
Appeal Decision

Site visit made on 23 March 2021

by James Taylor BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 March 2021

Appeal Ref: APP/P0119/W/20/3264269

Old Orchard, 22 Townsend Lane, Almondsbury BS32 4EQ

- 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 & Mrs A Boorman against the decision of South Gloucestershire Council.
 - The application Ref P20/10658/F, dated 18 June 2020, was refused by notice dated 12 October 2020.
 - The development proposed is described as the 'construction of a replacement dwelling following the demolition of the existing house and outbuildings'.
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Decision

1. The appeal is allowed and planning permission is granted for the 'construction of a replacement dwelling following the demolition of the existing house and outbuildings' at Old Orchard, 22 Townsend Lane, Almondsbury BS32 4EQ in accordance with the terms of the application, Ref P20/10658/F, dated 18 June 2020, subject to the attached schedule of conditions.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. Policy CS1 of the South Gloucestershire Local Plan: Core Strategy, 2006-2027 (the CS) sets out that development should only be permitted where the highest possible standards of design are achieved. Proposals should respect and enhance the character and distinctiveness of the site and context through a number of considerations including height and massing. Furthermore, Policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan, Adopted November 2017 (the PSPP) states that development proposals should demonstrate an understanding of, and respond constructively to the buildings and characteristics that contribute to local distinctiveness. Furthermore, it details that innovative architectural responses will be considered favourably where this would result in high quality design that contributes to distinctiveness.
4. Furthermore, paragraph 127 of the National Planning Policy Framework (the Framework) requires development to be sympathetic to local character while not preventing or discouraging appropriate innovation or change.

5. The appeal site forms part of the ribbon development along Townsend Lane. It is occupied by a mid-twentieth century bungalow with ancillary flat roofed outbuildings to the rear. The built form has been constructed from render and brick to the walls and concrete tiles to the pitched roofs. It has relatively large window openings and is typical of design from this period. The building is set back within the plot and has space to either side. To the rear is a large enclosed garden backing onto agricultural fields.
6. The built form within the street scene varies in age, form, scale and materials. Either side of the appeal site are chalet bungalows with dormer windows. However, within the wider street scene there are examples of dormers at eaves level, projecting gables and 2-storey housing. Townsend Lane has an evolving context with a number of alterations and extensions evident within the street scene as well as new housing. For example, opposite the appeal site, a deep, 2-storey dwelling with a projecting gable and glazed wall is under construction.
7. Whilst the proposal would be greater in height than the existing bungalow and the housing on either side, it would remain proportionate to the varied context. Cumulatively, the additional height and the greater depth of development, particularly at first floor to the rear, would increase the massing of the built form. However, this would be mitigated by the retention of a generous set back from the highway and gaps to both the flanking boundaries. Furthermore, the additional mass to the rear would not be appreciated clearly from any public vantage points and has been minimised through the use of a contemporary design. To the front, the low eaves and horizontal banding of materials would minimise the perceived mass.
8. The design of the proposal, particularly as seen within the street scene takes cues from some of the more traditional dwellings, utilising dormers at eaves level. Furthermore, the proposal would utilise a varied palette of materials reflective of the local area, including traditional local materials of stone and plain clay tiles. As such, whilst clearly a contemporary design, it would show references to the traditional local vernacular and local distinctiveness.
9. The Council raise concerns regarding the amount of glazing and the impact of this in combination with matters such as height and the projecting gable design to the front. However, the proportions of the openings are generally consistent with the existing dwelling. The exception to the front is the use of glazing up to the apex of the dormers and the walled glazing on the projecting gable. However, I have observed other similar patterns within the village and therefore do not consider that this would appear alien. Rather, the design would be an interesting and innovative architectural response to an already varied street scene.
10. To the rear, the contemporary form is more overt. However, the large area of flat roof and glazing at the rear would be mitigated by the coherent and high-quality design, including the rendered frame around the first floor. Moreover, there are few opportunities for public views at the rear where the built form would appear in the context of other buildings, many of which have flat roofed elements. Furthermore, existing landscaping would break up views, helping the proposal to assimilate with its context.
11. Therefore, in conclusion on the main issue the proposals would not harm the character and appearance of the area. As such, the proposal would accord with

Policy CS1 of the CS, Policy PSP1 of the PSPP and Section 12 of the Framework.

Conditions and conclusion

12. The Council have suggested a number of conditions in the event of the appeal being allowed. The appellant has been provided with opportunity to comment on these and stated that they are acceptable. I have made some minor alterations to the wording for the sake of clarity and in order to address the relevant tests.
13. I have included the standard commencement and approved plans conditions in the interests of completeness and certainty. I have imposed the suggested condition regarding materials in the interests of the area's character and appearance. Similarly, I have imposed a condition to require compliance with the arboricultural assessment to protect trees that contribute to the area's character and appearance. Furthermore, I have imposed the various conditions suggested by the Council's ecologist in the interests of protecting and enhancing wildlife and biodiversity. Finally, in the interests of supporting sustainable travel options I have imposed a condition to require the provision of a vehicular charging point.
14. There are no material considerations that indicate the application should be determined other than in accordance with the development plan. For the reasons given above I conclude that the appeal should be allowed.

James Taylor

INSPECTOR

Attached schedule of conditions:

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1930_E1001, 1930_E1002, 1930_E1002 Rev C02, and 1930_P1003.
- 3) Prior to the commencement of the relevant works, the details of all proposed external materials must be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works must be carried out in accordance with the approved details.
- 4) The dwelling hereby permitted shall not be occupied until an electric vehicle charging point has been provided, in accordance with details to be submitted to and approved in writing by the Local Planning Authority. This shall be maintained thereafter in accordance with the approved details.
- 5) The dwelling hereby permitted shall not be occupied until, a "lighting design strategy for biodiversity" for the boundary features has been submitted to and approved in writing by the Local Planning Authority. The strategy shall show how and where external lighting will be installed (such as through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas

to be lit will not disturb or prevent commuting and foraging bats using their territory or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

- 6) The dwelling hereby permitted shall not be occupied until evidence of the installation of the ecological enhancement features recommended in the Bat Survey Report (by Smart Ecology, reference 2019-068 Version 1 dated 17/06/2020) have been submitted to and approved in writing by the Local Planning Authority. These shall be maintained thereafter in accordance with the hereby approved details.
- 7) The development shall proceed in strict accordance with the Mitigation Measures provided in the Bat Survey Report (by Smart Ecology, reference 2019-068 Version 1 dated 17/06/2020).
- 8) The development shall proceed in strict accordance with the Arboricultural Assessment (by Tim Pursey, Revision A dated 9th June 2020) including the Tree Protection Plan (ref: TP 2623/2005/TPP Rev A).