
Appeal Decision

Site visit made on 28 July 2020

by Stuart Willis BA Hons MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 September 2020

Appeal Ref: APP/P0119/W/20/3248906

6 Church Road, Almondsbury BS32 4ED

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr K Evans against the decision of South Gloucestershire Council.
 - The application Ref P19/4461/O, dated 1 April 2019, was refused by notice dated 10 September 2019.
 - The development proposed is new detached dwelling.
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Decision

1. The appeal is allowed, and outline planning permission is granted for a new detached dwelling at 6 Church Road, Almondsbury BS32 4ED in accordance with the terms of the application, Ref P19/4461/O, dated 1 April 2019, subject to the conditions set out in the attached schedule.

Procedural Matters

2. I have taken the description of development from the application form, removing elements that are not development. Although different to the decision notice, no confirmation has been provided that any change was agreed.
3. Outline planning permission is sought with matters of access, layout and scale to be considered. I have had regard to the details provided in relation to these matters and have regarded all other elements as illustrative. I have determined the appeal on this basis.

Main Issue

5. The proposal would be development in the Green Belt. Both main parties agree it would not be inappropriate development, being limited infilling in a village. From the evidence before me I have reached the same finding. Therefore, the main issue of the appeal is whether the proposed development would preserve or enhance the character or appearance of the Almondsbury Conservation Area (CA).

Reasons

6. The appeal site is located within the CA. As such I have had regard to the duty to pay special attention to the desirability of preserving or enhancing its character or appearance.

7. From my observations, and the Lower Almondsbury Conservation Area document (LACA), the significance of the CA lies, in part, in its extensive views of the surrounding countryside with a wooded backdrop and focal point of St Mary's Church. There are large green spaces and frequent mature landscape features.
8. Along the part of Church Road where the appeal site is located there is a general consistency to the materials of the built form, including stone boundary walls. Nevertheless, there is a mix of properties styles, spacing and materials across the CA as a whole, including more modern properties near the appeal site. Moreover, rather than there being a continuous and uniform appearance to the stone boundary walls, there is variation in their height, condition and position. They are often punctuated by pedestrian and vehicle accesses where they relate to a property's frontage.
9. The appeal site includes a property and its side garden at the end of a row of traditional cottage style properties. There is a stone wall across part of the site frontage that was in a state of disrepair and partly overgrown by vegetation at the time of my visit. With the scale, form and materials of the existing property, the site currently makes a positive contribution to the significance of the CA.
10. There is no distinct pattern of development near the appeal site with detached and terrace properties and an inconsistency to the gaps between dwellings. The boundary walls to the front of the row of properties where the appeal site is located are broken up by pedestrian and vehicle access points. Moreover, they are not included in the prominent boundary walls that contribute to a sense of enclosure as defined in the LACA.
11. The proposed access would remove a section of frontage wall and the parking area would require excavation to serve the parking requirements of the scheme. Notwithstanding this, where properties have off street parking these areas are predominantly hard surfaced and to the front of the dwelling. This includes, although of different configuration, 10 and 12 Church Road. In addition, while not at the edge of the pavement, there would be a new stone wall erected behind the proposed parking spaces, retaining the feature in some form.
12. The set back and height of the proposed dwelling would align and sit comfortably with the layout and scale of the traditional properties in the adjacent terrace.
13. While the appeal scheme would reduce the separation between properties, there is a varied rhythm of the built form along Church Road and the nearby streets where both terrace and detached properties are found. As such, it would not appear cramped or at odds with the streetscene.
14. Consequently, the proposal would preserve the character and appearance of the CA. It would accord with the design and conservation aims of Policy CS9 of the South Gloucestershire Local Plan Core Strategy and Policy PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan.
15. Furthermore, the development would meet the requirements of Sections 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 and the National Planning Policy Framework in relation to heritage assets.

Other Matters

16. Local residents raised concerns over highway and pedestrian safety. The Council have not included these as reasons for refusal and consider the removal of existing on street parking as a benefit. The Highways Officer has raised no objection to the appeal scheme, subject to further details regarding levels and drainage. There is no compelling evidence to lead me to a different finding.

Conditions

17. I have considered the conditions put forward by the Council against the requirements of the national Planning Practice Guidance and the Framework. Where necessary and in the interests of clarity and precision, I have altered the conditions to better reflect the relevant guidance.
18. I have attached conditions relating to the submission of reserved matters and the time limits associated with this. I have also included a condition specifying the relevant plans as this provides certainty.
19. In the interest of highway safety, a condition is imposed requiring the provision of the proposed parking spaces and access layout. A programme of archaeological works is required due to the medieval origins of the settlement. To ensure appropriate drainage is provided a condition is added requiring details of foul and surface water management to be submitted and agreed. Given these may relate to the early stages of the development, the details are required prior to its commencement. To ensure cycle and bin storage facilities are provided a condition is added requiring details to be submitted, agreed and implemented.
20. A condition in relation to external materials is not imposed as appearance is a reserved matter. Also not imposed is a condition with regard to making good the side of the road as this lacks precision and it has not been shown that it is necessary.

Conclusion

21. I conclude that, for the reasons given above, and taking into account all other matters raised, subject to the conditions in the schedule below, the appeal should be allowed.

Stuart Willis

INSPECTOR

Schedule of conditions

- 1) Details of the appearance and landscaping (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans insofar as they relate to access, layout and scale:

Existing Site Layout 6303/02 Rev B; Proposed Site Layout 6303/03 Rev D;
Provisional Site Sections 6303/04 Rev A; Existing Street Scene 6303/05;
Proposed Street Scene 6303/06; and Site Plan 6303/01 Rev A
- 5) The building shall not be occupied until the parking and access arrangements shown on drawing no. Proposed Site Layout 6303/03 Rev D have been laid out, drained and surfaced in accordance with details that shall first have been submitted to and approved in writing by the local planning authority, and that area shall thereafter be kept available at all times for the parking of vehicles.
- 6) No development shall take place until a Written Scheme of Investigation shall have been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved programme.
- 7) No development shall commence until a scheme for foul and surface water drainage management has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the occupation of the dwelling hereby approved.
- 8) Prior to the occupation of the dwelling hereby approved, details of the cycle and bin storage facilities at the site shall be submitted to and approved in writing by the local planning authority. The facilities shall be provided in accordance with the approved details prior to the occupation of the dwelling, be retained thereafter and not used for any other purpose.