



Appeal Decision

Site visit made on 13 October 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: 10 November 2020

Appeal Ref: APP/F0114/W/20/3255806

15 Barnard Walk, Keynsham BS31 2NS

- 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 Simon Phillips against the decision of Bath and North East Somerset Council.
 - The application Ref 19/04561/FUL, dated 18 October 2019, was refused by notice dated 11 February 2020.
 - The development is a proposed 2-bed dwelling.
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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 proposed dwelling on:
 - the character and appearance of the existing terrace and surrounding area; and
 - highway safety with particular regard to off-street car parking provision.

Reasons for Recommendation

Character and Appearance

4. The appeal site comprises part of the garden area of an end of terrace property, set off a cul sac and prominently sited on the corner of two pedestrian footways serving Barnard Walk and Raglan Walk. The site also faces a large open space and park. The cul de sac and the neighbouring streets are characterised by traditional similar two storey terraces set back from the frontage with mostly on street parking, but some off street and some garages.
5. Given the limited size of the site, the development of the side garden of the host property would result in a dwelling substantially and incongruously narrower than the other 5 dwellings within the terrace, which would appear cramped and at odds with the general pattern of development in the locality. The set back side projection resulting in a wider rear elevation would exacerbate this visual impact and further detracts from the uniform character

and appearance of the terrace. It would also project awkwardly in front of the Raglan Walk building line and result in an incongruous addition in the streetscene.

6. The dwelling would be unlikely to intrude into open views towards the open space from the highway; it would maintain the building and roof line of the terrace of which it would form part and would incorporate matching materials. However, these matters are not sufficient to mitigate its harmful impact.
7. The appellant refers to a new dwelling at No 21 Barnard Walk, which is also smaller than the remainder of that terrace and sits proud of the building line, this time along Donnington Walk. However, it is notable that this dwelling is wider than the proposed dwelling and was approved prior to the adoption of the current Placemaking Plan policies. Accordingly, it is not directly comparable to the scheme before me and this example does not provide justification for harmful development.
8. In light of the foregoing, I conclude that the proposal would be harmful to the character and appearance of the terrace of which the new dwelling would form part, and the area, in conflict with Policies D1, D2, D3, D5 and D7 of the Bath and North East Somerset Placemaking Plan (Adopted July 2017) (PP) which collectively seek to ensure that, amongst other criteria, proposed housing positively responds to and enriches site context and local character. These policies are consistent with the National Planning Policy Framework (Framework) (para 127), which, amongst other matters, requires development to be sympathetic to local character.
9. The Council also reference Policy D4, however this makes no reference to general character but refers to appropriate connections and specifically streets, highways design and public realm. This policy is therefore not directly relevant to my consideration of this appeal in regard to the main issue I have identified.

Highway Safety

10. There is no dispute that to accord with the Council's adopted standards that two off street parking spaces are required for the proposal. The appellants state that the proposed 2-bedroom property could be served by renting two garages or a separate space in front of a garage, which could be rented, located at the end of the turning head along Barnard Walk. Whilst this may provide a suitable location for the parking of vehicles associated with the new dwelling, I have no mechanism before me which would guarantee that this arrangement would be provided in perpetuity, or indeed that the garage was of sufficient internal size to accommodate a car.
11. It is clear from my site visit that given the siting of many of the dwellings in the area where standard off-street parking is not possible, that there is likely to be a demand for on street parking in the locality. Indeed, I observed a number of vehicles parked within the highway and in the turning heads at the time of my site visit. Despite such parking I noted that vehicles could pass parked vehicles safely and were able to turn and manoeuvre in the road in a safe manner.
12. Whilst my observations were a snap shot in time and appreciating that the demand for on-street parking spaces is likely to be greater at the weekends and in the evenings, I have no evidence before me to substantiate that the

area has reached saturation point in terms of this matter, or that the existing situation is harmful to highway safety. Accordingly, and given the limited number of spaces that would be likely to be used by occupiers of the new dwelling, I find that the increase in demand for on-street parking in the locality would be unlikely to result in a situation which would inconvenience other road users in the locality or result in harm to highway safety.

13. Paragraph 109 of the Framework states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. This would not be the case with the appeal proposal, and I conclude that there would be no conflict with the aims of PP Policy ST7 which states that there should be no increase in on-street parking in the vicinity of the site which would affect highway safety and/or residential amenity.

Other Matters

14. I acknowledge that the proposal would make a contribution to the Government's objective of significantly boosting the supply of homes, that there would be economic benefits both during construction and occupation, including the employment of a small-site housebuilder, and that the location of the appeal site is close to numerous facilities. I attach moderate weight to these matters.
15. I also acknowledge that the proposal would provide acceptable living conditions to the intended future occupiers and nearby occupiers and the building would be constructed to reduce carbon emissions. However, these are neutral factors in my assessment of this case as such matters would be expected of any similar well-designed development.
16. Against these benefits is the substantial harm that the proposal would cause to the character and appearance of the area. I find therefore that the benefits of the scheme do not individually, or cumulatively, outweigh the harmful impact identified.
17. Finally, I understand that the appellants are concerned with the way the Council determined the application. This is a matter between them and the Council and not for this appeal.

Conclusion and Recommendation

18. Whilst I have found no harm to highway safety, this matter does not outweigh or mitigate the harm that would arise to the character and appearance of the existing terrace and surrounding area. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

B Phillips

APPEAL PLANNING OFFICER

Inspector's Decision

19. 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