



Appeal Decision

Site visit made on 19 November 2024

by N Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2024

Appeal Ref: APP/P0119/W/24/3342939

**Land adjacent to Dalarna, Tanhouse Lane, Engine Common, Yate
BS37 7PZ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Caroline and Gerry Leflaive against the decision of South Gloucestershire Council.
 - The application Ref is P23/02851/PIP.
 - The development proposed is Stage 1 permission in principle application for development of 4no dwellings and associated works.
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Decision

1. The appeal is allowed and permission in principle is granted for development of 4no dwellings and associated works at land adjacent to Dalarna, Tanhouse Lane, Engine Common, Yate BS37 7PZ in accordance with the terms of the application, Ref P23/02851/PIP.

Preliminary Matters

2. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) (PiP) establishes whether a site is suitable in-principle, and the second (technical details consent) (TDC) stage is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
3. The scope of the considerations for PiP is limited to location, land use and amount of development¹. All other matters are considered as part of a subsequent TDC application if PiP is granted. The application was supported by a plan showing an indicative site layout which I have treated as being for illustrative purposes only.
4. The Council has confirmed that the first reason for refusal relating to the rural location of the development was included in error. Based on the Council's Statement of Case I have no reason to take an alternative view. This matter does not therefore form one of the main issues.

¹ PPG Paragraph: 012 Reference ID: 58-012-20180615

Main Issues

5. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use and amount of development.

Reasons

Location

6. The site is situated outside of the settlement boundary of Engine Common. Nonetheless, the site's location is physically well-related to this settlement and benefits from accessibility to some basic local amenities within a convenient distance from the site, with further facilities and services in nearby Yate. Whilst routes to nearby settlements would include unlit single-track lanes with no pedestrian facilities, traffic levels along these routes appear to be relatively low and I have no particular evidence that they would be unsuitable for journeys on foot or by cycle. Indeed, Tanhouse Lane forms part of the Avon cycleway and would appear to be suited to journeys by cycle. Furthermore, the distances involved do not preclude some of these journeys being undertaken on foot or by cycle.
7. In light of the above, future occupants of the dwellings would not necessarily be reliant on private motor vehicles which are the least sustainable form of transport. The proposal would be small scale and would not generate significant additional demand for travel and there is no evidence that the development would result in conflict with other road users.

Land use and amount

8. As a proposal for housing which would be located adjacent to another residential property, there is little reason in principle to anticipate a conflict in land uses. The site is big enough to accommodate 4 dwellings of a size commensurate with those nearby. Therefore, I find the proposed use and amount acceptable.

Conclusions on site suitability

9. The site is well located in relation to services and facilities. Therefore, the site would be suitable for the residential development proposed having regard to the location, land use and amount. It would comply with South Gloucestershire Local Plan: Core Strategy (2013) (SGCS) Policy CS8 and South Gloucestershire Local Plan: Policies, Sites and Places Plan (2017)(LP) Policy PSP11 which seek to ensure that residential development is located on safe, useable walking and, or cycling routes, that are an appropriate distance to key services and facilities and that priority be given to providing the users of new development with a range of travel options other than the private car. I find no conflict with the wider aims of SGCS Policy CS5 insofar as they seek to achieve a sustainable dispersal of development throughout the district and reduce the need to travel and commute. Moreover, it would accord with the Framework, being accessible to a genuine choice of modes of transport.

Other Matters

10. Details of matters including drainage would need to be considered and approved at TDC stage. However, I have been presented with no evidence which would lead me to conclude that acceptable arrangements could not be implemented.

Conditions

11. The PPG makes it clear that it is not possible for conditions to be attached to a grant of PiP, whose terms may only include the site location, the type and amount of development.

Conclusion

12. For the reasons set out above, I conclude that the appeal should be allowed.

N Robinson

INSPECTOR