



Appeal Decision

Site visit made on 1 June 2020 by Ben Phillips Bsc Msc

Decision by R C Kirby BA(Hons) DipTP MRTPI

An Inspector appointed by the Secretary of State

Decision date: 30 July 2020

Appeal Ref: APP/P0119/W/19/3244172

3 Stanley Crescent, Filton, Bristol BS34 7NH

- 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 R Bennett against the decision of South Gloucestershire Council.
 - The application Ref P19/11258/F, dated 19 August 2019, was refused by notice dated 14 October 2019.
 - The development proposed is described as erection of 1no attached dwelling, creation of access and associated works.
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Decision

1. The appeal is dismissed

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues in this case are the effect of the proposal on:
 - the character and appearance of the area; and
 - the living conditions of the occupiers of No 3 Stanley Crescent, with particular reference to privacy.

Reasons for Recommendation

Character and Appearance

4. The application site comprises part of the garden space of No 3 Stanley Crescent, an end of terrace dwelling located in Filton, a residential suburb north of Bristol centre. Stanley Crescent is a short cul de sac comprising of three terraces of traditional two storey dwellings set around a turning head, with the set back from the road and separation distance between the terraces providing an open, spacious character.
5. The proposed dwelling, set flush with the existing frontage, would extend the terrace up to the boundary with No 4, substantially reducing the visual gap between the two terraces at this point. Whilst appearing as a simple extension to the terrace and making efficient use of the site, given its siting up to the

boundary the dwelling would appear visually cramped at its frontage and at odds with the general pattern of development and open character. The limited space at the frontage is demonstrated by the front elevation design of the proposed dwelling, which, unlike every other dwelling in the street, does not include a bay window as there is simply no room for one.

6. It is noted that the rear garden space provided is considered acceptable by the Council, however this is largely due to the orientation of the properties and boundaries and does not affect the visual impact of the dwelling from the street scene. The appellant points to previous planning permission references PT16/0346/F (No 8 Stanley Crescent) and PT/18/4490/F (No 7 Stanley Crescent) being granted to extend the two other terraces in the crescent in the corner opposite the appeal site. Whilst again reducing the separation distance between No's 7 and 8, given the orientation of the properties, a significant gap would remain as the front elevations would not extend up to the boundary. It is further noted that in the case of No 8 that the design of the dwelling includes the bay window detailing. No details of the design of No 7 are provided. As such, these examples are not directly comparable and do not provide justification for harmful development.
7. In light of the foregoing it is concluded that the proposal would be harmful to the character and appearance of the area. There would therefore be conflict with Policy CS1 of the South Gloucestershire Local Plan Core Strategy 2006 – 2027 (CS) and Policies PSP1 and PSP38 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (LP) (2017), which collectively require development to achieve a high standard of design which is informed by and respects local character. The proposal would also conflict with paragraph 127 of the National Planning Policy Framework which, amongst other matters, requires development to be sympathetic to local character.

Living Conditions

8. The boundary of the proposed rear garden runs diagonally from the two-storey element of the proposed dwelling. This means that a not insubstantial part of the garden area of the host dwelling, No 3 is sited directly behind the new dwelling and occupiers of the new dwelling would have clear sight of its rear garden.
9. Whilst a degree of mutual overlooking is to be expected in a suburban context such as this, it is not normally in such close proximity as would be the case here. The proposal would lead to a lack of privacy to the rear garden environment of the host property and would make it an uncomfortable and unpleasant space to spend time in.
10. In light of the foregoing, I conclude that the proposal would adversely affect the privacy of No 3 Stanley Crescent, which would be harmful to the living conditions of its occupiers. There would therefore be conflict with LP Policy PSP8, which requires development to not detrimentally impact or prejudice the residential amenities of nearby occupiers. The proposal would also conflict with the National Planning Policy Framework which, amongst other matters, seeks to adequately protect the living conditions of adjoining occupiers.
11. The Council also reference Policy PSP43 in its refusal reason, however this refers to amenity spaces for new units not neighbouring or existing, and therefore is not relevant in this instance.

Other Matters

12. There is no dispute that the appeal site is in a sustainable location or that the proposal would make a contribution, albeit small to the Government's objective of significantly boosting the supply of homes. However, given the harm that I have identified and the conflict with both national and local planning policies, I conclude that the proposal would not comprise sustainable development as asserted by the appellant.
13. The appellant also points to the lack of objection from the Council regarding issues such as parking provision, however these are neutral matters which do not weigh in favour of the proposal.

Conclusion

14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

B Phillips

APPEALS PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

RC Kirby

INSPECTOR