
Appeal Decision

Site visit made on 23 February 2021

by J P Longmuir BA (Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 March 2021

Appeal Ref: APP/P0119/W/20/3263709

Land adjacent to Baytree Cottage, Hambrook, Bristol, South Glos BS16 1RY

- 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 Ian Watt on behalf of JI Properties against the decision of South Gloucestershire Council.
 - The application Ref P20/15597/F, dated 20 August 2020, was refused by notice dated 22 October 2020.
 - The development proposed is the erection of new dwelling and landscaping.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The above details are taken from the appeal form which is more extensive.

Main Issues

3. The main issues are:
 - the effects of the proposal on the character and appearance of the area, including the Hambrook Conservation Area and the setting of the listed Hambrook Court and;
 - the living conditions of the intended occupants and the effects of the proposal on those of the neighbouring dwellings.

Reasons

Character and appearance and heritage

4. The appeal site is within the centre of the rural village of Hambrook. It lies just off the main road through the village and close to a junction where a very tall tree provides a landmark.
5. The appeal site lies to the side and rear of a row of Georgian cottages with sash windows. These include the former Crown Inn. Baytree Cottage is at the end of the row with the appeal site to the side/rear.
6. The above cottages are prominent from the through road. The frontage is open grass verges and car parking.

7. The site is within the conservation area (CA) which covers the village and its immediate setting. The CA has a variety of small cottages, farmsteads and larger houses. In the vicinity of the appeal site, the CA is notable for its loosely knit houses arranged close to the surrounding roads and mature trees. It is centred on Hambrook Court, a grade II listed building. This is a classical design set in spacious grounds to offset its substantial footprint.
8. The appeal site is visible from the through road, as a narrow gap in the frontage.
9. The proposed dwelling would have a modest height and simple elevations. However, it would occupy almost all of the width of the available site. Consequently, the proposal would appear cramped, particularly against the existing Baytree Cottage and avert attention away from the focus of the frontage of the cottages, which is a notable feature of the village.
10. It would look out of place within the CA where the buildings are scattered, loosely knit and have a low density rurality.
11. The existing cottages are visibly subservient to Hambrook Court. The proposal would lead to a concentration of development, which would upset this subservient relationship. Accordingly, it would not preserve the setting and significance of Hambrook Court.
12. The decision notice expresses concern about the impact of parking on the frontage. However, the existing arrangements allow considerable parking and I do not find that the proposal would be significant.
13. I therefore conclude that the proposal would harm the character and appearance of the area, as well as the CA and the setting of the listed Hambrook Court.
14. Policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy and Policies PSP1, PSP2 and PSP17 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (LP), require design to respond to the context, promote local distinctiveness, preserve heritage and enhance the landscape. Paragraph 193 of the National Planning Policy Framework (the Framework) requires great weight is given to the impact of proposed development on the significance of a designated heritage asset. Paragraph 194 requires that harm is weighed against the public benefits. The proposal would be in conflict with these policies.

Living conditions

15. The submitted plans show that Baytree Cottage would only have a very small rear garden. The proposed dwelling would be sited very close to the garden creating shadowing and an overbearing enclosure.
16. The proposal would therefore undermine the basic use of the Baytree Cottage garden.
17. There are neighbouring dwellings and their gardens to all sides of the proposed dwelling. The windows would be arranged to avoid significant overlooking and I note that the Council had no objection on privacy grounds.

18. The Council express concern about the adequacy of open space for the new residents. Whilst the dwelling would be very close to three boundaries there would be sufficient space for the rudimentary requirements of everyday living.
19. I therefore conclude that the proposal would harm the living conditions of Baytree Cottage. Policy PSP8 of the LP seeks to ensure that residential amenity is safeguarded. The proposal would be in conflict.

Other matters

20. The site is within the Bristol and Bath Green Belt. The principle of infilling within villages is not precluded if openness is not harmed. The Council had no objection on this aspect in accordance with paragraph 145 of the Framework. I concur that the proposal would not harm the openness of the Green Belt.

Planning Balance

21. The proposal would have social and economic benefits. It would also contribute to housing land supply, although this would be very limited from only one dwelling. The benefits of the development would not outweigh its impact.

Conclusion

22. I therefore conclude that the appeal should be dismissed.

John Longmuir

INSPECTOR