



Appeal Decision

Site visit made on 20 August 2024

by **O Marigold BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 August 2024

Appeal Ref: APP/P0119/W/24/3338639

668 Southmead Road, Filton, South Gloucestershire BS34 7RD

- 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 Nick Howell of Whitehorse Homes Ltd against the decision of South Gloucestershire Council.
 - The application Ref is P23/03047/F.
 - The development proposed is erection of two storey side extension to form 2 no. new flats with other associated works.
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Decision

1. The appeal is allowed and planning permission is granted for proposed erection of two storey side extension to form 2 no. new flats with other associated works, at 668 Southmead Road, Filton, South Gloucestershire BS34 7RD in accordance with the terms of the application, Ref P23/03047/F, subject to the conditions below.
 - 1) The development hereby permitted shall begin no later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 3149/601, 3149/603, 3149/604, 3149/605.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing dwelling.
 - 4) The development hereby approved shall not be occupied until the vehicle and cycle parking spaces as shown on the approved plans have been implemented. They shall thereafter be retained for those purposes.

Application for costs

2. An application for costs was made by Mr Nick Howell of Whitehorse Homes Ltd against South Gloucestershire Council. This application is the subject of a separate Decision.

Preliminary Matters

3. I have used the description of the proposal as set out in the Council's Decision Notice, which is more accurate than that used in the application form. The appellant has used this revised description in the appeal form and so I am satisfied that no party would be prejudiced as a result.

Main Issues

4. The main issues are:

- the effect of the proposal on the character and appearance of the area, and
- whether the proposal would provide adequate living conditions for the occupiers of the proposed flats, with regard to outdoor amenity space.

Reasons

Character and Appearance

5. The appeal site is a two-storey, semi-detached dwelling of good size. This part of Southmead Road consists of similar detached and semi-detached houses, many with two-storey side extensions. Some have permission to be extended to form separate dwellings, or as Houses of Multiple Occupation. Even so, because of their wide frontages and the distinct spaces between properties, they provide a fairly consistent rhythm to the street scene. The proposal seeks to erect a two-storey extension to provide two flats, in addition to the current dwelling.
6. The proposal would have a narrower width and frontage than most other separate units in the road hereabouts. The side positioning of the entrances to the flats would not reflect the front door positions of most properties in the area, although public views of these from the road would be limited. The rear garden area would be split, with the areas serving the proposed flats being somewhat artificially divided from the rest of the garden. Previous proposals for a separate dwelling formed by extensions to the house were dismissed on appeal¹. This was because they conflicted with the rhythm and pattern of surrounding development, including in respect of the size of the proposed rear gardens.
7. That said, planning permission has subsequently been granted at the appeal site for an extension to the existing house² (the 2022 decision); or alternatively to extend it to form a separate dwelling³ (the 2023 appeal). From Southmead Road, other than minor fenestration differences, the built form of both approved schemes would have a very similar appearance to the proposal before me. I do not doubt that they represent realistic fallbacks. In the 2022 decision, the Council found the extension to be appropriate in scale and massing. In comparison, the development now proposed to create the flats would have no additional adverse effects on the street scene.
8. The proposal would result in a more intensive use of the driveway to provide parking for all three units. However, this area already consists of hardsurfacing, and the same parking layout and number of spaces have been permitted under both approved schemes. Similarly, the division of the rear garden into two amenity areas has already been granted permission by the 2023 appeal. Whilst the proposal would divide the garden further, fencing is not an uncommon rear boundary treatment. Accordingly, and given its largely hidden position to the rear of the property, the effects on the surrounding area would be nugatory.

¹ PINS references APP/P0119/W/22/3294641 and APP/P0119/W/22/3294010

² LPA reference P22/07055/HH

³ PINS reference APP/P0119/W/23/3326618

9. For the reasons given above, the proposal would not harm the character and appearance of the area. As such, it would comply with policies CS1 and CS17 of the South Gloucestershire Core Strategy (SGCS), adopted December 2013, and policies PSP1, PSP38 and PSP43 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (LP), adopted November 2017. Amongst other things, these policies require proposals to respect the character, appearance and distinctiveness of the site and its context, including in respect of amenity space. For similar reasons, the proposal would also comply with the National Planning Policy Framework (the Framework), which requires development to be sympathetic to local character.

Living Conditions

10. The proposed external outdoor spaces would be fairly small and enclosed by close boarded fencing. I acknowledge that, as a two-bed unit, Flat 2 could be occupied by a small family. However, each flat would have an amount of private space exceeding that required by LP Policy PSP43. It would be usable for a shed for example and some other outdoor functions. Flat 1 would have direct access to its proposed outdoor space, whilst the area serving Flat 2 would be a short walk away along a semi-private passageway, thus providing easy access.
11. There is a large area of public open space opposite the site, and it is common ground that this would be sufficient to provide the shared communal space required by LP Policy PSP43. There is no dispute that adequate amenity space would be left for the existing dwelling. Consequently, the proposal would be of adequate quality for future occupiers of the proposal, whilst also allowing for the creation of more units than the approved schemes.
12. For the reasons given, the proposal would provide acceptable living conditions for the occupiers of the proposed flats, with regard to outdoor amenity space. Accordingly, it would comply with LP policies PSP38 and PSP43, and SGCS Policy CS1. These require proposals to have functional and easily accessible external amenity space, having regard to the efficient use of land. It would also accord with the similar requirements of the Framework.

Other Matters

13. There is little to suggest that parking or traffic movements generated by the proposal, including those from the retained dwelling, would be significant or risk the safety of road users. I note that the Highway Authority has raised no objection to it. No substantive evidence is before me to show that the proposal would affect ecological species of importance. Maintenance of the fences and gardens is a private matter between the relevant parties. As an application for planning permission, the limitations imposed by the General Permitted Development Order are not particularly relevant to the proposal.

Conditions

14. The Council has provided a list of conditions, which I have assessed having regard to the advice in the Planning Practice Guidance. A condition requiring adherence to the approved plans is necessary for certainty. In the interests of the character and appearance of the area, external materials must match the existing dwelling. The provision of vehicle and cycle parking facilities are

necessary in the interests of highway safety and to promote sustainable transport.

Conclusion

15. For the reasons given above, I conclude that the appeal should be allowed.

O Marigold

INSPECTOR