

Appeal Decision

Site visit made on 8 November 2024

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 December 2024.

Appeal Ref: APP/P0119/W/24/3346627

83 Downend Road, Kingswood, Bristol, BS15 1SR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by K Patel against the decision of South Gloucestershire Council.
 - The application Ref is P24/00446/F.
 - The development proposed is the conversion and extension of former office/outbuilding to form a 1 bed 2 person dwelling.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues are: (a) the effect of the proposal on the character and appearance of its surroundings, and (b) the effect of the proposals on the living conditions of neighbouring residents and future occupants of the property with particular reference to visual impact and amenity space respectively.

Reasons

Character and appearance

3. The appeal property is a former domestic garage, since converted into an office and now to a store, used in conjunction with 83 Downend Road. It is sited to the rear of No 83 within Morley Terrace, a small cul-de-sac. Two pairs of semi-detached dwellings front the cul-de-sac, one on the northern frontage the other at the end of the cul-de-sac. Both have limited front gardens, with two being used solely for parking.
4. The extended side elevation of a property in Downend Road is set along the back of footway on the northern side of the entrance to the cul-de-sac. This property has little or no garden space at the rear. The rear garage and parking spaces serving dwellings in the neighbouring Gladstone Road emerge onto Morley Terrace between the appeal site and the pair of demi-detached dwellings at the head of the cul-de-sac.
5. The outbuilding is gabled with a ridge roof and is significantly larger in scale than the flat roofed single garage standing alongside it. The intention is to extend sideways toward the rear of No 83, and to increase the roof's ridge height by approximately 1.5m so as to accommodate a bedroom in the newly created upper floor level of the building.

6. The effect of these changes would be to substantially increase the bulk and mass of the building, particularly the roof, in a small cul-de-sac which is already, in my view, visually congested. The proposal's appearance would also be at odds with the main visual components of the cul-de-sac.
7. The proposals, if built, together with the proposed addition of parking spaces alongside No 83's side elevation, would give the impression of a cramped and harmful overdevelopment of a relatively small site within a tightly constrained cul-de-sac.
8. I therefore conclude that the proposed development would not fit harmoniously or acceptably into its visual context thus harming the character and appearance of the site's surroundings. Accordingly, a material conflict arises with those provisions of policy CS1 of the South Gloucestershire Local Plan: Core Strategy (December 2013) directed to promote and encourage high quality design generally.

Living conditions

9. The outbuilding would be brought closer to No 83's rear elevation. In view of this and since its bulk and height would be increased, it would harmfully dominate the outlook from No 83's rear windows and its substantially reduced rear garden area.
10. The outbuilding's western wall runs along the boundary shared with No 1 Gladstone Road. The increased height and bulk of the building would be very noticeable from No 1's rear garden resulting in its residents feeling increasingly and harmfully hemmed-in by development at close quarters when in their rear garden.
11. The appellant does not dispute that the areas of amenity space provided for the new dwelling and that retained by No 83 following its reduction in size would not meet the standards set out in policy PSP43 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan 2017 (LP).
12. However, he contends that the amenity areas are comparable with others in the vicinity, that this is an urban location with access to a public park and the reduced level of amenity space would be consistent with other decisions granted on appeal and by the Council. Not all the relevant details and circumstances applicable in those cases have been provided. I am not therefore able to judge whether those cases are consistent with the circumstances surrounding this case or can be distinguished.
13. The explanatory text to policy PSP43 explains that departures from the standards set out in policy may be made in certain circumstances. To my mind, however, the substandard levels of private amenity space provided serves as another symptom of overdevelopment of the site.
14. I conclude that the current residents of No 83 and No 1 Gladstone Road, and those of the proposed dwelling respectfully would suffer unacceptable living conditions because of adverse visual impact and substandard level of external amenity space. Accordingly, a material conflict arises with the provisions of LP policies PSP8 & PSP43 directed to protecting residential amenity.

Other matters

15. Several residents refer to problems associated with parking in the vicinity of the site, and how in their view the proposal would worsen the position. However, this was not raised as an objection by the Council.
16. I understand local residents' concerns but in view of my conclusions on the main issues and that, in view of the Council's stance, the appellant has not been required to produce detailed evidence on parking issues, I shall not comment further on this aspect.
17. All other matters raised have been taken into account but none is of sufficient weight as to outweigh those considerations that led me to my conclusions. Accordingly, the appeal is dismissed.

G Powys Jones

INSPECTOR