
Appeal Decision

Site visit made on 23 May 2023

by Helen O'Connor LLB MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 May 2023

Appeal Ref: APP/D0121/D/23/3317420

48 Greenhill Road, Sandford, North Somerset BS25 5PB

- 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 Peretz against the decision of North Somerset Council.
 - The application Ref 22/P/2937/FUH, dated 8 December 2022, was refused by notice dated 10 February 2023.
 - The development proposed is a replacement garage.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. 48 Greenhill Road is positioned at the corner of Greenhill Road and Helens Road. The area is predominantly residential and comprises mostly of detached single storey dwellings within which there is some variety of form. Nevertheless, coherence is derived from the underlying regular arrangement of built form relative to the street. This includes a broadly regular set back.
4. The section of Helens Road nearest the appeal site has undergone some infill development, which has to an extent diluted the uniformity of plot size. Even so, a set back or verge is discernible on both sides of the road which the majority of buildings and boundary treatments respect. On the east side (nearest the appeal site) this is seen in addition to the footpath. Together they convey a sense of spaciousness, with the verge providing some opportunities for greenery, both of which are beneficial to the overall street scene. Whilst ancillary structures and garages can be seen from the street, their generally modest scale and/or siting is such that they appear subordinate to the main dwelling. Overall, this results in a well ordered, suburban residential character.
5. No.48 is a single storey detached dwelling with a modest lean to garage close to Helens Road. The scale and form of the garage defers to the main body of the dwelling. Furthermore, as shown on the existing site plan and photographs provided, it is off set from the footpath (annotated as stone verge) by approximately 0.5m. As such, the siting of the garage and adjoining boundary fencing observes the set back line on the eastern side of Helens Road. Hence,

the layout and appearance of the appeal site reinforces the established character and appearance of the area.

6. The proposed replacement garage would be of greater length, width and height than the present structure, so would represent a marked increase in size. As a result, its siting would be closer to the street than the present arrangement. It would encroach into the existing set back space, leaving a marginal (approximately 200mm) set back from the footpath. Together with the increase in volume and proposed hipped roof form, the position of the building sitting further forward would have a more prominent presence in the street scene.
7. This positioning would adversely interrupt the discernible set back space along the eastern side of Helens Road. Moreover, the garage would have a largely functional appearance that would present a stark blank elevation proximate to the road. Neither would the secondary role of the garage relative to the dwelling warrant such a conspicuous placement in the street scene. Consequently, whilst the increased bulk and forward siting would make the presence of the building more noticeable, it would fail to add interest to the appearance of the area, rather the opposite. Owing to this, the proposal would harmfully erode the way the space and structures interrelate in the underlying ordered layout.
8. Furthermore, given that no.48 is a corner plot, these detrimental effects would be obvious from Helens Road, and would be easily seen in some views from Greenhill Road. This would exacerbate the extent of harm.
9. My concerns are reinforced by guidance contained in the North Somerset Council Residential Design Guide, Section 2 - Appearance and character of house extensions and alterations, Supplementary Planning Document April 2014 (SPD). Section 3.3.1 states that established building lines should be respected and that large extensions or outbuildings which break such lines will not normally be allowed where the proposal would harm the appearance of the street scene. I judge that to be of direct relevance in this case, such that the proposal would conflict with the SPD guidance.
10. Given the domestic nature of the proposal, it would be relatively modest in scale. Nevertheless, it does not follow that local and national design policies would not apply for that reason. To act otherwise could be taken as justification for poor design, which incrementally could cumulatively amount to substantial harm. That is not the approach to design advocated in the National Planning Policy Framework (the Framework) or development plan.
11. Policy CS12 of the North Somerset Council, Core Strategy, January 2017 (CS) explicitly states that development proposals of all scales are required to demonstrate sensitivity to existing local character and should take the opportunity to enhance the sense of place and local identity through a well thought out design. Broadly similar provisions are found in policies DM32 and DM38 of the North Somerset Council, Development Management Policies, Sites and Policies Plan Part 1, July 2016 (SPP). Policy DM32 stipulates that development should not only be sensitive to local character but also enhance the area.
12. This approach aligns with the importance the Government places on design. Paragraph 126 of the Framework confirms that the creation of high quality,

beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

13. Although I accept that the existing garage is not in the most favourable condition, it is not objectionable. Whilst a replacement structure could potentially make visual improvements, for the reasons outlined, I am not persuaded that the proposal before me would do so. Therefore, I cannot agree with the appellant's assertion that the proposal would enhance the street scene.
14. I have had regard to the street scene analysis and photographs provided by the appellant and observed that several infill developments have taken place along Helens Road. Even so, my observations were that for the main part the modest verge/set back was respected. Indeed, the appellant's analysis refers to 46 Greenhill Road and nos.5A, 5B, 7A and 8 Helens Road either abutting or close to the existing grass or stone verge, which is reinforced by the illustrative photographs.
15. The appellant also highlights that the scheme has been altered in comparison to a previously refused planning application to replace the garage. Be that as it may, that would do little to address the harm I have identified arising from the scheme before me.
16. In coming to my findings, I have taken account of the representation in support from the Parish Council. However, there is nothing substantive in its content that would lead me to find otherwise in relation to the main issue.
17. Accordingly, I find that the siting and scale of the proposal would be at odds with the context and would therefore, have a harmful effect on the character and appearance of the area. It follows that it would fall short of the high quality design required by policy CS12 of the CS and policies DM32 and DM38 of the SPP. Therefore, conflict with the policies of the development plan would result.

Conclusion

18. For the reasons given above I conclude that the appeal should be dismissed.

Helen O'Connor

INSPECTOR