
Appeal Decision

Site visit made on 27 May 2020

by R Lankshear BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 July 2020

Appeal Ref: APP/P0119/W/20/3246445

1 Barley Close, Frampton Cotterell BS36 2ED

- 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 Miss Laura Bradford against the decision of South Gloucestershire Council.
 - The application Ref P19/6050/F, dated 26 May 2019, was refused by notice dated 6 December 2019.
 - The development proposed is erection of a two storey side extension to form 1 No. attached dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have amended the description in the banner heading above to omit reference to 'resubmission of P19/0201/F' as this in itself is not of relevance to the determination of this appeal.

Main Issues

3. The main issues are the effect of the proposed development on (i) living conditions of future occupiers of the appeal dwelling with respect to outside amenity space; and (ii) the character and appearance of the area.

Reasons

Living conditions

4. The appeal site is asymmetrical in shape consisting of an end of terrace dwelling and associated land on the corner of Barley Close and Goose Green to the north. The site falls within a predominantly residential area that includes a range of dwelling styles within varied plot shapes and sizes. The appeal proposal would extend the existing terrace and introduce an additional three-bedroom dwelling to its northern end.
5. The submitted plans indicate the provision of outdoor amenity space predominantly to the side and rear of the proposed dwelling. The plans accompanying the planning application included a cycle store to the south-eastern corner of the rear garden that would serve the existing property of 1 Barley Close. An amended plan has been submitted in support of this appeal

that indicates a revised layout, removing this structure to provide an enlarged area of amenity space to the rear of the proposed dwelling.

6. Policy PSP43 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan 2017 (PSP) states that amenity provision, as a guide should meet or exceed a minimum standard of 60 square metres for a 3 bedroom house, such as the appeal proposal. The appellant indicates that the revised arrangement would exceed the stated minimum standard, when including the front, side and rear gardens as suggested by Policy PSP43. However, Policy PSP43 also requires that private external amenity space, amongst other things, should be easily accessible from living areas, and be of a sufficient size and functional shape to meet the needs of the likely number of occupiers.
7. The side garden would not be fronted onto by any doors or windows and would be constrained between the side elevation and adjacent footpath where a 1.8 metre high wall is proposed. To my mind, owing to the shape, size, constrained position and lack of openings or direct access to this space, the desirability and usability of this area for future residents would be significantly diminished. I am not persuaded that the provision of an access path in isolation would make this a suitably accessible, desirable or valued space for future residents that would overcome these concerns.
8. Garden space would also be provided to the rear although owing to the shape of the plot, the side boundary adjacent to Goose Green tapers inwards towards the end of the rear garden. I acknowledge the indication that the rear garden as amended could accommodate items such as a table and chairs and a washing line. However, I consider that the proposed garden space to the rear, in either the original or amended arrangement, would be limited in its extent and of a constrained and irregular form that would be of diminished practical use for future occupiers of a dwelling that could accommodate a family with children. Given this, aforementioned concerns with regard to the side garden and a lack of functional linkage between the two areas, on balance, I consider the proposal would not provide a functional or attractive form of outdoor space for prospective occupiers.
9. My attention has been drawn to appeal decisions APP/R5510/A/13/2194584 and APP/R5510/A/13/2194591 where the Inspector considered the application of minimum standards for the provision of amenity areas. Whilst I acknowledge the comments of the Inspector for these appeals and those of the appellant, I consider that having regard to the merits of the appeal proposal, this does not outweigh the harm identified above with regard to the usability and desirability of the garden space proposed.
10. I also acknowledge the appellants comments that proposed garden areas to serve existing and proposed dwellings would be similar to those within the rest of the host terrace, although I have not been provided with full details to allow an objective assessment. In any event, this does not overcome the concerns noted above nor does it justify allowing a proposal that would not adequately safeguard living conditions of prospective occupiers.
11. For the above reasons, I conclude that the proposal would not accord with the living conditions aims of Policy PSP43 of the PSP which seeks, amongst other things, to provide suitable, functional private amenity space that would meet the needs of future occupiers.

Character and appearance

12. The proposed style and material palette would be similar to that of the host terrace and I note that the Council indicate that they have no particular objection to the design of the dwelling itself when viewed from Barley Close.
13. The proposed dwelling would extend at its north-eastern corner to within close proximity of the boundary with Goose Green, although this separation would increase towards the front of the site. Whilst side gardens do provide a degree of visual relief within the wider area, there are varying relationships of dwellings to the highway including structures and extensions erected close to the back edge of the pavement. Although the dwelling would extend near to the edge of the footway of Goose Green, this would be limited in its extent and the separation would increase towards Barley Close. To my mind, such a relationship would not result in the dwelling appearing unduly cramped in its plot to a degree that would be at odds with the varied pattern of existing development in the area. On balance therefore, I consider that the proposed dwelling would not appear cramped and contrived within its context and would respect the character and appearance of the area.
14. For the above reasons, I conclude that the proposal would not cause harm to the character and appearance of the area. Therefore, it would accord with the character and appearance aims of policies CS1 of the South Gloucestershire Local Plan Core Strategy 2013 (CS) and Policies PSP1 and PSP38 of the PSP and the advice contained within the National Planning Policy Framework including that within section 12.

Conclusion

15. Although I have identified no significant harm to the character and appearance of the area this does not outweigh the harm including conflict with the development plan in relation to the main issue relating to living conditions of future occupiers. Accordingly, for the reasons outlined above and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Robert Lankshear

INSPECTOR