



Appeal Decision

Site visit made on 22 March 2021 by Ben Phillips Bsc MSc MRTPI

Decision by R C Kirby BA(Hons) DipTP MRTPI

An appointed by the Secretary of State

Decision date: 29 March 2021

Appeal Ref: APP/P0119/D/20/3262675

107A Durban Road, Patchway BS34 5HW

- 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 Graham Collins against the decision of South Gloucestershire Council.
 - The application Ref P20/11398/F dated 25 June 2020, was refused by notice dated 12 October 2020.
 - The development proposed is described as the creation of 1no. 1-bedroom bungalow and associated works (retrospective).
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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 Issue

3. The main issue in this case is the effect of the dwelling on the character and appearance of the surrounding area.

Reasons for the Recommendation

4. Durban Road is a typical suburban residential road mostly characterised by two storey semi-detached or terraced properties of similar appearance, which front onto the road. Most have driveways and parking to the front giving a spacious character. Durban Road, like the neighbouring streets, has a rear lane, and most properties have a rear outbuilding facing or adjacent to this lane, and enjoy lengthy rear gardens.
5. The independent dwelling is sited adjacent to the rear lane in line with the rear garages and outbuildings of the neighbours, in contrast with the linear pattern of street facing dwellings in the surroundings. Whilst the appellant sets out that the erection of fencing did not require planning permission, the incongruous division of the two properties is emphasised by the extensive fencing providing a separate access off Durban Road and around the garden areas, in addition to the separate domestic items required and associated with independent dwellings, such as a clothes drying areas. These are visible to the neighbours and partly visible from the road.

6. It is acknowledged that adequate living accommodation and garden space is provided, however, the development also results in smaller garden sizes to the proposed and host dwelling than the surrounding neighbours and appears cramped in comparison to the surrounding properties. An independent dwelling in this location therefore does not reflect the form or grain of existing development and has resulted in an incongruous form of development within the locality.
7. The appellant's reference to other Policies are noted but they relate to matters that are not in dispute between the parties. The Council has not objected to the proposal in respect of matters other than character and I have no reason to disagree. Furthermore, I acknowledge that the planning application attracted letters of support, however this does not alter my conclusions on the main issue.
8. In light of the foregoing, it is concluded that the development is harmful to the character and appearance of the surrounding area. There is therefore conflict with Policies CS1, CS16 and CS17 of the South Gloucestershire Local Plan Core Strategy (2013) and Policy PSP1 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (2017), which require development to reach a high standard of design and should not adversely affect the character of the locality. These policies are consistent with the National Planning Policy Framework (the Framework) which requires at paragraph 127 that developments, amongst other matters, are sympathetic to local character and establish or maintain a strong sense of place.

Recommendations

9. The development harms the character and appearance of the area and conflicts with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

B Phillips

APPEAL PLANNING OFFICER

Inspector's Decision

10. 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