



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: 05 November 2024

Appeal Ref: APP/P0119/W/24/3346098

46 High Street, Kingswood, South Gloucestershire BS15 4AJ

- 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 Ladet Properties Ltd against the decision of South Gloucestershire Council.
 - The application Ref is P24/00461/F.
 - The development proposed is described as "demolition of existing outbuilding and erection of a single one-bedrooms dwelling with associated amenity space, refuse/recycling and cycle storage, on land to the rear of 46 High Street, Kingswood, BS15 4AJ".
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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) the living conditions of future occupiers of the proposal with specific regard to outlook and light; and c) the living conditions of neighbouring occupiers, with particular regard to garden provision for No 46 High Street.

Reasons for the Recommendation

Character and Appearance

4. The appeal site is an existing outbuilding which has varying single storey roof heights. The Victorian style terraced houses are the prevailing type with a uniform front building line. Some have been extended to the rear where they have elongated narrow gardens. Instances of outbuildings are typically small scale and subservient. The wider building types include modern industrial units and a car sales centre. The materials palette of the surrounding buildings varies with instances of render, brick and stone. These features in combination lend to the originality and uniformity of primary uses on frontages abutting the highway and secondary buildings to the rear with instances of commercial uses. All of which contribute positively to a pleasant consistency and clearly defined traditional structure in the character and appearance of the area.

5. Current condition aside, the existing building/extension is viewed as a secondary/incidental/ancillary building in combination with the house. A primary residential building seen within this enclave of commercial and industrial buildings would be incongruous and a contrived development type. Back land housing is not a common feature in this locality and the addition of a dwelling to the rear would be overdevelopment of the site which would typically present as an outbuilding or a garage. The footprint of the unit would facilitate all needs for a dwellinghouse and in relation to living space would be sufficient and not be regarded as cramped internally. However, the plot is small, and the new dwelling would be viewed as subsuming the remaining curtilage and an inappropriate location for a new house. With this and the above in mind, the appeal scheme would detrimentally affect the area's consistency and clearly defined hierarchical structure.
6. The proposed materials to be used on the unit are to match the existing outbuilding with some additions such as timber cladding. The chosen materials would sit harmoniously with the surrounding buildings due to the already varied palette. Whilst there would be some contrasting ones introduced, they would be typical of a building of this style and would not result in harm to the wider street scene. The new dwelling would have a similar footprint, scale, and height of the existing form which would sit comfortably in the street scene in that respect. The overall height of the new building would complement the surrounding building types and take cues from the existing situation.
7. That said, the harm I have found with regard to the siting of a dwelling in this location would outweigh the neutral impact of the material choice and overall form of the building as a structure effectively replacing an existing one. There would thus be conflict with Policy CS1 of the South Gloucestershire Local Plan Core Strategy 2013 (CS), Policies PSP1 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan 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 – Future Occupiers

8. The windows providing most of the light to the property would be primarily sited on the front elevation. However, they would face towards the car showroom with several cars often parking right in front of them. This would necessitate the need for privacy screening and cladding as proposed to protect the privacy of the user. However, this would result in obscuring the windows and reducing the light in and outlook from the property. Due to the proximity and nearby uses, the user is unlikely to move the cladding to let in more light.
9. The appeal site is within a higher density area with vehicles parking adjacent to properties. The examples given show properties with net curtains or privacy screening. However, these have some form of separation between the windows and vehicles in the form of a pathway or a front garden. Whereas for this proposal, vehicles would abut the elevation and windows almost directly. Therefore, limited weight is given to these examples and would not convince me to find no harm on this main issue. Therefore, by virtue of the close proximity of parking and number of vehicles, the light into and outlook from these windows would be limited and of a poor quality. Detrimently affecting the enjoyment of the associated rooms for occupiers.

10. The windows to the rear of the property would allow some light into the bedroom and the living space along with the rooflights, however they wouldn't be sufficient to outweigh the harm had from the poor outlook and lack of an acceptable level of light for the eastern elevation. An example has been provided of a similar flatted scheme with a small number of windows. However, only limited information has been produced and I am unaware of the location and the finer details such as the circumstances which prevailed at the time or matters taken into account. Resultantly, the proposal would conflict with Policies PSP38 and PSP8 of the PSP and the Householder Design Guide Supplementary Planning Document which, amongst other things, seek to ensure that the living conditions of occupiers of properties are protected.

Living Conditions – No 46 High Street

11. The existing outdoor garden space serving No 46 High Street is to the front and the rear of the property. The existing outbuilding which is currently within the residential curtilage of the dwelling also contains a small courtyard of private garden space. Policy PSP43 refers to the private amenity space standards guide. No evidence has been provided to suggest whether the existing building is a two or three bed dwelling. Nonetheless, the total outdoor garden space would be smaller than the standards, however, as it is a guide, it doesn't automatically mean there is a conflict with the policy. The space directly to the rear of No 46 will not change by virtue of the proposal. The evidence provided by the appellant exemplifies that the space adjacent to the outbuilding is currently not usable or easily accessible by the current occupiers.
12. Whilst the garden space is far from ideal, it has been demonstrated that the space is sufficient for the property and would accommodate useable features such as a washing line and small garden furniture. Therefore, it would be unreasonable to recommend dismissal of the appeal on this main issue. As a result, it has been demonstrated that the current open space serving No 46 is sufficient in accommodating the needs of the property and for the enjoyment of its occupiers. Resultantly, it would comply with Policy PSP43 of the PSP and the Framework which, amongst other things, seek to ensure that the living conditions of the occupiers of properties are protected.

Other Matter

13. Nationally speaking there is significant pressure to provide new housing. The scheme would add a dwelling on the site of previously used buildings. However, the scale of the scheme would be very limited and I have no compelling evidence pertaining to local stock. I ascribe moderate weight to this matter.

Conclusion and Recommendation

14. The appeal scheme would not comply with the development plan, specifically in regard to the first two main issues. I have found in the appellant's favour on the third, but this would be a lack of harm and thus neutral in any balance. I have been given no compelling reason, taking into account other material considerations advanced, to deviate from the development plan. I therefore recommend that the appeal should be dismissed.

E Street

APPEAL PLANNING OFFICER

Inspector's Decision

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

John Morrison

INSPECTOR