
Appeal Decision

Site visit made on 2 July 2019

by Brendan Lyons BArch MA MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 24 July 2019

Appeal Ref: APP/P0119/W/19/3226786

119 Meadow Way, Bradley Stoke, Bristol BS32 8BP

- 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 P Wakefield against the decision of South Gloucestershire Council.
 - The application Ref P19/1572/F, dated 11 February 2019, was refused by notice dated 4 April 2019.
 - The development proposed is described as the erection of shared garaging with a flat above.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. The appellant has clarified that a minor error was made on an amended plan¹ submitted to the Council and has provided a corrected version with the appeal². As the correction repeats the plan originally submitted, and the Council's case would not be affected, there would be no prejudice in accepting the revised plan for the purposes of the appeal.
3. An application for costs was made by the appellant against the Council. That application is to be the subject of a separate Decision.

Main Issues

4. The main issues are the effect of the proposed development on the character and appearance of the area and the quality of living conditions for its potential future residents.

Reasons

5. Meadow Way is one of a network of roads that wind through a very extensive area of modern suburban housing. No.119 is an end house of a terrace of three small two-storey houses. The appeal site is an area of garden to the side of the house, currently enclosed by a tall hedge adjoining a short cul-de-sac. Permission is sought to erect a two-storey building, containing an open double carport at ground floor level and a one-bedroom flat above. The carport would

¹ Plan no. LPC/4577/PR03A

² Plan no. LPC/4577/PR03B

be accessed by a double-width drive and would be adjoined to the rear by a flat-roofed shed intended to provide shared bin and cycle storage.

Character and appearance

6. The appellant states that the proposal would give the impression of being a house extension, and has been designed to be seen as subservient to the existing house. The proposed building would be set back slightly from the front and rear walls of the house, giving it a reduced depth. It would repeat the gabled roof form of the existing terrace, but with a lower ridge height and lower eaves, broken by small gables over the low windows.
7. I agree that the proposal, both in its built form and in the layout of the shared plot, would appear effectively as an addition to the house. But I share the Council's concern that, as an addition virtually twice the width of the house and with the double carport opening, the proposal would appear disproportionately large for the context set by the very narrow-fronted house and its neighbours in the terrace.
8. I also agree with the Council that it would appear as a cramped form of development. It would fill the entire frontage width of the plot and be built tight against the cul-de-sac roadway and the rear boundary of the side garden, which currently provides a moderately spacious element in the street scene at the junction of Meadow Way and the cul-de-sac.
9. For these reasons, and notwithstanding the proposed use of matching materials, the proposal would be harmful to the character and appearance of the terrace and its immediate area.
10. The appellant draws comparison with a quite similar form of development not far away on Meadow Way, although with garages rather than an open carport in that instance. I noted some other examples in a cul-de-sac to the rear of that unit, but have no evidence of how prevalent this type might be throughout the area. However, whether or not those examples can be considered successful in terms of character and appearance, their presence does not ensure that the model can be readily repeated in the particular circumstances of the appeal site.
11. The appellant also refers to some wider-fronted house types that can be found nearby, and protests that the Council did not raise an objection to the built form of a previous proposal on the appeal site³. But that was for a very modestly-sized self-contained house, similar in scale to the existing terrace and with matching simple roof form, eaves height and window sizes. It would have been narrower in both width and depth than the current proposal, which would appear as an over-large extension. However, the Council still raised concern about the cramped effect and contrived nature of the earlier proposal's layout. I find no significant inconsistency in the Council's position.
12. I conclude on this issue that the proposal would be contrary to Policy CS1 of the South Gloucestershire Local Plan: Core Strategy ('CS'), adopted 2013, which seeks the highest possible standards of design and site planning, requiring among other matters that siting, form, scale and massing should respect and enhance the character of the site and its context. That approach is consistent with the National Planning Policy Framework ('NPPF'), which advises

³ Application Ref PT/16/3241/F

that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area⁴.

Living conditions

13. The Council's assessment of the application had concluded that the proposal would not offer any amenity space for residents of the flat other than shared storage shed. The appellant now confirms that, as well as use of the store, private amenity space would consist of a narrow strip of grass to the front, between the drive and side boundary, together with two parking spaces. In my view, the inclusion of parking spaces, which would have their own use and limited amenity value, would be an incorrect double-counting. But it is not disputed that the grassed area would meet the minimum requirement for amenity space for a one-bedroom flat set by Policy PSP43 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan ('PSP'), adopted 2017.
14. However, the policy also requires the private space to be functional, easily accessible from living areas and designed to take account of the context of the development, including the character of the surrounding area. I do not share the Council's concern about ease of access to the space, or to the shared storage shed, which would be reasonable. But I agree that the outdoor space proposed would not be private, being located forward of the building, and would not reflect the character of the surrounding housing, where outdoor private amenity space is confined to rear gardens. Although the area provided would technically accommodate outdoor use by two residents, its usability would be compromised by its very exposed location. Reliance on this space would be a further indication of poorly resolved design and a cramped form of development.
15. The appellant has not pointed to any national or local policy basis for the principle of 'buyer beware' which he cites. It may well be that residents of larger developments can rely on communal outdoor space, but that would not be the case here. As it stands, the proposal would not adequately comply with Policy PSP43 or with the NPPF, which seeks a high standard of amenity for existing and future users of development⁵.

Conclusion

16. The Council raises no objection in principle to residential development and accepts that the proposal would provide a modest addition to the supply and mix of housing in the area, with adequate standards of internal space. CS Policy CS16 supports efficient use of land and the maximisation of supply. But echoing national policy, this is not to be at the expense of high standards of design, layout and amenity⁶. The national policy support for effective use of air space above existing development⁷, to which the appellant refers, is also subject to good design but would not be relevant to this proposal.
17. In this instance, I endorse the Council's assessment that the modest addition to the supply and mix of housing would not overcome the proposal's conflict

⁴ NPPF paragraph 130

⁵ NPPF paragraph 127 (f)

⁶ NPPF paragraph 123

⁷ NPPF paragraph 118 (e)

with the development plan, which could not be resolved by the use of planning conditions.

18. I conclude that the appeal should be dismissed.

Brendan Lyons

INSPECTOR