
Appeal Decision

Site visit made on 7 August 2017

by Chris Couper BA (Hons) DipTP MRTPI

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

Decision date: 17 August 2017

Appeal Ref: APP/Z0116/W/17/3175219

Land to rear of 1 Dorchester Road, Horfield, Bristol BS7 0LA

- 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 R Harrison against the decision of Bristol City Council.
 - The application Ref 16/05363/F, dated 22 September 2016, was refused by notice dated 24 November 2016.
 - The development proposed is described as the resubmission of application 16/00370/F for a two bedroom house.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposal on the character and appearance of the area; and
 - The effect of the proposal on the living conditions at 1 Dorchester Road and 311 Filton Avenue; and whether future occupiers of the proposed house would experience satisfactory living conditions.

Reasons

Character and appearance

3. Dorchester Road is broadly characterised by two storey semi-detached properties and short terraces which are set back from the road, with gaps between the buildings, and reasonably spacious rear gardens. Typically, their main roofs are hipped, although there are also some gabled roofs, including the forward-projecting gables at the ends of the short terraces diagonally opposite the site. No. 1 Dorchester Road ('No. 1') is located close to the junction with Filton Avenue, where that broad theme of development continues.
4. No. 1 and 311 Filton Avenue ('No. 311') form a semi-detached, hipped-roofed, two storey pair. Given their orientation on this corner plot, there is a gap in the streetscenes formed by their rear gardens, which address the side elevations of the neighbouring semi-detached pairs.
5. The proposed house on part of No. 1's garden would broadly reflect the building line and would have its first floor contained partly within its roof. Given its height and overall dimensions it would be clearly subordinate in scale to its neighbours. However, its one-and-a-half storey form would appear

incongruous given the overwhelmingly two storey form of nearby dwellings. Furthermore, although some nearby buildings contain gabled elements within their design, the full front-facing gable here would be uncharacteristic of the area. Although a gap would be retained to the nearest dwellings either side, as the development would be sited very close to three of its boundaries on this small site it would appear rather cramped.

6. The proposal would increase the density of development in a sustainable location. However, as the loss of garden land here would harm the character and appearance of the area, the proposal would not comply with Policy DM21 of the Bristol Site Allocations and Development Management Policies Local Plan 2014 ('SADM').
7. The scheme would also conflict with SADM Policies DM26 and DM27, and with Policy BCS21 of the Bristol Core Strategy 2011 ('Core Strategy') which, in general terms and amongst other things, require development to contribute towards local character and distinctiveness with regard to matters such as grain, height, form and scale. The Council's decision also refers to SADM Policy DM29. However, as the harm would be to area's character, the scheme would not conflict, on this matter, with its detailed design requirements for new buildings.

Living conditions

8. Given the proposed house's proximity to its side and rear boundaries, there would be very limited outdoor space for the future occupants to sit outside or perform typical domestic outdoor tasks. That space would be very enclosed by existing and proposed boundary treatment, and much of it would be overlooked at fairly close quarters from the first floor windows at No. 1 and No. 311.
9. Given the siting and orientation of No. 1 and No. 311, their main private and quieter outdoor amenity areas are to the rear, away from the adjacent highways. A significant proportion of those areas would be very close to the scheme's rear gable or side elevation. Boundary treatment could prevent any significant overlooking from the scheme's living room doors. However, the house's bulk in this location would have an overbearing impact on those properties' gardens and, to a lesser extent, on the outlook from their rear ground floor openings. Additionally, there would be a significant harmful effect on those occupiers' living conditions as a result of loss of privacy, and general noise and disturbance emanating from the scheme's close patio doors, and from the use of its very small outdoor space.
10. Although, dwellings in Filton Avenue and Dorchester Road typically oppose one another, the distances between their elevations, and between principal elevations and opposing gardens, are generally significantly greater than would be the case here. Whilst some degree of disturbance, overbearance and mutual overlooking is common in urban areas, this scheme's impacts go well beyond what could reasonably be expected in this location.
11. For those reasons, the scheme would conflict with the requirements of SADM Policies DM27 and DM29, and Core Strategy Policy BCS21, for development to achieve appropriate levels of privacy and outlook, to safeguard the amenity of existing development, and to create a high quality environment for future occupiers.

Other matters

12. The scheme was amended during its consideration by the Council, and it followed a previously refused scheme. However, I have considered the proposal before me on its merits. Whilst the site has planning permission for a gable-fronted double garage, I have limited details of that scheme. In any event, I understand that it would be lower than this proposal, and its impacts would not be comparable, particularly with regards to living conditions.
13. In my findings I have considered various examples of other development listed by the appellant in his statement, and his concerns that the Council has been inconsistent in its approach. However, some of those are a little way from this site, and in the closer examples I did not observe any that are directly comparable to this scheme in terms of form, siting and context.
14. In the scheme's favour, and in accordance with various development plan policies, the site is sustainably located close to shops and transport links. It would include sustainable design measures as set out in the Sustainability Statement and Sustainable Energy Statement. It would also make an efficient use of the land, and a modest contribution towards housing supply through the provision of a relatively small two bedroom dwelling which could help improve the area's housing mix.

Conclusions

15. For the above reasons I conclude that the scheme would cause significant harm to the character and appearance of the area, and to the living conditions at 1 Dorchester Road and 311 Filton Avenue. It would also result in poor living conditions for the future occupants. The scheme's limited benefits do not outweigh the harm that I have found, and it would conflict with the development plan when considered as a whole. For those reasons, and having regard to all other matters raised, the appeal is dismissed.

Chris Couper

INSPECTOR