



Appeal Decision

Site visit made on 27 September 2022

by A J Sutton BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 November 2022

Appeal Ref: APP/P0119/D/22/3301575

Top Floor Flat, Sunset Cottage, Holly Hill, Iron Acton, Bristol, South Glos BS37 9XZ

- 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 Christopher Perry against the decision of South Gloucestershire Council.
 - The application Ref P22/01640/HH, dated 31 March 2022, was refused by notice dated 16 May 2022.
 - The development proposed is a domestic garage.
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Decision

1. The appeal is allowed and planning permission is granted for a domestic garage at Top Floor Flat, Sunset Cottage, Holly Hill, Iron Acton, Bristol, South Glos BS37 9XZ, in accordance with the terms of the application, Ref P22/01640/HH, dated 31 March 2022, and subject to the following 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: Site Plan, Site Layout Plan DRWG No. CJP 7, Proposed Garage East Elevation DRWG No. CJP 14, Proposed Garage Front (North) Elevation DRWG No. CJP 11, Proposed Garage Plan DRWG No. CJP 10, Proposed Garage Rear (South) Elevation DRWG No. CJP 12 and Proposed Garage West Elevation New Wall DRWG No. CJP 13.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building and retained as such thereafter.
 - 4) The development, hereby permitted, shall not progress beyond the base course until such time that details regarding the driveway have been submitted to and approved in writing by the local planning authority. The driveway shall be constructed in accordance with the approved scheme and retained as such thereafter.

Applications for Costs

2. An application for costs was made by Mr Christopher Perry against South Gloucestershire Council. This application is the subject of a separate Decision.

Preliminary Matters

3. There was a single storey structure in place at the time the site visit was conducted. There was a van parked in this space with workshop benches and equipment to the side.

Main Issue

4. The main issue is whether the proposal would provide sufficient parking space, and linked to this, the effect of the proposal on highway safety in the area.

Reasons

5. At paragraph 111 the National Planning Policy Framework (the Framework) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety. Reflective of this, Policy PSP16 of the South Gloucestershire Local Plan: Policies, Sites, and Places Plan (Local Plan) sets out parking standards.
6. The appeal property has an edge of settlement location and is located towards the end of the lane where the built form is of a low density. Surrounding properties generally have space for some off-street parking. The lane is straight and relatively wide in the vicinity of the appeal property, and even with the over-hanging tree near the boundary of the property, these features allow road users good visibility, and in turn, space for safe parking at the roadside.
7. The submitted plans state all the dimensions of the proposed garage, and these drawings also include scales. They show the proposed height, width and length of the garage, and that it would substantially exceed the minimum size requirement for a single garage outlined in Policy PSP16 of the Local Plan. It would be slightly narrower in width than that advised for a double garage, but its length would be double the stated requirement, and I saw that this space could accommodate at least one large vehicle. There would also be additional space on the driveway of the property, fronting the proposed garage, which would be suitable for the parking of a vehicle.
8. Accordingly, the proposal would allow for two off-street parking spaces at the property, and this would be consistent with the minimum parking standard for a four-bedroom dwelling. If the property functioned as two apartments, the policy encourages the provision of one parking space per apartment, with the remainder of the requirement provided as unallocated visitor spaces in close proximity to the units they serve. I observed that there would be adequate space at the roadside and that this would allow visitors to park safely and conveniently close to the property.
9. In light of the above, the proposal would provide sufficient parking space and would not have a harmful effect on highway safety in the area. In this respect it would be consistent with Policy PSP16 of the Local Plan, and advice set out in the South Gloucestershire Council Residential Parking Standards Supplementary Planning Document with regards to parking standards.

Other Matters

10. The Framework regards the construction of new buildings as inappropriate in the Green Belt and by definition this is harmful. The Council has concluded, guided by local plan policy, that the volume increase resulting from the

proposal, over and above the original building, would not be a disproportionate addition. It would as such qualify as one of the exceptions set out in paragraph 149 of the Framework and would not be inappropriate for this reason. I find nothing that would lead me to an alternative conclusion on this matter.

11. The centre of the settlement comprises Iron Acton Conservation Area. The appeal property is a considerable distance from the boundary of this designated heritage asset and this separation would ensure that the proposal would not impact on the conservation area or its setting.
12. Development separate to this proposal and clutter/domestic paraphernalia at the dwelling are issues outside the scope of this appeal. I note the comments regarding the conversion of a garage to form an extension to the dwelling. However, this does not form part of the scheme subject of this appeal and therefore I am unable to consider this matter.
13. The submitted drawings do not include a veranda, so I am also unable to comment on this matter. However, the proposed garage would be of a simple design and its modest mass would be subservient to the host dwelling. It would in these respects not compete with the traditional style and appearance of this locally listed building and the historic interest it contributes to this part of the lane. This matter does not weigh against the proposal for this reason.
14. My attention has been drawn to several policies of the Local Plan but no conflict with these policies have been identified in respect to this proposal, and I have found this would be the case with regard to Policy PSP16.

Conditions

15. In addition to the time limit, conditions requiring that the development is constructed in accordance with the approved plans and ensuring materials to match the existing building are necessary in the interest of certainty and to protect the character of the area.
16. Details regarding the driveway have not been submitted; it is reasonable and necessary to agree these details to ensure there is no harm to the adjacent public highway.
17. The Government recently revised the Building Regulations, and amongst other matters, new dwellings are required to install electric vehicle charging points. This requirement would not be applicable to this proposed garage which would serve an existing property. My attention is drawn to emerging local policy on this matter, but no details have been provided. I am unable to establish how progressed the emerging plan is and the extent of unresolved matters. This has limited weight in this appeal accordingly. I am therefore not persuaded that this condition is reasonable or necessary and has not been attached for this reason.

Conclusion

18. For the reasons stated above and having regard to the development plan as a whole, and all relevant material considerations, including the Framework, the appeal is allowed.

A J Sutton

INSPECTOR