
Appeal Decision

Site visit made on 26 June 2017

by K Ford BSocSc (Hons) MSc MRTPI

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

Decision date: 03 August 2017

Appeal Ref: APP/Z0116/W/3171571

65 Winchester Road, Brislington, Bristol BS4 3NH

- 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 Dave White against the decision of Bristol City Council.
 - The application Ref 16/05008/F, dated 15 August 2016, was refused by notice dated 8 November 2016.
 - The development proposed is erection of detached dwelling house.
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Procedural

1. I note discussions between the Council and the appellant regarding amendments to the scheme, after the planning application was determined by the Council. The Planning Inspectorates Procedural Guidance advises that 'if an appeal is made the appeal process should not be used to evolve a scheme and it is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested people's views were sought'. I shall deal with this case on that basis and so for the avoidance of doubt the following plans will be used in the determination of the appeal: DJR/DJ/100, DJR/DJ/101, DJR/DJ/102, DJR/DJ/103, DJR/DJ/104A and DJR/DJ/105A.

Decision

2. The appeal is dismissed.

Main Issues

3. The main issues are:
 - The impact on the character and appearance of the area.
 - The impact on living conditions in terms of privacy for the neighbouring property, No 63 Winchester Road.
 - Whether the proposal would adequately mitigate the impact of development with regards climate change, energy use and sustainable design and construction.

Reasons

Character and Appearance

4. No 65 Winchester Road is a semi-detached property in a road comprising primarily similarly styled interwar properties and Edwardian terraced housing. The semi-detached properties sit on wider plots and have garages and/ or

hardstanding to the side. A number have been extended in some form resulting in some variety in the street scene, although a sense of unity in character has been retained. Importantly the existing blocks of dwellings all have a horizontal emphasis. The proposal is to build a detached property between Nos 65 and 63 on the hardstanding and part of the garden of No 65. The garden sits on ground that slopes quite steeply away from the rear of the property.

5. The overall design of the proposal, with its hipped roof and bay window, along with the materials shown on the plans would be in keeping with neighbouring properties. However, this would not mitigate the impact of the scale and proportions of the proposed house which would be much narrower than other properties in the vicinity on the same side of the road. While the features of neighbouring properties would be replicated in the development the overall proportions would not be. Indeed, the proposed dwelling would have a vertical emphasis, unlike its neighbours. The proposed house would be very close to No 65 and although set back slightly from it, it would still create a cramped development with proportions that would appear out of place with the wider street scene.
6. The proposal would therefore be appear incongruous and harm the character and appearance of the area and thus not comply with policy BCS21 of the Bristol Core Strategy (2011) which requires development to contribute positively to the character and identity of an area and policies DM26, DM27 and DM29 of the Site Allocations and Development Management Policies Local Plan (2014) which requires development to make a positive contribution to character, respond appropriately to the proportion of existing buildings and be of a scale that is appropriate to its immediate context.

Living Conditions

7. The proposal includes a raised patio to the rear of the property, levelling out the existing sloping ground. This would create a platform for direct overlooking into the adjoining garden of No 63 as a result of the differences in topography. Because of the proximity of the patio area to the boundary of this dwelling it would lead to an unacceptable loss of privacy for the occupants. The proposal would therefore conflict with policy BCS21 of the Core Strategy which seeks to safeguard the amenity of existing development and policy DM29 which seeks to ensure that existing development achieves appropriate levels of privacy.

Mitigating impact of development

8. The Sustainability Statement submitted by the appellant does not appear to relate to the appeal site. While the appellant has indicated a willingness to address the issue, based on the information before me it is not possible to conclude that there would be no conflict with policy BCS13 of the Core Strategy which requires development to contribute to mitigating and adapting to climate change and the reduction of carbon dioxide emissions; BCS14 which requires development to minimise energy use and utilise renewable and low carbon sources of energy; and policy BCS15 which requires sustainable design and construction to be demonstrated through a Sustainability Statement.

Conclusion

9. For the reasons outlined above and having regard to other matters raised, the appeal is dismissed.

K Ford

INSPECTOR