



Appeal Decision

Site visit made on 20 July 2023

by Laura Cuthbert BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 September 2023

Appeal Ref: APP/P0119/W/23/3315435

Little Buckover, Gloucester Road, Whitfield GL12 8EA

- 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 and Mrs Liddington against the decision of South Gloucestershire Council.
 - The application Ref P22/05729/F, dated 28 September 2022, was refused by notice dated 23 November 2022.
 - The development proposed is Erection of a new dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. There are 3 main issues. These are:
 - whether the proposed development would provide a suitable location for housing, having regard to the development strategy for the area and accessibility to services and facilities;
 - the effect of the proposed development on the character and appearance of the area; and
 - the effect of the proposed development on highway safety, with specific regard to access.

Reasons

Suitable Location

3. The appeal site is situated along Gloucester Road, adjacent to the existing dwelling known as Little Buckover. The site is situated outside of any defined settlement boundaries and is therefore classed as open countryside. The proposal does not fall within any of the exceptions set out by the development plan to enable new development in the open countryside. As such, it would be contrary to the development strategy for the area. Whilst I note that there are other dwellings situated nearby, including Little Buckover, the appeal site remains classed as open countryside and in conflict with the adopted development strategy.
4. The appeal site is within an area with very limited services. I acknowledge the location of the site in relation to Thornbury, and the services and facilities it offers. The distance between the appeal site and Thornbury may not be overly prohibitive on its own. However, combined with the lack of street lighting and the lack of a footpath for the majority of the route, future occupants of the

proposal would be largely reliant on the private vehicle to access services and facilities.

5. I also note the proximity of the bus stop along Gloucester Road which provides a bus service to nearby settlements. However, I have not been provided with any bus timetables. Based on the timetable provided at the bus stop which I observed on my site visit, I am not convinced that the bus service would represent a convenient alternative to the car. The lack of street lighting and the crossing of a busy rural road, which is subject to the national speed limit, would also make the use of bus services less attractive to future occupants. This is especially so for the less physically capable, disabled residents and people with children.
6. Consequently, the proposed development would not provide a suitable location for housing, having regard to the development strategy for the area and accessibility to services and facilities. It would conflict with Policies CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Core Strategy) (adopted 2013) and Policies PSP11 and PSP40 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Local Plan) (adopted 2017), which, in combination, seek to direct growth and new housing to existing urban areas and defined rural settlements, and strictly limiting development outside of the settlement boundaries except in certain circumstances. Policy PSP11 also requires residential development proposals to be located on safe, useable walking and, or cycling routes, that are an appropriate distance to key services and facilities, which the proposal would fail to achieve.
7. The proposal would not meet the objectives of Chapter 8 of the National Planning Policy Framework 2021 (the Framework) in terms of achieving sustainable development, including ensuring homes have accessible services.

Character and Appearance

8. The appeal site currently forms part of the private garden of Little Buckover, which is a detached dwelling. There are a handful of other dwellings sporadically positioned along Gloucester Road in the vicinity, which are constructed of a variety of materials including stone and render. However, these tend to be in relatively large plots, proportionate to their rural setting. Due to the use of the appeal site, it is largely open and contributes positively towards the character and appearance of the quiet countryside location.
9. The proposal seeks to erect a detached two storey dwelling, with a double gable roof and small rear projecting elements, alongside an attached garage, workshop and utility building. It is noted that the proposal was amended during the application process. Nevertheless, due to the height and horizontal massing, the proposal would represent a substantial and disproportionate addition to the area. Notably, it would appear as a dominating structure when seen alongside Little Buckover.
10. Whilst there is a low level hedge along the front boundary, with some established trees, due to the scale of the proposal, the existing boundary treatments would not sufficiently mitigate the visible impact of the proposal. Furthermore, the attached garage, workshop and utility building would further emphasise the inappropriate scale of the proposed development. Therefore, due to the scale, massing and design of the proposal, the development would fail to preserve the character and appearance of the area.

11. Whilst the dual pitch roof and gable end might be a design feature found on the surrounding buildings, they appear to be smaller in height and overall scale. Furthermore, it is acknowledged that there is a mix of building sizes and styles in the surrounding area. However, due to the scale and massing of the proposal, it would be bulkier than the variety of dwellings nearby. I also note the lack of any heritage or landscape designations. However, the lack of any designations does not outweigh the harm I have identified above.
12. The appeal scheme would therefore cause harm to the character and appearance of the area. It would conflict with Policy CS1 of the Core Strategy and Policies PSP1 and PSP38 of the Local Plan. These policies, in combination, seek to only permit development which are of the highest possible standards of design, which respects and enhances the character and distinctiveness of both the site and its context in the surrounding area. The proposal would also be contrary to the principles within Chapter 12 of the Framework which seek good design sympathetic to the local area.

Highway Safety

13. The appeal site is located to the northern side of Gloucester Road. As noted above, the road is subject to a speed limit of 60mph. Vehicular access to the site would be provided via a new access to Gloucester Road, positioned to the east of the existing dwelling of Little Buckover.
14. The proposed site plan annotates that visibility out of the site towards the west would be 122m and towards the east, it would be 73m. However, as Gloucester Road has a speed limit of 60mph, the Council have advised that the proposed access requires visibility splays of 215m (Y) distance from a 2m (X) distance set back in both directions. The Council's Senior Engineer states 'that the Y distance could be reduced if speed surveys of approaching vehicles 200m east and west of the site access demonstrated that 85th percentile speeds were less than 60mph'. However, no speed surveys have been carried out by the appellant and no justification for the substandard visibility has been provided. Therefore, in the absence of any speed surveys demonstrating otherwise, the lower visibility sightlines which can be achieved at the site access would leave the proposed development with substandard visibility sightlines. This would be to the detriment of highway safety.
15. I acknowledge that the proposal would provide the required level of car parking spaces for a 4 bedroomed property. However, this would not overcome the harm that would arise from the inadequate visibility sightlines.
16. Therefore, the proposal cannot achieve the required visibility sightlines to ensure safe access for all users to the appeal site. Consequently, the proposal would have an unacceptable impact on highway safety, with specific regard to access. It would be contrary to Policy PSP11 of the Local Plan which requires development proposals to provide an appropriate, safe, accessible, convenient, and attractive access for all mode trips arising to and from the proposal.

Other Matters

17. The appellant refers to a number of approved planning applications in the area and states that these are in the 'same position and distance from the settlement and amenities as this site and these have been approved and built'. However, I have not been provided with full details of these approvals in order

to be able to draw a direct comparison with the scheme before me. I note a number of these approvals related to conversions of existing buildings, which is a notable difference to the proposal before me now. Furthermore, the approval of other apparently 'similar' applications outside of the development limits does not automatically mean that the principle of other development in a countryside location would also be judged to be acceptable. I therefore only attach these other approved applications limited weight in my decision.

18. The parties agree that the Council are currently able to demonstrate a 5 year supply of housing. However, the appellant states that the Council have 'a duty to consider the need and requirements of self-build, even if they have a 5-year housing land supply'. Whilst the 1 self-build dwelling proposed would contribute towards the provision of self-build dwellings in the district, I can only attach limited weight to this benefit given the harm I have identified.
19. The appellant also challenges the weight to be afforded to some of the policies of the development plan as it predates the latest version of the Framework. However, paragraph 219 of the Framework states that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. Therefore, the amount of weight to be given to development plan policies is a matter of planning judgement for the decision maker.
20. It is considered that the relevant policies are broadly consistent with the Framework in terms of promoting a sustainable pattern of development, delivering a sufficient provision of housing, restricting dwellings in the countryside, except for in certain circumstances, and recognising the intrinsic character and beauty of the countryside. They remain part of the development plan. I therefore still afford the relevant policies a significant amount of weight.

Conclusion

21. Overall, I have identified that there would be conflict with the development plan as a whole. Considered in total, the material considerations referred to above do not outweigh the conflict with the development plan. The appeal is therefore dismissed.

Laura Cuthbert

INSPECTOR