
Appeal Decision

Site visit made on 12 August 2025

by **A J Sutton BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 05 September 2025

Appeal Ref: APP/P0119/W/25/3364843

56 Bannetts Tree Crescent, Alveston, South Gloucestershire BS35 3LY

- 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 S White against the decision of South Gloucestershire Council.
 - The application Ref is P24/00833/F.
 - The development proposed is the erection of 1no. dwelling (Class C3) with parking and associated works (resubmission of P23/03033/F). Insertion of rooflight and erection of a rear dormer to existing dwelling to form additional living accommodation and erection of front porch.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Revised drawings not considered at application stage have been submitted with this appeal. The changes appear largely limited to the addition of two small roof lights on the front roof slope of the existing dwelling and pitch roof detail on the proposed porch. The changes are therefore minor and have not substantially altered the scheme on which the Council originally consulted and based its decision. Also, the Council and other interested parties have had an opportunity to comment on this matter in this appeal process.
3. As the scheme has not significantly altered, I find accepting these drawings would not be procedurally unfair to those with an interest in this matter. For avoidance of doubt this decision is based on the amended drawings.

Background and Main Issues

4. The appeal property is in the Green Belt. The fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open. Development in the Green Belt is inappropriate unless one of the exceptions set out in the National Planning Policy Framework (the Framework) applies. Policy PSP7 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Local Plan) generally reflects this guidance.
5. Part of the proposal would result in a single new dwelling that would be located between existing properties in a residential estate in a village. This aspect of the development would therefore comprise limited infilling in a village and would satisfy the exception set out in paragraph 154 e) of the Framework.
6. The planning history suggests that the existing dwelling at the site has not been significantly extended. Evidence indicates that the proposed extension would amount to an over 30% volume increase to the original building. PPS7 does not

preclude such increases, but requires they are carefully assessed, with particular regard to whether the proposal would appear out of scale and proportion to the existing building.

7. This proposal would result in a modest addition which is largely limited to the roof level. The dwelling would remain a relatively modest sized family home, and the additions would appear proportionate in this respect. As the extension of the building in this case would not result in disproportionate additions over and above the size of the original building, this part of the scheme would therefore qualify as an exception set out in paragraph 154 c) of the Framework and would comply with the requirements of Policy PSP7 of the Local Plan. Accordingly, the proposal would not be inappropriate development in the Green Belt.
8. Therefore, the main issues are:
 - The effect of the proposal on the character of the area;
 - The effect of the proposal on the living conditions of the occupants of 8 Beanhill Crescent, having regard to outlook and privacy; and
 - Whether the proposed alterations to the existing dwelling would provide suitable living conditions for occupants, having regard to daylight and outlook.

Reasons

Character

9. The appeal property is in a cul-de-sac that is a mix of two storey dwellings and bungalows. This short residential street has a pleasant sense of balance with the larger dwellings at its head and bungalows lining either side of the remaining part of the road.
10. Bungalows in this locale generally have side entrances and this feature adds to the rhythm and consistency in the street scene. While the addition of a front porch may be considered a minor change in isolation, given this context, the proposed change would disrupt the prevailing sense of rhythm in the built form in this part of the cul-de-sac.
11. This discordancy would be amplified with the misalignment of the proposed roof detail of the porch, which the drawings show would sit awkwardly just above the existing eaves at the front of the dwelling. Given the nature of the changes proposed, this harm to the character of the area would be at the lower end of the scale of harm.
12. I find that the proposal would have a harmful effect on the character of the area. In this regard, the proposal would conflict with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Core Strategy) and PSP38 of the Local Plan. These Policies collectively require high quality design.

Neighbours' Living Conditions

13. The appeal property has a shared boundary with the rear of 8 Beanhill Crescent. The rear garden at that neighbouring property is a reasonable size, but it has a fairly shallow depth. Unlike the configuration at neighbouring 7 Beanhill Crescent, the current outlook at No 8 is predominantly of the relatively undeveloped rear garden of the appeal property. The occupants of No 8 therefore enjoy a good

sense of space above their rear boundary fence and have a limited sense of being overlooked given the gap between the existing built form at the appeal property and No 54.

14. The proposal would result in a sizeable two storey detached dwelling close to the rear boundary, and in the existing space behind No 8. The evidence indicates that the distance between the new dwelling and No 8 would be a couple of metres less than the separation that exists between No 54 and No 7.
15. The new form would be angled, such that its rear elevation would not be parallel to No 8. However, even with this off-setting, the drawings show that the upper floor rear windows of the new dwelling would provide close views over the shallow rear garden of that existing property.
16. Moreover, not only would the new dwelling be two storeys, but its mass would substantially fill the width of the new plot. This bulky built form would considerably erode the existing space that occupants of No 8 currently enjoy above the shared boundary fence. The physical presence of the new structure close to No 8 would feel oppressive and intrusive to the occupants of this neighbouring dwelling, particularly when they are in their rear garden.
17. Local supplementary guidance and technical advice seek a good standard of amenity, and as the appellant highlights this should be assessed on a case by case basis. Some overlooking is to be expected in a built-up area, and I note that this is the situation in the wider location of the appeal property.
18. Be this as it may, in this case, the sense of space and relative levels of privacy currently experienced at the rear of No 8 would be considerably diminished by this development and this would cause significant harm to the living conditions of occupants of that existing property. Vegetation at the shared rear boundary, which could be secured by condition, would not adequately mitigate this harmful change, given the scale of the proposed development and the circumstances that prevail.
19. I therefore find that the proposal would have a significant harmful effect on the living conditions of the occupants of 8 Beanhill Crescent, having regard to outlook and privacy. The proposal in this respect would conflict with Policies PSP8 and PSP38 of the Local Plan. These Policies collectively state that proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of occupiers of the development or of nearby properties.

Living Conditions - No 56

20. The proposed alterations to the existing dwelling at the appeal property include the creation of a second bedroom in the front roof space. This room would be small, but it would have a separate ensuite. As it would be built into the eaves, the only source of natural light and outlook for this room would be provided by rooflights. However, these rooflights would be a good size such that they would allow a reasonable level of light to reach this internal space. Although the outlook would be limited from this new room, occupants would nonetheless be able to enjoy views of the sky such that the living conditions in this bedroom would not be unacceptable.

21. Consequently, I find that proposed alterations to the existing dwelling would provide suitable living conditions for occupants, having regard to daylight and outlook. In this respect the proposal would accord with Policies PSP8 and PSP38 of the Local Plan. These Policies collectively seek acceptable living conditions.

Other Matters and Planning Balance

22. The proposal is advanced as a self-build development. 'Self-build dwelling' is defined in the Self-build and Custom Housebuilding Act 2015 (2015 Act). Planning Practice Guidance makes clear that in considering whether a home is a self-build or custom build home, relevant authorities must be satisfied that the initial owner of the home will have primary input into its final design and layout. However, I find nothing that gives certainty that self-build in the terms defined in the 2015 Act would be secured in this case. This matter does not weigh in favour of the proposal for this reason.
23. The Council is unable to demonstrate the required housing land supply (HLS). The appellant's statement indicates that this is between 3.87 – 4.38 years, but this conflicts with the evidence appended to that statement which states 4.41 years HLS. In any event there is a significant shortfall and a relatively recent appeal decision for 32 dwellings in the district clarifies that this equated at the time of that decision to an under supply of 1000 homes. This significant shortfall exists in a context where the Government has identified an urgent need for new homes. In these circumstances, the provisions set out in paragraph 11 of the Framework are relevant.
24. Addressing this, the proposal would result in an additional dwelling, and this would make a small contribution to the district's shortfall and the Government's objective to significantly boost the supply of homes. This attracts considerable weight in the current circumstances.
25. This is a small site that could be built out quickly, and the home could be made energy efficient by condition. There would be some economic benefits through the construction phase and future occupants would contribute to the vibrancy of the settlement. These benefits would be small given the scale of the development.
26. The proposal is in a small settlement such that future occupants may need to travel to access a wide range of services. However, the built-up area has local services which include a post office and primary school, and this works in favour of development in this location.
27. Attention is drawn to the substantial weight that the Framework attaches to the value of using suitable brownfield land within settlements. However, this is a subdivision of a garden plot, and the Glossary of the Framework excludes land in built-up areas such as residential gardens from the definition of previously developed land (PDL).
28. Even if I accept that this site is PDL, the support in the Framework for making effective use of land is not unqualified. For the reasons already stated this proposal would not safeguard the environment in respect of appearance and would fail to ensure healthy living conditions. The site would not be suitable, and the proposal would not be an effective use of land in this regard.

29. Moreover, the Framework, in the context of achieving well-designed places, requires amongst other matters, a high standard of amenity for existing and future users. Although the appellant may contend that the relevant policies of the development plan are out of date, as already outlined, local policy is consistent with this aim. Even if the slight harm to the character of the area is outweighed by other factors in this case, the development would result in unsatisfactory living conditions. The proposal would be a poor design in this respect. The Framework clarifies that development that is not well designed should be refused.
30. In summary on this matter, I find that the adverse impacts identified in this case, with regards living conditions, significantly and demonstrably outweigh the small social, economic and environmental benefits, when assessed against the policies of the Framework taken as a whole. The presumption in favour of sustainable development would not apply.
31. As there is no certainty that the proposal would be self-build, this exemption with regards the statutory duty in respect of biodiversity net gain does not apply in this case. However, as I have found other grounds to dismiss this appeal it is not necessary to consider this matter further.

Conclusion

32. Having regard to the development plan and other material considerations, including the Framework, the appeal should be dismissed.

A J Sutton

INSPECTOR