



Appeal Decision

Site visit made on 13 June 2022

by Mr C J A Parker BA(Hons) PGCert MA MRTPI MCMI IHBC

an Inspector appointed by the Secretary of State

Decision date: 13 July 2022

Appeal Ref: APP/P0119/W/22/3295109

Land to the rear of 58-68 Grimsbury Road, Kingswood, South Gloucestershire, BS15 9SD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Horizon Construction Bristol Ltd against the decision of South Gloucestershire Council.
 - The application Ref P21/07540/PIP, dated 19 November 2021, was refused by notice dated 8 March 2022.
 - The development proposed is described as '*Application for Planning in Principle (Stage 1) for the erection of between 4-5 houses*'.
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Decision

1. The appeal is allowed and permission in principle is granted for residential development comprising a minimum of 4 and a maximum of 5 dwellings at Land to the rear of 58-68 Grimsbury Road, Kingswood, South Gloucestershire, BS15 9SD in accordance with the terms of the application, Ref P21/07540/PIP, dated 19 November 2021.

Procedural Matters

2. The proposal is for permission in principle (PiP) which the national Planning Practice Guidance (PPG) advises is an alternative way of obtaining planning permission for housing-led development. The PiP consent route has two stages: stage one (or PiP stage) establishes whether a site is suitable in-principle and stage two (technical details consent) is when the detailed development proposals are assessed. This appeal relates to the first stage.
3. The scope of the considerations for PiP is limited to location, land use and the amount of development permitted¹. All other matters are considered as part of a subsequent Technical Details Consent application if PiP is granted. I have determined the appeal accordingly. Furthermore, any detailed drawings provided by the appellant in terms of the PiP are indicative only. They provide an indication of what might be provided on site, rather than details of what will be were PiP granted. I have proceeded on this basis.

Main Issue

4. This main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development.

¹ PPG Paragraph: 012 Reference ID: 58-012-20180615

Reasons

Proposed land use and Location

5. The application site is paddock land situated to the rear of Grimsbury Road and adjacent to an area of open space. The appeal site lies within the settlement boundary of Kingswood. The Officer's Report indicates that under Policy CS5 of the *South Gloucestershire Local Plan Core Strategy* (Adopted December 2013) (CS), which sets the locational strategy for development, that it is considered to be a suitable site for development and it is supported in principle.
6. In 2017, approval was given for the development of the appeal site for three dwellings. Whilst this does not appear to have been implemented, the principle of residential development on the appeal site in land use terms has been found acceptable in the past. The submitted indicative drawings suggest that the appeal site could accommodate five dwellings, including parking and amenity on site.
7. Given the location within the settlement boundary, previous findings of the site's suitability for residential development, and the submitted illustrative drawings which show that up to five dwellings could be accommodate within the site area, I find that the proposed land use is acceptable.
8. In terms of location, concerns have been raised by the Local Planning Authority and local residents in terms of highway safety and residential amenity. With regard to highway safety, this focusses on the interaction between vehicles and pedestrians using the access lane. Specific details would be considered at the Technical Details Consent (TDC) stage, but it is clear from the indicative drawings that a vehicular and pedestrian access off Grimsbury Road could be provided.
9. It is unclear, with the scale of the proposal, with a maximum of five dwellings sought, as to why there would necessarily be a conflict between different users of this access. Traffic movement generated by a scheme of this size is unlikely to be significant. Moreover, at any TDC stage it would be open to the decision-maker to consider specific details of the scheme – including vision splays, swept path, and landscaping. Indeed, the Council's Transportation section raise no objection to the proposal and provide an indication of what standards would be sought.
10. Given the quantum of development sought I do not find that the proposal would result in an unacceptable impact on highway safety on the basis of the evidence before me.
11. In terms of land ownership, that is a separate civil matter between the respective landowners and not a planning matter for my consideration. My attention has also been drawn to an access point between the appeal site and the adjoining open space. I understand that this is not a formal Public Right of Way; although it is valued by members of the community to gain access to open space. Concerns have been raised that the 'private lane' nature of the access could remove this access. Similar to landownership, access is a private matter between the parties concerned. It would be open at the TDC stage for the decision-maker to consider the permeability of the site when considering layout and design.

Amount of development

12. With regard to the amount of development, as above I have found that the site is suitable in principle for residential development. The indicative plans submitted show that it could accommodate five dwellings in the form of drawings 21.024 – 11 and 21.024 – 11a. They also show indicative ways in which access, parking and amenity space could be provided on site for future occupiers. Whilst the Council's Statement refers to the proposal failing to 'comply with the highest standards of design expected in national guidance and local adopted planning' my attention has not been specifically drawn to where there is a conflict with any such detailed guidance.
13. Furthermore, it would be at the TDC stage, when a fully detailed scheme would be submitted, that specific design matters would be considered. In this case, the proposal is able to provide amenity space for future occupiers. Therefore, the amount of development sought on the site would not have an adverse impact on the living conditions of future occupiers in principle.
14. For the reasons set out above, the proposed PiP would not result in a form of development that would have a harmful effect on the site or the surrounding area having regard to its location, the proposed land use and the amount of development. Accordingly, it would accord with Policies CS1 and CS8 of the CS, and Policies PSP8, PSP16 and PSP43 of the *South Gloucestershire Local Plan Policies Sites and Places Plan 2017*, which amongst other aims seek to ensure that highest possible standards of design and information submitted with an application is proportionate to the scale, significance and impact of the proposal.

Other Matters

15. I have had regard to the various comments of interested parties which have been received in response to the proposed PiP. In addition to matters related to the location, land use and amount of development as addressed above, concerns have been raised regarding a number of other matters. This includes access to garages/rear entrances of dwellings facing Grimsbury Road, the lack of visitor parking on site, and how services and infrastructure would be provided such as mains gas, telecoms, and electricity. These are all matters which will need to be addressed as part of the TDC, the second stage of the process, or elsewhere, and they do not alter my assessment of the planning merits of the proposed PiP.

Conclusion

16. For the reasons set out above, I conclude that the appeal should be allowed and PiP is granted in accordance with the details set out in Paragraph 1 of this Appeal Decision.

Cullum J A Parker

INSPECTOR