



Appeal Decision

Site visit made on 10 December 2019 by Scott Britnell MSc FdA

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th February 2020

Appeal Ref: APP/Z0116/D/19/3238854

66 Portview Road, Avonmouth, Bristol BS11 9JU

- 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 M Jakeways against the decision of Bristol City Council.
 - The application Ref 19/03252/H, dated 2 July 2019, was refused by notice dated 6 September 2019.
 - The development proposed is described as 'two and single storey side extension – resubmission of application 19/01199/H'.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.
3. I note that the appellant refers to the proposal as a resubmission of an earlier planning application that was approved by the Council. However, I have not been provided with any details regarding that earlier approval and so cannot consider how it relates to the current proposal.

Main Issue

4. The main issue in this matter is the effect of the proposal on the character and appearance of the host property and the area.

Reasons for the Recommendation

5. The appeal site comprises a semi-detached dwellinghouse located on the east side of Portview Road. The property occupies a roughly wedged shape plot close to the junction with Farr Street. The proposal involves the erection of a part two storey/part single storey side extension. The two storey element would be set 0.2 metres back from the front elevation of the host dwelling at first floor level, while the overall width of the proposed works at 6.9 metres would be wider than the host dwelling (6 metres). The single storey element would project 1.5 metres beyond the front elevation of the property. These measurements are taken from the Council's report and are not disputed, save that the appellant states the two storey element would be set back by 0.3 metres.

6. I acknowledge that the two storey element of the proposal would be set down from the main ridge of the host dwelling and back from the front elevation, and forward of the rear. However, the set back at first floor level would be only 0.30 metres (as a maximum), which I consider would fail to result in a subordinate appearance. Further, I do not consider that the extension being set in from the rear of the host dwelling would negate this harm. In addition, the combined width of this element and the single storey extension would result in a sizable addition to the property, which would practically double the footprint of the original building and be wider than it. The single storey element would also wrap around the front of the two storey extension and project forward of the front elevation of the host dwelling. Cumulatively, these factors would result in an addition that would fail to appear subordinate to the host dwelling and would compete with it visually causing harm to its character and appearance.
7. Although limited, the appeal dwelling and its semi-detached partner, through their simple design and proportions, make a positive contribution to the character and appearance of the street scene and area. This would be diminished by the proposal, which would also visually unbalance the semi-detached pair. In reaching this conclusion, I acknowledge that the opposite side of the road appears to be industrial in function and appearance. Nevertheless, the proposal would cause harm to the character and appearance of the street scene and the area for the reasons I have given above.
8. The appellant argues that it would not be practical to construct the two storey extension with a greater set back from the front elevation and that such a requirement would make it less viable. No evidence has been submitted to substantiate this argument and I have, in any case, assessed the proposal on its merits.
9. The appellant has also provided a number of photographs of properties where extensions appear to have been constructed, although other than indicating a road name beneath each photograph no further details have been provided. The appellant also requested that I visit these roads, in addition to Portview Road, which I did at my site visit. However, I do not have the details of the developments shown in the photographs or what I observed at my visit and so am unable to determine whether they are directly comparable to the proposal before me. For example, it is not clear if these were approved under the same planning policy context. Accordingly, these matters carry little weight in my consideration of the proposal.
10. I conclude that the proposal would result in unacceptable harm to the character and appearance of the host property and the area. There would be conflict with Policy BCS21 of the Bristol Development Framework Core Strategy (June 2011) and Policies DM27 and DM30 of the Bristol Local Plan Site Allocations and Development Management Policies Local Plan (July 2014). These policies seek, among other things, to ensure that development in Bristol contributes positively to an area's character and identity, creating or reinforcing local distinctiveness, that the form of buildings should contribute to the creation of quality urban design, and that extensions and alterations respect the siting, scale, form, proportions, materials, details and the overall design and character of the host building and the broader street scene. The proposal also conflicts with guidance set out within the Council's Supplementary Planning Document 2 – A Guide for Designing House Alterations and Extensions (October 2005)

(SPD). Although pre-dating the National Planning Policy Framework, I consider that the SPD broadly accords with its requirement to achieve high quality design.

Other Matters

11. I have also considered the arguments that the appellant has made regarding what they consider to be a lack of negotiation from the Council and a suggestion that other Councils in the area would not raise concerns had the proposal been presented to them. However, I do not consider that these are determinative matters in this case. It has been suggested that the Council has only applied its SPD with rigour recently. I do not, however, have sufficient evidence to reach an informed conclusion on this. This document is a material consideration to which I must have regard. Further, should the appellant be dissatisfied with the way their application was considered, the Council would have its own complaints procedure that they can engage with.
12. The appellant also suggests that they would be willing to revise the proposal. I have not considered these suggestions, as I can only assess the proposal before me. Consequently, this is not a determinative matter in this case. Further, the appellant suggests that the proposal, if allowed, would result in 41% of the site being built upon and it is argued that it is permissible to build upon 50%. However, no details have been submitted regarding what alternative developments may be being referred to and so this is not an argument that I can give any significant weight to.

Conclusion and Recommendation

13. I have considered the matters raised by the appellant; however, these do not outweigh the harm I have found in respect of the main issue.
14. For the reasons given above, I recommend that the appeal should be dismissed.

Scott Britnell

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

K Taylor

INSPECTOR