



Appeal Decision

Site visit made on 8 July 2025

by **SE Hughes BA (Hons) PGDip MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29th August 2025

Appeal Ref: APP/P0119/W/25/3364437

Land Adjacent to 71 Morley Road, Staple Hill, Bristol, South Gloucestershire BS16 4QY

- 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 David Gardner against the decision of South Gloucestershire Council.
 - The application Ref is P23/01580/F.
 - The development proposed is “the erection of a new two person two bedroom detached dwelling to the west of 71 Morley Rd, utilising the existing properties large side garden”.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposed development on the character and appearance of the area; and
 - whether the proposed development would provide its occupants with acceptable living conditions, with regard to outdoor private amenity space.

Reasons

Character and appearance

3. The appeal site is a spacious corner plot, adjacent to 71 Morley Road. Whilst there is a mix of housing in the area, including high density terraced development opposite, the area remains largely characterised by its short rows of terraced houses of 4 or more, with front facing gables at each end, set out along and back from the highway. The terrace houses have a uniform appearance, with front doors and bay windows overlooking the street, offset by small front gardens bordered by low boundary treatments. Between each terraced row, gardens wrap around the side, providing green spaces which contribute positively to the area’s local character.
4. The footprint of the proposed detached dwelling would occupy most of the width of the plot, losing the open garden space which denotes the end of the terrace. Indeed, there would be little separation between the development and no 71, or between the proposed development and the site’s boundary with James Road. As such the dwelling would look tightly crammed into the plot, detracting from the liberal spacing elsewhere in the area. Furthermore, this disharmony would be compounded by the detached form of the property, which would look incongruous

next to the terraced properties.

5. In addition, the side entrance and the patio window would look misaligned with the neighbouring front entrances facing along Morley Road. Whilst the patio window would be proud of the façade, in a similar manner to the neighbouring bay windows, and would be partially screened by the boundary planting it would still look out of place given this sort of opening would typically be associated with the rear of a property.
6. Whilst the corresponding ridge and eaves heights and the building materials would be in keeping with neighbouring properties, these design measures do not go far enough to overcome the proposed development's disharmony with the pattern of development in the area.
7. Accordingly, there would be significant harm to the character and appearance of the area, in conflict with Policy CS1 of the South Gloucestershire Local Plan Core Strategy 2006 – 2027 (SGCS) and policies PSP1, PSP38 and PSP43 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (SGLP). Amongst other things, these seek to achieve the highest standards of design possible, whereby the siting, form, scale and massing of development, including private external amenity space, takes account of the context of the development, including its distinctiveness, and does not lead to the loss of gardens that form part of a settlement pattern that contributes significantly to local character.

Amenity space

8. Policy PSP43 of the SGLP requires the proposed development to have 50 square metres (sqm) of private amenity space which has a sufficiently functional shape to meet the needs of the property's occupiers.
9. Although the appellant has indicated that an area of approximately 50sqm would be provided, the proposed site plan shows that the area would be a contrived shape, wrapping around three sides of the property. The largest area would be to the front of the property next to Morley Road. Whilst it would be south facing, accessible via patio doors and enclosed by a low hedgerow its position next to the public highway means that it would have very limited privacy. Although the proposed 2m tall planting atop of a rendered wall would address this, it would be incongruous next to the low screened front gardens in the neighbourhood.
10. A narrow amenity strip to the side of the property would also be provided but due to its narrowness and its subdivision by the access ramp it would have limited practical amenity value for residents. To the rear, there would be a small patio area adjacent to a car parking space and bin store. As the space includes a flight of steps it would have limited use as an enjoyable outdoor area, with little room to accommodate a table and chairs. Furthermore, it would not be private as it would be overlooked by people passing by the parking bay.
11. In view of the above the proposed development would not provide its occupants with acceptable living conditions, with regard to outdoor private amenity space. Given the lack of privacy and the poor layout of the amenity areas which would restrict the overall useability of the amenity space, the magnitude of harm would be significant. As such the proposed development would be contrary to the requirements of Policy PSP43 of the SGLP.

Other Matters

12. My attention has been drawn to other planning permissions in the locality, including ref P21/05415/F. However, I have no details of the development including its location or appearance. Furthermore, I do not have any details of the circumstances that led to that planning permission being granted. In the absence of such evidence, I cannot determine whether or not it is directly comparable to the proposal. In any case I have considered the appeal on its own merits.
13. Whilst there are no objections from neighbours or members of the public, this does not materially affect my consideration of the merits of the appeal proposal.
14. The concerns raised by the appellant regarding the time taken by the Council to determine the planning application are matters between the main parties which have no bearing on my decision.

Planning Balance

15. The appeal proposal would cause significant harm to the character and appearance of the area by virtue of its incongruous siting, form, scale and massing relative to the surrounding area. It would also fail to provide its occupants with acceptable living conditions, with regard to outdoor private amenity space.
16. Set against this harm, the proposal would deliver a new house suitable for smaller households and first-time buyers in a sustainable location, which whilst welcome, would make limited difference to the overall supply of housing. The support that one extra household would provide to the vitality of the local economy and community would also not be significant. Consequently, I attach minor weight to these benefits.
17. Referring to the development plan as a whole, paragraph 232 of the National Planning Policy Framework (the Framework) makes it clear that due weight should be given to existing policies according to their degree of consistency with the Framework. According to the Framework the creation of high quality, beautiful and sustainable buildings and places is a fundamental aim of the planning process, and decisions should ensure that developments maintain a strong sense of place, are sympathetic to local character and ensure a high standard of amenity for future users.
18. Therefore, the conflict between the proposal and policies CS1 of the SGCS and policies PSP1, PSP38 and PSP43 of the SGLP should be given significant weight in this appeal. As the proposal would be contrary to these policies, I find that there would be a conflict with the Development Plan as a whole.
19. The Council has not disputed the appellant's assertion that it cannot demonstrate a five-year supply of deliverable housing sites. In these circumstances paragraph 11d) of the Framework is engaged. Consequently, permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

20. As described above, the benefits associated with a single dwelling would be minor even taking account of the objective of boosting significantly the supply of housing in the Framework.
21. Consequently, the harm that would arise from the proposal's incongruous design and its failure to provide appropriate amenity space would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

22. The proposal would conflict with the development plan as a whole and the material considerations, including the approach in the Framework in regard to housing supply, do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal should be dismissed.

SE Hughes

INSPECTOR