



Appeal Decision

Site visit made on 18 June 2024

by Laura Cuthbert BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 June 2024

Appeal Ref: APP/F0114/W/24/3339299

4 Monmouth Road, Keynsham, Bath and North East Somerset BS31 2JP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr David Shaw against the decision of Bath and North East Somerset Council.
 - The application Ref is 23/00691/FUL.
 - The development proposed is erection of new attached dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site consists of part of the garden and parking/garaging associated with 4 Monmouth Road, an end of terrace dwelling. It is a visually prominent parcel of land located on a bend in the road. It is enclosed by a low stone wall and low level planting to the front and side boundaries. The space around No 4, along with the front and side gardens of other corner plots close to the junction, contribute positively to a sense of spaciousness in the street scene, in an otherwise built up area.
4. No 4 is an end of a terrace of 4 dwellings, which are split in the middle by a walkway. I observed that there are similar terraces of 4, with a walkway in the centre, in the immediate vicinity such as Nos 5 to 8 Monmouth Road and 9 to 12 Monmouth Road, which are of the same form and design. There is also a well-established building line along Monmouth Road, especially when viewed looking south-west. Therefore, the uniformity to the street layout and grain of development in the local area, alongside the established building line, are the more coherent features of the local context. Consequently, they contribute positively to the character and appearance of the area.
5. The proposal, as a result of its size and siting in close proximity to the boundary with the highway, would appear as a prominent and incongruous addition to the area, reducing the spacious feel of the street scene. Whilst the existing dwelling of No 4 is set in slightly from the building line of the terrace of Nos 5 to 8 to the south-west, the proposed dwelling would now exceed this established building line. Therefore, the proposal would fail to respond

- positively to the site context, in particular, the local character, layout and building lines, harming the character and appearance of the area.
6. Whilst No 4 has a larger than average plot size for the area, and I note that the dwelling wouldn't be sat against the pavement but would be set in by approximately 1 metre, the proposal would still be uncharacteristically close to the highway. Irrespective that the proposal would comply with the nationally described space standards in regard to living accommodation and private garden space, both in regard to the existing and proposed dwelling, its siting on the corner would represent a cramped form of development that is not in-keeping with the local context in terms of size, spacing, siting and layout.
 7. The angled nature of the plot would mean that the rear corner of the proposal would sit slightly further away from the highway, approximately 3.5 metres. Whilst this would allow for a slightly more 'open view' past the site, I would not describe this as 'expansive' as alleged by the appellant and I am not satisfied that the tapered boundary would offset the incongruity of the proposal. Notwithstanding that the boundary features would largely remain untouched, and that the proposed fencing and landscaping would assist in avoiding a 'bleak façade', these matters would not outweigh the harm to the character and appearance of the area.
 8. The proposal would be set back from the front of the existing property, which the appellant alleges would ensure subservience, as well as softening the corner of the development. The appellant also states that the design approach would be a simple extension to the terrace of 1 -4 Monmouth Road, mimicking it in width, materials, roof form, fenestration details and overall appearance. However, due to the tapered boundary, the setback would also be considered necessary for the proposed dwelling to fit on to the corner plot. Due to the inability to be able to continue the frontage in line with the rest of the terrace, it would represent a jarring addition to the prominent corner plot, unbalancing the grain and layout of the existing terrace.
 9. The appellant states that there are other infill extensions and new-build properties in the immediate area, as well as other 'staggered' terraces, arguing that there have been numerous additions which have added character and shape to the existing property lines. However, they have not drawn my attention to any specific examples that are directly comparable to the proposal before me now. On my site visit, I observed two storey side extensions and an infill dwelling. However, unlike the proposed dwelling before me, they appeared to respect the building line of the immediate area. Nevertheless, the fact that apparently similar development exists is not a reason, on its own, to allow unacceptable development. I have considered this appeal proposal on its own merits and concluded that it would cause harm to the character and appearance of the area for the reasons set out above.
 10. Whilst the proposal would introduce a parking area to the front of No 4, parking immediately to the front of the terraces is not uncommon in the area. The proposed car parking for both the existing and proposed dwelling would integrate in to the streetscene and would not dominate the design of the development. I also note that there was no objection from the Council's 'Transportation and Highways' Team. Nevertheless, the acceptability of the proposal from a parking perspective would not outweigh the harm of the new dwelling that I have identified above.

11. Therefore, to conclude, the proposal would harm the character and appearance of the area. It would be contrary to Policies D2, D3, and D7 of the Bath and North East Somerset Placemaking Plan (Placemaking Plan) (2017). These policies, in combination, seek to ensure that development responds positively to the urban fabric and site context, in particular, amongst others, the local character, layout and building lines. New development should reflect the form, pattern and grain of existing development, reflecting local character.
12. The Council have cited Policy D4 of the Placemaking Plan in the reason for refusal. However, as I have found the proposed parking arrangements to be acceptable, any conflict with Policy D4 would not be determinative in these circumstances.

Other Matters

13. The appellant states that the objection from the Town Council was a copy and paste objection from an earlier proposal that was larger than the proposal before me now. The appellant also queries the verification of the two public objections. However, the Council has advised that all objection letters are removed from the website after a planning application is determined. Whilst these matters might be frustrating for the appellant, they do not materially affect my consideration of the planning merits of the appeal proposal.
14. I note that there was no objection to the proposal from the Council's Drainage and Flooding Officer. However, the lack of objection on these matters would not outweigh the harm identified above.

Conclusion

15. The development conflicts with the development plan as a whole. There are no material considerations worthy of sufficient weight that would indicate a decision otherwise than in accordance with it. The appeal is therefore dismissed.

Laura Cuthbert

INSPECTOR