



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/20/3261601

2 Standish Avenue, Patchway BS34 6AJ

- 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 John Castell against the decision of South Gloucestershire Council.
 - The application Ref P20/13710/F dated 28 July 2020, was refused by notice dated 30 September 2020.
 - The development proposed is described as the demolition of existing garage extension and formation of new 2 bedroomed bungalow.
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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 following:
 - The effect of the development upon the character and appearance of the surrounding area; and
 - Whether satisfactory living conditions would be provided for future occupants, with respect to garden size.

Reasons for the Recommendation

Character and appearance

4. Standish Avenue is a typical suburban residential road mostly characterised by chalet style dwellings with accommodation in the roofspace. There is a variety in the separation distances between units in addition to the building line with some dwellings set back further than others, however the dwellings have open frontages and parking to the front providing the street with a sense of openness. The appeal site is located near a junction with Shellmor Avenue, which is characterised by bungalows, and there are bungalows along Standish Avenue near this junction.
5. In this context, the proposed single storey dwelling would not appear incongruous, and the proximity to the host dwelling, No 2, would not be out of

keeping with the pattern of development along Standish Avenue. The proposed dwelling would replace a large flat roofed garage, and whilst it would incorporate a flat roofed element in addition to a pitched roof, this would reflect the existing garage and a number of attached flat roofed garages along the street. The part pitched roof, part flat roofed design would therefore echo the existing rhythm and pattern of development along the street.

6. The property would be set back from the highway, and whilst slightly projecting on front of No 2, the building line is varied, and the set back is sufficient to retain the open character of the street scene. The single storey nature of the property, the open garden area to its southern side and separation distance to No 2a, ensures that it would not appear cramped.
7. In light of the foregoing, it is concluded that the proposal is not harmful to the character and appearance of the surrounding area. There is therefore no conflict with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (2013) and Policy PSP1 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (2017) (PSP), which require development to reach a high standard of design and not adversely affect the character of the locality.

Living Conditions

8. The appellant set out that the dwelling would have a total external amenity space of 190sqm, however, given the generally triangular layout of the plot the proposed dwelling would be provided with limited rear garden area, with the majority of the garden space to the side and front of the property. The front and side garden area proposed would not be particularly private, being mostly visible from the road and would be limited in its attractiveness to use as a result. The rear garden area would be likely to be private, however, its size, measured by the Council at 38sqm, would fall short of the minimum of 50 sqms of private garden space required by PSP Policy PSP43.
9. As a two-bedroom dwelling, it would be large enough to accommodate a small family, and there would be a high probability that at some time young children would live within it. The limited size of the rear area would be unlikely to be large enough to accommodate much more than a patio area with a small area for seating upon it. Its restricted size would be unlikely to be able to accommodate domestic items associated with a family sized dwelling such as play equipment and clothes drying area. It would be cramped and would be unlikely to be a pleasant area to spend time in.
10. The appellant points to a similar recent planning approval at No 2a Standish Avenue¹, in addition to development at 10² and 36³ Shellmor Avenue and 12 Staverton Close⁴. No drawings or details of these approvals are provided however, and as such, it is not possible to make a direct comparison with regards to, for example, the number of bedrooms or whether these schemes were considered against the PSP Policies adopted in 2017. This limits the weight which I can attach to these cases in my recommendation. The figures quoted by the appellant with regards to site coverage also does not detail the amount of private garden space required nor provided for these schemes.

¹ Application number 11/1728F

² Application number 18/1472/F

³ Application number 14/2433

⁴ Application number 17/4791/F

11. In light of the foregoing, it is concluded that, due to the limited garden size, satisfactory living conditions would not be provided for future occupants of the proposed dwelling. There is therefore conflict with PSP Policy PSP43, which requires development to provide sufficient private amenity space. This policy is consistent with paragraph 127 of the National Planning Policy Framework which requires that developments create places that amongst other matters promote health and well-being, with a high standard of amenity for existing and future users.

Other Matters

12. The appellant points to such matters as access to local facilities and services, providing a smaller family home and the well-insulated nature of the dwelling. However, this to be expected in any development and does not weigh in favour of the proposal.

Recommendations

13. The proposal fails to provide satisfactory living conditions 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

14. 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