



Appeal Decision

Site visit made on 8 October 2024 by E Street BSc (Hons)

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 October 2024

Appeal Ref: APP/P0119/W/24/3346664

Flat 1, 78 Northville Road, Filton, South Gloucestershire BS7 0RL

- 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 Mrs Caroline Ahmadi against the decision of South Gloucestershire Council.
 - The application Ref is P23/01749/F.
 - The development proposed is a single storey detached 1 bedroom bungalow with associated parking.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are the effect of the proposed dwelling on a) the character and appearance of the area; b) whether or not acceptable living conditions would be provided to the intended future occupiers of the proposal; and c) highway safety with specific regard to parking and access.

Reasons for the Recommendation

Character and Appearance

4. The appeal site is a parcel of land to the rear of 78 Northville Road which comprises flats. Dwelling type and scale vary on the surrounding roads of Northville and Cropthorne with a mix of terraced, semi-detached and bungalows. Be this as it may, buildings and spaces are proportionate in their groupings whereby they are set back from the main road with space for parking and with long rear gardens. There are also some instances of garages being viewed to the rear of properties. These features lend a pleasant consistency between the dwelling types which contributes positively to the character and appearance of the area.
5. The proposed bungalow would be set to the rear of the existing property which would be viewed in the street scene as an ancillary building with a comparative scale to the adjacent garages. The siting and form of the proposal would however introduce a contrived dwelling in a location which is more suited for an outbuilding or garage. Back land development in this locality is uncommon and

does not contribute positively to the prevailing consistent character. As a result of the siting, the proposal would be adjacent to the footpath not lending itself to any of the commonly found characterful features I have identified. The intersection between the new dwelling and the existing garage to the rear would be awkward and forced. The building would be smaller in scale than the surrounding bungalows and appear squat and uncomfortable in the small plot. This is already constrained and the addition of a dwelling, garden space and parking provision would exacerbate the situation and resultantly represent overdevelopment thereof.

6. The appeal proposal is near No 24 Fifth Avenue which has been raised by the appellant. However, the design and siting of the scheme substantially differs from this proposal. Therefore, only limited weight can be given to this scheme in influencing this appeal proposal. In addition, the details provided do not lead me to finding in the appellant's favour on this main issue.
7. Therefore, the proposal would cause harm to the character and appearance of the area. There would thus be conflict with Policies CS1, CS16 and CS17 of the South Gloucestershire Local Plan Core Strategy 2013 (CS), Policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places 2017 (PSP) and the National Planning Policy Framework 2023 (the Framework) which amongst other things, seek to ensure that development proposals are of a high-quality design and standard.

Living Conditions

8. The separation distance between the existing flats and the proposed unit would be marginal. Higher density residential areas usually result in some level of overlooking. However, in this instance, due to the increased height of the existing flats in comparison to the single storey bungalow and the reduced separation distance, the levels of overlooking would be substantial. Even with a 1.8m boundary treatment, the level of overlooking into the outside space and the living/dining area would be in its entirety. Therefore, this would result in an unacceptable level of loss of privacy.
9. The master bedroom and window being situated adjacent to the public footpath would result in a loss of privacy to the future occupier. This would be due to people walking past and having clear views into the bedroom. The lack of setback from the footpath attributes to this harm. Therefore, the future user would be uncomfortable in its use, and any privacy measures, such as obscure glazing as an example, would detrimentally affect the outlook from the room.
10. Whilst the proposal has been cited as being smaller than the Nationally Described Space Standards, these have not been adopted by the development plan and therefore minimal weight can be given to their application. The resultant building would form a unit which would fall marginally short of the standards. However, the resultant space would still incorporate a separate bedroom, bathroom and open plan living and dining space. I am satisfied that it would therefore be of a sufficient standard of space for an individual.
11. In relation to the outdoor amenity space, Policy PSP43 refers to the guides of standards. In this instance, the evidence is somewhat convoluted surrounding the available space. However, the plans suggest it is 40m² and I have no other evidence to suggest it is not. Notwithstanding the inconsistencies of the plans, the policy wording states the standards are a guide and they should be met or exceeded. Even if the garden space is smaller, it would be very close to the

guidelines and the evidence is not sufficiently convincing to suggest conflict with the development plan would be found due to the smaller garden space. Additionally, I noted on the site visit that there is a public open green space in close proximity which would be accessible to users. Moreover, the resultant garden space would be sufficient in comparison to the scale of the unit to facilitate some small outdoor furniture and a washing line.

12. The harm that would arise due to the effect of overlooking and lack of privacy to the bedroom would remain given the lack of harm in other areas would be neutral. Therefore, and for the reasons I have set out, the scheme would conflict with Policies PSP8 and PSP43 of the PSP and the Framework which seek to ensure, amongst other things, that the living conditions of the occupiers of properties are protected.

Highway Safety

13. The appeal site proposes five car parking spaces to serve the existing 4 flats and the new dwelling. The resultant three spaces to the rear would block the garden access to the new dwelling which would house the bin storage. However, the concern surrounding the obstruction to the bins is a servicing issue rather than a highway safety issue. In any event, the occupiers of the new dwelling would be in control of the space directly opposite the garden access. Therefore, the temporary displacement of a vehicle on the highway to bring the bins in and out, would not result in a highway safety issue due to unrestricted on road parking which seems to have plenty of capacity. I am therefore satisfied that the parking provision to the rear of the property would be sufficient and would not result in harm to the safety of users.
14. The two spaces to the front of the property would result in vehicles entering and exiting by crossing the junction of Cropthorne Road and Northville Road. I am unconvinced based on my site visit that a vehicle would be able to manoeuvre in and out of the space and have sufficient regard for pedestrians in both the directions of the junction. Whilst there is no obstruction surrounding the junction, the nature of having to look in multiple different directions to exit could cause a pedestrian or road user to be missed. Given the scale of the front of the property I am also unsatisfied that two vehicles would be able to comfortably park with safe access to the front door.
15. The appeal proposal is near Nos 58 and 64 Northville Road which has been raised by the appellant as an example of insufficient parking provision and on road parking. Substantial evidence has been given on their applications including an appeal decision. I note that the details relate to tandem parking provision for a house in multiple occupation which differs to this scheme. In this instance, the schemes are not therefore directly comparable and thus only limited weight can be given thereto. Even if I agreed this matter was determinative, it would not make up for the harms I have found elsewhere. The outcome of the appeal would not therefore be affected.
16. The harm found as a result of the parking provision and resultant junction crossing to the front elevation would remain as the effect of a lack of harm in other areas of this main issue would neutral. Therefore, the proposal would result in harmful highway safety effects. There would thus be conflict with Policy CS8 of the CS, Policies PSP11 and PSP16 of the PSP and the Framework which together seek to ensure that highway safety is secured for the users of new and existing development.

Other Matters

17. Nationally speaking that there is significant pressure to provide new housing, it should nonetheless be in the right place, of the right type and not give rise to unacceptable harms. Whilst the Framework suggests to positively look at such, there is no indication that the Council's supply is lacking. I have therefore been given no specific reason to be directed to Paragraph 11 of the Framework.
18. That said, this scheme would add one dwelling to the supply of homes in this locality along with the alleged efficient re use of land. I ascribe moderate weight to this matter. However, there is no sufficiently compelling evidence to substantiate the claim such as what the current stock and tenure levels are locally. In any event, it would provide only one unit of a certain size which would only make a small contribution overall. The scheme would create construction jobs associated with the development; however, this would be limited and temporary during the build phase. Altogether, only moderate weight would be given to these matters.

Conclusion and Recommendation

19. There would be some areas of the appeal scheme which would be acceptable in which there would be a lack of harm which would be neutral in any balance. However, there would be harm and subsequent development plan conflict found with all main issues. There are no compelling reasons, taking into account other material considerations advanced, to deviate therefrom. I therefore recommend that the appeal should be dismissed.

E Street

APPEAL PLANNING OFFICER

Inspector's Decision

20. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR