16. I have also concluded that the proposed dwelling would lead to harm to the amenity of adjacent occupiers of Rose Acre through overlooking.
17. There would be a benefit to the housing supply through the provision of an extra dwelling, and there would be a short term economic benefit during the construction, but these benefits would be small and would not outweigh the harms I have identified above.
18. For the reasons given above I conclude that the appeal should be dismissed.

Jacqueline Wilkinson

INSPECTOR