



Appeal Decision

Site visit made on 18 December 2024

by Rebecca McAndrew, BA Hons, MSc, PG Dip Urban Design, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 April 2025

Appeal Ref: APP/P0119/W/24/3351333

57 Greenside, Mangotsfield, South Gloucestershire BS16 9EE

- 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 J Howell against the decision of South Gloucestershire Council.
 - The application Ref is P24/00747/F.
 - The development proposed is a two-bedroom house.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. A new version of the National Planning Policy Framework (the Framework) has been introduced during the consideration of this appeal. Both parties have been given the opportunity to provide additional comments in this respect. The Council confirmed that it can no longer demonstrate a five-year housing land supply.

Main Issue

3. The main issues are;
 - i. The effect on the character and appearance of the area;
 - ii. The effect on the living conditions of both the occupiers of existing property No 57 Greenside and the future residents of the proposed dwelling, in terms of the quality of the private garden areas proposed; and
 - iii. Whether the scheme would secure satisfactory provision of off-road parking for the occupiers of No 57 Greenside.

Character and appearance

4. Taken together, Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (2013) (CS), Policy PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places (2017) (LP) and the provisions of Section 12 of the Framework require high quality design which respects the character and appearance of the site and area.
5. Greenside is characterised by semi-detached and terraced homes with modest front gardens and private garden areas to the rear. The proposed dwelling would have a modest footprint and be of a similar scale and mass to other properties in the vicinity. It would also include a front garden of a similar scale to other homes. However, the proposed site would be significantly shallower than others in the vicinity, which would give rise to a restricted plot.

6. Limited space would be retained within the site around the proposed house. It would include only a narrow pathway between the rear elevation and boundary. A parking space and two private garden areas, which are smaller than others in the vicinity, would be located to the sides of the house. Whilst I note that the Framework promotes the efficient use of land, this would be an unduly cramped development. It would be at odds with the existing development pattern and the character and appearance of the area.
7. In view of the above, the proposals would represent overdevelopment and would unacceptably harm the character and appearance of the site and area. It would therefore be contrary to CS Policy CS1, LP Policy PSP38 and Section 12 of the Framework

Living conditions

8. Taken together, CS Policy CS1, LP Policies PSP8, PSP38 and PSP43 and Section 12 of the Framework seek to secure a satisfactory standard of living conditions for both existing and future residents. Policy PSP43 advises a three-bedroom property should include 60 square metres of private garden space and a two-bedroom property should include 50 square metres.
9. The scheme would retain an existing private garden space to the rear of No 57. I note that the Council states that this area would measure around 45 square metres, which would fall short of the level of 60 square metres required by LP Policy PSP43 for a three-bedroom house. However, given that the land on which the proposed dwelling would be located is currently an open area, this rear garden is presently the only private garden space for the existing occupiers. The proposed dwelling would be set away from this rear garden and therefore would not unduly overshadow it.
10. Given that the level and quality of private garden space which would be retained for the existing dwelling would be similar to the current situation, in this instance, the shortfall would be acceptable. This arrangement would therefore on balance safeguard a satisfactory standard of living conditions for the existing residents.
11. Turning to the proposed dwelling, the scheme would provide two areas of private garden space, either side of this new property. The appellant confirms that these would measure 15 square metres and 45 square metres and would therefore meet the requirements of Policy PSP43 for a two-bedroom home. However, the overall functionality of the private garden space proposed would be limited due to it being split across two areas. Also, the area which would sit between the proposed and existing dwellings would be significantly enclosed and over-shadowed by both properties and a 1.8-metre-high boundary fence. This would create an unacceptable sense of overbearing and unduly limit the functionality of the space.
12. Whilst the level of proposed private garden area would exceed the required 50 square metres, as I have described, the overall quality and functionality of the space would be inadequate. The proposal would therefore fail to secure a satisfactory standard of living conditions for the future residents of the new development in this respect.
13. In conclusion, I have found that the level and standard of private garden space that would be retained for the existing dwelling would be acceptable as it is identical to the current situation. By contrast, the establishment of the new dwelling with a substandard quality of provision would be unacceptable. Therefore, overall, the development would not provide an acceptable standard of living conditions for residents. The proposal would therefore be in conflict with CS Policy CS1, LP Policies PSP8, PSP38 and PSP43 and Section 12 of the Framework.

Highway safety

14. The scheme would provide two parking spaces for the existing dwelling, in accordance with the Council's parking standards, as set out in LP Policy PSP16. However, one of these

parking spaces would be parallel to the house. This awkward angle would necessitate a number of vehicle movements to access the space, and there would be restricted visibility when reversing into or out of it. This would inevitably cause unacceptable conflict with pedestrians and other road users and would unduly harm highway safety.

15. LP Policy PSP16 also requires curtilage parking spaces to be a minimum of 5.5 metres deep. The Council states that the second space would be 5 metres deep, which would fall short of this requirement. This would therefore lead to parked vehicles overhanging the footway, again creating unacceptable conflict with pedestrians. Again, this would unduly harm highway safety.
16. I recognise that the proposed parking spaces would 'reserve on-street parking' for each dwelling and that on-street parking is available in the area. I attach limited weight to this in considering the appeal. These matters would not outweigh the overall harm the proposed parking arrangement for the existing dwelling would have on pedestrian and highway safety.
17. In view of the above, the proposal is in conflict with LP Policy PSP16 and Paragraph 116 of the Framework which seek to secure development which safeguards highway safety.

Other Matters

18. The appellant has referred to previous appeal decisions in support of the scheme. Given that I have minimal details of those cases before me I have attached limited weight to these in considering the proposals.

Planning balance and conclusion

19. On the one hand the proposed development would secure a new dwelling within the settlement boundary. The proposed development also has the potential to deliver economic benefits, both through the provision of an additional home and from construction jobs associated with the development. These benefits weigh in favour of the proposed development, but given the overall scale of the contribution, these benefits attract limited weight in favour of the proposed development.
20. On the other side of the balance, I have found that the proposed development would harm the character and appearance of the area. I have also found that the proposal would fail to provide a satisfactory standard of private garden space for the future occupiers and would have an unacceptable effect upon highway safety. Given this conflict with the development plan, these attract substantial weight against the proposed development.
21. Taking all these matters into account, whilst I recognise the benefits that the proposed development would deliver, I do not consider these to be a sufficient level to outweigh the harm I have found.
22. For the above reasons, I conclude that the appeal should be dismissed.

Rebecca McAndrew

INSPECTOR

