

Appeal Decision

Site visit made on 8 May 2017

by K Taylor BSc (Hons) PGDip MRTPI

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

Decision date: 2 June 2017

Appeal Ref: APP/D0121/W/17/3169945

Land adjacent to 98 Hillside Road, Hillside Road, Portishead BS20 8LQ

- 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 Tony Blunden against the decision of North Somerset Council.
 - The application Ref 16/P/1863/F, dated 14 July 2016, was refused by notice dated 13 September 2016.
 - The development proposed is the erection of a new dwelling on a vacant site.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal site is located within a residential area. Hillside Road meanders up the slope of a hill and the dwellings are located to roughly follow the contours of the land. The majority of the houses are set back from the road separating the frontage of the dwellings from the street. At the bends in the road there is typically a significant separation of the dwellings from the back edge of the pavement with garden areas intervening. This has resulted in a spacious and verdant character.
 4. The appeal site sits at the outer edge of one of the bends in the road. It is adjacent to 98 Hillside Road and is roughly triangular in shape. Its location is such that it is prominent in views when traveling along Hillside Road in either direction. It provides a good degree of separation between no. 98 and the road. This site plays an important role in maintaining the spacious and verdant character of the area.
 5. The proposed dwelling would result in built form on the majority of the site; it would significantly reduce the open space available and harmfully degrade the open and verdant character of the area. The front of the dwelling would be set close to the road, although the distance would vary, at the closest points, the degree of setback would be significantly below that typical of the area. The house would appear harmfully discordant in this context and unacceptably harm the character and appearance of the locality.
 6. The positioning of the site, by the bend in the road, is such that the dwelling would be very prominent and therefore the discordant appearance of its siting within the street would be amplified. The relatively unique nature of the plot,
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on the outside edge of the bend, does not therefore minimise the harm that would arise. Although the dwelling would be set back behind the boundary wall and there would be some opportunity to provide planting, this would not sufficiently soften the appearance of the dwelling and it would not mitigate the harmful effect caused by the reduction in openness and the uncharacteristically modest setback.

7. The dwelling would sit broadly in line with no. 98, following a similar building line with this neighbouring house and no. 96b, and it would be of a scale commensurate with the neighbouring dwellings. The design of the dwelling, itself, takes a simple form, appropriate to the character of the surrounding residential properties. These factors do not however minimise the harm from the siting of the dwelling and its proximity to the road, nor would the dwelling add interest to the area sufficient to outweigh the harm it would cause.
8. I observed that an extension, of a relatively significant scale, was nearing completion at the adjacent no. 100. That development extends to the side of the house and does not bring the building closer to the road. Its presence does not mitigate the harm that would arise from the appeal scheme.
9. For these reasons, the development would result in significant harm to the character and appearance of the area. The proposal therefore conflicts with Policy CS12 of the North Somerset Council Core Strategy, January 2017 and Policies DM32 and DM37 of the North Somerset Council Development Management Policies, Sites and Policies Plan, Part 1, July 2016. These Policies require proposals to demonstrate sensitivity to the established local character, including in respect of the siting of buildings, and take the opportunities to enhance local distinctiveness. These policies are consistent with the aims of the National Planning Policy Framework which emphasises that it is proper to seek to reinforce local distinctiveness.

Other matters

10. The site is located in an area with good accessibility to services and facilities. The proposal would result in benefits through the addition of a dwelling to the housing stock, and I note the appellant's intention to rapidly develop the site so that this benefit would accrue in the short term. These factors are in line with the thrust of national policy to increase housing supply and this would provide social and economic benefits; this weighs in favour of the development. However I give this limited weight as only modest benefits would arise from a single additional dwelling to the housing stock and I have no evidence to suggest the Council has a shortfall in the availability of housing land.
11. The Council did not refuse planning permission due to the effect of the development on the living conditions of neighbouring residents, the access and parking arrangements, or the amount of outside space available for the proposed dwelling. Owing to the positioning of the dwelling in relation to neighbouring properties, there would be no harm to the occupants of these houses. The amount of parking proposed and the visibility that can be achieved at the access is adequate. Although the outside space would be modest, it would nevertheless be satisfactory. I note the appellant states the floor space would exceed that set out in the Nationally Described Space Standard, and the dwelling could incorporate renewable energy. This forms part of the deliberate design of the scheme, which I acknowledge goes beyond aesthetic

considerations. However these factors only indicate a lack of harm and do not weigh in favour of the development.

12. I am aware that the site is not within the same ownership as no. 98, however this factor does not minimise the harmful effect the development would have. Within the version of the delegated report attached as an appendix to the appellant's statement, there is reference to 'approve, subject to conditions' in the recommendation section. This is clearly a typographical error and I attach no weight to this.

Conclusion

13. The benefits associated with the provision of a dwelling in a location with good accessibility to services and facilities and the efficient use of land weighs in favour of the development. This does not however outweigh the significant harm that would arise to the character and appearance of the area; therefore the environmental dimension of sustainable development would not be met. The adverse effects are sufficient to mean that the proposal would conflict with the development plan when taken as a whole and I conclude that the appeal should be dismissed.

K Taylor

INSPECTOR