
Appeal Decisions

Site visit made on 25 February 2020

by JP Longmuir BA (Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 March 2020

Appeal Ref: APP/F0114/D/20/3244896

5 Squire Lane, Ubley, Bristol, BS40 6PP

- 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 Mrs Ruth Sampson against the decision of Bath and North East Somerset Council.
 - The application Ref 19/04579/FUL, dated 11 October 2019, was refused by notice dated 23 December 2019.
 - The development proposed is the creation of hardstanding and associated works.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of the development above is taken from the decision notice rather than the extensive explanation on the planning application form in the interests of concision.

Main Issue

3. The main issue is the effect on the character and appearance of the area.

Reasons

4. The description of the development above is taken from the decision notice rather than the extensive explanation on the planning application form in the interests of concision.
5. The site is prominent on Squire Lane, one of the routes into the village. It is one of several semi-detached properties, set back from the road, with elevated front gardens bounded by a natural stone wall. The wall helps to funnel an outward view of the distant hills.
6. On the opposite side of the lane is a residential re-development. The houses and outbuildings are close to the road giving a sense of enclosure, in a similar manner to the appeal site.
7. The annotated plans show the proposal as a two car wide vehicular entrance, with a hardstanding which would widen out towards the house. This would remove part of the front garden and lead to a significant gap of about 4.7m in the frontage. The gap would appear incongruous and engineered, undermining the simplicity and understated rural appearance of the frontage.

8. Furthermore, the eye would no longer be drawn along the road but instead would be interrupted by the opening in the frontage. The resulting gap would also diminish the integrity of the frontage to the road and erode the stone wall, which is currently a prominent and positive feature of the lane. Whilst the Parish Council response indicated some cracks in the wall, there is no substantive evidence before me to indicate that the future integrity or retention of the wall is in doubt. I have also come to a differing assessment of the merits of the wall.
9. The hardstanding and access would be bordered by new retaining walls which could be faced in natural stone reused from the original. However, this would not remedy the adverse impact of forming a significant gap in the frontage. There would be a visual advantage in removing cars from the road, but that is very limited as they would be relocated beside the houses.
10. Policy CP2 of the Bath and North East Somerset Core Strategy, July 2014, requires the consideration of sustainability in all development. Policy CP6 of the same plan and policies D2 and D3 of the Bath and North East Somerset Local Plan 2011-2029 Core Strategy and Placemaking Plan, July 2017, promote protection and enhancement of the area. Policy D4 states that parking provision should not harm character. Policy HDE2 of the Chew Valley Neighbourhood Plan, also requires development to respect and enhance the area, with its supporting information identifying stone boundary walls as one of the characteristics that reinforce local settlement character. Furthermore, paragraph 127 of the National Planning Policy Framework states that proposals should enhance the quality of the area.
11. In the light of the above, I conclude that the proposal would be harmful to the character and appearance of the area, contrary to the above policies, which collectively emphasise the protection and enhancement of the area.

Other matters

12. I am advised that there is permission for a new access at 6 Squire Lane. While I do not have full details before me, I saw the wall there is indented and lower in height. There is also reference to previous permissions to other accesses in the local area, but I have not been provided with the details. The circumstances are therefore not directly comparable to the case before me, and the harm I have identified having considered the proposed development on its own merits is therefore not outweighed.
13. I accept that there would be some benefit arising from relocating some on-street parking to an off-street position, and I note the local support in that respect. I also note there is no objection to the proposal from the local highway authority in highway safety terms. While I saw the lane is fairly narrow, and there is no footway at this point, there is no substantive evidence before me that the existing parking arrangement is detrimental to highway safety. As such, the benefits arising attract only limited weight in favour of the appeal, which is not sufficient to outweigh the harm I have identified in relation to character and appearance.
14. Surface water run-off could be satisfactorily addressed by condition, if the appeal was allowed.

Conclusion

15. For the reasons given, I conclude that the appeal should be dismissed.

John Longmuir

INSPECTOR