
Appeal Decision

Site visit made on 14 September 2016

by Andy Harwood CMS MSc MRTPI

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

Decision date: 6 October 2016

Appeal Ref: APP/Z0116/W/16/3151761
53 Arnall Drive, Henbury, Bristol BS10 7AR

- 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 Mr and Mrs Andrew Davis against the decision of Bristol City Council.
 - The application Ref 15/01976/F, dated 17 April 2015, was refused by notice dated 12 February 2016.
 - The development proposed is the demolition of existing garage and erection of 1 detached dwelling on land to the rear of the existing house.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The planning application was amended before the decision was issued. I will deal with the appeal on the basis of the revised plans.

Main Issues

3. The first main issue is the effect of the proposals upon the character and appearance of the area. The second is the effect of the proposal upon the living conditions of the occupiers at No 53 as well as prospective occupiers of the proposed dwelling with respect to privacy.

Reasons

Character and appearance

4. The appeal site is located within a residential area of Bristol. The estate includes long terraces running along one side of Arnall Drive. On the other side of the road there are 2 groupings of shorter terraces. These include dwellings perpendicular to the road laid out with rear elevations parallel to each other and with substantial rear gardens in-between. The appeal site is on the end of one of these terraces alongside the estate road.
 5. Arnall Drive has a spacious character with grassed verges alongside the estate road and some areas of mature landscaping. The way in which the terraces of dwellings are set out provides a strong character in this part of the settlement even though the wider area includes other styles of buildings and some multi-storey blocks of flats.
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6. The appeal site is part of the garden of an end of a terraced dwelling. It includes a garage directly alongside another garage that is within the rear garden of the neighbouring dwelling at No 51. Wide grass verges front this part of the road are interspersed by some driveways and parking areas. The other similar grouping of dwellings further along Arnall Drive also have small outbuildings within the rear gardens of those adjoining the roadside verge, one of which is a sub-station.
7. The proposal would involve demolition of the garage and its replacement with a single storey dwelling that would be 'L' shaped. The Front elevation of the dwelling facing the road would mimic the existing gable ended garage and would be no higher. It would have a simple ridged roof with concrete tiles to match the existing materials of the dwellings nearby. The other part of the dwelling would be positioned along the existing side boundary with the garden of the adjoining dwelling at No 55. The land slopes down at the moment from the garage to the back of the existing dwelling. The proposed design takes this level change into account and this part of the dwelling would have a lower roof height than the part facing the road. The standing seam zinc roof would have a lower angled pitched roof.
8. From the road, the size of the dwelling would not appear much different from the existing garage. However, the additional activity, vehicles and general comings and goings of an additional household even for a modest 1 bedroom dwelling would be evident from outside of the site. The truncation of the garden, the proportion of the new garden taken up by the dwelling and the additional activities would be very noticeable for occupants of the existing dwelling. A 2m high fence erected around and between the gardens in itself would make the change in plot size very noticeable given the contrast from the existing low fences. The roofs of the dwelling would protrude above the fences and the development would also be noticeable from upper floor windows. Whilst the fences would help screen the building to some extent the increased density of development would be very obvious to adjoining neighbours.
9. Although the building would be much smaller than the dwellings within the terrace, the position and much tighter grain of development would go against the character of this part of the estate. This would not contribute positively to the area's identity or reinforce local distinctiveness. The higher density of development is not appropriate in this case. In relation to the first main issue, this would be harmful to the character and appearance of the area. This would not comply with Policies BCS20 and BCS21 of the Bristol Core Strategy¹ (CS) and DM21, DM26 and DM27 of the Bristol Local Plan² (LP).
10. The appellant refers to the ability to erect outbuildings up to 50% of the curtilage area under permitted development rights. I have no evidence to indicate that such a scenario is likely to take place or that it would be practical to do so. Such outbuildings would need to be used by the occupiers of the dwelling and would not involve the separation off of the existing garden for use by another household. The potential fallback scenario would be less harmful in terms of the character and appearance of the area and whilst I give it some weight it is insufficient to outweigh my conclusion on this main issue.

¹ Bristol Development Framework Core Strategy, adopted June 2011

² Bristol Local Plan, Site Allocations and Development Management Policies, adopted July 2014

Living conditions

11. At the moment the rear garden of the dwelling is enclosed by a high boundary wall on the road side which along with landscaping on that boundary helps to provide some privacy and some seclusion from the road for the occupants of the dwelling. The much lower boundary fence with No 55 means that the garden is not very private from that direction.
12. The first floor window within the main house is alongside its boundary with No 55 and would face towards the roof of the part of the proposed dwelling that would include the bedroom. That part of the proposed dwelling would helpfully provide screening of the small garden area which would also be concealed by the surrounding fence. The window facing towards the rear of the existing dwelling would serve the living room and views from that would largely be prevented by the fence. Any overlooking into the proposed roof lights could potentially be prevented by the use of obscure glazing.
13. Sufficient privacy between each of the dwellings would be retained. In relation to the second main issue, the proposal would not have a harmful impact upon the living conditions of the occupiers of No 53 and the prospective residents within the proposed dwelling would have satisfactory living conditions as well. This would comply with CS Policy BCS21 and LP Policies DM27 and DM29.

Other Matters

14. The site is accessible to a range of services and the required space standards would be met. An additional dwelling would be some benefit in terms of the supply of housing in the area. However these positive advantages as well as my conclusion on the second main issue do not outweigh my conclusion on the first main issue.

Conclusion

15. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be dismissed.

Andy Harwood

INSPECTOR