



Appeal Decision

Site visit made on 18 December 2024

by **B J Sims BSc (Hons) CEng MICE MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 January 2025

Appeal Ref: APP/P0119/D/24/3351515

I Kites Nest Cottage, Bagstone Road, Rangeworthy, GL12 8BB.

- 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 Geraint Rogers against the decision of South Gloucestershire Council.
 - The application Ref is P24/01473/HH.
 - The development proposed is: the erection of a two-storey side extension to form additional living accommodation and annexe ancillary to the main dwelling; installation of glass balustrade to facilitate creation of rear balcony; demolition of existing garage and erection of replacement detached garage.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a two-storey side extension to form additional living accommodation and annexe ancillary to the main dwelling; installation of glass balustrade to facilitate creation of rear balcony; demolition of existing garage and erection of replacement detached garage at I Kites Nest Cottage, Bagstone Road, Rangeworthy, GL12 8BB, in accordance with the terms of the application, Ref P24/01473/HH, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
 - 2) The development hereby permitted shall only be implemented in accordance with the following plans:

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Site Plans as Existing (233183-00 - Rev B)
Ground Floor Plans as Existing (233183-01 - Rev C)
Elevations as Existing (233183-02 - Rev C)
Sections as Existing (233183-03 - Rev B)
First Floor Plans as Existing (233183-04)
Proposed Ground Floor Plans 233183-101 D
Proposed Elevations (233183-05 - 102 - Rev C)
Proposed Elevations (233183-103 - Rev C)
Proposed Roof Plan (233183-104 - Rev C)
Proposed Roof Plan (233183-105 - Rev B)
Proposed First Floor Plans 233183-106

- 3) The annex hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 1 Kites Nest Cottage, Bagstone Road, Rangeworthy, GL12 8BB.

Description

2. The development description above is taken from the refusal notice as most aptly summarising the appeal proposal.
3. The Appellant explains in the application that it is proposed to extend the property to create a care accommodation annex for his elderly parents. It is also proposed to add an office and ensuite bathroom to the master bedroom 1 and include a rear-facing balcony with glass parapet. The existing garage at the front of the property is fire-damaged and would be replaced with a new detached garage.
4. No 1 Kites Nest Cottage is one of a pair of modified, two-storey, traditional dwellings facing the north side of Bagstone Road across a forecourt affording car parking space. Vehicle access and egress is via an opening in a stone boundary wall set back from the road edge by about the width of a car. The submitted plans indicate the removal of the whole of the boundary wall.
5. The annex would be linked directly to the existing house and would occupy part of the eastern side garden and some of the footprint of the present garage. The independent care accommodation would be on the ground floor and the office and bedroom 1 ensuite bathroom would be on the first floor. The annex would extend forward of the main building line and the new detached garage would be in front of that.

Main Issues

6. The main issues are:
 - i. the effect of the proposed development on the character and appearance of No 1 Kites Nest and the pair of dwellings it forms with its attached neighbour to the west, No 2 Kites Nest Cottage;
 - ii. the relationship of the proposed annex to the main dwelling; and
 - iii. the safety of the arrangements for vehicle access, egress and parking at the appeal property, once extended as proposed.

Reasons

Character and Appearance

7. The Council relies upon policies of the adopted South Gloucestershire Local Plan (SGLP) Core Strategy and Policies Sites and Places Plan. Policies CS1 and PSP1 seek high-quality design. Policy CS38 strictly relates to urban areas and defined rural settlements but offers guidance that built extensions should generally respect the building line, form, scale, proportions, window and door shape, alignment of openings, architectural style, detailing and external materials.
8. The Council considers that the proposed annex would unbalance the pair of dwellings formed of the original Kites Nest Cottage, especially as it would form a tee-shape on plan with the existing dwelling and its front gable would stand well forward of the main building line.

9. I accept that the extension would exceed normal guideline dimensions and would not be set back or down from the present gable end to give an impression of subservience, but would create a linear extension to the ridge line of the pitched roof. Notably though, the main part of the attached dwelling at No 2 has already been substantially extended in a similar linear manner, maintaining the flow of the roof line.
10. I take account that the existing dwelling at No 1 exhibits a combination of rustic stone and white rendered walls, whereas the proposed extension and garage would be mainly white-rendered. However, with timber or timber-effect doors to the annex and garage, the current mix of finishes would be broadly maintained. The main front elevation of No 2 is all of stone but its exposed gable end is also of white render.
11. In all other respects, I consider that the proposed design complies with the guidance of Policy CS38, summarised above, especially within the important front elevation. Here, the style, proportions and detailing would be generally in keeping with the main building. Moreover, as the forward projection of the annex would occupy part of the footprint of the existing garage, it would be largely screened by its smaller but somewhat taller replacement in frontal views.
12. At the side and rear of the annex extension, there would be departures from the original vernacular by the inclusion of bifold doors and the first-floor glazed balcony. However, the rear elevation already exhibits a range of built forms and I do not think the new additions would seriously detract from the appearance of the rear of the pair of dwellings, viewed together.
13. Given also that No 2 Kites Nest Cottage has already been significantly extended, I do not consider that the degree to which the pair of dwellings would become unbalanced in layout and appearance by the bulk of the proposed built additions would be objectionable in this particular case, nor visually disrupt the shared scale of the pair of dwellings.
14. Overall, I consider that the proposed development represents design of high quality, as required by Policies CS1 and PSP1 of the SGLP.

Relationship to Main Dwelling

15. I consider the layout, function and use of the annex would integrate well with the main dwelling, virtually as a single household, sharing the available access, parking and garden space. Despite the provision of its own external door, I do not share the Council's view that the ancillary relationship of the annex is not demonstrated by the appeal proposals and I regard the prospect of its future use as separate dwelling as unlikely.
16. In these respects, I find that the proposed development would not undermine the aims of Policies CS5 and CS34 of the SGLP which together limit new rural development to protect the countryside, nor conflict with relevant supplementary planning guidance.

Vehicle Access, Egress and Parking.

17. The highway authority confirmed at the application stage that, once extended as proposed, the appeal property would still encompass more than sufficient car parking space to meet established standards and that there is no objection in

principle to the proposed development as an extension to an existing domestic property with road access. However, concern was expressed regarding the proposed complete removal of the front boundary wall, leading to the third reason for refusal on grounds of insufficient information in this connection.

18. The B-road passing the site is subject to a 50mph speed limit and has no footways. The frontage is on the inside of a slight bend which impairs visibility but is unlikely to cause passing traffic to slow down. Accordingly, with or without the boundary wall, the situation is inherently dangerous. The question for this appeal is whether the development would make this situation worse. Currently there is potential for visiting cars to park between the road edge and the wall, further increasing potential hazard.
19. With the proposed annex fully integrated with the main dwelling, I do not anticipate that the number of vehicle movements in and out of the property would much increase. The Appellant is plainly acutely aware of the need to minimise any threat to road safety and, on balance, I agree that the removal of the whole of the front wall would be beneficial to road safety. The prospect of cars parking outside the wall would be removed and the manoeuvrability of vehicles within the space available space would be made more flexible. At worst, I consider that the effect would be neutral. I am not aware that separate removal of the boundary wall would require planning permission in any event.
20. In the circumstances, I find no objection to the proposed development on highway safety grounds that would lead to unacceptable conflict with Policies CS8, PSP11 or PSP16 of the SGLP, as cited by the Council regarding accessibility, transport impact and parking. Nor would the development infringe the general guidance of Policy CS38 that extensions should not prejudice highway safety or the provision of an acceptable level of parking provision for existing and any new buildings.

Other Matters

21. I have paid regard to every point made in the written representations but find nothing further to affect my decision.
22. My decision has not been influenced by the need of the Appellant's parents for care accommodation because such a transient need, whilst deserving of due consideration, would not in any event outweigh any substantive planning objection to the permanent built development proposed.

Planning Conditions

23. As well as the standard conditions setting time for commencement of the development and requiring compliance with the approved plans, a further condition is necessary, as suggested without prejudice by the Council, to limit the occupation of the annex to purposes ancillary to No 1 Kites Nest Cottage and prevent the creation of an additional dwelling in the countryside contrary to planning policy.
24. In view of my findings regarding highway safety and the boundary wall, I do not consider a suggested condition requiring further access details to be necessary. Nor do I consider the additional requirements of that condition for submission of details of refuse and cycle storage and electric vehicle charging points to be necessary, where the development is restricted to use ancillary to an established domestic property.

Conclusion

25. The policies referenced above are essentially consistent with the National Planning Policy Framework and, for the reasons explained above, I consider the appeal proposals to be in overall compliance with the development plan as a whole.
26. I conclude therefore that this appeal should be allowed, subject to the conditions I have outlined.

B J Sims

INSPECTOR