



Appeal Decision

Site visit made on 12 June 2024

by Juliet Rogers BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th July 2024

Appeal Ref: APP/P0119/W/23/3336088

33 Partridge Road, Pucklechurch, South Gloucestershire BS16 9SP

- 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 Byron Long against the decision of South Gloucestershire Council.
 - The application Ref is P23/00847/F.
 - The development proposed is the erection of 1no. attached dwelling with associated works and the erection of a single-storey extension to the dwelling to form additional living accommodation.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the Council determined the planning application, a new version of the National Planning Policy Framework (the Framework) came into effect. However, the Framework's policy content insofar as it relates to the main issues in this case has not been significantly changed. Therefore, I am satisfied no party would be prejudiced by determining the appeal in accordance with the new version.
3. I note from the appeal documentation and my site visit that a close board fence has been erected along one of the site boundaries and my attention has been drawn to an Enforcement Notice¹ in respect of this fence. However, this is not a consideration for this appeal.

Main Issues

4. The main issues are the effect of the proposed development on:
 - the character and appearance of the area, including trees; and
 - the parking conditions in the area and, consequently, the safety of users of Partridge Road and other nearby highways.

Reasons

Character and appearance

5. The appeal site is located within an established residential estate where two-storey terraced and semi-detached houses front onto interconnected areas of grassed open space whilst access roads are located to the rear of the gardens.

¹ Council ref: COM/18/0542/OD/2

The site is located adjacent to the semi-detached property of 33 Partridge Road (No.33) and includes, based on the evidence before me, part of an undesignated area of open space.

6. A substantial mature tree is located close to the site's side boundary, just beyond one of the paths within the undesignated open space. Given its significant height, wide canopy spread and limited number of other trees within the open space, it is a prominent feature in views from public and private spaces within the surrounding area. Another mature tree, albeit of a lesser height and with a smaller canopy spread, is located on the site, close to the corner created by the close-board fence. This would be removed as part of the proposed development. Both trees add to the verdant character of the open space as it winds between the brown hues of the built form.
7. While the appellant may have received advice from a tree surgeon regarding these trees, this has not been submitted as part of the appeal. Therefore, it is unclear if this advice was informed by an arboricultural survey which details the condition and root protection zones of the trees, undertaken in accordance with the appropriate best practice by a suitably qualified person. In the absence of such information, I am unable to conclude with certainty that the proposed development would not adversely affect the tree located outside the site, even if deeper footings were used in its construction.
8. Furthermore, the removal of the tree within the site boundary has not been justified except to enable the dwelling and a comment from the tree surgeon that its removal would result in limited/no impact on the local environment. A replacement tree of a similar size and species could be required to be planted by condition, had I been minded to allow the appeal. However, as identified above, despite being overshadowed by the existing offsite tree, the onsite tree adds to the verdant character of the area by softening the side boundary of the built form. Its removal, therefore, would be of detriment to the character and appearance of the area.
9. As a fence has been erected along the side boundary of the site, the amount of undesignated open space has been reduced. Regardless of the availability of other areas of open space in the surrounding area as a whole, the alignment of the fence does not correspond with other boundary features nearby. Combined with the dominant use of brick in other boundary features, the alignment, material and colour of the fence is an incongruous feature in the localised pattern of development.
10. Based on the application plans before me, it is not clear if the fence is to be retained between the façade and the rear boundary as part of the proposed development or if the side elevation of the proposed dwelling would define part of the boundary. Regardless, the positioning of the new dwelling's side elevation would be sited forward from the nearby built form, narrowing the vista along the pathway to the front of 37-42 Partridge Road towards the area of open space adjacent to 20 Hawkrig Drive. The result would be the reduction of the physical and visual interconnectivity of the verdant open space areas, important features of the residential estate.
11. I conclude that the proposed development would harm the character and appearance of the area, including trees, contrary to policies PS1, PSP2, PSP3

and PSPS5 of the Local Plan² and Policy CS1 of the Core Strategy³. In combination, these policies require new development to make a positive contribution to the distinctiveness of the area including, amongst other aspects, conserving landscape features such as trees, and the amenity value of undesignated open spaces.

Parking conditions

12. No dedicated parking is proposed to serve the new dwelling and it would face towards an area of undesignated open space where there is no permissible vehicle access. Future occupiers of the new dwelling would therefore need to find on-street parking nearby should they have use of a vehicle.
13. Whilst only a snapshot in time, during my site visit, I observed numerous cars parked in the area to the rear of No.33, at the end of Partridge Road, although there was no demarcation of parking spaces or signage allocating an area to a particular property. This end of the cul-de-sac also functions as a turning space in addition to providing vehicle access to several garages. However, in the absence of line marking, the need to provide access to the garages and space for turning, there are limited opportunities for parking. Many vehicles at the time of my site visit were parking haphazardly.
14. As the proposed development would result in the creation of a separate dwelling, the minimum parking standards set out in Policy PSP16 of the Local Plan would need to be met. This is the case even if the future occupants of the new dwelling already reside at No.33. Given the already constrained nature of the parking area and the lack of dedicated spaces for neighbouring occupiers, the ability for an additional parking space to be accommodated would be limited. The proposed development would, therefore, increase the pressure on this space and the lack of allocated spaces has the potential to cause conflict between residents. It could also encourage drivers, to minimise inconvenience to themselves, to park in obstructive, illegal or potentially hazardous locations to the detriment of the safety of pedestrians, cyclists and other drivers in the area.
15. I conclude that the proposed development would harm the parking conditions in the area and, consequently, the safety of users of Partridge Road and other nearby highways. It would be contrary to policies PSP11 and PSP16 of the Local Plan which requires new development to provide appropriate, safe, accessible, convenient and attractive access whilst meeting minimum parking standards.

Other Matters

16. The proposed development would provide social and economic benefits from the construction and occupation of a new dwelling. It would also provide additional living accommodation for the appellant and their family in the form of a rear extension to No.33. However, these benefits would be limited given their scale. I have identified the proposed development would cause harm to existing trees and there are no environmental benefits before me.
17. I note the appellant's desire for an increased amount of living accommodation at No.33 and that this could be achieved through a side extension to the property, rather than a separate dwelling. However, the Council did not

² South Gloucestershire Local Plan: Policies, Sites and Places Plan (the Local Plan)

³ South Gloucestershire Local Plan: Core Strategy (the Core Strategy)

determine the planning application on this basis, interested parties have not been consulted on this scheme and this is not the proposal before me.

Conclusion

18. The proposed development conflicts with the development plan as a whole and there are no material considerations, either individually or in combination, that outweigh this conflict. For the reasons identified above, the appeal is dismissed.

Juliet Rogers

INSPECTOR