



Appeal Decision

Site visit made on 23 September 2025

by Stuart Willis BA Hons MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd October 2025

Appeal Ref: APP/P0119/W/25/3361456

5 Gloucester Road, Thornbury, South Gloucestershire BS35 1DG

- 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 K Wolstenholmes against the decision of South Gloucestershire Council.
 - The application Ref is P24/02840/F.
 - The development proposed is to erect a single person dwelling and to replace the fence facing Gloucester Road with a stone wall. Additionally, to provide an electric car charging space.
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Decision

1. The appeal is allowed, and planning permission is granted to erect a single person dwelling and to replace the fence facing Gloucester Road with a stone wall, additionally to provide an electric car charging space at 5 Gloucester Road, Thornbury, South Gloucestershire BS35 1DG in accordance with the terms of the application, Ref P24/02840/F, subject to the conditions in the attached schedule.

Preliminary Matters

2. The submission of amended plans by the appellant at final comments, meant other parties have not had opportunity to comment on them. Therefore, to prevent prejudice to other parties I have considered the scheme against the plans on which the Council made their decision.

Main Issues

3. The main issues are:
 - The effect of the proposed development on the character and appearance of the area, including with regard to designated heritage assets,
 - The effect of the proposed development on the living conditions of the occupiers of 1-6 Gloucester Terrace with regard to outlook, sunlight and daylight; and
 - Whether appropriate living conditions would be provided for future occupiers with regard to external amenity space.

Reasons

Character and appearance

4. The appeal site is located within the Thornbury Conservation Area (CA). The significance of the CA lies in part in its origins as a medieval market town which

has retained much of its historic layout and contains many historic buildings of traditional design.

5. The special interest of The Royal George Public House comes in part from its traditional design and detailed architectural features with it being a 19th century public house located on a prominent corner plot. The special interest of 8-22 Gloucester Road is derived, in part from the general consistency of design and features being a 19th century row of 2 storey terrace properties with sash windows.
6. The setting of both of these listed buildings includes the historic town setting and layout which contributes positively towards their special interest. Nonetheless, while there are generally traditional buildings within the CA, they are seen and experienced with the varied more modern development in and around it. The appeal site, with no built form but modern fencing as boundary treatments makes a neutral contribution to the significance and special interest of the designated heritage assets.
7. The proposed plot would be far smaller than many of those nearby and that it would be seen with. Notwithstanding this, there is no consistency of plot sizes in the area or the size and location of outdoor space. While the outdoor space would be small, the proposed building it would serve would similarly be of a small footprint. It would also set back from the road behind an open grassed area and the parking spaces in the plot. As such, despite accesses either side of the plot, this arrangement would give a sense of spaciousness in the streetscene, and the development would not appear cramped.
8. The design of the building would not match existing dwellings close to the site, be far smaller than most and there are few examples of buildings being gable on to the road. However, the appearance, materials and scale draw on some more traditional outbuildings nearby and the most visible elevations have openings to prevent a bland appearance. Consequently, while it would be used as a dwelling, the design of the building would not be incongruous with the existing built form and would be viewed with the considerable variation along Gloucester Road.
9. The proposal would introduce built form where there is none at present. Nonetheless, the proposed boundary treatments would be an improvement from the existing fencing at the site. The provision and retention of which can be secured by condition. As such, while the proposal would be seen as different to the properties in the same streetscene, overall, the scheme would have a neutral effect.
10. Therefore, the proposed development would not harm the character and appearance of the area including with regard to designated heritage assets. It would accord with the design, heritage and character protection aims of Policy CS1 of the Core Strategy¹, Policy PSP1, PSP38 and PSP17 of the PSPP² and the National Planning Policy Framework. PSP8 of the PSPP relates to living conditions and therefore is not directly relevant to this main issue.

Living conditions – nearby occupiers

11. While there are ground and first floor windows facing the appeal site at 1-6 Gloucester Road (Nos 1-6), there would be some separation given the lane

¹ South Gloucestershire Local Plan: Core Strategy 2006-2027

² South Gloucestershire Local Plan: Policies, Sites and Places Plan

between them. Moreover, there are existing boundary treatments and vegetation at the neighbouring boundary and the appeal site that effect the daylight and sunlight that reaches these windows, and which already feature in the outlook from these windows.

12. The proposed building would not be overly tall and the roof would slope away from the side elevation windows at Nos 1-6. Some outlook away from and above the proposed building would remain. Due to the orientation of the proposed property to Nos 1-6 there would be some effect on outlook, sunlight and daylight. However, even if the SPD³ applied to the scheme and there would be a breach in the 'window to wall' test, the circumstances above mean that the effect of the scheme would be small and not unacceptable.
13. As such, the proposal would not harm the living conditions of the occupiers of Nos 1-6 with regard to outlook, daylight and sunlight. It would accord with Policy CS1 of the Core Strategy and Policy PSP8 of the PSPP where they seek to avoid unacceptable impacts on living conditions. PSP1 of the PSPP relates to design and character and therefore is not directly relevant to this main issue.

Future living conditions

14. The enclosed area of garden would be small and below the guide size that Policy PSP43 of the PSPP states should be met. The proposed external space around the parking would have limited usability and the plans with the application did not show this being enclosed or private. However, PSP43 also refers to front gardens being included. In any event, the proposal is for a small 1-bedroom unit.
15. Although some openings would be close to boundary treatments, those serving the main accommodation have some set back from them. The size and orientation of them would ensure sufficient light and outlook would be provided for each room. The proposed outdoor space would be commensurate with the scale of accommodation, number of likely occupants and their requirements.
16. Consequently, the proposal would provide appropriate living conditions for future occupiers. It would comply with Policies PSP38 and PSP43 of the PSPP where they expect new units to have access to adequate private amenity space.

Conditions

17. In addition to the standard time limit condition, I have imposed one in relation to the approved plans in the interest of certainty.
18. Details of external materials, boundary treatments and levels are necessary to protect the character and appearance of the area and in relation to protecting living conditions of nearby occupiers. Obscure glazing for the ground floor window facing Nos 1-6 is conditioned to ensure sufficient privacy levels are provided and retained. Due to the proximity and orientation of the proposed building with those around it and the extent of the outdoor space, as well as to protect the character and appearance of the area, certain permitted development rights are removed.
19. A condition requiring parking to be provided for the existing and proposed dwelling is imposed to prevent harm to highway safety. The existing access from the road serves a car park and 5 Gloucester Road. Given the scale of the scheme there

³ Householder Design Guide Supplementary Planning Document Adopted March 2021

would be little additional traffic and visibility at the access is sufficient. There is no compelling evidence that conditions relating to the construction traffic is necessary or that it would not be covered by separate legislation. No cycle spaces are shown on the plans, and it has not been demonstrated that any are necessary to make the scheme acceptable.

20. The main parties considered biodiversity net gain was not required given existing features were de minimus. Given the appeal site is a hard surfaced parking area I have reached the same finding and therefore the standard conditions do not apply.

Conclusion

21. The proposed development would accord with the development plan and material considerations do not indicate that a decision should be made other than in accordance with it.
22. For the reasons given, I conclude that the appeal should succeed

Stuart Willis

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos:
 - Combined Plans and Elevations 2622- 01 “C”
 - Proposed Block Plan 2622 Block “A”
 - Proposed Car Parking Plan 2622 CPB
 - Site Location Plan 2622 (2)
- 3) The building hereby permitted shall not be occupied until the ground floor toilet window has been fitted with obscured glazing, and no part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.
- 4) The building hereby permitted shall not be occupied until details of the positions, height, design, materials and type of boundary treatments to be erected and retained shall be submitted to and approved in writing by the local planning authority. The boundary treatments shall be completed as in accordance with the approved details before the building is occupied and retained thereafter.
- 5) No development above ground level shall take place until details / samples of the materials to be used in the construction of the external surfaces of the building hereby permitted, including windows and doors and external areas have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details / samples.
- 6) The building hereby permitted shall not be occupied until the vehicle parking spaces have been provided in accordance with drawing no 2622-01”C”. Thereafter those spaces shall be retained for the parking of vehicles only.
- 7) No development shall take place until full details of the finished levels, above ordnance datum, of the ground floors of the proposed building, in relation to existing ground levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved levels.
- 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development permitted by virtue of Classes A, AA B, C, D, E, of Part 1 and Class A of Part 2 of Schedule 2 to the Order shall be undertaken.