



Appeal Decision

Site visit made on 16 January 2024

by **O Marigold BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 January 2024

Appeal Ref: APP/P0119/W/23/3327262

7 Cherington, Hanham, South Gloucestershire BS15 3AG

- 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 Tom Perry against the decision of South Gloucestershire Council.
 - The application Ref P23/01409/F, dated 19 April 2023, was refused by notice dated 14 June 2023.
 - The development proposed is proposed 2 bedroom new build property adjacent to 7 Cherington.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the appeal was made, a revised version of the National Planning Policy Framework (the Framework) has been published. Although I have made my determination against the updated national policy context, the changes to the Framework are not fundamental to matters which are determinative to the outcome of this appeal.

Main Issue

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

Reasons

4. The surroundings of the site are primarily residential, with a variety of detached, semi-detached and terraced dwellings in nearby roads. Cherington road itself is a cul-de-sac consisting largely of pairs of semi-detached bungalows. Although dwellings in the road have differences of detail, their positioning and simple form give a broadly uniform pattern and a low-density suburban character. The appeal site consists of land to the side of 7 Cherington (No 7). The proposal seeks to erect a dwelling which, when viewed from the cul-de-sac, would match the ridge height, building line, fenestration and external materials of No 7.
5. The overall plot of the proposal is larger than its neighbours. However, the available frontage onto Cherington is tight, being constrained on either side by No 7 itself and the grounds of a church. As a result, the proposal would have a narrow width, and a tapered footprint and roof form. Consequently, it would have a contrived shape and dense frontage that would harmfully contrast with the pattern and layout of the other properties in the cul-de-sac. Furthermore,

as a detached dwelling, the proposal would appear incongruous with the consistent semi-detached form of the other dwellings in Cherington.

6. Accordingly, the proposal would conflict with the low density, distinctive character of the dwellings hereabouts, appearing unduly cramped and out-of-place. Although at the end of the cul-de-sac, these harmful visual effects would be visible from the road, as well as from surrounding properties, including the church graveyard.
7. For the reasons given, the proposal would harm the character and appearance of the area, contrary to Policy CS1 of the South Gloucestershire Core Strategy (SGCS), adopted December 2013, and Policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (LP), adopted November 2017. These policies require the highest standards of design, reflecting the form, distinctiveness and layout of its context. For similar reasons, the proposal would also conflict with the Framework, which requires that development is well-designed and sympathetic to local character. As such, I give this harm significant weight.

Other Considerations

8. Recent appeal decisions¹ have concluded that the Council did not have a planned approach to housing that was consistent with the Framework in force at the time. As such, it is necessary for me to consider whether the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits inherent in providing an additional dwelling to assist the Council in addressing any undersupply, as set out in Framework Paragraph 11.
9. I have found conflict with SGCS Policy CS1 and LP Policy PSP1, which are consistent with the Framework. I therefore find that the proposal would conflict with the Development Plan as a whole. Against that, it would add to the supply of housing. However, due to the proposal being for only a single dwelling, such benefits would be limited.
10. Future occupiers of the proposal would make a positive social and economic contribution to the area, as would its construction economically. It would make more efficient use of land, in a built-up area, on a small site that could be delivered quickly. The proposal would also be well located for services and facilities, with additional planting, bat and bird boxes aiding biodiversity. However, these benefits carry only limited weight, due to the small size of the proposal. Even if the site constitutes brownfield land, it would not be suitable for the proposal, for the reasons given above. Therefore, The substantial positive weight given by Framework Paragraph 124(c) does not apply.

Planning Balance and Conclusion

11. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission, and therefore appeals, must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
12. Given the harm that I have identified, and the weight that I attach to it, I consider that the adverse impacts of granting permission would significantly

¹ PINS references APP/P0119/W/22/3303905 and APP/P0119/W/23/3316108

and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.

13. For the reasons given, I have found conflict with the Development Plan, read as a whole. The material considerations in this case do not indicate a decision other than in accordance with the Development Plan. This leads me to conclude that the appeal should be dismissed.

O Marigold

INSPECTOR