

Appeal Decision

Site visit made on 3 September 2024

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th September 2024

Appeal Ref: APP/P0119/W/23/3333652

The Lawns, Beckspool Road, Frenchay, South Gloucestershire, BS16 1QZ

- 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. Jamil Ahmed against the decision of South Gloucestershire Council.
 - The application Ref is P23/02312/F.
 - The development proposed is a new dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have been made aware of the planning history for the site which includes planning permission for a mews type dwelling located within a similar position. approved under application Ref P22/07178/F. This extant permission represents a legitimate fall-back position and a material planning consideration which I afford great weight to.

Main Issue

3. The main issue is the effect of the proposed development upon the character and appearance of the area including the effect of it upon non-designated heritage assets.

Reasons

4. The appeal site forms part of the rear garden of a property known as 'The Lawns'. It forms one half of a pair of semi-detached dwellings alongside 'Elleray House' and whilst development has taken place within their grounds altering their appearance the original form of the dwellings is still legible. The pair of dwellings have a similar appearance formed of stone with ornate windows and a dual pitch roof. Given the position of the dwelling in the street scene and low boundary treatments views of the rear garden of the host property are afforded from surrounding properties as well as Beckspool Road.
5. The wider area displays variety in terms of layout, design and scale of the built form comprising a blend of two storey dwellings and three storey flatted developments.

6. The Council considers The Lawns and Elleray House to be non-designated heritage assets. The architectural and historical merit of the dwellings can be clearly appreciated despite their altered form and the properties positively contribute to the character and appearance of the area. As such, in the absence of evidence to the contrary I can only draw the same conclusion that they constitute non-designated heritage assets.
7. There is no dispute that the principle of a dwelling in this location is acceptable established by the granting of planning permission for such a development by the local planning authority. That said, the dwelling proposed on account of its overall scale and taller appearance would be overly dominant and would have an awkward spatial relationship with The Lawns failing to integrate with existing development in the area.
8. This sense of obtrusion would be compounded by the 'off the peg' design which offers no relationship to neighbouring buildings. Its materiality, lack of architectural detailing and window proportions would render the dwelling an awkward and uninspiring presence in the area failing to pick up on positive design characteristics found locally.
9. Paragraph 209 of the National Planning Policy Framework (the Framework) requires the significance of a non-designated heritage asset to be taken into account in determining an application. It requires the decision maker in weighing applications that directly or indirectly affect such assets to make a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset.
10. Taking into account its prominence and the visual impact resulting from its unsympathetic scale and design the dwelling proposed would unacceptably jar with The Lawns and Elleray House harming their setting and undermining their historical and architectural significance.
11. As such, I conclude that the proposed development would adversely affect the character and appearance of the area and harming the significance of neighbouring non-designated heritage assets. It would be contrary to Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (2013) and Policies PSP1, PSP17 and PSP38 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (2017) and the Framework which, amongst other things, seek the highest possible standards of design; require proposals to make a positive contribution to the distinctiveness of an area and to respect the form, scale, proportions and architectural style of host dwellings and respect heritage assets in a manner appropriate to their significance.

Other Matters

12. Whilst the appellant may desire full height rooms this is not sufficient justification to permit a scheme that I have found to be harmful. The alleged lack of communication during the course of the planning application is not a matter for me in consideration of this appeal.

Planning Balance

13. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
14. The provision of a dwelling would make a small contribution towards the areas housing supply. The development would provide jobs, but this would largely be limited to the construction phase. The site is located within the defined settlement boundary of Frenchay within a short distance of a range of day-to-day services. Future occupants would be able to reach these on foot, providing them with transport choice and not an over-reliance on a car. The proposal would help maintain services and facilities in the local area. These are all factors weighing in the scheme's favour.
15. I acknowledge that the proposal would provide acceptable internal space and incorporate green technologies to reduce carbon emissions. I also note that it would not adversely affect the living conditions of nearby occupiers, highway safety or protected species. However, these are matters of neutral consequence in the overall balance.
16. On the other hand, I have found that the proposal would be harmful to the character and appearance of the area and would harm the significance of neighbouring non-designated heritage assets. The Framework makes it clear that good design is a key aspect of sustainable development. It also expects development to add to the quality of the area and be visually attractive as a result of good architecture and layout. Even taking into account the objective to make efficient use of land and to significantly boost the supply of housing, the conflict between the proposal and the most important policies in the development plan should be given very significant weight in this appeal. Therefore, the adverse effects of the proposal would significantly and demonstrably outweigh its benefits.

Conclusion

17. For the reasons set out above the appeal does not succeed.

B Thandi

INSPECTOR