



Appeal Decision

Site visit made on 29 May 2019

by Rebecca McAndrew BA Hons, PG Dip Urban Design, MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 October 2019

Appeal Ref: APP/P0119/W/3224588

77 Long Beach Road, Longwell Green, Bristol BS30 9XD

- 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 Jason Clark against the decision of South Gloucestershire Council.
 - The application Ref PK18/4799/F, dated 17 October 2018, was refused by notice dated 7 December 2018.
 - The development proposed is the Construction of Two One Bedroom Flats following demolition of Garage - Resubmission of PK18/2256/F.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the scheme would provide satisfactory living conditions for future occupiers in terms of internal space, private garden space, outlook and daylight.

Reasons

3. Whilst I note that the size of the proposed units has been increased from previous schemes for this site, both of the proposed units would be limited in size. I recognise that the Nationally Described Space Standard (NDSS) has not been adopted by the Council as policy, although it is referred to within the Council's Technical Advice Note: Assessing Residential Amenity (2017). However, it provides a useful comparative for minimum space standards for new dwellings. The NDSS minimum standards are 37 square metres for a one person one bedroom unit and 50 square metres for a two person one bedroom unit.
4. The Council and appellants do not agree on the floor areas of the proposed units. The appellant's drawings indicate that Flat One would be 35 square metres in area, whereas the Council state the area would be 33.35 square metres. Similarly, the appellant's drawings indicate that Flat Two would have a floor area of 37 square metre, whereas the Council state that the floor area would be 35.6 square metres. In any event, in my view, both flats would be small and would offer a cramped living environment for future residents. Consequently, the standard of living space which would be provided would unacceptably harm the living conditions of future residents.

5. It is acknowledged that both flats would benefit from a level of private garden space which meets the Council's adopted standards. However, the proposed area for flat 2 would be divorced from that property and future residents would be required to use a protracted access route from the flat, around the side of the building via a private driveway to an access gate to the rear. In my view, it would be unreasonable to expect future residents to rely on this access to their private garden space.
6. I note the Council's concerns that a rear window in a neighbour's garage would directly overlook the garden area for Flat 2. However, given that this garden space would be limited in size and located away from the dwelling, it is unlikely that the level of activity within this space would be significant. Taking this into account, as well as the limited level and type of use normally associated with a garage, I do not think this relationship would be unacceptable. I also note a similar relationship already exists between the garage and the applicant's existing garden. However, this would not outweigh the overall harm the proposed private garden space arrangement would have upon the living conditions of future residents as I have described.
7. Flat 1 on the ground floor would include a window in the front elevation which would look immediately onto a carparking space which would be likely to include a parked vehicle for significant periods of time. The rear elevation would include full length French doors which would look towards a 1.8 metre high rear boundary fence, which would be around 2 metres away. In both cases, the level of outlook for future residents would be unacceptably poor. Cumulatively, these arrangements would unacceptably harm the living conditions of future residents. I recognise that, taking into account the size of the openings and the relationship between these features and the property, the dwelling would be likely to benefit from an adequate level of daylight. However, this would be substantially outweighed by the harm I have described to the outlook of future residents.
8. Taking all these matters into consideration, I conclude that the proposal would not achieve a satisfactory level of living conditions for future residents. The proposal would therefore be contrary to Policies CS1 of the South Gloucestershire Local Plan Core Strategy (2013) and PSP1, PSP8 PSP38 and PSP39 of South Gloucestershire Local Plan: Policies, Sites and Places Plan (2017) and the National Planning Policy Framework (the Framework). Taken together, these policies seek to achieve high quality development through good design which provides satisfactory living conditions for future residents.

Other Matters

9. The appellant raises concerns regarding whether the Council has followed correct procedures when dealing with development proposals at this site. However, this is not a matter for this appeal which I have determined on its planning merits.
10. I note that the Framework recognises the contribution small housing sites can make to housing supply and that it also directs local authorities to promote the effective use of land. The appellant states that the proposed dwellings would help meet the local authority's five year housing land supply. However, the authority confirms that it currently has a five year land supply and, in any event, two new dwellings would only have a limited impact on housing land supply. I also recognise that the design of the proposed building would reflect

the character and appearance of both the existing dwelling and other properties in the area. However, these matters do not outweigh my concerns in relation to the unacceptable living conditions of future residents.

11. I note the appellant's reference to another scheme where dwellings have been granted planning consent with floor areas which fall below the NDSS. However, I do not have full details of this scheme and so cannot be certain that the circumstances are the same as the appeal before me, which I have in any event determined on its own merits.

Conclusion

12. For the reasons given above, and taking account of all material planning considerations, I conclude that the appeal should be dismissed.

Rebecca McAndrew

INSPECTOR