
Appeal Decision

Site visit made on 7 November 2016

by Jonathan Tudor BA (Hons), Solicitor (non-practising)

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

Decision date: 18 January 2017

Appeal Ref: APP/Z0116/W/16/3151990

9B Etloe Road, Westbury Park, Bristol BS6 7PG

- 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 Ben Pratten against the decision of Bristol City Council.
 - The application Ref 16/01159/F, dated 3 March 2016, was refused by notice dated 13 May 2016.
 - The development is described as 'proposed roof extension to former additional living accommodation.'
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant refers to a typing error in the description of the development in the Council's decision notice which should read 'form' rather than 'former'. That description would appear to have been taken from appellant's planning application form. In any event, I note the correction and have considered the appeal on that basis but am obliged to retain the original description in the banner heading.
3. The appellant advises that two revised plans, Refs 210-003 Rev A and 210-004 Rev A, were submitted during the course of the planning process but that the Council's decision was based on the originally submitted plans without revisions. The appellant also wishes the appeal to be determined on the basis of the original plans. I have considered the appeal on that basis.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the existing building and the area.

Reasons

5. The appeal site is a first floor flat on the corner of a traditional Victorian Terrace, with shallow roofs behind parapets, beginning at 5 Etloe Road and sweeping round into Queen Victoria Road. The land level is slightly higher on the corner so leading away from it the parapet level subtly drops every few houses to accommodate the gently sloping topography. The parapet and upper stories of the dwellings form an attractive and consistent classic Victorian roof line, particularly when viewed from the opposite corner where the western section of Queen Victoria Road meets Etloe Road.

6. According to the appellant, the proposal would form a piece of signature architecture on a prominent corner, juxtaposing a modern design and materials with the Victorian vernacular. Policy DM30 of the Site Allocations and Development Management Policies Local Plan (SADMP)¹ accepts innovative design solutions if they are of exceptional design quality and would complement rather than detract from the existing building. That is in accord with paragraphs 60 and 61 of the National Planning Policy Framework (the Framework) which warn against stifling innovation and originality. However, they also speak of a need to promote or reinforce local distinctiveness and the integration of new development into the built and historic environment.
7. The proposed roof extension would rise about 1.6 metres above the existing parapet. Though it would be slightly inset and slope away marginally, its front elevation onto Etloe Road would present as a substantial long rectangular box-like structure. Whilst it would have three roof-lights, its predominant natural slate roof tiles would contrast starkly with the Victorian façade below and draw the eye. Consequently, rather than being an innovative counterpoint, the proposed design would appear prominent and jar inelegantly with the aesthetic of the existing building to its detriment.
8. Though one strand of the appellant's case is that the proposed development would be a keynote design at the apex of a corner enhancing the character and appearance of the area, the appellant also submits that the appeal site would not be visible from most vantage points due to the presence of other built forms or its modest height and setback. As I confirmed on my site visit and as shown in photographs submitted by the appellant, the development would be clearly visible from various points along Etloe Road and Queen Victoria Road.
9. As already described, its built form rising above the parapet, accentuated by the slate façade would not only contrast starkly with the elevations below but also with adjoining buildings. Therefore, it would not be subservient to the existing form and would disrupt the traditional Victorian skyline. Consequently, its design and prominence would have an adverse effect on the existing street scene.
10. Planning permission, Ref 13/01796/F, was given by the Council for a mansard roof extension, since constructed, at 11A Etloe Road on a corner opposite the appeal property. I do not have full details of the circumstances that related to that proposal being accepted and so cannot be sure that it represents a direct parallel to the appeal proposal. In any event, it contrasts with the appeal site as the adjoining houses on that side of Queen Victoria Road are of a different design with steeply pitched roofs and gable ends facing the road rather than a fluent parapet sweeping towards the corner. In any case, I have determined the appeal proposal on its own merits.
11. The appellant cites the Council Officer's Report, in relation to the permission at 11A, as confirming the eclectic mix of housing designs on Etloe Road, and points to the different styles of architecture on the four corners of the junction which includes the appeal site. It is argued by the appellant that this diversity is part of the area's local character and distinctiveness and that consequently there is no uniform local character to reflect or respond to, as required by Policy DM26 of the SADMP.

¹ Adopted July 2014

12. That policy is not referred to in the Council's reason for refusal. Nevertheless, I disagree with the appellant's analysis, as though the area does encompass different architectural styles, the traditional Victorian parapets with shallow roofs represent a strong building line. Those features are also repeated on another part of Etloe Road just to the south of the appeal property and along one side of the western section of Queen Victoria Road. Therefore, they represent a clear and distinctive part of the character of the area which Policy DM30 advises should be respected. The appeal property is amid that traditional form.
13. The above factors lead me to conclude that the proposed development would harm the character and appearance of the existing building and the area. It follows that it would be contrary to the objectives of Policy BCS21 of the Bristol Development Framework Core Strategy² and Policy DM30 of the SADMP. Amongst other things, they require that new development contributes positively to the character and identity of an area and creates or reinforces local distinctiveness whilst extensions should respect both the character of the host building and the broader street scene. Those policies are generally consistent with relevant principles set out in the Framework.

Other Matters

14. I am sympathetic to the appellant's desire to increase the living space available for his family and the costs of moving. However, only limited weight can be given to such private interests, unless exceptional personal circumstances can be evidenced, because the planning system generally focusses on the wider public interest. Therefore, though I have considered that aspect it does not lead me to alter my decision.
15. Concerns have also been expressed about a variety of other matters including overlooking, privacy, light and health and safety issues concerning the roof terrace. I note that those concerns were not shared by the Council. In any event, I have dismissed the appeal for other reasons.

Conclusion

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

Jonathan Tudor

INSPECTOR

² Adopted June 2011