



# Appeal Decision

Site visit made on 28 July 2008

by **B J Juniper** BSc, DipTP, MRTPI

an Inspector appointed by the Secretary of State  
for Communities and Local Government

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Decision date:  
12 August 2008

## Appeal Ref: APP/P0119/A/08/2074054

### Land at the junction of Wotton Road and Little Bristol Lane, Charfield, GL12 8LN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Markey Builders against the decision of South Gloucestershire Council.
- The application Ref PT07/1462/F, dated 27 April 2007, was refused by notice dated 21 November 2007.
- The development proposed is the erection of 14 No. flats with associated access, parking and landscaping.

### Decision

1. I dismiss the appeal.

### Procedural Matter

2. I have been provided with a copy of a S106 agreement dated 6 August 2008 relating to affordable housing, open space and highway infrastructure and I have taken this into account in reaching my decision.

### Main Issues

3. I consider that the main issues are the effect of the proposal on:
  - (a) the character and appearance of the surrounding area; and
  - (b) the living conditions of residents of the proposed flats, with particular regard to noise.

### Reasons

4. This prominent site is approximately triangular and is bounded by Wotton Road, Little Bristol Lane and the main Bristol to Birmingham railway which is at the foot of an embankment and partly hidden by trees.
5. Although the site is within Charfield, the only building in its immediate surroundings is a utilitarian railway store immediately to the south. The industrial buildings of a vehicle dealership south of Wotton Road and to the east of the railway are not readily seen from the appeal site and the dwellings to the north are almost wholly hidden. There are open fields on the opposite

- side of Wotton Road to the appeal site and an extensive playing field, albeit with a village hall, to the west and south beyond Little Bristol Road.
6. Given this context I am concerned that the dense form of development proposed, in a single two and three storey block close to the site's road frontages, would dominate its surroundings and appear wholly out of place. Whilst I acknowledge that the Council has permitted a comparably dense scheme elsewhere in its area, I have not been given any information on the context of that scheme other than that it is in an urban part of the Council's area rather than a village and on that basis I cannot draw any significant parallels.
  7. I am additionally concerned about the appearance of the proposed building. Whilst in general terms it has much in common with the post-war buildings elsewhere in this part of Charfield, the three-storey element would be placed on the higher part of the site, near Wotton Road, and would fall away along Little Bristol Road in a series of stepped gables. In some urban situations this would be a reasonable response in terms of the creation of a landmark building on an important corner, but in this more open situation I judge that the massing of the building would be discordant. Further, whilst pitched roofs would predominate, the rear of the building would feature two flat-roofed staircases which would be clearly seen in the approach to the site from the east and I consider these would be incongruous elements in the building's appearance.
  8. I accept that government guidance and the development plan seek to make the best use of land for housing and that the appeal site is brownfield land, where such development is likely to be acceptable in principle. Nevertheless, as Planning Policy Statement 3 – *Housing* makes clear, housing provision should not be made at the expense of good design. I conclude that the scheme would be harmful to the character and appearance of the area and contrary to South Gloucestershire Local Plan (LP) Policy D1 which deals with matters of design.
  9. Turning to the second main issue, the site's proximity to roads and the railway led the appellants to commission a noise impact assessment, the result of which placed it within Noise Exposure Category (NEC) C as set out in Annex 1 to Planning Policy Guidance Note 24 (PPG24) – *Planning and Noise*. Various mitigation measures have been devised by the appellants to reduce noise impact but one façade of the building would remain in NEC C where PPG24 advises that planning permission should not normally be granted. Although the Council's environmental health staff did not raise an objection on this point, I have found no evidence of specific need or otherwise which I consider would justify the creation of residential accommodation which would be exposed to noise above that recommended in PPG24. Without specific details of measures which would reduce noise exposure to an acceptable level, I conclude that the proposal would be harmful to the living conditions of its occupants and contrary to LP Policy EP4.
  10. Local objection was raised to the scheme on a number of grounds including that of highway safety dangers arising from increased traffic and the possibility of additional on-street parking. However, I do not consider that either of these factors would create undue hazards, even allowing for the reduced traffic in the vicinity of the site at the time of my site visit arising from a local diversion. I

have not been provided with any evidence that village facilities could not cope with the additional population and I do not share the view of some local residents that the scheme would harm the setting of the listed former Charfield Station building which is some distance to the south east and on the opposite side of the railway. Whilst there would be no amenity space for residents on the site, the existence of a large public playing field and play equipment on land immediately opposite the site means that the need for such provision is not essential. Issues raised about the extent of the appellants' control of the necessary land are not for my consideration.

11. I have also taken into account all other matters raised, including the potential benefits to the wider community arising from the planning obligation the appellants have entered into with the Council. None of these factors, however, are sufficient to outweigh my conclusions on the main issues and the appeal must therefore fail.

*B J Juniper*

INSPECTOR