



Appeal Decision

Site visit made on 17 July 2024

by B Davies MSc FGS CGeol

an Inspector appointed by the Secretary of State

Decision date: 02 August 2024

Appeal Ref: APP/P0119/W/24/3338784

Land to the Rear of 33 Davids Close, Alveston, BRISTOL, South Gloucestershire, BS35 3LR

- 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 Ms. Linda Slade against the decision of South Gloucestershire Council.
 - The application Ref is P23/01015/F.
 - The development proposed is Erection of 1no. dwelling with associated works.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. The Council amended the original description of development with permission from the appellant. This is reflected in the banner above.
3. The site is located in the Bristol and Bath Green Belt. Both parties agree that the proposal would meet the allowing 'limited infilling in villages' provided by paragraph 154 of the National Planning Policy Framework (2023) (NPPF). I see no reason to come to a different conclusion. On this basis, I am satisfied that there would be no harm to the Green Belt and there is no requirement for me to consider this further.

Main issues

4. Although the address of the site is 33 Davids Close, the proposed dwelling would be to the rear of this property and front onto 'Greenhill', the road behind. For this reason, I consider that it is mainly the effect on the character and appearance of Greenhill that is relevant to this decision.
5. The main issues are the effects of the proposed development on the:
 - character and appearance of Greenhill
 - living conditions of the occupants of No 14 Greenhill with reference to outlook

Reasons

Character and appearance

6. The nearby detached houses are consistently set in plots that are large relative to their footprint, displaying wide frontages to the highway. This creates a

sense of spaciousness and openness, which makes a positive contribution to the character of the area.

7. In its very small curtilage and much narrower frontage, the site would be markedly different to the comparable surrounding properties, and would appear cramped in comparison, to the extent that it would harm the local character.
8. My attention was drawn by the appellant to the nearby terrace of houses that runs perpendicular to the road as a form of precedent. However, this clearly reads as a terrace of very different character to the proposal and for this reason I do not find the comparison to be a compelling one. I conclude that the orientation of the proposed dwelling would harm the established character.
9. The appellant has superimposed the footprint of the proposed dwelling on a selection of other houses in the area with the aim of demonstrating that the dwelling would not be 'exceptionally undersized'. However, this evidence, and my observations from the site visit, lead me to conclude that the dwelling would be unusually small compared to nearby houses on Greenhill. I acknowledge that in size it would not be dissimilar to those in the nearby terrace, but as this would be a detached house amongst other detached houses, I do not find this a convincing comparison. In being notably small for a detached house in the area, the dwelling would not respond to or enhance the established local character.
10. The appellant has provided an annotated map as evidence that there is no uniformity of house scale, form or style near the site. My attention has also been drawn to the fact that the property would be detached, 2-storey and have a gable roof of appropriate height, consistent with others in the area. I do not find these aspects nor the proposed finishing materials problematic, but they are not matters that weigh for or against the proposal.
11. The development would not respond constructively to the spaciousness and openness that make a positive contribution to the character of Greenhill. The proposal therefore runs contrary to the objectives of Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (2013) and Policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (2017).

Living conditions

12. The driveway of No 14 runs adjacent to the northern boundary of the site, beyond which is the 1-storey side elevation of the house, incorporating small windows and a door. The appellant has calculated that the distance would be approximately 7m between the two houses, not including an enclosed porch. From my observations on site, I conclude that the development would reduce the sense of openness and outlook currently enjoyed by the occupants of No 14 from their driveway and side elevation.
13. However, Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (2017) states that impacts must not be 'unacceptable' and the supporting example describes this as 'overbearing and dominant'. In this case, a reasonable size gap between the houses would remain and I do not consider that the effects on outlook from the side elevation would be oppressive. For these reasons, although I find that outlook would be reduced by the proposal, I do not consider that it meets the threshold in policy for being overbearing or dominant.

14. The Council references its 'Assessing Residential Amenity Technical Advice Note' (2016) in its reasons for refusal. However, this is not otherwise referenced in submissions from either party. I have reviewed the copy provided at appeal and have not identified any guidelines that would lead me to a different conclusion to that above.
15. The appellant has stated that 2m fencing and a 4m high outbuilding could be erected 2 metres away from the boundary under Permitted Development rights. This may be the case, but there is no suggestion that there is any intention to do this and, for this reason, I have not attributed this any weight as a fallback position.
16. I have not found that there would be an unacceptable level of harm to the living conditions of the occupants of No 14 Greenhill with reference to outlook. In this respect, the proposal meets the requirements of Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (2017). This does not weigh for or against the proposal.

Other matters

17. Both parties agree that a new dwelling in a sustainable location would bring socio-economic benefits. The appellant also highlighted the benefits of adding to the mix of residential housing, citing paragraph 8 of the NPPF. I note that this paragraph outlines the overarching objectives to be delivered by plans and NPPF policies. Notwithstanding, I acknowledge the general point that there is strong support for new housing in national policy and accept that this attracts positive weight. However, as this is only one house and I have nothing before me supporting a particular need for this type of housing at this location, the weight given to this benefit is necessarily small.
18. The appellant has provided details of 'amenities' for the new house, including parking spaces, garden size, and a bin and bike store. These factors do not weigh for or against the proposal.
19. My attention has also been drawn by the appellant to the current lack of privacy on the appeal site, which is in use as a garden. This is not a matter for this appeal.

Conclusion

20. I have not found that there would be an unacceptable level of harm to the living conditions of the occupants of No 14 Greenhill with reference to outlook. There would be a small socio-economic benefit from development of a house, but this would not outweigh the harm that the proposal would cause to the character and appearance of Greenhill.
21. For the reasons given above the appeal should be dismissed.

B Davies

INSPECTOR